

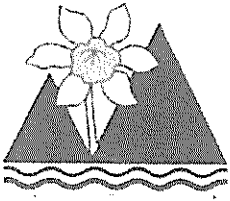
Proposed Natural Resources Plan:

Submitter:

Carterton District Council

Submitter Number:

S301



Carterton District Council

23 October 2015

Wellington Regional Council
Freepost 3156
PO Box 11646
Manners Street
WELLINGTON 6142

Email: Regionalplan@gw.govt.nz

Dear Sir/Madam

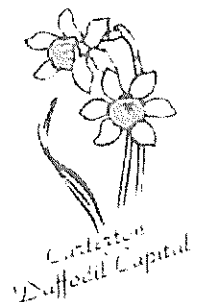
SUBMISSION - PROPOSED NATURAL RESOURCES PLAN

Please find attached Carterton District Council's submission on the Wellington Regional Council Proposed Natural Resources Plan. I note that the closing date for my Council's submission was extended to 23 October 2015 by the Manager of Environmental Policy, Jonathon Streat, in an email dated 25 September 2015.

The mandatory Form 5 submission form, together with my Council's detailed submission, is appended. We wish to be heard in support of our submission.

Yours sincerely

Colin Wright
CHIEF EXECUTIVE



**SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN
FOR THE WELLINGTON REGION**

**Pursuant to Clause 6 of Schedule 1 of the Resource Management Act
1991 (Form 5)**

To: Wellington Regional Council
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P O Box 11646
Wellington 6142

By Email: regionalplan@gw.govt.nz

Submitter Name: Carterton District Council

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Trade Competition: I could not gain an advantage in trade competition through this submission.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are detailed in the table attached to this submission. The table of submission includes a statement of whether Carterton District Council supports or opposes the provisions referred to, reasons for the submission points and the decisions requested.

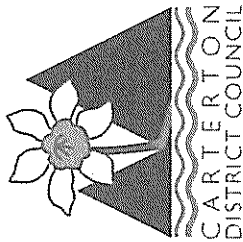
Carterton District Council **wishes to be heard** in support of this submission. If others make a similar submission, Carterton District Council will consider presenting a joint case with them at a Hearing.

By an extension granted by the Environmental Policy Manger of Greater Wellington Regional Council under section 37 of the Resource Management Act, dated 25 September 2015, this submission is made after the publicly notified closing date for submissions. The Carterton District Council submission therefore qualifies as a valid submission.

Signed by Colin Wright, Chief Executive, Carterton District Council.

Authorised signatory on behalf of Carterton District Council (noting that no signature is required where the submission is lodged electronically)

23 October 2015



GWRC PROPOSED NATURAL RESOURCES PLAN

SUBMISSION FROM CARTERTON DISTRICT COUNCIL

PART 'A': SCHEDULES IDENTIFYING SIGNIFICANT VALUES AND MAPS

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Schedule C5	Sites of significance to Wairarapa Iwi	Request Clarification and Request Change	Map 7 and the interactive on-line GIS mapping resource do not clearly identify the physical location of the identified sites or their physical extent. This makes it impossible to know with certainty which policies and rules apply. Readers of the Plan should be able to clearly identify these sites within the Plan itself, without having to rely on a supplementary GIS system that is not part of the Plan. In this respect, the Plan creates material uncertainty particularly given the emphasis on these sites and values in the objectives, policies and rules of the Plan. CDC requests that Map 7 be adapted to more clearly identify the physical extent of the Schedule C items independent of the need to otherwise rely on a GIS mapping tool that is separate from the Plan.
Schedule M and Map 26	Identify the Kaipatangata Stream community drinking water supply abstraction point and water supply protection area.	Request Change	The interactive on-line GIS aerial photos identify the upper Kaipatangata as 'Mangatarere Stream' and the drinking water supply abstraction point and extent of the water supply protection area are not clearly identified. CDC requests that GWRC more clearly identify the extent of the Kaipatangata water supply protection area so that it is readily visible to people viewing the proposed NRP and interactive on-line maps.

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Schedule M2 and Map 27a	Identifies CDC's groundwater bores as 'Groundwater drinking water supply abstraction points' (also shown on Map 31).	Request Change	Map 27a now shows bores: S26-0705; S26-0824; and S26-0919. CDC requests that the bore references be amended to read S26-0705; S26-0824; S26-0919, and S26-0918.
Schedule N	Sets out the content of the 'Stormwater Management Strategy' that GWRC intends all local authorities will have to prepare.	Oppose	CDC expects implementation of Schedule N could have substantial resourcing implications, with at least part of the strategy arguably more appropriate to land use management via the district plan. In saturated conditions, SW runoff will occur anyway. CDC requests deletion or prefacing of Schedule N as "preliminary" until such time as the requirements are agreed with territorial local authorities following the workshop process suggested by Method M15.
Schedule R	Guidelines for water abstraction step-down allocations for the Ruamahanga catchment (including the Mangatarere Stream – but not specifying the Kaipatangata). The flow at which water takes must reduce is specified only for the Mangatarere upper and lower reaches. Assuming the Kaipatangata is defined as being within the upper reach, the flow at which takes must reduce is given as 330 (presumably L/s)	Request Clarification	The Schedule now includes the location of the management point for the flows specified for the Mangatarere Stream – it is the 'Gorge Recorder'. The minimum flows are specified as 240L/s (upper reach) and 200 L/s (lower reach). The flows at which takes shall reduce are specified as 330L/s (upper reach) and 240 L/s (lower reach). CDC notes that there is nothing specified for the Kaipatangata Stream and seeks clarification as to whether this is the intention.
Schedules Generally	General Comment	Oppose	CDC notes that identification in the multiple Schedules will have the effect of changing the consent status of many activities and, particularly, the consent status of discharges to land and water from discretionary activity to non-complying activity. This is of considerable concern and does not appear to be warranted given that the policy framework addresses in detail the issues of concern. The section 32 report accompanying the proposed Plan is deficient in this respect. CDC opposes the non-complying activity status of activities within areas identified within any of the Schedules to the Plan.
Maps 22 to 25	Classification of the region's rivers	Request Clarification and Request Change	Maps 22 to 25 and the interactive on-line GIS mapping resource do not clearly identify the distinctions between classifications of rivers. This makes

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
			<p>it impossible to know with certainty which policies and rules apply to which reaches of the rivers. Readers of the Plan should be able to clearly identify these sites within the Plan itself, without having to rely on a supplementary GIS system that is not part of the Plan. In this respect the Plan creates material uncertainty particularly given the emphasis on protecting and restoring river values in the objectives, policies and rules of the Plan.</p> <p>CDC requests that Maps 22 to 25 be adapted to more clearly identify the distinctions between river classifications without reliance on a GIS mapping tool that is separate from the Plan.</p>

PART 'B': INTRODUCTION & DEFINITIONS

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
2.1.6	Reference to the on-line GIS mapping facility	Oppose	<p>CDC has found that the information boxes in the GIS system are not all accurate (for example, the Kaipatangata Stream is identified as the Mangatarere Stream and many scheduled features are difficult to pin point) and do not always link automatically to the PNRP Schedule referenced. The text in 2.1.6 says that the printed (pdf) maps contained in the PNRP should not be relied on and refers users to the on-line GIS facility. The Plan must be self-contained and the extent of effect of all policies and rules must be readily visible without reliance on a separate, external, on-line GIS mapping system. The current proposed arrangement creates unacceptable uncertainty.</p> <p>CDC opposes the reliance on the on-line GIS system and requests that all mapped information relied on by the schedules, definitions, objectives, policies and rules of the Plan are contained within the Plan itself in a clearly readable and accessible format.</p>
Definition	<p>Community drinking water supply is defined as: <i>A drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.</i></p> <p>Community drinking water supply protection area is defined as: <i>The area surrounding a community drinking water supply as shown on Map 30 and Map 31a, b and c. The community drinking water supply abstraction points are also identified in Schedule M1 (surface water supplies) and Schedule M2 (groundwater supplies).</i></p>	Request Change	<p>CDC requests that the maps more clearly show the physical extent of the community drinking water supplies.</p> <p>CDC requests that the groundwater bore references are amended to read S26-0705; S26-0824; S26-0919, and S26-0918</p>
Definition	Māori Use (in relation to standards of water quality) is defined as: <i>The interaction of Māori with fresh and coastal water for cultural purposes, this includes the cultural and spiritual relationships with water expressed through Māori practices, recreation and the harvest of natural materials.</i>	Request Change	"Maori use" is now called 'Maori customary use' – but there is no change to the text of the definition. 'Maori practices' are not defined – there is an absence of clarity about what this actually means and the expression is given protection in the objectives and policies.

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
New Definition	Distribution Uniformity: The ratio of the average depth of irrigation water applied minus the average deviation from this depth, divided by the average depth applied, as would occur with overlapped areas wetted with irrigation water, expressed as a percentage.	Request Change	CDC requests more detailed clarification of the expression "Maori practices", given the emphasis that is placed on this expression throughout the objectives and policies, and to avoid the potential for confusion and variable interpretation during policy implementation.
Definition	Mean Annual Low Flow (MALF): The average of the lowest flows measured in each year of a full site record.	Request Change	The expression 'average' is inappropriate. CDC requests that the definition of MALF is amended to read: "The <u>arithmetic mean of the lowest flows measured in each year of a full site record.</u> "
New Definition	New Discharge: A discharge of wastewater from a wastewater treatment plant not previously authorised by resource consent. In the context of wastewater discharged to fresh water from a wastewater treatment plant or a wastewater network means a discharge not authorised by resource consent at the time of application for a resource consent, or a discharge that was authorised by a resource consent at the time of application for a new resource consent but is to be increased or otherwise altered by a new resource consent.	Oppose and Request Change	The definition captures any alteration to an existing discharge system – including, potentially, beneficial improvements such as alterations to the location or regime of discharge that would reduce in-stream effects. That is not warranted. The significance is that 'new' discharges are classified as non-complying activities and the policy is to 'avoid' them. The combination of the definition with the policies and rules discourages beneficial upgrading of existing systems. CDC opposes the definition of 'New Discharge' and requests amendment to read as follows (or words having similar effect): A discharge of wastewater from a wastewater treatment plant not previously authorised by resource consent. In the context of wastewater discharged to fresh water from a wastewater treatment plant or a wastewater network means a discharge not authorised by resource consent at the time of application for a resource consent, or a discharge that <u>is</u> authorised by a resource consent at the time of application for a new resource consent <u>which is proposed to be increased or expanded in a manner that would exacerbate adverse environmental effects (but excluding</u>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Definition	Wastewater is defined as: <i>Liquid waste (and liquids containing waste solids) from domestic, industrial or commercial premises, including, but not limited to, human effluent, grey water sillage and trade wastes, but excluding stormwater.</i>	Request Change	The definition of wastewater should include groundwater infiltration and SW i.e. inflow from roof connections, MH lids etc. CDC requests that the definition of 'wastewater' is amended by deleting the words 'but excluding stormwater'.
Definition	'Water sensitive urban design' is defined as: <i>The integration of planning, engineering design and water management to mimic or restore natural hydrological processes in order to address the quantitative and qualitative impacts of land use and development on land, water and biodiversity, and the community's aesthetic and recreational enjoyment of waterways and the coast. WSUD manages stormwater at its source to control runoff and water quality. WSUD manages stormwater at its source to control urban design and water sensitive design are often used synonymously with WSUD.</i>	Request Change	Control at source is only one of the measures available and the definition should acknowledge this. CDC requests that the second-to-last sentence be reworded as follows: <i>"WSUD manages stormwater at its source as one of the tools to control runoff and water quality. The terms low impact design, low impact urban design and water sensitive design are often used synonymously with WSUD."</i>


PART 'C': POLICIES

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
<p>Objectives O5, O16, O17, O23, O25, O26, O27, O33, O35, O50</p>	<p>All relate to the protection and restoration of waterways</p>	<p>Request Change</p>	<p>CDC has a stated commitment to contributing to the improvement of water quality in streams and rivers referred to in the objectives. CDC has invested considerable funds and shouldered considerable community debt to achieve the land disposal of treated wastewater so as to minimise discharges of treated wastewater to surface water and to improve in-stream values. However, discharge of treated wastewater to surface water is expected to be necessary in particular circumstances (for example, during flushing flows) to enable the continued operation of its current and any future wastewater treatment and disposal system. The Council is a long way from achieving its aspiration of full land disposal of treated wastewater. That aspiration will not be achieved within the 10-year life of the Natural Resources Plan. The objectives need to be amended to reflect the fact that a long time period will be required to completely remove or minimise the discharge of treated wastewater to rivers. The section 32 report accompanying the proposed Plan is deficient in this respect.</p> <p>CDC requests that Objectives O5, O16, O17, O23, O25, O26, O27, O33, O35 and O50 are amended, and the accompanying explanatory text is amended, to acknowledge the need to allow time (longer than the 10-year life of the Natural Resources Plan) for communities to remove their discharges of treated wastewater from surface water and to provide for the continued discharge of treated wastewater to water in specific circumstances (subject to discretionary activity consent).</p>
<p>Objective O48</p>	<p>Stormwater Networks</p>	<p>Request Change</p>	<p>The proposed NRP does not clearly identify the effects associated with stormwater that this objective and the subsequent policies and rules are attempting to address. The objective should address the <i>significant</i> adverse effects of stormwater networks – if there are any adverse effects greater than immaterial effects. The section 32 report accompanying the proposed Plan is deficient in this respect.</p> <p>CDC requests that Objective O48 is amended by replacing the word 'effects' with '<i>significant</i> adverse environmental effects'.</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Objective O50	Discharges of wastewater containing treated human effluent	Request Change	<p>CDC has a stated commitment to contributing positively to achievement of this objective. However, CDC's expectation is that it is going to take a long period of time (longer than the life of the Natural Resources Plan) to achieve the objective. It is important that the objective acknowledges this and sets realistic expectations particularly for small local authorities such as CDC which will have difficulty funding the investment in land and treatment technology that will be required to achieve complete removal of treated wastewater from rivers 100% of the time. CDC expects that there will continue to be a need to rely on some degree of discharge of treated wastewater to rivers (for example, during periods when soils are saturated and incapable of absorbing irrigated effluent and during high river flows). The section 32 report accompanying the proposed Plan is deficient in this respect.</p> <p>CDC requests that Objective O50 and the accompanying explanatory text acknowledge the likely need for continued reliance on disposal of treated effluent to rivers for the foreseeable future to allow communities to work towards removal of such discharge from rivers over a time frame that is affordable and efficient.</p>
Policy P4	Minimisation of adverse effects	Request Change	<p>Policy P4 does not acknowledge the operational requirements of regionally significant infrastructure however there are other objectives and policies (including wastewater treatment and disposal systems and stormwater networks) and should do.</p> <p>CDC requests amendment of Policy P4 to incorporate consideration of the operational requirements and functional needs of regionally significant infrastructure.</p>
Policies P12 and P13	Acknowledging the benefits of regionally significant infrastructure	Support	<p>CDC supports the acceptance of the importance and benefits of regionally significant infrastructure.</p> <p>CDC requests retention of Policies P12 and P13.</p>
Policy P14	Managing reverse sensitivity effects on regionally significant infrastructure	Request Change	<p>CDC supports the intention but requests that the policy be amended to also capture changes to existing developments (as well as genuinely 'new' developments) and so as to not be limited to 'adjacent' inappropriate development. Suggestion:</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policy P41	Managing adverse effects in scheduled areas of significant indigenous biodiversity values		<p>CDC requests that Policy P14 be amended to read as follows (or words with similar effect):</p> <p><i>'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.'</i></p> <p>The title of Policy P41 is 'managing adverse effects'. However, the policy seeks avoidance of all effects in the first instance and avoidance of adverse effects that are more than minor. The policy should address significant adverse effects.</p> <p>CDC requests that P41 is deleted or amended to remove the requirement to avoid activities other than those specified in rehabilitation management plans (in the first paragraph).</p>
Policy P45	Managing effects on sites that are significant to mana whenua	Oppose	<p>CDC reiterates the concern it raised in its submission on the draft NRP that part (d) of Policy P45 has the potential to create a 'power of veto'. This is not contemplated by the RMA and is not considered to be appropriate. The other objectives and policies of the Plan adequately address the need to engage with and work collaboratively with iwi and this reflects CDC's own approach to its infrastructure development.</p> <p>CDC requests the deletion of part (d) of Policy P45.</p>
Policy P69	Protecting community drinking water supplies	Request Change	<p>This is an important policy, protecting community drinking water supplies, and CDC supports it. However, the wording of the draft NRP ('should be avoided') has been softened to 'avoided to the extent practicable'. It is important to ensure that the extent of community drinking water supply areas (particularly for groundwater bore systems like CDC's) are clearly identified by the Plan's maps and that the policy is effective in protecting those.</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policy P70	P70: <i>Managing point source discharges for aquatic ecosystem health and mahinga kai</i>		<p>CDC requests amendment of Policy P69 by deletion of the words 'to the extent practicable'. As earlier noted, CDC also requests that the physical extent of community drinking water supply areas be clarified on the Plan maps so that people understand clearly whether and where their discharge and land use activities are restricted, without having to rely on external GIS mapping facilities, in order to protect the community supply.</p>
Policy P71	<p>P71: Quality of Discharges</p> <p>P71 sets upstream/downstream limits for point source discharges:</p> <ol style="list-style-type: none"> 1. No more than 20% decrease in QMCI (all year) 2. Max. 0.5 pH change (All year) 3. Max. 33% decrease in water clarity (all year) 4. Max. 2° change in temperature in Waiohine (high macroinvertebrate community health) and max. 3° change in temperature in other rivers (Mangatarere Stream) (all year) 5. Min. 7-day DO concentration 5mg/L (Nov-April) 6. Min. daily DO concentration 4mg/L (Nov-April) 	<p>Request Change</p>	<p>P 70 requires that for existing discharges that contribute to the in-river objectives not being met, the application must include a defined programme of work for upgrading within the term of the resource consent; and new discharges will only be deemed appropriate if they do not cause the water quality to become worse in relation to any of the objectives.</p> <p>This could create a very high threshold for any application to improve or alter the discharge point.</p> <p>CDC requests that P.70 be reworded to read:</p> <p><u>'Point source discharges to fresh water and coastal water, relating to new discharge activity, shall be managed to maintain water quality, as a minimum, after reasonable mixing.'</u></p>
Policy P71		<p>Request Change</p>	<p>CDC notes that DO concentrations are absolutes, irrespective of upstream conditions, and considers they should be expressed as maximum decrease as for other parameters.</p> <p>CDC requests that DO concentrations be expressed as a maximum decrease (decrease to be defined).</p> <p>CDC notes that land treatment trenches lower effluent temperature. Mean effluent temperature is currently 15 degrees, max. 22 degrees, min. 8 degrees. Land treatment trenches effluent 10.4 degrees. Mangatarere temperature variation is as illustrated in the figure below.</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
			<p data-bbox="284 436 311 929">Mangatarere River at State Highway 2</p> <p data-bbox="331 555 359 929">Click and drag in the plot area to zoom in</p>  <p data-bbox="885 235 1029 952">The proposed temperature change is potentially problematic for CDC if it is an instantaneous not average measurement. There is a 5 degree minimum diurnal temperature change in the river. Pond effluent is more likely to be constant by comparison – so for example, may potentially fail an instantaneous temperature reading if taken at night or early morning.</p> <p data-bbox="1061 235 1125 952">CDC requests a minimum temperature threshold, suggest 10 degrees Celsius, below which this standard does not apply.</p>
Policy P71 Continued	P71: Quality of Discharges	Request Change	<p data-bbox="1157 235 1220 952">Nitrate nitrogen, ammoniacal nitrogen, ScBOD and POM are expressed as absolutes, independent of upstream concentrations.</p> <p data-bbox="1244 235 1308 952">CDC requests the above parameters be expressed as maximum increases, as for other parameters</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policy P73	Minimising adverse effects of stormwater networks	Oppose	<p>CDC acknowledges the need to continuously and progressively upgrade stormwater capture and disposal systems where there is evidence of significant adverse effects on the environment. However, the proposed Plan does not identify what those significant adverse effects are that warrant the policy approach adopted in Policy P73. CDC is concerned the standards to be imposed via this policy will unnecessarily add to the cost of development and of community infrastructure. The section 32 report accompanying the proposed Plan is deficient in this respect.</p> <p>CDC requests the deletion of Policy P73 or, alternatively, amendment of Policy P73 to clarify that it addresses significant adverse effects of stormwater only (if there are any in particular case).</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policies P74, P75, P77 and P79	Two-stage approach for authorising stormwater networks	Oppose	<p>CDC has concerns about the scope of the requirements of Policies P74 and P75 in the absence of any explanation in the proposed Plan of the significant resource management issue(s) the policy seeks to address. Most of CDC's stormwater discharges are permitted activities currently and the proposed rules will require consents for activities that have historically not required them. No explanation is given of the reason why that is necessary or the environmental benefit that will result. The section 32 report accompanying the proposed Plan is deficient in this respect. The policy approach is premature until the consultation with local authorities, envisaged by Method M15 is concluded. The maximum 5-year consent duration is too short and is opposed.</p> <p>CDC requests the deletion of Policies P74 and P75, or that they are at least prefaced as "preliminary", until such time as the consultation process with local authorities has been concluded as envisaged by Method M15.</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policy P76	Minimising wastewater and stormwater interactions	Oppose	<p>CDC has in place a programme of ongoing detection and upgrading of stormwater interaction issues. The policy approach is premature until there is greater clarity about the outcomes of the consultation envisaged by Method M15.</p> <p>CDC requests the deletion of Policy P76, or that it is at least prefaced as "preliminary", until such time as the consultation process with local authorities has been concluded as envisaged by Method M15.</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policy P83	Avoiding new wastewater discharges to fresh water	Oppose	<p>CDC expects that there will continue to be a need to rely on some degree of disposal of treated wastewater to fresh water, during the life of the Natural Resources Plan. CDC is concerned that the definition of 'new discharge' captures even beneficial upgrading of wastewater treatment and disposal systems. The combination of the definition and Policy P83 and the rules is not practicable for the foreseeable future. The section 32 report accompanying the proposed Plan is deficient in this respect.</p> <p>CDC requests the deletion of Policy P83.</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policy P95	<p>Policy P95: Discharges to land</p> <p><i>The discharge of contaminants to land shall be managed by:</i></p> <ul style="list-style-type: none"> <i>(a) ensuring the discharge does not result in more than minor adverse effects to soil health, and</i> <i>(b) avoiding discharges that would create contaminated land, and</i> <i>(c) not exceeding the natural capacity of the soil to treat, use or remove the contaminant, and</i> <i>(d) not exceeding the available capacity of the soil to absorb and infiltrate the discharge, and</i> <i>(e) minimising effects on public health and amenity, and</i> <i>(f) not resulting in a discharge that enters water.</i> 		<p>CDC requests that a definition be provided for “<i>natural capacity</i>”, and that it is consistent with the definitions for “<i>field capacity</i>” and “<i>deficit irrigation</i>”</p> <p>CDC requests that P 95(f) be replaced with: “<i>(f) not resulting in a discharge that enters <u>surface water</u>.</i>”</p>

Reference	Policy or Provision	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Policy P109	Lapsing Period for water abstraction	Oppose	<p>CDC questions why it is necessary to reduce by 40% the usual lapsing period provided for by section 125 and to impose additional consent complexity by requiring applicants to make a case for a 5-year lapsing period when the RMA already provides for this. The section 32 report accompanying the proposed Plan is deficient in this respect.</p> <p>CDC opposes the proposed 3-year lapsing limit.</p>

PART 'D': RULES

Reference	Rule	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
R50 and R51	Two-stage consent requirements for stormwater networks	Oppose	<p>CDC has expressed above its concerns about the scope of the combined requirements of Policies P74 and P75, and Rule R50 and R51 in the absence of any explanation in the proposed Plan of the significant resource management issue(s) the policy seeks to address. Most of CDC's stormwater discharges are permitted activities currently and the proposed rules will require consents for activities that have historically not required them in the absence of evidence that they the consent approach is necessary to address a significant resource management issue. No explanation is given of the reason why the approach is necessary or the environmental benefit that will result. The section 32 report accompanying the proposed Plan is deficient in this respect. The policy approach is premature until the consultation with local authorities, envisaged by Method M15 is concluded. The maximum 5-year consent duration is too short and is opposed.</p> <p>CDC requests the deletion of Rules R50 and R51 or that they are at least prefaced as "preliminary", until such time as the consultation process with local authorities has been concluded as envisaged by Method M15. .</p>
R58	The discharge of water or contaminants into water from a water race shown on Map 28 is a discretionary activity	Request Clarification	<p>CDC seeks clarification of whether the activity requiring consent is the discharge of contaminants into a water race, or discharge of water race water and contaminants into other water.</p>
R62	New discharges of wastewater to water are non-complying activities	Oppose and Request Change	<p>CDC expects that there will continue to be a need to rely on some degree of disposal of treated wastewater to fresh water, during the life of the Natural Resources Plan. CDC is concerned that the definition of 'new discharge' captures even beneficial upgrading of wastewater treatment and disposal systems. The combination of the definition and Policy P83 and Rule R62 is not practicable for the foreseeable future. The section 32 report accompanying the proposed Plan is deficient in this respect.</p>

Reference	Rule	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
R67	Discharge of contaminants into Scheduled areas	Oppose and Request Change	<p>CDC requests that Rule R62 provides for all discharges of treated wastewater to surface water as a discretionary activity (not a non-complying activity.)</p> <p>CDC expects that there will continue to be a need to rely on some degree of disposal of treated wastewater to fresh water, including to waterways that are listed in the Schedules, during the life of the Natural Resources Plan. The combination of policy and rules presents an unachievable obstacle to enabling this necessary element of the community's wastewater system and is not practicable for the foreseeable future. Given the clear policy framework, discretionary activity consent is sufficient and appropriate to address the acknowledged issues. The section 32 report accompanying the proposed Plan is deficient in this respect.</p> <p>CDC requests that Rule R67 provides for all discharges of contaminants within Scheduled areas as a discretionary activity (not a non-complying activity.)</p>
R79	<p>The discharge of treated wastewater onto or into land, and the associated discharge of odour is a controlled activity provided the following conditions are met:</p> <p>The conditions include:</p> <ul style="list-style-type: none"> - wind speed limit of 6m/s - max. 10% trade waste component (yearly average) - max. 2,000 cfu/100mL <i>E. coli</i> - max. 5mm/hr or 15mm per application event deficit irrigation - distribution uniformity 80% - max. 150kg N/ha/year if grazed and max 300 kg N/ha/year if cropped - spray irrigation 50m setback from surface water body - spray irrigation 50m setback from site boundary 	Support and Request Change	<p>This is now a controlled activity (including associated odour). Non-compliance with the standards defaults to R80 restricted discretionary activity. There are also standards for R80 – and if they are not met, the application defaults to full discretionary (Rule R93).</p> <p>CDC supports both the controlled activity R79 and the default R80 rules, specifically that applications will not be publicly notified UNLESS special circumstances exist.</p> <p>The rules regarding maximum wind speed and set-back distances are not consistent with expert advice available from Dr. Hewitt in the context of Plan Change 3 to the Waitarapa Combined District Plan. A maximum wind speed of 12m/s is appropriate for low profile, large droplet size, centre pivot spray irrigators.</p> <p>CDC requests that the wind speed limit be increased to 12m/s.</p>

Reference	Rule	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
	<ul style="list-style-type: none"> - spray irrigation 150m setback from residential dwellings on others' property - dripline setback 5m from surface water body - dripline setback 150m from water abstraction bore - min. droplet size - no offensive or objectionable odour beyond the property boundary 		<p>The proposed 10 % limit on the component of trade waste is arbitrary and meaningless. If the intention is to minimise risk of contaminated sites from metals etc. there are better ways of achieving that. As it stands, it is a disincentive for CDC or other TAs to reduce infiltration and inflow entering wastewater reticulation and treatment plant. CDC requests that the 10% limit on trade waste be deleted.</p> <p>Irrigation rate - CDC requests amendment to 20mm per irrigation event to ensure sufficient flexibility around variations in field capacity, natural capacity, deficit irrigation rates and climatic conditions.</p> <p>Distribution uniformity – better uniformity is achieved by finer sprays but this is the opposite of best practice in terms of human health. CDC requests greater flexibility in the form of proposed droplet size versus distribution uniformity.</p> <p>Separation distances from boundaries and from surface water - CDC supports the tiered approach taken in Plan Change 3 of the Wairarapa Combined District Plan – i.e. better quality effluent can be discharged closer to the boundary depending on the discharge method (for example by drip line as opposed to centre pivot). CDC requests that the minimum setback distances from boundaries and from surface water be amended to allow discharge of treated effluent closer to boundaries.</p>
R99	Rule R99 permits earthworks and the associated discharge of stormwater from earthworks of a contiguous area of 3,000m ² per property in a 12-month period.	Request Clarification and Request Change	<p>CDC requests clarification of whether Rule R99 is the substitute rule provision equivalent to Rule 18 of the Regional Plan for Discharges to Land – i.e. permitted activity status for discharges associated with the construction and maintenance of roads and sealed areas, and whether a road is deemed to be a single property for the purposes of this rule.</p> <p>The reason is that CDC may have several work sites happening concurrently across the network of less than 3,000m² each, that in total may add to more than 3000m², but the individual sites could be several kilometres apart, and in different catchments. CDC sees no reason why these should not continue to be provided for as permitted activities.</p>

Reference	Rule	Support, Oppose or Request Change	Carterton District Council (CDC) Decisions Requested and Reasons
Rule R115	Culverts are permitted (provided they are not placed in Schedule C areas of interest to mana whenua) – otherwise are restricted discretionary activities under Rule R125.	Request Clarification and Request Change	<p>CDC requests insertion of a rule that provides permitted activity status for discharges associated with road construction and maintenance (equivalent to Rule 18 of the Regional Plan for Discharges to Land).</p> <p>CDC seeks clarification of whether the Rule also provides for the replacement, or extension, of existing culverts, to provide greater road width for traffic safety reasons.</p> <p>The normal road reserve width is 20 m between boundaries, but because culverts are often laid on an alignment skewed to the centreline, a length of 30m would be more appropriate and is sought instead of the 20m proposed in the conditions attaching to Rule 115.</p> <p>CDC requests amendment of standard (h) (i) maximum culvert length to increase the maximum from 20m to 30m.</p>
Rule R117	New structures e.g. hydrological and water quality monitoring equipment and bank edge protection are = permitted subject to conditions. Condition (i) limits upstream catchment to 200 ha.	Request Change	<p>CDC requests that Rule R117 also provides for maintenance of stream alignment to protect essential infrastructure – namely roads, wastewater pipes and water supply reticulation (e.g. protection of the Kaipatangata water supply trunk main and intake) and requests that condition (i) (the upstream catchment limit) be deleted.</p>
Rules R121 and R122	Drain clearance and vegetation clearance	Oppose	<p>CDC questions the need for the highly prescriptive standards proposed for routine drain cleaning and requests they be amended so that they are practical and achievable with usual machinery and work programmes.</p> <p>CDC requests deletion of the prescriptive list of conditions. from Rules R121 and R122.</p>

Proposed Natural Resources Plan:

Submitter:

Fertiliser Association NZ

Submitter Number:

S302



Shaping profitable and sustainable farming

SUBMISSION TO WELLINGTON REGIONAL COUNCIL

ON

THE PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON
REGION

BY

THE FERTILISER ASSOCIATION OF NEW ZEALAND

23TH OCTOBER 2015

ADDRESS FOR SERVICE

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APPROVED FOR RELEASE



Greg Sneath – Executive Manager
The Fertiliser Association of New Zealand Inc

FORM 5
SUBMISSION BY THE FERTILISER ASSOCIATION OF NEW ZEALAND
ON PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION UNDER
CLAUSE 6 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: Wellington Regional Council
PO Box 11646
Wellington 6142

Overview

This submission provides specific comments from The Fertiliser Association of New Zealand ('FANZ') on the Proposed Natural Resources Plan for the Wellington Region ('Proposed Plan'). The comments have been prepared to assist the Council in its further development of the Proposed Natural Resources Plan and to ensure that the planning framework contemplates and provides for agricultural activities, particularly nutrient management. Notwithstanding comments made on specific relief sought, FANZ generally supports the approach by Wellington Regional Council to provide for primary production in the Proposed Plan.

Introduction

FANZ is a trade association representing the New Zealand manufacturers of superphosphate and nitrogen fertilisers. FANZ member companies are Ballance Agri-Nutrients Ltd and Ravensdown Fertiliser Co-operative Ltd.

To promote good management practices, FANZ develops training programmes, codes of practice and industry information fact sheets. FANZ also funds research, partners with government on research and development projects and works closely with other organisations in the agricultural sector on industry-good issues. This includes funding for OVERSEER® as a one third owner, along with AgResearch and Ministry for Primary Industries.

FANZ supports and encourages an environmentally responsible science-based approach to nutrient management and its regulation. FANZ member companies provide product that is critical to New Zealand farming systems along with research that supports both environmentally sustainable farming practices and government's export growth agenda.

FANZ supports responsible nutrient management with interests and responsibility across all agricultural sectors, including dairy, sheep, beef, arable and horticulture.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 2.2 Definitions Contaminated Land	FANZ submission on this provision is:	FANZ support the provision.
	Reasons for FANZ submission:	The definition is supported in so far as it refers to 'significant' adverse effects and is consistent with the definition in the Resource Management Act (RMA).
	FANZ seeks the following decision from WRC:	Retain the definition as notified.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 2.2 Definitions Fertiliser	FANZ submission on this provision is:	FANZ support the provision.
	Reasons for FANZ submission:	The definition is supported as it accurately defines 'fertilisers' and their purpose and specifically excludes compost. The definition is also closely aligned with other regulatory definitions, such as those used in the Agricultural Compounds and Veterinary Medicines (ACVM) Regulations and Fermark Code of Practice.
	FANZ seeks the following decision from WRC:	Retain the definition as notified.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 2.2 Definitions Field Capacity	FANZ submission on this provision is:	FANZ support the provision.
	Reasons for FANZ submission:	The definition is supported as it accurately defines 'field capacity'.
	FANZ seeks the following decision from WRC:	Retain the definition as notified.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 2.2 Definitions	FANZ submission on this provision is:	FANZ seeks to amend the provision
	Reasons for FANZ submission:	Good Management Practice (GMP) on a farm is not necessarily focused on environmental outcomes but is appropriate practice to manage activities.

<p>Good Management Practice</p>		<p>Desired environmental outcomes are an anticipated benefit, but not a guaranteed outcome of GMPs for a farm business. Desired environmental outcomes may require controls well beyond what can be achieved with GMPs for a farm activity.</p> <p>Good Management Practice is likely to include the use of a range of tools, but by definition is not a tool or a rule. However, it is considered that given the evolving nature of good management practice, GMP guides should be kept outside of the Proposed NRP to allow documents to develop.</p> <p>The link to the website providing guidelines on GMP leads to a large number of documents relating to a wide range of topics and organisations. Many of the links do not work, and the provision of this range of guidelines means the Greater Wellington Regional Council may not have control over the type of GMP being implemented and also little certainty for land users. Greater Wellington Regional Council should work with industry to arrive at Industry Agreed Good Management Practice guidelines, which can then be made available on the web site. This approach is provided for under Method M12 (a).</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend the definition of Good Management Practice as follows:</p> <p>Practices, procedures or <u>use of tools (including rules)</u> that are effective at achieving the desired performance while providing for environmental <u>outcomes</u> responsibility. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. <u>Industry agreed</u> good management practice guidelines can be found on the Wellington Regional Council's website: http://www.gw.govt.nz/good-management-practice/</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p>	<p>FANZ submission on this provision is:</p>	<p>FANZ support the provision</p>
<p>2.2 Definitions Hazardous Substances</p>	<p>Reasons for FANZ submission:</p>	<p>The definition is supported in so far as it reflects the Hazardous Substances and New Organisms Act (HSNO) definition.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Retain the definition of Hazardous Substance as notified.</p>

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 2.2 Definitions Health needs of people	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ oppose the provision
	FANZ seeks the following decision from WRC:	The definition is narrow as it does not include consideration of matters beyond water quality and quantity, for example air quality. The volume and quality of water required by people to meet their needs is defined by standards in the Plan that manage minimum flows and water quality objectives. The definition, as notified, is limiting and unnecessary. Delete the definition of 'Health needs of people'.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 2.2 Definitions High risk soils	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ oppose the provision
	FANZ seeks the following decision from WRC:	The definition is not clear as to what risk is being described or intended to be managed. It is understood the intention is that some soils are more susceptible to leaching and others are prone to erosion, therefore the definition should determine it is these risks which are being posed to these soils. Amend the definition of high risk soils to include a description of the risk presented by the soils. A suggested amendment is as follows: <u>High risk soils means:</u> soils at risk of erosion, or increased nutrient leaching loss. These are identified as: soils with a high degree of preferential flow, artificial drainage or coarse structure with infiltration or drainage impediments, or soils on rolling/sloping country. Or similar.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

FANZ submission on this provision is:	FANZ oppose the provision
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<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>2.2 Definitions.</p> <p>Property</p>	<p>Reasons for FANZ submission:</p>	<p>FANZ oppose the definition of 'property' as the first part could cover extremely large tracts of land as it is not related to ownership, being 'any contiguous area of land'. Whereas the second part is potentially quite limiting, being 'freehold title in one ownership'.</p> <p>FANZ is also concerned how the definition would be applied, particularly when considering provisions in the Plan such as Objective 051 'The discharge of hazardous substances is managed to protect human health, property and the environment' given the wide variance in the scale of the two parts of the definition.</p> <p>FANZ considers that the definition of Property should relate to how the land is used rather than ownership. Or deleted and replaced with a definition of site, which provides greater flexibility. If deleted and replaced, then a move towards national consistency in terms is considered desirable. FANZ notes the Environment Canterbury Regional Council, Land and Water Regional Plan use of the definition of 'Property' as provided below.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Delete the definition of 'Property' as notified and replace with the following definition:</p> <p>Property means any contiguous area of land, including land separated by a road or river, held in one or more than one ownership that is utilised as a single operating unit, and may include one or more certificates of title.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p>	<p>FANZ submission on this provision is:</p>	<p>FANZ support the provisions</p>
<p>3.1 Ki uta ki tai: mountains to the sea</p> <p>Objective O2</p> <p>Objective O4</p>	<p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>The general intent of the objectives is supported.</p> <p>Retain Objective O2 and Objective O4 as notified.</p>

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.1 Ki uta ki tai: mountains to the sea Objective O5	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ seeks to amend the provision
	FANZ seeks the following decision from WRC:	Given Objective O2 above and the recognition of waters contribution to the economic wellbeing of the community, Objective O5 is fairly narrow in its focus and does not provide for the 'productive' use of water. Even as a minimum this should be a consideration when managing freshwater bodies. Amend Objective O5 as follows: Fresh water bodies and the coastal marine area, as a minimum, are managed to: (a) safeguard aquatic ecosystem health and mahinga kai, and (b) provide for contact recreation and Māori customary use, and (c) in the case of fresh water, provide for the health needs of people. (d) in the case of freshwater, provide for primary production uses. Consider amendments to address concerns raised above.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.2 Beneficial use and development Objective O7 Objective O8	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ support the provisions
	FANZ seeks the following decision from WRC:	The intent of the objectives is supported. Retain Objective O7 and Objective O8 as notified.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is:	FANZ submission on this provision is:	FANZ seeks to include new objectives to provide for the beneficial use of land.
	Reasons for FANZ submission:	The purpose of the Act is the sustainable use of resources which enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

<p>3.2 Beneficial use and development New Objectives</p>		<p>FANZ has noted that there are no objectives that provide for the cultural, social and economic benefits of the use of land, although there is a policy (P7) that recognises this matter.</p> <p>Overall, FANZ considers it is essential that the Plan provides the correct balance between environmental protection and providing for the economic, social and cultural well-being of the community and the positive benefits of the use of resources including land.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Include two new Objectives under 3.2 Beneficial use and development as follows, or similar:</p> <p><u>Objective OX</u> <u>The use of land for cultural, social and economic activities that benefit the community and the Region is enabled and provided for within the Plan.</u></p> <p><u>Objective OX</u> <u>Efficient and productive use of land for primary production that contributes to the economic wellbeing of the Region and New Zealand.</u></p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>3.4 Natural Character, form and function Objective O19</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ oppose the submission</p> <p>FANZ is concerned that the definition of natural processes includes a wide range of matters such as erosion and deposition, swash-up and flooding, and that activities will be required to 'minimise' effects on a wide range of natural processes. As notified, the objective is vague and unclear, for example what is meant by the term 'interference'?</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Delete the Objective.</p>

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.5 Water Quality Objective O23	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ support the provision The objective is consistent with the NPS for Freshwater, and is supported if the policies and rules recognise and provide for activities such as primary production. FANZ assumes that the determination of when maintain will be preferred over improve, will be provided through the policies. Retain Objective O23 as notified.
	FANZ seeks the following decision from WRC:	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.5 Water Quality Objective O24	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ support the provision Whilst FANZ accepts that the objective is aspirational, it is concerned how this will impact upon the consideration of future activities. FANZ also notes that Tables 3.1-3.3 set reasonably stringent water quality standards and further consideration of the implications of this objective may be required.
	FANZ seeks the following decision from WRC:	Retain Objective O24 as notified, provided that objectives for productive use of land for primary production that contributes to the economic wellbeing of the Region and New Zealand are included in the Plan.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.6 Biodiversity, aquatic ecosystem health and mahinga kai Objective O25	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ seeks to amend the provision FANZ seeks clarification over how restoration will be balanced with the need to provide for economic uses. Tables 3.4, 3.5, 3.6, 3.7 and 3.8 contain language that is not clear or directive i.e. 'taonga species, are present in quantities, size and of a quality that is appropriate for the area'. Who decides what is appropriate and will it need to be argued by an expert for every application for non-complying or discretionary activities?

		<p>Table 3.6 refers to 'unacceptable' effects but who decides what is unacceptable.</p> <p>Overall, FANZ seeks that region wide water quality standards (in particular for lowland waterways and groundwater), where there is more likely to be at least some unavoidable impact from agricultural activities, should be consistent with the NPS for Freshwater Management 2014 bottom line 'C category'. This will allow Waitua committees to be charged with determining the correct balance between economic, social and cultural well-being and the water quality standard for the waterways in their areas.</p> <p>The Objective also requires minor amendments to assist clarity and understanding.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Objective 025 as follows: To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area including by: (a) managing water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health and mahinga kai, and (b) encouraging restoration of aquatic ecosystem health and mahinga kai is encouraged, and (c) where an objective water quality in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.</p> <p>Note.....</p> <p>Amend Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to include more directive and measurable and feasible objectives/standards.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p>	<p>FANZ submission on this provision is: Reasons for FANZ submission:</p>	<p>FANZ seeks to amend the provision</p> <p>FANZ supports the objective but seeks that it is amended to provide for degraded natural wetlands to be restored. The amendment brings clarity to the objective.</p>
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3.6 Biodiversity, aquatic ecosystem health and mahinga kai Objective O28	FANZ seeks the following decision from WRC:	Amend Objective O28 as follows: The extent of natural wetlands is maintained or increased and their condition is restored, <u>where degraded</u> .
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.6 Biodiversity, aquatic ecosystem health and mahinga kai Objective O30	FANZ submission on this provision is: Reasons for FANZ submission: FANZ seeks the following decision from WRC:	FANZ seeks to amend the provision FANZ supports the intent of the objective provided that the policies and rules recognise and provide for activities such as primary production. FANZ also considers that the Objective should be amended to state 'maintained or improved, where degraded' as it not generally necessary to 'maintain and improve'. Furthermore improvement should only be required if the habitat is degraded. Amend Objective O30 as follows: The habitat of trout identified in Schedule I (trout habitat) is maintained and <u>or</u> improved, where <u>degraded</u> .
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.9 Soil Objective O42	FANZ submission on this provision is: Reasons for FANZ submission: FANZ seeks the following decision from WRC:	FANZ oppose the submission. FANZ questions the intent of the Objective: is it intended that all soils are available for productive uses and what is meant by 'productive'. Changes are sought to the wording of the objective to provide greater clarity and ease of understanding. The proposed objective requires that accelerated soil erosion is reduced but it is not necessarily clear as to when this may be expected to apply. Continuous reduction is not possible. Delete Objective O42 and replace with the following: Soils are healthy and productive, and accelerated soil erosion is reduced. Soil health and function are protected and soil erosion is managed.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.9 Soil Objective O43	FANZ submission on this provision is:	FANZ support the provision.
	Reasons for FANZ submission:	FANZ accepts that by the RMA definition, contaminated land can pose a threat to human health and the environment. It therefore supports the Objective.
	FANZ seeks the following decision from WRC:	Retain Objective O43.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.10 Land Use Objective O44	FANZ submission on this provision is:	FANZ wish to have the provision amended.
	Reasons for FANZ submission:	<p>The term 'minimised' is defined by way of a policy (Policy 4) and means reducing adverse effects to the smallest amount practicable. Whilst FANZ understands that practicable is a term favoured by other parties as it provides flexibility, it also brings a level of uncertainty.</p> <p>Whilst accepting that the term 'minimise' is used in other Regional Plans, it is its widespread use in the Proposed Plan and lack of recognition of avoidance, remediation and mitigation that causes concern. Whilst all these terms refer to 'reducing' adverse effects, the term 'minimise' seems narrow and to a lay person may not include the concept of avoidance or remediation. Although FANZ accepts that in some instances the use of the word 'minimise' is appropriate, it generally prefers the language of the Resource Management Act (RMA).</p> <p>FANZ also notes that 'minimise' means to reduce to the 'smallest possible degree' and is closely aligned to 'mitigate' which means to 'lessen or reduce' adverse effects, in this instance. However, avoid means to 'prevent the occurrence of' and remedy means to 'make good' and it is this subtlety that is lost when the word 'minimise' is used. FANZ believes the RMA requirements for 'avoid, remedy or mitigate' are the most appropriate terms.</p>

	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Objective O44 as follows: The adverse effects on soil and water from land use activities are <u>minimised avoided, remedied or mitigated.</u></p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.11 Discharges Objective 046</p>	<p>FANZ submission on this provision is: Reasons for FANZ submission: FANZ seeks the following decision from WRC:</p>	<p>FANZ seeks to amend the provision The way the Objective is written, it appears to apply to existing activities where excess runoff or leaching occur as it refers to 'reduce the runoff or leaching'. However as the Objective applies universally, reduction is not always feasible or necessary and the Objective should refer to 'control rather than reduce. Amend Objective 046 as follows: Discharges to land are managed to <u>reduce control levels</u> of runoff or leaching of contaminants to water.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 3.11 Discharges Objective 047</p>	<p>FANZ submission on this provision is: Reasons for FANZ submission: FANZ seeks the following decision from WRC:</p>	<p>FANZ seeks to amend the provision As discussed above, reduction is not always feasible or necessary and the Objective should refer to 'controlled' to enable standards to be met. A certain level of sediment loss is inevitable. Amend Objective 047 as follows: The amount of sediment-laden runoff entering water is <u>reduced controlled.</u></p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

	<p>FANZ submission on this provision is:</p>	<p>FANZ seeks to amend the provision</p>
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<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>3.11 Discharges. Objective 051</p>	<p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ considers that the term 'protect' is too stringent given its use under section 6 of the RMA and should be reworded to provide for the avoidance, remediation and mitigation of effects. It is also noted that FANZ has sought a new definition of 'property' to ensure the Objective is workable.</p> <p>Amend Objective 051 as follows:</p> <p>The discharge of <u>hazardous substances</u> is managed to <u>prevent-avoid, remedy or mitigate adverse effects on human health, property</u> and the environment.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.1 Ki uta ki tai and integrated catchment management. Policy P1: Ki uta ki tai and integrated catchment management</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ support the provision</p> <p>FANZ supports the concept of integrated catchment management and in particular, managing land and water resources holistically.</p> <p>Retain Policy P1 as notified.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.1 Ki uta ki tai and integrated catchment management. Policy P3: Precautionary Approach</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ opposes the Policy.</p> <p>FANZ opposes the policy as it is potentially onerous. Precautionary approach should not be perceived as a 'nil' risk approach and FANZ would prefer it to be amended to refer to 'Risk Management' approach.</p> <p>Rewrite Policy P3 as follows:</p> <p>Use and development shall be managed <u>within a coherent integrated framework including risk identification, impact assessment, potential mitigation, assessment of alternate options, and cost-benefit analysis.</u></p>
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<p>The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:</p>		
<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.1 Ki uta ki tai and integrated catchment management.</p> <p>Policy P4: Minimising adverse effects</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ oppose-in-part the provision.</p> <p>FANZ reiterates its concerns with the use of the term 'minimisation' as discussed above under Objective O44.</p> <p>Furthermore, much of this policy cannot be applied to the discharge of nutrients onto farmland because:</p> <ol style="list-style-type: none"> 1. It is unlikely that a farmer could find an alternative location to undertake irrigation or discharge of nutrients being bound by factors such as land management. 3. Farming often occurs close to outstanding water bodies, areas of indigenous biodiversity and historic heritage without causing adverse impacts on these areas. 4. It would be difficult to avoid discharges during certain times of the year given the scale of storage facility that would then be required, and 5. Scale is likely to be farm-wide for irrigation. <p>However, FANZ does support the use of good management practices.</p> <p>Delete Policy P4 and include a definition of 'minimisation' as follows:</p> <p>Where minimisation of adverse effects is required by policies in the plan, minimisation means <u>controlling adverse effects using best practicable options to the smallest amount practicable support achievement of pNRP and Whaitua Implementation Programme (WIP) objectives and shall include consideration of:</u></p> <ol style="list-style-type: none"> a) <u>the nature, objectives and functional requirements of the activity</u> b) <u>Consideration of practicality of alternative locations and methods</u> c) <u>practicality of Locating away from areas identified in schedule A, schedule C, schedule E, schedule F</u> d) <u>Timing of the activity</u> e) <u>Using good management practices for reducing effects</u> f) <u>Designing the activity so the scale or footprint is as small as practicable</u>
<p>FANZ seeks the following decision from WRC:</p>	<p>Where minimisation of adverse effects is required by policies in the plan, minimisation means <u>controlling adverse effects using best practicable options to the smallest amount practicable support achievement of pNRP and Whaitua Implementation Programme (WIP) objectives and shall include consideration of:</u></p> <ol style="list-style-type: none"> a) <u>the nature, objectives and functional requirements of the activity</u> b) <u>Consideration of practicality of alternative locations and methods</u> c) <u>practicality of Locating away from areas identified in schedule A, schedule C, schedule E, schedule F</u> d) <u>Timing of the activity</u> e) <u>Using good management practices for reducing effects</u> f) <u>Designing the activity so the scale or footprint is as small as practicable</u> 	

		<p>g) <u>Developing strategies for priority catchments to support prioritising effective and cost-effective interventions.</u></p> <p>Include definition of best practicable option: <u>Best Practicable Option means: in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</u></p> <p><u>(a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and</u></p> <p><u>(b) the financial implications, and the effects on the environment, of that option when compared with other options; and</u></p> <p><u>(c) the current state of technical knowledge and the likelihood that the option can be successfully applied.</u></p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.2 Beneficial use and development</p> <p>Policy P7: Uses of land and water</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ supports- in- part but seeks to amend the provision</p> <p>FANZ supports the policy provision under clause f) for the use of land and water for food production and harvesting but considers that it should also provide for a wider range of productive activities, for example timber, oil and seed production.</p> <p>FANZ also seeks that the Policy be amended to not just recognise but provide for the use of land and water as this will set a policy framework for the rules, as all listed uses are an essential component of the functioning and productivity of the region.</p> <p>Amend Policy P7 as follows: The cultural, social and economic benefits of using land and water for (f) feed production primary production and harvesting, and </p>
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	shall be recognised <u>enabled and provided for</u> .
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.2 Beneficial use and development Policy P10: Contact recreation and Maori customary use.	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ seeks to amend the provision FANZ is concerned with the reference to 'community's objectives' in part (a). Where are these located in the Plan or is it referring to the tables in Objective 024. If it is referring to the tables in Objective 024, FANZ refers to its concerns expressed under that Objective.
	FANZ seeks the following decision from WRC:	Amend Policy P10 as follows: The management of natural resources shall have particular regard to the actual and potential adverse effects on contact recreation and Māori customary use in fresh and coastal water, including by: (a) providing water quality and, in rivers, flows suitable for the community's-objectives (as set out under <u>Objective 024</u> for contact recreation and Māori customary use , and.....

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.4.1 Estuaries and harbours Policy P22: Ecosystem values of estuaries	FANZ submission on this provision is: Reasons for FANZ submission:	FANZ support in part the provision. FANZ supports the Policy in so far as it seeks to avoid significant adverse effects but seeks that the Policy be amended to ensure it gives effect to the NZ Coastal Policy Statement 2010 by providing for 'other effects' to be avoided, remedied or mitigated.
	FANZ seeks the following decision from WRC:	Amend Policy P22 as follows: 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, <u>and all other effects shall be avoided, remedied or mitigated.</u>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.4.2 Natural character Policy P24: Outstanding natural character</p>	<p>FANZ submission on this provision is: Reasons for FANZ submission:</p>	<p>FANZ seeks to amend the provision FANZ supports the overall intent of the Policy as it gives effect to the NZ Coastal Policy Statement 2010 but considers that part (e) is too stringent and goes beyond the requirements of the NZCPS. Furthermore, there is a requirement to manage the effects of activities on natural character in all other areas of the coastal environment i.e. outside of areas identified as having outstanding natural character and this should be sufficient to manage effects.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Policy P24 as follows: Areas of outstanding natural character in the coastal marine area will be preserved by: (a) avoiding adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and (b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and (c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and (d) maintaining the high levels of naturalness of these areas, and (e) avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.4.2 Natural Character. Policy P25: Natural character</p>	<p>FANZ submission on this provision is: Reasons for FANZ submission:</p>	<p>FANZ support in part the provision. FANZ supports the Policy as it reflects the requirements under Section 6 of the Act and the NZCPS but notes that outstanding or high natural character are subject to Policy 24 and a high level of protection. Therefore, these areas should not also be provided for in Policy 25.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Policy P25 as follows: 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</p>

		the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:....
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.4.2 Natural Character. Policy P26: Natural processes	FANZ submission on this provision is:	FANZ seeks to amend the provision
	Reasons for FANZ submission:	FANZ is concerned that the definition of natural processes includes a wide range of matters such as erosion and deposition, swash-up and flooding, and that activities will be required to 'minimise' effects on a wide range of natural processes. Consequently, FANZ seeks to delete the Policy as it is too general to be useful.
	FANZ seeks the following decision from WRC:	Delete Policy P26.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.5 Biodiversity, aquatic ecosystem health and mahinga kai. Policy P31: Aquatic ecosystems health and mahinga kai	FANZ submission on this provision is:	FANZ seeks to amend the provision
	Reasons for FANZ submission:	FANZ is concerned that the Policy does not provide clear direction as to when restored will be preferred to maintain. FANZ also expresses concern with the use of the term 'minimise'.
	FANZ seeks the following decision from WRC:	Amend Policy P31 as follows: Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to: (a) <u>minimise avoid, mitigate or remediate</u> adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands , and (b) <u>minimise avoid, remedy or mitigate</u> adverse effects on aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and (c) <u>minimise avoid, remedy or mitigate</u> adverse effects on habitats that are important to the life cycle and survival of aquatic species, and

		<p>(d) minimise <u>avoid, remedy or mitigate</u> adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and</p> <p>(e) <u>avoid, remedy or mitigate the adverse effects of</u> creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</p> <p>(f) minimise <u>avoid, remedy or mitigate</u> adverse effects on riparian habitats and restore them where practicable, and</p> <p>(g) <u>avoid the introduction, and restrict the spread, of aquatic pest plants and animals</u></p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.5 Biodiversity, aquatic ecosystem health and mahinga kai</p> <p>Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ seeks to amend the provision</p> <p>FANZ's main concern is the hierarchy of managing effects. It is agreed that the first intent should be to avoid adverse effects but thereafter the Act refers to 'remedy or mitigate' not as set out in the Policy: remedy effects and if you can't remediate effects, mitigate them. The Policy should be amended to state that where significant adverse effects cannot be avoided, then effects are remedied or mitigated. Furthermore, the Policy nor any subsequent policy addresses 'other effects'.</p> <p>The Policy also requires rewording to ensure it is clear that offsetting occurs if <u>significant</u> residual effects remain after appropriate avoidance, minimisation and on-site rehabilitation activities has taken place. As notified, the Policy reads as if any residual effects remaining after avoidance, remediation and mitigation are to be offset. This would be an onerous requirement and unnecessary given the RMA is not a 'no effects' Act.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Policy P32 as follows:</p> <p>Significant a<u>Adverse effects on aquatic ecosystem health and mahinga kai shall be managed by:</u></p> <p>(a) avoiding significant adverse effects, and</p> <p>(b) where significant adverse effects cannot be avoided, <u>remediying or mitigate</u> them.</p> <p>And</p> <p>(c) <u>all other effects shall be avoided, remedied or mitigated, and</u></p> <p>(e) where significant adverse effects cannot be remedied, mitigating them, and</p>

		<p>(d) where <u>significant residual adverse effects</u> remain after appropriate avoidance or remediation or mitigation minimisation and on-site rehabilitation has taken place, it is appropriate to consider the use of <u>biodiversity offsets</u>. Proposals for mitigation and <u>biodiversity offsetting</u> will be assessed against the principles listed in Schedule G (biodiversity offsetting).</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.5 Biodiversity, aquatic ecosystem health and mahinga kai.</p> <p>Policy P33: Protecting indigenous fish habitat.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ seeks to amend the provision</p> <p>The Policy provides for more than minor effects to be avoided but does not provide any policy guidance on how to manage minor or less than minor effects. FANZ seeks that for ease of understanding, the Policy is amended to refer to the avoidance of significant effects, particularly in consideration of the extensive areas included in Schedule F, and wider implications to land use requiring more than minor effects to be avoided.</p> <p>FANZ also notes that it is unclear whether the Policy is seeking to manage certain activities ('these activities include the following') or whether it is any activity.</p> <p>Amend Policy P33 as follows:</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>The mere than minor Significant adverse effects of the activities listed below on indigenous fish species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F-1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided.</p> <p><u>All other adverse effects of the activities listed below on indigenous fish species 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, remedied and mitigated.</u></p> <p>These activities include the following are as follows:.....</p> <p>Alternatively:</p>

		<p>The more than minor Significant 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.</p> <p>All other adverse effects of activities on indigenous fish species 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, remedied and mitigated.</p> <p>These activities include the following:</p> <ul style="list-style-type: none"> (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.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.5 Biodiversity, aquatic ecosystem health and mahinga kai.</p> <p>Policy P37: Values of wetlands</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ support the provision.</p> <p>FANZ supports the Policy, in particular the recognition of the value of natural wetlands as nutrient attenuators.</p> <p>Retain Policy P37 as notified.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

	<p>FANZ submission on this provision is:</p>	<p>FANZ seeks to amend the provision</p>
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<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p>	<p>Reasons for FANZ submission:</p>	<p>FANZ considers that the Policy is incomplete as there is no policy framework to manage effects on 'other values' i.e. not significant values of outstanding water bodies. The Policy could also be reworded for clarity.</p>
<p>4.6.1 Outstanding water bodies Policy P39: Adverse effects on outstanding water bodies</p>	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Policy P39 as follows: Avoid <u>The any adverse effects of use and development on the significant values of the outstanding water bodies listed in Schedule A and their margins, of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided, and</u> Avoid, <u>remedy or mitigate adverse effects on all other values that contribute to the water body and its margins being outstanding.</u> It would also assist if the Regional Council provided the assessment undertaken to <u>identify the outstanding water bodies in Schedule A.</u></p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.6.2 Sites with significant indigenous biodiversity value. Policy P40: Ecosystems and habitats with significant indigenous biodiversity values.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ seeks to amend the provision</p> <p>Part (b) should be removed as habitats for indigenous birds identified in Schedule F2 (bird habitats) are not identified as 'significant' and should not be subject to same policy framework as significant areas.</p> <p>Schedule 5 lists Habitats with significant indigenous biodiversity values in the coastal marine area. However, the sites are not mapped because their location is unknown (s32 report) but if a site is discovered, it is assumed to have significant indigenous biodiversity values and is required to be protected and restored. The discovery of habitat listed in Schedule 5 should be subject to assessment against the criteria in Policy 23 of the RPS and then be listed in the Plan by way of a plan change before it is subject to protection, as has occurred for all other sites with indigenous biodiversity values. Furthermore, the plan change process will provide for the site to be geographically defined as currently Schedule 5 lists 'habitats' and not 'sites'.</p>
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	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Policy P40 as follows:</p> <p>Protect and restore, where degraded, the following ecosystems and habitats with significant indigenous biodiversity values:</p> <p>(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</p> <p>(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</p> <p>(c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands), and</p> <p>(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).</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.6.2 Sites with significant indigenous biodiversity value.</p> <p>Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ seeks to amend the provision</p> <p>FANZ expresses the same concerns with the hierarchy of managing effects and offsetting as detailed under Policy 32 and the use of the phrase 'more than minor' effects as discussed under Policy 33. It is also concerned that the Policy is very stringent given the number of rivers and lakes listed in Schedules F1 to F5.</p> <p>FANZ also questions how does Council determine that the ecosystem or habitat cannot be avoided?</p> <p>Amend Policy P41 as follows:</p> <p>In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities, other than activities carried out in accordance with a restoration management plan, shall avoid these ecosystems and habitats.</p> <p>If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by:</p> <p>(a) avoiding more than minor <u>significant</u> adverse effects, and</p> <p>(b) where more than minor <u>significant</u> adverse effects cannot be avoided, remedying <u>or mitigating them</u>, and</p> <p>(c) <u>all other effects are to be avoided, remedied or mitigated, and</u></p> <p>(e) where more than minor adverse effects cannot be remedied, mitigating them, and</p>
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		<p>(d) where significant residual adverse effects remain after appropriate avoidance or remediation or mitigation has taken place, it is appropriate to consider the use of biodiversity offsets.</p> <p>Proposals for mitigation and biodiversity offsets will be assessed against the principles listed in Schedule G (biodiversity offsetting). A precautionary risk-based approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.</p> <p>Where more than minor significant adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through biodiversity offsets, the activity is inappropriate.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.6.2 Sites with significant indigenous biodiversity value.</p> <p>Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ oppose the submission</p> <p>FANZ is concerned with the use of the phrase 'in surrounding areas'. It is unclear if this means 'in close proximity to' or 'adjacent' or if it includes much wider areas. The Policy has the potential to lead to significant constraints on activities beyond ecosystems and habitats with significant indigenous biodiversity values. If buffers are required around ecosystems and habitats with significant indigenous biodiversity values, then this is a matter to be considered under Policy P41.</p> <p>Avoiding the loss of such areas or the provision of corridors between areas through offsetting are matters already provided for under Policy P41.</p> <p>Delete Policy P42.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

	<p>FANZ submission on this provision is:</p>	<p>FANZ seeks to amend the provision</p>
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<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.8.1 Land and water.</p> <p>Policy P63: Improving water quality for contact recreation and Maori customary use</p>	<p>Reasons for FANZ submission:</p>	<p>The Policy requires amendment to ensure clarity and ease of understanding.</p> <p>Method M27 states 'Wellington Regional Council will develop and implement a programme to improve water quality for contact recreation and Māori customary use in the first priority fresh and coastal water bodies identified in Schedule H1'.</p> <p>Firstly, it is unclear how the programme will be implemented: will this be by way of introducing specific standards into the Plan through a Plan Change? Secondly the Policy refers to Schedule H2 and the Method refers to Schedule H1.</p> <p>FANZ understands that the water bodies listed in Schedule H1 are taken directly from Table 15, Appendix 1 of the RPS. As noted in the S32 report 'Of the rivers and lakes identified in Table 15 of the RPS, those with identified uses that involve 'primary contact' with water (e.g. swimming, boating, kayaking, canoeing) activities are listed in the proposed Plan in Schedule H1'. The Council has then identified that the same list of water bodies are to be managed for Maori customary use. There is no justification for this and the S32 report clearly focuses on managing water quality for recreational purposes.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Policy P63 as follows:</p> <p>The water quality of water bodies identified as priorities for improvement for contact recreation and Maori customary use in Schedule H2 (priority water bodies) shall be improved to meet, over time and as a minimum, the objectives in Table 3.1, 3.2 and 3.3, including by:</p> <p>(a) improving water quality in all first priority water bodies for secondary contact with water in Schedule H2 (priority water bodies) in accordance with Method M27, and</p> <p>....</p> <p>Amend Method M27 as follows:</p> <p>Wellington Regional Council will develop and implement a programme to improve water quality for contact recreation and Māori customary use in the first priority fresh and coastal water bodies identified in Schedule H12.</p> <p>FANZ also seeks clarification of why the water bodies identified for contact recreation are also being managed for Maori customary use.</p>

SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION
 THE FERTILISER ASSOCIATION OF NEW ZEALAND
 October 2015

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.8.2 Discharges to water.</p> <p>Policy P67: Minimising effects of discharges</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ seeks to amend the provision</p> <p>Policy P67 is under the sub-heading 'discharges to water' and therefore this Policy should only refer to discharges to water or discharges to land where it may enter water.</p> <p>Again, FANZ is concerned with the use of the word 'minimise' and considers that in this instance, the word 'manage' is more appropriate.</p> <p>Amend Policy P67 as follows:</p> <p>The adverse effects of discharges of contaminants to land where it may enter water and water will be <u>minimised managed</u> by:</p> <p>(a) avoiding the production of the contaminant, and/or</p> <p>(b) reusing, recovering or recycling the contaminant, and/or</p> <p>(c) minimising the volume or amount of the discharge, and/or</p> <p>(d) using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge where appropriate, and</p> <p>(e) irrespective of actions taken in accordance (a) to (d) above, where a discharge is a point source discharge to a river or stream, the discharge achieves the water quality standards in Policy P71 after reasonable mixing.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>4.8.2 Discharges to water.</p> <p>Policy P69: Human drinking water supplies</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ support the provision.</p> <p>FANZ supports the intent of the Policy to avoid, to the extent practicable, adverse effects on drinking water supplies and to provide guidance on the management of effects that cannot be avoided.</p> <p>Retain Policy P69 as notified.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>FANZ submission on this provision is:</p>	<p>FANZ supports the intent of the provision.</p>
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SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION
 THE FERTILISER ASSOCIATION OF NEW ZEALAND
 October 2015

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.8.2 Discharges to water. Policy P71: Quality of discharges	Reasons for FANZ submission:	FANZ supports the overall intent of the Policy but seeks that 'minimised' is amended to refer to 'managed'.
	FANZ seeks the following decision from WRC:	Amend Policy P71 as follows: The adverse effects of point source discharges to rivers shall be minimised managed 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 :....

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.8.2 Discharges to water.	FANZ submission on this provision is:	FANZ supports the intent of the provision.
	Reasons for FANZ submission:	FANZ supports the intent of the Policy but seeks that effects are managed given there no defined standards to be met but there is a list of management principles.
Policy P73: Minimising adverse effects of stormwater discharges.	FANZ seeks the following decision from WRC:	Amend Policy P73 as follows: The adverse effects of stormwater discharges shall be minimised managed , including by:....

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.8.6 Contaminated land, hazardous substances and landfill. Policy P89: Discharges from contaminated land.	FANZ submission on this provision is:	FANZ support the provision.
	Reasons for FANZ submission:	FANZ supports the intent of the Policy to manage the discharge of hazardous substances from contaminated land.
	FANZ seeks the following decision from WRC:	Retain Policy P89 as notified.

	(f) <u>ensuring any adverse effects not resulting in a discharge that enters water are avoided, remedied or mitigated.</u>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 4.8.9 Land use. Policy P96: Managing land use	FANZ submission on this provision is: FANZ supports in part the provision.
	Reasons for FANZ submission: FANZ supports the use of industry agreed good management practice subject to the amendment sought to the definition. However, FANZ seeks an amendment to the Policy to reflect this.
	FANZ seeks the following decision from WRC: Amend Policy P96 as notified. Rural land use activities shall be managed using <u>industry agreed good management practice</u> .

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: 5.2.2 Water discharges. Rule R42: Minor discharges-permitted activity	FANZ submission on this provision is: FANZ support the intent of the provision
	Reasons for FANZ submission: FANZ notes that the significant wetlands listed in Appendix F3 are not mapped and therefore it is difficult to understand their extent and impact in terms of the rule.
	FANZ seeks the following decision from WRC: Retain Rule R42 as notified but may need to review once significant wetlands have mapped. Map the significant wetlands listed in Appendix F3.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is:	FANZ submission on this provision is: FANZ support the intent of the provision.
	Reasons for FANZ submission: FANZ acknowledges the interest of its member companies in this matter.

<p>5.2.2 Water discharges.</p> <p>Rule R48: Stormwater from an individual property - permitted activity.</p> <p>Rule R49: Stormwater to land – permitted activity.</p> <p>Rule R53: All other stormwater – discretionary activity</p>	<p>FANZ seeks the following decision from WRC:</p>	<p>Retain Rules R48, R49 and R53 as notified.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>5.2.2 Water discharges.</p> <p>Rule R54: Site investigation – permitted activity</p> <p>Rule R55: Discharges from contaminated land – permitted activity</p> <p>Rule R56 – Discharges from contaminated land – discretionary activity</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ seeks to amend the provisions.</p> <p>For Rule 55(b) (i) it is not clear to FANZ what is intended by reference to New Zealand Drinking Water Standards New Zealand 2005 (revised 2008) with potable water for 90% of species when the drinking water standards apply to human health only.</p> <p>Rule 55 (b)(ii) refers to ANZEEC Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of species. It is intended that the 95 % protection levels apply to the values for the contaminants listed in Table 3.4.1, 'Trigger values for toxicants at alternative levels of protection', (page3.4-5), then for clarity, this should be clearly stated.</p> <p>It is noted the guidelines to the ANZEEC standards are a trigger values for investigation and as such do not necessarily represent an appropriate or necessary limit.</p> <p>For example, the Greater Wellington Regional Council Annual data report, 2013/14 for Groundwater Quality, State of the Environment monitoring programme; states that "Median nitrate concentrations were low (<3mg /L) in most of the 68 bores monitored during 2013/14. Ten of 68 (14.7%) bores had elevated (3-7 mg/L)". The document also describes nitrate levels at 2.4 mg /L as very low, however, Table 3.4.1 from the ANZEEC guideline requires nitrate levels at just 0.7 mg/L as a trigger for investigation.</p>
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		FANZ is concerned that Rule 55 represents an inappropriate application of ANZECC guideline values.
	FANZ seeks the following decision from WRC:	Retain Rules R54 and R56 as notified.
		Delete Rule 55 (b) (ii) and further review acceptable limits which should apply.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is:	FANZ submission on this provision is:	FANZ supports the intent of the provision.
5.2.8 All other discharges Rule R67: Discharges inside sites of significant – non-complying activity Rule R68: All other discharges – discretionary activity	Reasons for FANZ submission:	FANZ supports Rule R67 which provides for discharges into a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites) that also do not meet Rules R42, R43, R44 or R45 as non-complying activities. It is therefore FANZ's understanding that discharges into a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites) that do meet Rules R42, R43, R44 or R45 are provided for as permitted activities. Discharges outside of these sites or habitats that do not meet Rules R42, R43, R44, or R45 or are not provided for by any other rule in the plan are provided for as discretionary activities under Rule R68.
	FANZ seeks the following decision from WRC:	Retain Rules R67 and R68 as notified.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

	FANZ submission on this provision is:	FANZ seek to amend the provisions.
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<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>5.2.4 Contaminated land and hazardous substances Rule R57: Discharge of hazardous substances –non-complying activity.</p> <p>5.3.6 Fertilisers and animal effluent</p> <p>Rule R82: Application of fertiliser from ground-based or aerial applications – permitted activity</p> <p>Rule R92: All discharges to land within community drinking water supply protection areas – restricted discretionary activity.</p> <p>Rule R93: All other discharges to land – discretionary activity</p>	<p>Reasons for FANZ submission:</p>	<p>Fertilisers are captured as a hazardous substances under the HSNO Act and HSNO Fertiliser Group Standards apply.</p> <p>The Plan states that if an activity is covered by more than one rule, the rule that applies is the rule that is more specific for the relevant, area and resource. Therefore FANZ assumes that Rule R82 is the only rule applicable to the application of fertilisers and that Rules R57 and R92 will not apply and on this basis the provisions are supported.</p> <p>FANZ seeks amendments to Rule R82 to improve its application as wind drift introduces an argument about the degree of material crossing boundaries. Despite the product being generally delivered within the property boundary, it is almost impossible to prevent a small amount of very fine particle drifting on a light breeze for quite some distance.</p> <p>Therefore, the rule should also refer to the 'direct' application of fertiliser onto surface water bodies. Alternatively, the rule could be split into two rules: one managing ground-based applications and one managing aerial based applications, given that different effects will arise from each type of application.</p> <p>It is understood that non-compliance with Rule R82 is a discretionary activity under Rule R93. However, FANZ considers that non-compliance with Rule R82 should be provided for as a restricted discretionary activity.</p>
	<p>FANZ seeks the following decision from WRC:</p>	<p>Retain Rules R57, R92 and R93 as notified.</p> <p>Amend Rule R82 as follows: Rule R82: Application of fertiliser from ground-based or aerial applications – permitted activity. The discharge of fertiliser onto or into land or into air is a permitted activity, provided the following conditions are met: (a) the discharge is <u>not directly</u> onto or into a surface water body or beyond the boundary of the property including as a result of wind drift, and...</p> <p>Introduce a new rule as follows: <u>Rule R94 - Application of fertiliser from ground-based or aerial applications – restricted discretionary activity</u></p>

		<p><u>The discharge of contaminant from ground-based or aerial applications that does not meet the conditions of Rule R82 is a restricted discretionary activity.</u></p> <p>Discretion is restricted to the following matters: <u>The effects of discharge of fertiliser directly onto or into a surface water body.</u> <u>The nature, effect and duration of any objectionable odour.</u></p> <p>Or similar.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>5.2.4 Contaminated land and hazardous substances</p> <p>Rule R85: Application of compost to land – permitted activity.</p> <p>Rule R86 – Application of compost to land – restricted discretionary activity.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ seek to amend the provisions</p> <p>The RMA is an effects based statute and FANZ is opposed to controls on inputs, favouring controls on the losses which give rise to the effects. The output base approach provides for innovation and flexibility in farming systems, while addressing the effects of activities.</p> <p>Amend Rule R85 as follows:</p> <p>The discharge of compost onto or into land, and the associated discharge of odour, is a permitted activity provided the following conditions are met:</p> <p>(a) the discharge is not located within 5m of a surface water body, coastal marine area, or bore used for water abstraction for potable supply, and</p> <p>(b) the discharge shall not pond on the surface of the ground or run off from the discharge area, and</p> <p>(c) nitrogen loading on the discharge area from all sources is less than 150kg-N/ha/year, and</p> <p>Amend Rule R86 as follows:</p> <p>The application of compost onto or into land and the associated discharge of odour into air that is not permitted by Rule R85 is a restricted discretionary activity. <i>Matters for discretion</i></p>
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		<p>1. Set-back distances from any surface water body, coastal marine area, or bore used for water abstraction for potable supply 2. Discharges to water-logged or flooded land 3. Nitrogen-loading-rates 4. Discharge of odour</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>6.4.4 Improving water quality</p> <p>Method M10: Water quality investigations and remediation actions</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ seeks to amend the provision.</p> <p>FANZ supports the method as it provides understanding of sources of nitrates and this knowledge can be used to address issues and refine rules. However, FANZ considers that the method should include engagement with community and industry groups.</p> <p>Amend Method M10 as follows:</p> <p>Wellington Regional Council will further investigate effects, establish or confirm causality, and develop appropriate remediation and/or containment programmes <u>and engage with industry and community groups</u> to address water quality issues in the catchments and/or groundwater zones for the following priority areas:</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>6.5 Rural land use</p> <p>Method M12: Sustainable land management practices</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p> <p>FANZ seeks the following decision from WRC:</p>	<p>FANZ seeks to amend the provision.</p> <p>FANZ finds Method M12 confusing as it states that the Council will work with landowners to identify Category 2 surface water bodies but Map 29 identifies Lowland areas for Category 2 surface water bodies. This includes a significant part of Raumahanga catchment, Wairarapa, Hutt Valley and Kapiti.</p> <p>Amend Method M12 as follows:</p> <p>Wellington Regional Council will encourage sustainable rural land management by:</p> <p>(a) providing research, advice and promoting good management practices, developed in partnership with landowners and rural industries, and</p> <p>(b) working in partnership with affected landowners to help them identify Category 1 surface water bodies and Category 2 surface water bodies, and</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>6.15 Good management practice Method M28: Development of good management practice guidelines.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ seeks to amend the provision</p> <p>FANZ supports the use of good management practice (GMP) and assumes that guidelines, procedures and tools that will implement the policies which rely on GMP will sit outside of the Proposed Plan. Otherwise variations and plan changes will need to be undertaken to introduce GMP and associated tools into the Plan.</p> <p>FANZ seeks a minor amendment to the Method to refer to sustainable management to reflect the purpose of the RMA.</p>
<p>FANZ seeks the following decision from WRC:</p>	<p>Amend Method M28 as follows:</p>	<p>Wellington Regional Council will continue to develop practices, procedures and use of tools in collaboration with industry, other relevant organisations and stakeholders to support the implementation of policies which rely on good management practice to achieve desired environmental sustainable management outcomes.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>Schedule F: Ecosystems and habitats with significant indigenous biodiversity values.</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ oppose the provision</p> <p>FANZ is concerned about the number and extent of the streams, rivers and lakes included in Appendix F and the implications of this on land use activities. The rules generally apply a more stringent regime to activities on sites listed in Schedule F and this increases the costs of compliance for landowners.</p> <p>FANZ understands from the s32 report that Schedule F1 is based on Table 16 (Rivers and lakes with significant indigenous ecosystems) in the RPS and was updated for the Proposed Plan by Perrie <i>et al.</i> (2014) using the <i>best current available information and current NZ threat classification rankings to produce Schedule F1 in the proposed Plan</i>. Perrie <i>et al.</i> (2014) also documents the methodology for producing Schedules F1a (spawning and migration calendar), F1b (inanga spawning), and F1c (significant lakes). Confusingly, the s32 report also states that 'the indigenous biodiversity</p>
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		<p>component of this report is concerned with the protection of ecosystems and habitats identified using the criteria in RPS Policy 23'.</p> <p>FANZ seeks that the Council acknowledge its concern with the streams, rivers and lakes listed in Schedule F1 that are additional to those in Table 16 in the RPS.</p> <p>FANZ also seeks that the pre-amble to Schedule F be reworded to ensure consistency with the RPS:</p> <p>Ecosystems and habitats with significant indigenous biodiversity values are those that meet have been assessed against the criteria set down in Policy 23 of the Regional Policy Statement for representativeness, rarity, diversity, and ecological context; and where GWRC has engaged directly with landowners to identify areas, undertake field evaluations and assess significance in accordance with Policy 23 and Method 32 of the Regional Policy Statement.</p> <p>FANZ suggests that the Council restructure Schedule F1 to locate relevant sites and maps in the whatua chapters.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that the submission relates to is:</p> <p>Schedule F3: Identified significant natural wetlands</p>	<p>FANZ submission on this provision is:</p> <p>Reasons for FANZ submission:</p>	<p>FANZ opposes the provision</p> <p>FANZ is concerned that it is unclear what criteria was used to identify the significant natural wetlands listed in Schedule F3.</p> <p>FANZ understands that a desk top study of 292 wetlands was undertaken in 2010 by Boffa Miskell and this was followed up by field surveys in selected wetlands: 25 wetlands around Wairarapa Moana plus 42 others were surveyed by Wildlands Consultants, who assessed all surveyed sites as significant.</p> <p>At this point, WRC apparently determined that the rest were probably significant too as no further explanation or rationale for the balance of the 197 wetlands is provided.</p>
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	FANZ seeks the following decision from WRC:	FANZ seeks that the Council provide the criteria used to identify the wetlands as outstanding.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that the submission relates to is: Schedule F3: Identified significant natural wetlands	FANZ submission on this provision is:	FANZ opposes the provision
	Reasons for FANZ submission:	FANZ notes that Schedule I (trout habitat) also includes rivers listed in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, which highlights the need to balance protection of trout with the need to protect indigenous species, given the threat presented to indigenous species by introduced species.
	FANZ seeks the following decision from WRC:	FANZ seeks that consideration is given to the potential conflict between Schedule F1 and Schedule I.

The Fertiliser Association of New Zealand wishes to be heard in support of its submissions and if others make a similar submission FANZ would be prepared to consider presenting a joint case with them at any hearing.



Signature

Claire Kelly, for and on behalf of The Fertiliser Association of New Zealand

Date

23rd October 2015

Address for Service

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Proposed Natural Resources Plan:

Submitter:

Craig and Janet Morrison

Submitter Number:

S303

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	<i>Craig and Janet Morrison</i>
Farm Name	<i>Kaiawa</i>
Physical Address	<i>RD3 Masterton</i>
Phone Number	<i>06 3727686</i>
Email Address	<i>Kaiawa@farmside.co.nz</i>

Communication from GWRC: *I prefer hard mail*

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	<i>e.g. Sheep, Beef ,</i>
Farm size (area)	900 hectares
Main Waterways	Pahaoa river
GW Soil plan or Farm Plan	Yes
Environmental investments	
QE2 or Retirement Blocks	
General Comments	In New Zealand we have a justice system where you are innocent until proven guilty. With this plan we are however presumed guilty of all things in relation to the supposed degradation of the environment. It is not now nor has ever been in the agricultural sectors best interests to cause harm to our environment. This plan has been shoddily put together and has not taken into account a lot of the previous submissions whether written or verbally. There is no or very little regard given to the cost impositions of the proposed rules. I would strongly recommend farm visits by the hearing panel to view for themselves the ramifications, both practically and financially, of the rules. What is particularly disconcerting is the fact that the water quality in the

	<p>Wairarapa is stable and/or improving (as per GWRC's own statistics) and yet these rules need to be written as if there is a widespread problem. There is no recognition of the already substantial efforts of the farming community in fencing off waterbodies, erodible gullies, planting, QEII's, retirements, etc. I would however like to make reference to the fact that in the Wairarapa we have very good ground staff that are always able to offer good practical advice.</p>
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STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

Need farm visits by the committee to visually assess the imposition of these proposed rules. Where is the cost for implementing these rules and allowance for loss of land?

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

Are they over-estimating the risks and under-estimating the costs?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

Low risk from wilted silage; costs for impermeable lining?

Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs. Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons
Rule is a complete nonsense

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

Little thought has been given to the practicalities and cost of cleaning half a drain and then completing the other half in three months. Cannot have rules pertaining to drains/highly modified streams without the affected people knowing that theirs have been identified, and therefore not having the chance to submit.

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

Ridiculous to have rules such as this on a farm, regardless of the size of the farm. It must be noted that we need to have good tracks to operate efficiently and safely as a business.

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

Rule is a nonsense particularly given all the hard work put in to produce a good fair rule re vegetation in the Combined District Plan. All scrub and noxious weeds to be excluded. Suggest adopting the biodiversity rule as mentioned in regards to any vegetation clearance. As also stated in previous discussions with GWRC, slope is not the main factor in erosion, soil type is. There is also no recognition that most erosion is a naturally occurring process.

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

Fords/crossings are a good alternative compared to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford. Should be allowed to construct to specifications greater than a one in 20 year event. 20m² is nowhere near big enough.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

These are an existing activity on farms and do not cause adverse effects so do not need multiple conditions. There is no logical reason why rubbish and offal cannot be in the same dump. If zoned rural should still be able to continue existing use. Get rid of the distance rule.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

Provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

Impracticality, costs, low risk. Would it require a consultants report to get consent?

Proposed Natural Resources Plan:

Submitter:

Anders and Emily Crofoot

Submitter Number:

S304

Submission on the Proposed Natural Resources Plan for the Wellington Region

Anders & Emily Crofoot
Castlepoint Station
RD 9
Masterton 5889

Phone: 027 426 5324
e-mail: anders@castlepoint.co.nz

We seek the following changes to the Proposed plan.
If there is the opportunity to be heard in support our submission we would like to be heard.
We also support the submission of Wairarapa Federated Farmers.

Definitions:

Erosion prone land: It is proposed to have this be a slope of greater than 20 degrees. This is simply too restrictive and does not appear to be based on any evidence. Currently it is defined as 23 and 28 degrees for different situations.

We do not support the new definition and suggest that the old definitions be retained or an improved definition be developed that takes into consideration both slope and substrate. With a stable substrate the slope can be much steeper before it will be prone to erosion.

Fallow land: The definition by giving an example of ploughed land awaiting sowing, leaves the impression of land that is in a highly susceptible state of erosion. It is a widespread current practice to summer fallow land that has been desiccated, but not cultivated. This is not susceptible to erosion and is done for moisture conservation.

We suggest that while the definition is not incorrect it does not necessarily accurately reflect the most common current practice.

P48 Protection of outstanding natural features:

The policy is about protecting outstanding natural features, which is fine. However the inclusion of (b) which covers "... activities on natural features and landscapes" throws a blanket across the entire pastoral area, which is considered "natural" even though it requires continuous intervention to manage and maintain, this is goes far beyond the outstanding features.

We suggest that clause (b) be struck as it stretches the area for protection from outstanding areas to all areas which will have dramatic unintended consequences for pastoral farmers.

P139 Seawalls

We suggest that if people are to adapt to climate change and potential rising sea levels, it is not desirable to have such a restrictive policy in place. Seawalls are not a cheap option and will not be undertaken lightly, so having a default position that they are inappropriate seems detrimental. As they are a "structure" there will be numerous other regulations they have to comply with so we suggest this policy is not required and should be deleted.

R36 Agrichemicals – (g) ... prepare a spray plan at least once per annum

(ii) – (iii) As it is written this is overly restrictive.

NZS 8409:2004 Section 5.3 speaks of “Any person who is likely to be directly affected” however the proposed plans sections refer to “adjacent” and “adjoining” neighbours. On a large scale property, such as Castlepoint Station, if rules are based on a property basis as this one is, we will be required to notify neighbours who are kilometres away from an activity and will in no way ever be likely to be effected. This is an onerous requirement without any benefit.

We suggest that (ii) and (iii) should be worded so that there is a better connection to likelihood of effect than property boundary. So rather than simply “adjacent neighbours” it should be “neighbours likely to be effected”

R82 Application of fertiliser

(c) pilot record keeping

the suggested record keeping is onerous, but most of the items are things that would be maintained in the course of doing business in any case.

However, (v) verification of tracks flown, is asking for something that would not normally be recorded. While many operators are using GPS gear that records tracks, not all are. Installing that gear is quite costly, also if for some reason the gear were not functioning, they could still perform the job effectively, but this regulation might mean that they could not as they could not provide a record of tracks. Given the extremely limited number of days for aerial application in the Wairarapa this would be a very onerous imposition.

We suggest that (v) should be struck. The other requirements should be sufficient records.

(vii) copy of flight log ..., this should be time bound, as written there could be the expectation of maintain a record indefinitely, which is unreasonable.

We suggest it should have a time frame included, say 6 months.

R90 Manufacture and storage of silage

(d) the walls and floor of a silage storage area shall have an impermeable lining...

The impermeable lining requirement should be deleted as an onerous cost that may not be of any added benefit.

If the rule were re-written to be “No direct discharge of leachate to water” it would accomplish the main intent of the rule. There is likely to be limited leaching through the soil profile. Requiring concrete to be poured does not seem to be all that environmentally friendly and replacing plastic membranes on an annual basis would be even less so.

R94 Cultivation or tilling of the land

(a) cultivation shall not occur within 5m of a surface water body - is overly restrictive.

The issue of sediment is addressed by (c) so (a) and (b) could be simply deleted.

(c) could also be improved by adding – causing conspicuous change after a zone of reasonable mixing – after surface water body

The 5m rule makes no sense for the likes of water races where there sediment would have to travel uphill to reach them.

R95 Break feeding

As with R94 if the issue is sediment then (b) should be sufficient without (a) and again there will be instances where the water body may be uphill from the activity so there is no possibility of sediment discharge so there is a restriction for no benefit.

R100 Vegetation clearance

As the rule is written it is too restrictive and does not allow for what is common farming practice in our hill country and is not having any adverse effects. That is the maintenance of pasture from reversion of gorse, manuka and kanuka. The effect is exacerbated by the broadening of the definition of "erosion prone land".

The simplest solution would be to exclude gorse, manuka and kanuka from the definition of "vegetation clearance"

Schedule C5

Ngakua Stream Mouth and Othahome Stream Mouth

We do not believe enough effort has been put into validating the significance that would be affected by P44 and P45. When we met with an Iwi representative and GWRC the Iwi representative was at a loss as to why the areas would be of significance.

Unless there is reasonable evidence that there is something significant about the two sites we request they be removed from the schedule

Map 47 Ngakauau stream mouth

We believe this area is still incorrectly identified.

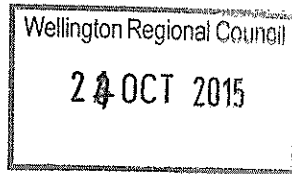
On Map 47 there are two stream mouths identified. The one on the left is the Ngakaua Stream and at a minimum should be the only one identified and the one on the right which is a separate stream should be deleted. Where the water on the beach collects shifts over time and on the GWRC web site (on 23/10/15) the aerial photo showed the Ngakauau Stream flowing directly out to sea not wrapping around across the back of the beach.

#1530764

5304

Mark Sutherland

From: Regional Plan
Sent: Tuesday, 27 October 2015 9:35 a.m.
To: Records
Subject: FW: Regional Plan - Growsafe -Please include with the previous submission from A Crofoot



Kind Regards,

Erin Campbell | Hearings Officer, Environmental Policy
GREATER WELLINGTON REGIONAL COUNCIL
Te Pane Matua Taiao
Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011

PO Box 11646, Manners St, Wellington 6142
T: 04 830 4318 | www.qw.govt.nz

From: Jonathan Streat
Sent: Saturday, 24 October 2015 12:20 p.m.
To: Anders Crofoot
Cc: Regional Plan
Subject: Re: Regional Plan - Growsafe

Thanks, I'll ensure it is included.

Cheers

Sent from my iPhone

On 24/10/2015, at 12:15 pm, Anders Crofoot <anders@castlepoint.co.nz> wrote:

Something that occurred to me when looking through the draft Regional Plan, but I neglected to put in my submission.

In R36 Agrichemicals there are multiple references to GROWSAFE as a way of providing qualification.

In other documents I have seen it done in a way that might better future proof the Regional Plan. That is, they referred to a suitable qualification and then at the end had a note that referenced GROWSAFE as an example of a suitable qualification. That way if GROWSAFE disappears or becomes less relevant the Regional Plan is not tied to it.

I don't see it as a huge issue, but given that turmoil in training and qualification that has been going on in NZ over the past several years, it might be useful to not be tied to a specific program.

--
Anders Crofoot
anders@castlepoint.co.nz

+64 (06) 372 6465 Phone
+64 (027) 426 5324 Mobile
+64 (06) 372 6461 Fax
www.castlepoint.co.nz

Proposed Natural Resources Plan:

Submitter:

Port Nicholson Block Settlement Trust

Submitter Number:

S305

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Lee Rauhina-August
 Organisation name: (If applicable) Port Nicholson Block Settlement Trust
 Address for Service: PO Box 12164, Thorndon

Telephone no's: Work: 427 3872 Home: Cell: 027 6006951

Contact person:

Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address:

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	To support the provision and development of Whaitua that will consider environmental effects in the individual catchments. As discussions for the development of the Wellington/Hutt Whaitua are considered, we believe it imperative to continue to work with mana whenua partners to strengthen understanding of Māori values.
	I seek the following decision from WRC (give precise details): →	We look to formalise the Wellington/Hutt Whaitua as soon as possible in order to consider the many works being undertaken in the harbour and on the land.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	We support schedules A,B,C,D and H. These schedules are important as they support mana whenua values and practices. The information shared helps with the public understanding of these special places.
	I seek the following decision from WRC (give precise details): →	No change to the provisions.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	4.3 will consider how Māori policies are developed to protect those places that matter the most to mana whenua.
	I seek the following decision from WRC (give precise details): →	No change to the provisions.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	We support M1 and M2 for the kaitiaki information and monitoring strategy. The strategy needs to include a strong and demonstrable inclusion of Mātauranga Māori. Method 6.13; M25 and M26 is supported to engage and work with mana whenua kaitiaki. M27 is supported for swimming, diving and waka ama.
	I seek the following decision from WRC (give precise details): →	No change to the provisions.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____

Date: _____

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

Irrigation New Zealand Incorporated

Submitter Number:

S306



SUBMISSION: GWRC Proposed NRP

Date: 23/10/15
Name of Submitter: Irrigation New Zealand Incorporated
Postal Address: Lincoln Research Centre,
PO Box 69119,
Lincoln,
CHRISTCHURCH 7640
Telephone: 03 341 2225
Mobile: 027 4966 314
E-mail: acurtis@irrigationnz.co.nz

A handwritten signature in black ink, appearing to read "Andrew Curtis", with a long horizontal stroke extending to the right.

(Andrew Curtis, CEO IrrigationNZ)

Irrigation New Zealand wishes to be heard in support of its submission. However, if others make a similar submission we are happy to present jointly.

OVERVIEW

1. IrrigationNZ (INZ) is a national body that promotes excellence in irrigation. INZ represents the interests of over 3,600 irrigators (irrigation schemes and individual irrigators) totaling over 350,000ha of irrigation (approximately 60% of NZ's irrigated area). It also represents the interests of the majority of irrigation service providers (over 150 researchers, suppliers, designers, installers and consultants).
2. INZ has a strong membership base in the Wairarapa and works closely with both the Wairarapa Water Users Group and the Wairapa Water Use Project.
3. All INZ members businesses are founded on secure, on-going access to a reliable water supply for irrigation - they need certainty to enable investment and thus continually improve their productivity and resource use efficiency. Without certainty they and the considerable flow on benefits they create for the regional economy, would be severely impacted. The national economy would also be significantly impacted upon given that NZ is predominantly an agricultural export based economy. INZ actively engages with its members on planning issues, proactively facilitating a wider understanding of the relevant issues by all.

SUBMISSION

Reference	Issue	Relief Sought
O8	The importance of being able to store water, at both farm and regional scale, to overcome the future challenges of climate change, and provide a reliable water supply for domestic, stock and commercial needs to be recognised.	<i>The social, economic, cultural and environmental benefits or taking, <u>storing</u> and using water are...</i>
O52	Reliability of supply is the key driver to enable investment in efficiency. This needs to be recognised.	<i>The <u>reliability</u> and efficiency...</i>
New Objective	Primary production is a recognised value in the Greater Wellington region, it should therefore have a corresponding objective within the plan.	<i>The benefits of food, beverage and fibre production systems to the regions socio-economic well-being are recognised and provided for</i>
P7	There are also environmental benefits of using land and water for these purposes. The importance of being able to store water, at both farm and regional scale, to overcome the future challenges of climate change, and provide a reliable water supply for domestic, stock and commercial needs to be recognised. Stock water should be separated from irrigation as they are distinct purposes .	<i>The cultural, <u>environmental</u>, social and... ...<i>(h) water storage and distribution infrastructure, and (i) irrigation, and (j) stock water, and...</i></i>
P11	In-stream water storage has multiple benefits for the region. This policy clearly recognises these.	<i>Support</i>
P107 & 108	See Schedule P below	
P109	It is important that a degree of flexibility is provided for lapse dates (giving effect to a take). This policy recognises the need to assess the scale and complexity of activities in this.	<i>Support</i>
P112	It is important the considerable investment in permanent horticulture is recognised. This policy allows for rootstock to be kept alive during periods of serious water shortage.	<i>Support</i>

P115 (c) (i)	This is an arbitrary number. The time after which water will need to be made available is crop, soil type and weather dependent.	(c) ... for the sole purpose of avoiding their death provided; <u>The amount of water needed should be determined through considering crop type, soil type and weather forecast.</u>
P115 (d)	This policy will have a severe impact on water supply reliability for Category A consent holders and will require consent holders to invest in water storage. The Wairarapa Water Use Project (WWUP) is in the latter stages of a feasibility study for a global storage option. There should be a 10-year transition time for Category A consent holders before they are subject to this policy. This will allow for the WWUP to be constructed or alternatively the WWUP to be proven unviable and on-farm storage to be constructed.	(d) Category A groundwater which, from 1 st September 2025, shall be required to reduce the take by 50% of the amount consented above minimum flows, and
P117	This provides for a high flow allocation	Support
P118 (d)	NZ has an extremely variable maritime climate with well recognised climatic cycles. Actual water use records should not be used for consent allocations, particularly if there is only data available over a short time period. A daily time step water balance model is the best method to derive consent allocations.	Delete (d)
P128	It is important that the need for an enabling transfer regime is recognised	Support
New Policy Consent duration	Investment certainty is paramount if irrigation takes are to be efficient	<u>Consent Duration</u> <u>Resource consents to take and use water shall be of a minimum 20 year duration</u>
R143	It is important that the need for an enabling transfer regime is recognised. Temporary transfers, providing they are monitored in real-time should be a permitted activity.	Temporary water permit transfers – Controlled Permitted ...of no more than one year is a controlled permitted activity, provided... Delete the matters of control
R144	It is important that the need for an enabling transfer regime is recognised	Support
New Rule	The replacement of existing resource consents should be a restricted discretionary activity	<u>Take and use of water – restricted discretionary</u>

<p>The replacement of existing resource consents</p>		<p><u>The replacement of existing resource consents is a restricted discretionary activity.</u></p> <p><u>Matters of Discretion</u></p> <ul style="list-style-type: none"> • <u>The rate, volume and timing of the take;</u> • <u>The reasonable need for the quantities of water sought;</u> • <u>Duration of consent;</u> • <u>Lapsing of consent;</u> • <u>Review of consent conditions;</u> • <u>The collection, recording, monitoring and provision of information.</u> <p><u>For groundwater takes:</u></p> <ul style="list-style-type: none"> • <u>The effects the take (on its own, or in combination with other takes) has on any other authorised takes (including well interference drawdown effects);</u> <p><u>For surface takes</u></p> <ul style="list-style-type: none"> • <u>The effects of any intake structure on fish passage and the need for fish exclusion devices or screens;</u>
<p>Schedule P</p>	<p>There is significant uncertainty with this schedule due to the lack of specification. Also given the issues with the current groundwater model, the ability to predict the connectivity between ground and surface water is extremely limited, particularly to differentiate between Category A & B takes. GWRC has a work-stream underway as part of the Whatua process to resolve this. The expectation that individuals will individually verify their degree of connectivity is nonsensical, and an inefficient use of capital. INZ suggests that GWRC works with all existing irrigators (through the Wairarapa Water User Group) firstly to upgrade the groundwater model and secondly to categorise each take.</p>	<p><u>This Schedule will only become operative once GWRC has:</u></p> <ul style="list-style-type: none"> • <u>Updated its groundwater model so it is 'fit for purpose'</u> • <u>A review process has been undertaken with existing consent holders to categorise their takes</u>

Schedule Q	INZ is supportive of this schedule. However, it is extremely important that any 'reasonable use' is validated, and that consent holders are involved in this process.	<i>Support</i>
Schedule R	INZ is supportive of this proactive approach to river flows as they near the minimum flow, particularly the use of user groups.	<i>Support</i>

Proposed Natural Resources Plan:

Submitter:

Horticulture NZ

Submitter Number:

S307

SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

TO: Greater Wellington

SUBMISSION ON: Proposed Natural Resources Plan for the Wellington Region

NAME: Horticulture New Zealand

ADDRESS: PO Box 10 232
WELLINGTON

1. Horticulture New Zealand's submission, and the decisions it seeks, are detailed as follows:

Schedule 1: Introduction
Schedule 2: Interpretation and Definitions
Schedule 3: Objectives
Schedule 4: Policies
Schedule 5: Rules
Schedule 6: Other methods
Schedule 7: Schedules

2. Submission of Horticulture New Zealand:

2.1 Horticulture New Zealand was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers' and New Zealand Fruitgrowers' and New Zealand Berryfruit Growers Federations.

2.2 On behalf of its 5,500 active grower members Horticulture New Zealand takes a detailed involvement in resource management planning processes as part of its National Environmental Policies. The principles that Horticulture New Zealand considers in assessing the implementation of the Resource Management Act 1991 (RMA) include:

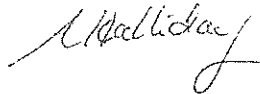
- The effects based purpose of the Resource Management Act,
- Non-regulatory methods should be employed by councils;
- Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
- Early consultation of land users in plan preparation;
- Ensuring that RMA plans work in the growers interests both in an environmental and "right to farm" sense;

2.3 Horticulture New Zealand works to raise growers' awareness of the RMA to ensure effective grower involvement under the Act, whether in the planning process or through resource consent applications.

3. Horticulture New Zealand wishes to be heard in support of this submission if hearings are held.
4. Horticulture NZ is not a trade competitor and will not gain in trade competition through this submission.

Horticulture NZ thanks the Council for granting an extension for the submission on the Proposed Natural Resources Plan.

Thank you for the opportunity to submit on the Proposed Natural Resources Plan for the Wellington Region.



Angela Halliday
Advisor – Natural Resources and Environment

Date: 23 October 2015

Address for Service:

Angela Halliday
Advisor – Natural Resources and Environment
Horticulture New Zealand
P O Box 10-232
WELLINGTON
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(04) 472 3795
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Mobile 027 947 3344
Email: angela.halliday@hortnz.co.nz

SCHEDULE ONE – Introduction

1.1 1.6 Values of water in the Plan

Section 1.6 sets out the values of water in the Plan that establish a framework for freshwater management to implement the National Policy Statement for Freshwater Management (NPSFM).

Horticulture NZ supports the inclusion of the values but consider that there is no statutory status accorded the values by incorporating them in an Introduction.

The section states that they are 'given practical application through the different objectives, policies and methods of the Plan'. However it is important in implementing the NPSFM that there is an appropriate status given to the values.

It is important that the text identifies that the contact recreation value will be expressed as either a primary or secondary contact recreation value depending on the location.

As the values have been developed to provide a framework for implementing the NPSFM they should refer to freshwater.

Decision sought:

Retain the text regarding the values of water in Section 1 but amend to add at the end of the 4th para: The contact recreation value will be expressed in the plan as either a primary or secondary contact recreation value depending on the location.

Move the table of values of water to an Objective in Section 3, preferably as an overarching objective in 3.1 as follows:

The values of freshwater are recognised and provided for.

Include Table 1.1 with the listed values.

1.2 Consequential amendments

Decision sought:

Horticulture NZ seeks that consequential amendments are made as a result of amending the Plan as sought in this submission.

SCHEDULE TWO: Interpretation and Definitions

2.1 Cultivation

There needs to be recognition of strip tilling in the exclusions of cultivation as the soil disturbance is minimal. Harvesting of crops from the cultivated soil should be included as part of the cultivation definition as it is a consequence that the crops will be harvested, which can disturb the soil such as harvesting root crops.

Decision Sought: Amend definition of cultivation

A process that involves turning over the soil for growing and harvesting of pasture or crops, but does not include:

- (a) direct drilling and strip tilling
- (b) no-till practices
- (c) forestry

2.2 Efficient allocation

The definition of efficient allocation should also include efficient use as the allocation and use are used together throughout the Plan. It is important that use is efficient, not just allocation and that economic, technical and dynamic efficiency apply to use of water.

Decision sought:

Amend the definition of efficient allocation to 'efficient allocation and use'.

2.3 Fertiliser

Horticulture NZ sought that the definition of fertiliser be the definition that is used in the ACVM regulations to ensure that it adequately includes all substances that are used to improve soil and plant growth, not just in provision of nutrients but also to facilitate the uptake of nutrients. The proposed definition has taken aspects of the ACVM definition and incorporated into the draft definition. While the effect is that it includes substances of concern to Horticulture NZ it is considered that the ADVM definition has status in regulations so is appropriate to use in the Plan.

The ACVM standard covers the requirements for the fertiliser group of agricultural compounds that are regulated under the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997.

Fertiliser

The ACVM Regulations define fertiliser as:

- (a) *means a substance or biological compound or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly, animals through the application to plants or soil of—*
 - (i) *nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or*

- (ii) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or*
- (iii) fertiliser additives; and*

- (b) includes non-nutrient attributes of the materials used in fertiliser; but*
- (c) does not include substances that are plant growth regulators that modify the physiological functions of plants.*

The ACVM Regulations define fertiliser additive as:

- (a) a non-nutrient substance added to a fertiliser, or applied to land by itself, that—*
 - (i) improves the supply and uptake of nutrients; or*
 - (ii) increases the biological activity of soil; or*
 - (iii) modifies the physical characteristics of a fertiliser to make it more fit for its purpose; but*
- (b) does not include substances that are plant growth regulators that modify the physiological functions of plants*

Agricultural lime, is applied to condition and change the pH of the soil and under these definitions is considered to be a fertiliser additive and so is a fertiliser under the ACVM definition.

Decision sought:

Amend definition of fertiliser as follows:

Fertiliser means

- a) a substance or biological compound or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly, animals through the application to plants or soil of—*
 - (i) nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or*
 - (ii) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or*
 - (iii) fertiliser additives; and*

- (b) includes non-nutrient attributes of the materials used in fertiliser; but*
- (c) does not include substances that are plant growth regulators that modify the physiological functions of plants.*

2.4 Good management practices

Horticulture NZ supports the use of good management practices in the Plan and recognition that they evolve over time. However it is unclear how practices will be assessed as being 'effective at achieving the desired performance' or how they will be incorporated into guidelines on the GW website. There needs to be clarity that there are good management practices which are available and appropriate to be used that are not on the GW website.

Decision sought:

Amend the definition of good management practice:

Practices, procedure or tools that are designed to be effective at achieving the desired performance while provide for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of issues are developed and disseminated. Industry has a key role in developing good management practices which can be used to implement provisions in the Plan. GW will identify good management practice guidelines and place them on the Council's website but good management practices will not be limited to those on the website.

2.5 High risk soils

The definition refers to soils on 'rolling/ sloping country'. There needs to be clarity as to the slope that is intended to be included as high risk soils.

Decision sought:

Include a slope category of over 20 degrees as being high risk soils.

2.6 National electricity grid

The definition should refer to the National Grid, which is the commonly used term.

Decision sought:

Amend 'National electricity grid' to 'National Grid'

2.7 Natural wetland

The definition of natural wetland is dependent on a list of exclusions. However that presents issues if not all relevant areas are included in the exclusions.

BOP regional plan has a good definition of wetland with an example figure. While it has a list of exclusions it also has a description of what are not considered to be wetlands.

Wetlands – Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.

For the avoidance of doubt, the term 'wetland' applies to water bodies, and intermittently wet areas. The term does not apply to dry land that does not support a natural ecosystem of plants and animals that are adapted to wet conditions, and that occurs within an area commonly referred to in its entirety as a wetland.

For the purposes of this regional plan, 'wetland' excludes:

(a) Wetted pasture and pasture with patches of rushes.

(b) Oxidation ponds.

(c) Artificial water bodies used for wastewater or stormwater treatment. This includes wetlands that have been developed primarily for effluent or stormwater treatment or disposal, but are managed to appear 'natural'.

(d) Artificial Farm dams and detention dams.

(e) Land drainage canals and drains.

(f) Artificial Reservoirs for firefighting, domestic or municipal water supply.

(g) Temporary ponded rainfall over areas that would not otherwise be considered a wetland.

(h) Artificial water bodies that are not in the bed of a stream, river or lake; and are not degraded natural wetlands that have been modified. This includes artificial water bodies that are managed to appear 'natural'

The edge of a wetland (i.e. where a wetland becomes land) should be determined by a person with appropriate expertise.

(See Figure 12 and photos to assist in interpretation)

<http://www.boprc.govt.nz/media/31241/Plan-100301-Operative-RWLP-Definitions.pdf>

Decision sought:

Amend definition of wetland to that in the BOP Land and Water Plan.

SCHEDULE THREE: Objectives

3.1 Ki uta ki tai: mountains to sea

3.1.1 New Objective

Horticulture NZ seeks that the values of water in Table 1.1 are included as an objective in 3.1. As the values have been developed to provide a framework for implementing the NPSFM they should be specific to freshwater.

It is important that all the values are recognised and provided for in the Plan so an objective that seeks that outcome is necessary to provide a framework to ensure that they are implemented through the plan.

Decision sought:

Add new objective in 3.1:

The values of freshwater are recognised and provided for.

Include Table 1.1 with the listed values.

Amend Table 1.1 'Use values – direct' by adding after 'Human sustenance, health and wellbeing' – 'including production of food'.

3.1.2 New Objective

In addition to an objective that recognises and provides for the values of freshwater an objective is sought that sets out how the values will be incorporated through the Plan, ensuring that there is consideration of the balance between the range of values.

Decision sought:

Add new Objective in 3.1

Natural and physical resources, are managed to provide an appropriate balance across values and uses in a catchment.

3.1.3 Objective 05

Objective 05 sets out a number of matters that freshwater and coastal marine areas will be managed for, 'as a minimum'. However the way the objective is written only some of the matters that will need to be considered in managing the resources are listed, therefore it implies a priority. It is essential that there is a balance across the range of values in managing natural and physical resources. While the health needs to people is listed it does not include the need to produce food for their sustenance. This is an essential part of human wellbeing and should be explicitly provided for.

Decision sought:

Amend Objective 05 by adding:

d) production of food for human sustenance

3.2 Beneficial use and development- 3.2

3.2.1 New Objective - Biosecurity

Horticulture NZ seeks that provisions are included in the Proposed NR Plan to provide a framework for an appropriate response in the event of a biosecurity incursion of an unwanted organism including provisions to enable disposal of material by burying, burning or application of agrichemicals to manage incursions of biosecurity threats. In the event of a biosecurity incursion there is the need to be able to respond rapidly to manage spread. Burial burning or spraying of material are two methods that may be used. There also needs to be the ability to remove infected material from riparian margins.

The recent PSA incursion in kiwifruit has identified a number of issues in terms of responses to incursions. There are a range of threshold levels for biosecurity incursions and it is only when a biosecurity emergency is declared by the Minister that the emergency provisions in the Biosecurity Act override the RMA provisions. Such an emergency was not declared in the PSA incursion so the regional and district plan rules needed to be met in terms of disposal of infected material and in undertaking a response. In such a situation it is not practical to have to obtain resource consent. Therefore provisions are sought in the Proposed NR Plan to provide a framework for such responses including enabling removal, burial, burning or spraying of infected material

Decision sought:

Add a new objective in 3.2 Beneficial use and development

Take an integrated management approach to biosecurity risks to ensure that rural production is not adversely affected by incursions of pests and unwanted organisms.

3.2.2 New objective

A new objective is sought to specifically provide for rural production activities as a beneficial use and development. Recognition is given to some activities under the objective suite, but rural production activities, which are essential to the social, economic and cultural wellbeing of the region are not recognised and provided for.

Decision sought:

Add a new objective in 3.2 Beneficial use and development:

The social, economic and cultural wellbeing benefits of rural production activities are recognised and provided for.

3.3 Natural character, form and function- 3.4

3.3.1 Objective 019

The objective is currently worded:

'The interference from use and development on natural processes is minimised.'

'Natural processes' is defined in the Plan and is very wide ranging and the use of 'interference' implies that all interactions with natural processes is negative.

The objective should be either deleted or reworded to be more neutral.

Decision sought:

Either delete Objective 019 or amend as follows:

'~~The interference~~ Adverse effects on natural processes arising from use and development are avoided remedied or mitigated. ~~minimised.~~'

3.4 Water quality - 3.5

3.4.1 Objective 023

The focus should be on the 'overall' water quality as required by the NPSFM.

Decision sought:

Amend Objective 023 as follows:

The overall quality of water

3.4.2 Objective 024

The objective sets out how contact recreation will be provided for.

Generally Horticulture NZ supports the approach of identifying specific freshwater bodies where the objective is primary contact recreation and secondary contact recreation in all other rivers and lakes.

The provisions are linked to Schedule H. While this is included in the definition for 'significant contact recreation fresh water bodies' it would be more appropriate that it is included in the objective. In addition Schedule H identifies the whole river. It is considered that the places where primary contact recreation is undertaken should be the parts identified.

Decision sought:

Amend Objective 024 by reference to Schedule H

b) i) significant contact recreation fresh water bodies, as identified in Schedule H1...

Amend Schedule H1 to identify the parts of the rivers where primary contact recreation is undertaken.

3.5 Biodiversity, aquatic ecosystem health and mahinga kai - 3.6

3.5.1 Objective 025

The objective sets out tables with specific numeric and narrative objectives to be met and also a note about the whitua sections of the plan taking precedence.

Horticulture NZ is concerned that the inclusion of the tables in Objective 025 will undermine the whitua process to establish appropriate objectives for respective areas and the response that is determined appropriate in each area.

While it is recognised that there needs to be some objectives while the whitua plans are being developed it is considered that a set of simpler numerics and narratives should be included as the interim measures.

Decision sought:

Amend Objective 025 Tables 3.4-3.8 to include simpler numerics and narratives as the interim measures pending the Whitua plan processes for specific areas.

3.6 Air - 3.8

3.6.1 Objective 039

The objective is for 'ambient air' quality but the term is not defined in the Plan. It should be clear the air quality that is being referred to and that it is distinct from localised air quality.

The National Ambient Air Quality Guidelines (2002) has the following definition for ambient air:

The air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.

Decision sought:

Include a definition for 'ambient air' as follows:

Ambient air is the air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.

3.6.2 Objective 041

Objective 041 seeks that the adverse effects of odour, smoke and dust on amenity values and peoples well-being are reduced.

The objective makes an assumption that the adverse effects are such that they need to be reduced. It would be preferable that the objective set in place a forward looking framework.

Decision sought:

Amend Objective 041

Discharges of odour, smoke and dust on are managed to avoid, remedy or mitigate adverse effects on amenity values and peoples well-being.

3.6.3 New objective

Discharges to air need to be assessed in the context of the receiving environment and amenity expectations, which varies across the region. For instance the receiving environment of industrial, rural and urban areas will all be different. The Plan needs to ensure that such differences are taken into account when establishing the framework and managing discharges to air in the Region.

Decision sought:

Add a new objective in 3.8 Air

Manage air quality to reflect the different receiving environments across the region, taking into account the location and characteristics of the background receiving environment, including the underlying landuse patterns or zoning.

3.7 Soil - 3.9

3.7.1 Objective 042

Objective 042 seeks that soils are healthy and productive and accelerated soil erosion is reduced. The RMA seeks that life supporting capacity of soils is safeguarded and this while this may mean that soils are healthy and productive it establishes a presumption that may not always reflect the situation.

The issue of accelerated erosion should be a separate objective as it will lead to a different policy suite than life supporting capacity of soil.

An objective of enhancing life supporting capacity of soil is inconsistent with s5 of the RMA.

Decision sought:

Amend Objective 042

The life supporting capacity of soils is maintained.

Add new objective:

Accelerated soil erosion is reduced.

3.8 Land use - 3.10

3.8.1 Objective 044

The objective seeks that adverse effects on soil and water from land use activities are minimised. The RMA provides for avoid, remedy or mitigate and also application of best practicable options. These should be reflected in the objective.

Decision sought:

Land use activities will take all reasonable steps to avoid, remedy or mitigate adverse effects on soil and water.

3.9 Discharges -3.11

3.9.1 Objective 046

The objective seeks to reduce the runoff or leaching of contaminants to water. The focus should be on the 'potential' for such runoff.

Decision sought:

Amend Objective 046

Discharges to land are managed to reduce the potential for runoff or leaching of contaminants to water.

3.9.2 Objective 047

The objective relates to sediment laden run off and that it should be reduced which implies that all water is subject to sediment laden run off. The objective also makes an assumption that the adverse effects are such that they need to be reduced. It would be preferable that the objective set in place a forward looking framework.

Decision sought:

Amend Objective 047

Minimise potential for sediment laden run off to water where current levels are elevated.

3.10 Water Allocation - 3.12

3.10.1 Objective 052

The objective sets out how efficiency of allocation and use of water will be improved and maximised over time through a number of means. However the objective should also seek to achieve reliability. There should also be recognition of the role that water storage can make to address water allocation issues.

Decision sought:

Amend Objective 052

Objective 052 as follows:

The reliability and efficiency of allocation and use water use is improved and maximised through time, including by

OR

Add matter f) achieving reliability of supply

SCHEDULE FOUR: Policies

4.1 Ki uta ki tai and integrated catchment management

4.1.1 Policy P1 Integrated catchment management

The policy seeks to provide for an integrated catchment management approach in the Plan and lists a number of principles that will apply. It is considered that use good management practices is a principle that should be included as it is used throughout the Plan and is fundamental to achieving the outcomes that the Plan is seeking. While it is included in Policy P4 it is also an important principle that needs to be recognised as part of integrated catchment management.

Decision sought:

Amend Policy P1 by adding f) use of good management practices.

4.1.2 Policy P4 Minimising adverse effects

While the intent of Policy P4 is recognised the Plan also needs to be consistent with the RMA and provide for adverse effects to be avoided, remedied or mitigated. In addition minimising adverse effects should include to the extent 'reasonable' not just 'practicable'. Something may be 'practicable' but actually quite unreasonable.

Decision sought:

Amend Policy P4:

Where minimisation of adverse effects is required by the policies in the Plan minimisation means taking all reasonable steps to reduce adverse effects of the activity and includes:....

4.2 Beneficial use and development

4.2.1 Policy P7 Uses of land and water

The policy seeks to recognise the beneficial use of a number of activities. However the activities should also be provided for. Horticulture NZ supports the recognition of food production and harvesting but the list should also include primary production, which may produce goods other than food.

Decision sought:

Add l) primary production

Amend Policy P7 by adding: shall be recognised and provided for.

4.2.2 Policy P8 Beneficial activities:

Policy P8 sets out a range of activities that are 'recognised and generally appropriate.'

Horticulture NZ seeks that removal and disposal of pest species and material declared as unwanted organisms under the Biosecurity Act 1993 be included as a beneficial activity. The ability to remove and dispose of such pests and organisms is essential for the wellbeing of the region.

The inclusion in the policy will establish the framework to implement the new objective as sought in Schedule 3 of this submission to ensure that the Plan has a framework to enable disposal of infected material for biosecurity purposes and treatment of areas to manage incursions of unwanted organisms.

It is noted that the policy includes retirement, fencing and planting of riparian margins. The need for on-going maintenance should also be recognised.

Decision sought:

Include an additional policy in Policy P8 Beneficial activities:

m) removal of pest species identified in the Regional Pest Management Strategies and material declared as unwanted organisms under the Biosecurity Act 1993.

Amend point f) to include management of riparian margins.

4.2.3 Policy P10 Contact recreation and Maori customary use

Policy P10 sets out the policy framework for contact recreation. Objective 024 differentiates between primary contact recreation and secondary contact recreation. Policy P10 does not make the clear separation as provided for in the Objective. It needs to be clear in the policy that there is differentiation. For instance b) appears to apply to primary contact recreation but it is not clear.

Decision sought:

Amend Policy P10 to differentiate between provisions which apply to primary contact recreation and those which apply to secondary contact recreation.

Alternatively have a separate policy for each.

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

Horticulture NZ appreciates the need to ensure that regionally significant infrastructure and renewable electricity generation activities are not compromised by location of incompatible activities. It is considered that this approach also needs to apply to primary production activities which can be compromised by location of incompatible activities.

Decision sought:

Add a new policy - Incompatible activities adjacent to primary production activities.

Primary production activities will be enabled by ensuring that new use and development, particularly sensitive activities do not locate adjacent to primary production activities to avoid potential reverse sensitivity effects, particularly through complaints about odour, smoke, dust or spray drift.

4.3 Natural form and function

4.3.1 Policy P26 Natural processes

Policy P26 should refer to 'adverse effects' as positive effects need not be minimised. The approach should be that the adverse effects are avoided, remedied or mitigated,

which includes minimising effects.

Decision sought:

Amend Policy P26: use and development will be managed to avoid, remedy or mitigate adverse effects on the integrity and functioning of natural processes.

4.4 Biodiversity, aquatic ecosystem health and mahinga kai

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

The policy sets out a number of steps for managing aquatic ecosystem health and mahinga kai but links them all with 'and'. The management approaches are steps and should be linked with 'or' as it is not practical to achieve all the steps.

Decision sought:

Amend Policy P32 clauses a) b) and c) by changing 'and' to 'or'

4.4.2 Policy P37 Values of wetlands

The policy seeks to include activities in and **adjacent** to natural wetlands to maintain their values. It is recognised that managing the activities in the natural wetlands is appropriate but there is a question as to what extent the council should be controlling activities adjacent – which is not defined as to what the extent may be.

Decision sought:

Delete 'and adjacent' from Policy P37.

4.5 Sites with significant values

4.5.1 Policy P41 Managing adverse effects on ecosystem and habitats with significant indigenous biodiversity values

The policy sets out a number of steps for managing adverse effects on ecosystem and habitats with significant indigenous biodiversity values but links them all with 'and'. The management approaches are steps and should be linked with 'or' as it is not practical to achieve all the steps.

Decision sought:

Amend Policy P41 clauses a) b) and c) by changing 'and' to 'or'.

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

The policy seeks to include activities on sites **adjacent** to outstanding natural features and landscapes and special amenity landscapes. It is unreasonable to place a burden on a landowner for being adjacent to a site that is identified. The identification should include that appropriate area and not apply controls beyond that site. The RMA provides for the protection of the outstanding natural features and landscapes – not the land around the feature.

Decision sought:

Delete Policy P49

4.6 Air Quality – 4.7

4.6.1 Policy P52 Managing ambient air quality

Changes have been sought to Objective 039 as the objective is for 'ambient air' quality but the term is not defined in the Plan. The policy seeks to implement the objective and the same comment applies - It should be clear ambient air quality is distinct from localised air quality.

The National Ambient Air Quality Guidelines (2002) has the following definition for ambient air:

The air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.

Decision sought:

Include a definition for 'ambient air' as follows:

Ambient air is the air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.

4.6.2 Policy P55 Managing air amenity

Policy P55 seeks to manage air amenity to minimise offensive or objectionable odour, dust, smoke and particulate matter, fumes, ash and visible emissions. It needs to be clear that the air quality amenity is different according to the receiving environment and that the management should reflect the different environments. This is particularly important in terms of assessing complaints, such as reverse sensitivity complaints.

Decision sought:

Amend Policy P55 as follows:

Activities are managed to achieve air quality amenity which reflect the characteristics of the different receiving environments in urban, rural, industrial and the coastal marine areas to minimise potential for offensive or objectionable odour, dust, smoke and particulate matter, fumes, ash and visible emissions and to avoid reverse sensitivity conflicts.

4.6.3 Policy P56 Outdoor burning.

The focus should be on avoiding, remedying or mitigating adverse effects.

Decision sought:

Amend Policy P56:

The adverse effects on amenity, people's health and property from odour, smoke and dust, fumes and visible emissions from outdoor burning will be avoided, remedied or mitigated, particularly through the use of good management practices.

4.6.4 Policy P60: Agrichemicals and fumigants

Policy P60 is supported as it incorporates good management practices.

Decision sought:

Retain Policy P60.

4.7 Discharges to land and water

4.7.1 Policy P65 Minimising effects of nutrient discharges

The approach in Policy P65 is generally supported but there needs to be clear recognition of the need to work with industry organisations in establishing good management practices.

Decision sought:

Amend the definition of good management practices as sought in Schedule 2 to include recognition of the contribution industry organisations make to developing good management practices.

4.7.2 Policy P69 Human drinking water supplies.

It is recognised that human drinking water supplies are essential and the policy seeks that adverse effects are 'avoided to the extent practicable'. There should be recognition of good management practices as a tool to manage avoid adverse effects.

Decision sought:

Amend Policy P69:

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 through the use of good management practices.

4.7.3 Policy P90 Discharges of hazardous substances

Policy P90 for discharges of hazardous substances is supported as it relies on good management practices which is supported.

Decision sought:

Retain Policy P90 Discharges of Hazardous substances

4.7.4 Policy P95 Discharges to land

Policy P95 is a generic policy applying across all discharges to land and the relationship to other policies, such as Policy P96 for rural land use activities is unclear. Horticulture NZ considers that the focus should be on life supporting capacity of soil – not soil health. By ensuring that the discharge doesn't cause more than minor adverse effects of life supporting capacity of soils means that clauses c) and d) are not necessary as those are considerations in life supporting capacity of soils. It needs to be clear what effects the policy is seeking to address under public health and amenity.

If it is odours that arise from the discharge then the matter is addressed under air quality. The background receiving environment also needs to be taken into account when considering effects on public health and amenity.

Decision sought:

Clarify the relationship between Policy P95 and more activity specific policies.
Clarify what public health and amenity issues the policy seeks to address.

Amend Policy P95 as follows

The discharge of contaminants to land shall be managed by:

- a) ensuring the discharge does not result in more than minor adverse effects to life supporting capacity of soil health
- b) Avoiding discharges that would create contaminated land
- ~~c) not exceeding the natural capacity of the soil to treat, use or remove the contaminant, and~~
- ~~d) not exceeding the available capacity of the soil, to absorb and infiltrate the discharge~~
- e) minimising effects on public health and amenity, taking into account the existing background environment and
- f) ~~not result in a discharge that enters water~~ minimising adverse effects on surface and groundwater quality.

4.7.5 Policy P96 Managing land use

The policy is specific to rural land use so the title should be amended. Use of good management practices is supported.

Decision sought:

Amend Policy P96 Managing rural land use

4.7.6 Policy P100 Riparian margins for cultivation and break feeding

Riparian margins and setbacks are only one form of management for cultivation and may not necessarily be the most appropriate in some situations. The policy should establish the framework for use of all relevant and appropriate good management practices, not one specific tool.

Decision sought:

Delete specific reference to 'riparian setbacks'.

4.8 Taking, using, damming and diverting water

4.8.1 Policy P112 Priorities in times of drought and sever water shortage

Inclusion of rootstock protection in Policy P112 is supported. However it needs to be clear what is meant by 'rootstock protection' so a definition is sought.

Decision sought:

Retain provisions for rootstock protection.
Include a definition for rootstock protection:

Rootstock protection means provision of water required to maintain survival of horticultural or viticultural root crops in drought.

4.8.2 Policy P114 Priorities when demand exceeds supply

Policy P114 establishes a hierarchy for when demand exceeds supplies of health needs of people, stock drinking water then 'other values'. It is unclear what 'other values' may include and if there is a hierarchy between other values. The policy framework should be clear. There also needs to be recognition of existing use rights under section 124.

Decision sought:

Specify 'other values' including food production.

Include recognition of existing takes under section 124 in priority to other consumptive takes.

4.8.3 Policy P115 Authorising takes below minimum flows and lake levels

Policy P115 provides how water will be allocated in times of shortages. Clause b) provides protection for industry where they take from a community drinking water supply which provides a priority over those who take from other sources. It is unclear how the seven years will be applied. It should be for uses prior to the notification of the Plan.

The protection of rootstock survival water is supported. However a change to clause c is sought to be consistent with the definition sought for rootstock protection.

Decision sought:

Amend clause b) by changing 'from' to 'prior to'.

Amend clause c): horticultural and viticultural root crops including perennial crops (excluding pasture species, animal fodder crops and maize) for the soil purpose of avoiding their death provided:

4.8.4 Policy P118 Reasonable and efficient use of water

Policy P118 establishes a framework for considering reasonable and efficient use of water which is supported in principle. Clause b) weeds that efficient use if maximised when designing systems but recognition should also be given to existing systems which would be an unreasonable cost to replace.

Decision sought:

Add to Policy P118

e) taking into account the cost of replacing existing systems.

4.8.5 Policy P120 Taking water for storage

Providing water takes for storage is supported.

Decision sought:

Retain Policy P120.

4.8.6 Policy P128 Transfer of resource consents

Providing for transfer of water permits is supported.

Decision sought:
Retain Policy P128.

SCHEDULE FIVE: Rules

5.1 Air Quality

5.1.1 Rule R1 Outdoor burning – permitted activity

Horticulture NZ supports a permitted activity rule for outdoor burning.

A condition of the rule, and a number of other rules, is that the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property. However there is no direction in the Plan as to how noxious, dangerous, offensive or objectionable will be assessed, or any definitions to provide guidance as to how Council may implement the provision. It is particularly important that any assessment is done in the context of the receiving environment and anticipated amenity for the area.

It is noted that the Policy framework for managing air quality amenity – particularly Policy P55 only includes offensive and objectionable effects. The rules are implementing the policy so noxious and dangerous should be deleted.

There also needs to be specific provision for burning of material for biosecurity purposes to ensure that a rapid response can be undertaken to burn material.

Decision sought:

Add policies to provide:

- guidance as to how, offensive or objectionable will be assessed
- clarity that air quality will vary according the receiving environment in which a discharge is located.

Delete 'noxious, dangerous' from Rule R1.

5.1.2 Rule R2 Frost prevention devices – permitted activity

Horticulture NZ supports the rule to provide for frost prevention devices but notes that the rule refers to noxious, dangerous, offensive or objectionable effects and seeks clarity as to how these are defined and will be assessed.

It is noted that the Policy framework for managing air quality amenity – particularly Policy P55 only includes offensive and objectionable effects. The rules are implementing the policy so noxious and dangerous should be deleted.

Decision sought:

Add policies to provide:

- guidance as to how noxious, dangerous, offensive or objectionable will be assessed
- clarity that air quality will vary according the receiving environment in which a discharge is located.

Delete 'noxious, dangerous' from Rule R2.

5.1.3 New rule – outdoor burning for biosecurity purposes

There needs to be clarity that burning can be undertaken to supposes of disposing of

material infected by unwanted organisms as declared under the Biosecurity Act 1993.

Decision sought:

Add a new rule in Air Quality:

The discharge of contaminants into air from outdoor burning that is undertaken to dispose of unwanted organisms as a declared by MPI Chief Technical Officer or and emergency declared by the Minister under the Biosecurity Act 1993.

5.1.4 Rule R36 Agrichemicals – permitted activity

Horticulture NZ supports the provision for applications of agrichemicals. A few changes are sought to provide clarity.

Clause d) refers to 'residential areas' which is not defined in the Plan. There needs to be clarity as to the extent of 'residential areas' and seek that this is amended to refer to areas zoned 'residential or urban' in district plans.

Clause e) states that there is to be no discharge to water or within 'community drinking water supply protection areas'. These areas are identified on Maps 26, 27, 27a and 27b. The protection areas include significant areas where primary production activities are undertaken. Policy P69 provides that adverse effects on community drinking water supplies is avoided to the extent practicable. It does not seek a restriction within the community drinking water supply protection area. But the rule would preclude any use of agrichemicals in these areas as a permitted activity. Clause c) provides for agrichemicals to be used in accordance with the HSNO Act. The controls on substances address the risks that the substance presents to the environment. To require a limitation on use within 'community drinking water supply protection areas' adds an additional layer of regulation when the efficacy of the substance has been assessed and controls imposed under HSNO which will ensure that adverse effects on community drinking water supplies is avoided to the extent practicable.

Clause f) refers to sections of NZS8409:2004 Management of Agrichemicals that the application is to be in accordance with. However the clause uses the term 'including'. This means that the list is not specific to the listed sections. The sections listed are the most appropriate sections to require compliance with in a regional plan. Other sections in the Standard are not relevant to the functions of the Regional Council so there should not be a requirement that they could be included in the agrichemical provisions in the Plan.

Clause g) requires preparation of a spray plan and notification. Horticulture NZ supports the provisions except not the clause g iii) should be an 'or' rather than 'and'. If written notification as per clause iii) is obtained then there should not be a requirement to comply with clause iv). Clause iv) should only apply if a person has requested that notification for each spray application be provided. Notification should not be the full spray plan as that has been previously provided and the time should be 12 hours as there is often the need to undertake spray operations at short notice to manage pest incursions. Specific notification should only be if the application is to be undertaken close to the boundary of the adjacent property.

It is noted that the Policy framework for managing air quality amenity – particularly Policy P55 only includes offensive and objectionable effects. The rules are implementing the policy so noxious and dangerous should be deleted.

Decision sought:

Add policies to provide:

- guidance as to how noxious, dangerous, offensive or objectionable will be assessed
- clarity that air quality will vary according the receiving environment in which a discharge is located.

Delete 'noxious, dangerous' from Rule R36

Amend clause d): There is no aerial spraying in areas zoned residential or urban in district plans.

Clause e) Delete 'or within community drinking water supply protection areas'.

Clause f) Delete 'including'

Clause g iii) Change 'and' to 'or'

Amend Clause g iv) If requested by the owner/ occupier of property identified as a sensitive area and the application will be within 100 metres of that property provide notification of intent to spray 12 hours prior to the discharge of agrichemicals.

5.1.5 Rule R 37 Agrichemicals into water – permitted activity

Horticulture NZ supports the rule for applications of agrichemicals into water. However the rule requires 'the applicator' to carry out the notification requirements.

In many cases the 'applicator' may not be the person responsible for the operation and may not have the information required for notification. It is more appropriate that the notification is carried out by the person who is responsible for the operation.

Decision sought:

Amend Rule R 37 Clause e) by deleting 'applicator' and replacing with 'person responsible for the application'.

5.1.6 Rule R 38 Agrichemicals not permitted – discretionary activity

It is considered that if an application of agrichemicals is not permitted it should be provided for as a Restricted Discretionary Activity with clear matters of discretion listed. Such an approach provides certainty to both council and users as to what matters will be considered.

Decision sought:

Amend Rule R 38 to Restricted Discretionary and include matters of discretion as follows:

Matters of discretion

The council will restrict its discretion to the matters below for restricted discretionary activities:

1. The location, nature, scale, timing, method and duration of the agrichemical application.
2. The nature of the areas sensitive to agrichemicals that may be affected and methods to avoid adverse effects on those areas.
3. Any beneficial effects of the agrichemical application.
4. Any effects on species which are not the target of the agrichemical application.
5. Any effects on water quality including potable water.
6. Adverse effects or risks to human health or public use of the area.
7. Extent of compliance with relevant national regulations, nationally accepted guidelines or codes of practice, including compliance with the NZS 8409:2004 Management of Agrichemicals.

5.1.7 New rule – application of agrichemicals for biosecurity purposes.

There needs to be clear provision agrichemical applications required as part of a response to a biosecurity incursion of unwanted organisms. This may need to be undertaken at short notice.

Decision sought:

Add a new rule as follows:

Rxx Agrichemicals for biosecurity purposes – permitted activity

The discharge of agrichemicals into air or onto or into land where it may enter water to manage an incursion of unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 is a permitted activity.

5.2 Discharges to water

5.2.1 Rule R57 Discharge of hazardous substances – non complying activity

Rule R57 conflicts with Rule R38.

Rule R38 provides for discharge of agrichemicals where it is not permitted by Rule R36 or Rule R37 is a discretionary activity.

Rule R57 states that where an activity is not permitted by Rule R36 and Rule R37 it is a non-complying activity.

Rule R38 is the specific rule for agrichemicals so should be the rule that applies. There are no listed matters of discretion in Rule R38 so there is no need to default to a non-complying rule if Rule R38 is not met.

It should also be clear that application of fertilisers that does not meet the conditions of Rule R82 is provided for under the discharges to land provisions and not Rule R57.

Rule R42 is for minor discharges as a permitted activity but Rule R57 makes any activity not complying with Rule R42 a non-complying activity. This is considered an

inappropriate activity status for minor discharges that may not meet one of the conditions in Rule R42.

Decision sought:

Delete Rule R36, R37 and R38 from Rule R57.

Include a restricted discretionary rule for minor discharges that do not meet conditions in Rule R42 and delete Rule R42 from Rule R57 and include matters of discretion, being the permitted activity conditions that are not met.

Include fertiliser applications that do not meet conditions in Rule R82 in the new restricted discretionary activity rule, include matters of discretion, being the permitted activity conditions that are not met.

5.3 Discharges to land

5.3.1 Rule R82 Application of fertilisers from ground based or aerial applications – permitted activity

The rule provides for the application of fertiliser as long it does not go beyond the property boundary, including as a result of wind drift. The premise should be that there are no adverse effects of the discharge beyond the boundary – not a prohibition. The rule does not require the use of good management practices, which are the mechanism by which drift is avoided.

Decision sought:

Amend Rule R82 clause a)

The discharge does not cause adverse effects beyond the boundary of the property

Add new clause: The applications will be undertaken using good management practices to minimise the potential for wind drift having regard to the Code of Practice for Nutrient Management (Fertiliser Association).

5.3.2 Rule R92 All discharges to land within community drinking water supply protection areas – restricted discretionary activity

The way that Rule R92 is written requires that activities that all discharges other than those permitted in specified rules are restricted discretionary rules. The intent appears to be that the rule applies to a specific set of activities. Changes are sought to the wording to clarify this intent.

Decision sought:

Amend Rule R92 as follows:

The discharge of contaminants onto or into land from pit latrines, wastewater systems, biosolids or farm refuse dumps that occurs within a community drinking water supply protection area and is not permitted in rules R71, R75, R77, R78 or R 89 is a restricted discretionary activity.

Amend the title: Specific discharges to land within community drinking water supply protection areas

5.3.3 Rule R93 All other discharges to land

Rule R93 makes any activity that does not meet the permitted activity conditions a discretionary activity. It is considered that these activities which could appropriately be managed as restricted discretionary activities with clear matters of discretion listed.

If some activities are considered to specifically need consideration under a full discretionary rule then the s32 should provide reasons to justify this approach.

Decision sought:

Amend Rule R93 to a restricted discretionary rule with matters of discretion.

5.4 Land use

5.4.1 Rule R94 Cultivation or tilling of land

The effects of cultivation and especially sediment run off into surface water bodies can be managed in many ways, from land contouring to silt traps, earth bunds and raised headlands. It is considered that having a generic 5m rule here is not useful in managing run off, especially considering that a drain or water race is currently considered a surface water body under the proposed definition.

The focus should be on the most appropriate methods to minimise sediment run-off to water. The Plan uses good management practices for a number of activities and management of cultivation is one such activity where such an approach is appropriate. The Horticulture NZ 'Erosion and sediment control guidelines' could be included on the GW website of good management practices. This approach implements Policy P96 which seeks that rural land use activities are managed using good management practices.

Decision Sought:

Amend as follows:

Delete clauses a) and c) and replace with amended b) as follows:

cultivation is undertaken in accordance with **good management practice** such as bunding, silt traps, interception drains, cultivation on the contour or other alternative methods to minimise potential sediment run-off to surface water body.

Add an Advice Note:

Examples of methods for minimising sediment run-off can be found in the 'Erosion and Sediment Control Guidelines for Vegetable Production (Horticulture New Zealand 2014).

<http://www.hortnz.co.nz/assets/Uploads/Auckland-Waikato-ES-Control-Guidelines-1-1.pdf>

5.4.2 Rule R96 Cultivation and break feeding – discretionary activity

It is considered that if cultivation is not permitted it should be provided for as a Restricted Discretionary Activity with clear matters of discretion listed. Such an approach provides certainty to both council and users as to what matters will be

considered.

Decision sought:

Amend Rule R96 to Restricted Discretionary and include matters of discretion as follows:

The council will restrict its discretion to the matters below for restricted discretionary activities:

- (a) the location, nature, scale, timing and duration of the activity,
- (b) effects of the activity and associated sediment run-off and the methods to be taken to avoid, remedy or mitigate them.

5.4.3 New rule Earthworks and vegetation clearance for biosecurity purposes– permitted activity

There needs to be provision for both earthworks and vegetation clearance to be undertaken as permitted activities. Vegetation clearance, including in riparian areas, may be required to remove infected vegetation or unwanted plants and earthworks may be required for burial of infected material. The permitted activity thresholds may be exceeded in the event of a major incursion that requires significant burial of infected material. Requiring resource consent would increase response times and increase the threat posed by the unwanted organism. Vegetation clearance needs to be provided for as plants in riparian areas may be infected and so require removal. In the PSA incursion wilding kiwifruit in riparian areas needed to be removed as they were affected.

Decision sought:

Add a new rule as follows:

Rxx Earthworks and vegetation clearance for biosecurity purposes – permitted activity

Earthworks and vegetation clearance undertaken to manage an incursion of unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 is a permitted activity.

5.5 Wetland and beds of lakes and rivers

5.5.1 Rule R105 Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands

The rule provides for the removal or control of pest plants, which is undefined. It should also include removal of unwanted organisms for biosecurity purposes.

Decision sought:

Amend Rule R 105 by adding after 'pest plants' 'or unwanted organisms'

Amend Condition g) only appropriate pest plants as identified in the Regional Pest Management Strategy or unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 are deliberately removed or controlled.

5.5.2 Rule R122 Removing vegetation – permitted activity

The rule provides for removal of vegetation as a permitted activity subject to conditions.

Removal of vegetation infected by unwanted organisms should be provided for as a permitted activity without limitations on the size of the area for removal.

Decision sought:

Amend Rule R122 by adding: Conditions a-m do not apply to the removal of vegetation or unwanted organisms for biosecurity purposes.

5.6 Water allocation

5.6.1 Rule R136 Take and use of water – permitted activity

Rule R136 provides for the take and use of water as a permitted activity but establishes thresholds for the size of the take based on property size.

Horticulture NZ considers that the thresholds unfairly penalise horticultural users who may be on a small property. This is an inequitable allocation mechanism and gives priority to those with larger properties. The definition of property applies to a contiguous area of land in one ownership. Therefore if a grower has a number of small titles with the total area under 20ha the lower threshold will apply. In addition Dairy shed washdown is provided for as a permitted activity up to 70L per day per stock unit yet horticultural use on small properties is limited to 10m³.

Decision sought:

Amend Rule R136 a) by adding an additional line:

Property size	Rate	Volume per day
Less than 20ha in horticultural production	2.5 L/s	20m ³

5.6.2 Rule R141 Take and use of water – controlled activity

Rule R141 provides for takes on properties of less than 20ha subject to conditions, including that the take does not exceed 20m³ in combination with takes provided for in Rule R136.

Changes have been sought to Rule R136 to provide for smaller horticultural properties so amendments are sought to Rule R141.

Decision sought:

Amend Rule R 141 as follows:

Add to clause b) or for properties of less than 20ha in horticultural production shall not exceed 40m³.

5.6.3 Rule R143 All other take and use – discretionary activity

Rule R143 makes the majority of take and use of water consents discretionary activities. Horticulture NZ considers that such an activity status is appropriate where a water body is near full allocation, it is not necessary where there is adequate water to be allocated. The activity status should reflect the potential for adverse effects and where the potential is lower restricted discretionary status should apply with matters of discretion.

Decision sought:

Include a new rule – takes and uses restricted discretionary activity for takes where the water body is less than 80% allocated.

Include matters of discretion:

Volume of water taken, efficiency, effects on neighbouring bores, reductions in times of low flow, metering requirements.

5.6.4 Rule R143 Temporary water permit transfers – controlled activity

The rule to provide for temporary transfer of water permits as a controlled activity is supported as it provides flexibility for growers where they are sharing or leasing land.

Decision sought:

Retain Rule R143.

SCHEDULE SIX: Other methods

6.1 Method M12 Sustainable land management practices

Method M12 will 'encourage sustainable land management' and 'promote good management practices' developed in partnership with land owners and rural industries.

Good management practices are a central method for managing activities in the Plan. There should be an explicit method that provides for the development of good management practices that involves all relevant parties. It is essential that if there is to be buy-in to the good management practices that they are developed jointly.

Decision sought:

Add a new method - Development of good management practices.

The Council will work with industries and relevant stakeholders to develop good management practices that provide for robust and reasonable tools to manage activities regulated through the Plan.

SCHEDULE SEVEN: Schedules

7.1 Maps 26, 27 27a, 27b and 27c. – Community drinking water supply protection areas

Horticulture NZ is concerned about the impacts of the community drinking water supply protection areas. It is recognised that the community drinking water sources should be protected but the extent to which the protection areas are necessary or the most practicable response is questioned.

Decision sought:

Delete Maps 26, 27 27a, 27b and 27c. – Community drinking water supply protection areas and replace with community drinking water sources.

Proposed Natural Resources Plan:

Submitter:

Fish and Game

Submitter Number:

S308

**SUBMISSION ON GREATER WELLINGTON REGIONAL COUNCILS PROPOSED NATURAL RESOURCES MANAGEMENT PLAN FOR THE
WELLINGTON REGION (pNRP)**

Prepared under the Resource Management Act 1991

To: Greater Wellington Regional Council
Shed 39
2 Fryatt Quay
PO Box 11646
Wellington 6142

Name of Stakeholder: Wellington Fish and Game Council ("Fish and Game")

Address for service: Wellington Fish and Game Council
PO Box 1325
Palmerston North 4440

Attention: Phil Teal

Phone: 06 359 0409
Mobile: 021 859 120
Email: pteal@fishandgame.org.nz

This submission is made in reference to Greater Wellington Regional Councils Proposed Natural Resources Plan for the Wellington Region (pNRP).

Trade Competition

Pursuant to Clause 6 of Schedule 1 of the Resource Management Act 1991, Fish and Game confirm they could not gain an advantage in trade competition through this submission.

Hearing

Fish and Game wish to be heard in support of our submission; and if will consider presenting a joint case at hearing with others presenting similar submission.

Signature:

Phil Teal

Date: 22/10/15

Preliminary

Fish and Game's submission is structured as follows:

- Introduction – Role of Fish and Game and statutory mandate
- Background - the importance of the sports fishery and game bird resource in the Greater Wellington Region, which should be recognised and provided for in the proposed Natural Resources Plan;
- General submission on the draft proposed Natural Resources Plan and relief sought
- Specific submission points on the draft proposed Natural Resources Plan and relief sought
- Appendices

INTRODUCTION

ROLE OF FISH AND GAME

1. Fish and Game Councils are Statutory Bodies with Functions (*inter alia*) to:

'manage, maintain and enhance the sports fish and game bird resource in the recreational interests of anglers and hunters...

(b) 'to maintain and improve the sports fish and game resource-

(i) by maintaining and improving access

(c) 'to promote and educate-

(ii) by promoting recreation based on sports fish and game

(e) 'in relation to planning-

i. (i)'to represent the interests and aspirations of anglers and hunters in the statutory planning process; and

ii. (vii)'to advocate the interests of the Council, including its interests in habitats...'

Section 26Q, Conservation Act 1987.

2. In addition, Section 7(h) of the RMA states that all persons *'shall have particular regard to... the protection of the habitat of trout and salmon.'*

3. Sports fishery management sits within a framework established for freshwater fishery management and similarly game bird management within a framework of wildlife management jointly between Fish and Game Councils and the Department of Conservation in Part VB of the Conservation Act 1987. Aspects of fishery and game bird management (such as which species should be managed where) are covered by that legislation. Thus species management is primarily the function of DOC and Fish and Game Councils. The nature of this management is set out in some detail for each Fish and Game region in their respective statutory Sports Fish and Game Management Plans which have been through a public process and approved by the Minister of Conservation. As statutory management plans, this regional plan and other such plans prepared

under the RMA are obliged to 'have regard to' such plans in their preparation (section 66(2)(c)(i)). Fish and Game submits that this plan does not adequately have regard for these plans, which is covered in more detail elsewhere in this submission.

BACKGROUND: The importance of the sports fishery and game bird resource in the Greater Wellington Region

4. The sports fish and game bird resources of the Greater Wellington region are highly valued. On the basis of 2014/2015 licence figures, Fish and Game represent holders of over 8,000 angling and hunting licences in the region. The sports fishery, in particular is significant, with over 17,430 angler days being spent on the Greater Wellington region's waters (NIWA National Angling Survey 2007/08).

Sports Fishery

5. The Wellington region is one of the key regions in the North Island for sports fishing. In particular the: Hutt, Ruamahanga, Otaki, Waikanae, Wainuiomata, Waiohine, Waingawa, and Waipoua Rivers, offer regionally significant fishing opportunities. The region has over 30 locally significant fisheries which provide close to home angler opportunity, and over 50 significant spawning rivers and streams which are essential to the health and sustainability of the regions fishery.
6. Sports fisheries have existed as part of a statutory regime in NZ since 1867, with the largely salmonid (trout and salmon) based fisheries a key value in, and attribute of our freshwaters. The current statutory basis and regime for sports fishery management is provided under Part VA of the Conservation Act 1987, as part of freshwater fisheries management, together with associated Freshwater Fisheries Regulations 1983 and Angler's Notices promulgated annually under this legislation.

Game Bird Resource

7. The Wellington region also provides for significant wildlife habitat and game bird hunting opportunity, with key wetlands such as Lake Wairarapa, numerous other wetlands and its extensive rivers and lakes.
8. Game birds are recognised in the First Schedule of the Wildlife Act 1953 and their management by Fish and Game Councils under Part II of that Act, with analogous regulations and annual Game Gazette Notices to the Anglers Notice. Please note that several of the principle game birds (grey duck, paradise shelduck, Shoveler duck, black swan and Pukeko) are native species.

Sports Fish and Game Bird Management

9. Sports fishery management sits within a framework established for freshwater fishery management and similarly game bird management within a framework of wildlife management jointly between Fish and Game Councils and the Department of Conservation in Part VB of the Conservation Act 1987. Aspects of fishery and game bird management (such as which species should be managed where) are covered by that legislation. Thus species management is primarily the function of DOC and Fish and Game Councils. The nature of this management is set out in some detail for each Fish and Game region in their respective statutory Sports Fish and Game Management Plans which have been through a public process and approved by the Minister of Conservation. These cannot be inconsistent with Conservation Management Strategies, for example. As statutory management plans, this regional plan and other such plans prepared under the RMA are obliged to 'have regard to' such plans in their preparation (section 66(2)(c)(i)).

10. Management of the habitat of all freshwater fish and wildlife and appropriate provision for the amenity derived from the fishery and game bird resource, however, is clearly the responsibility of regional and district councils under the RMA. Sections 5(a) and (b), and section 6(a) (preservation of natural character), s(6)(d) (regarding public access to water bodies) 7(c) (the maintenance and enhancement of amenity values), 7(h) (protection of the habitat of trout and salmon), and 7(d)(intrinsic values of ecosystems) are directly relevant to sports fishery management. While sections 5(a) and (b), and sections 6(a) (preservation of natural character of water bodies including wetlands), 6(c) (protection of areas of significant indigenous vegetation and significant habitats of indigenous flora and fauna, 7(c), and 7(d) are directly relevant to game bird management.

11. The inclusion of the protection of the habitat of trout and salmon (s(7)(h)) in the RMA (1991) has a dual purpose; firstly in recognition of the national importance of these species. Freshwater sports fisheries are of high socio economic and socio cultural importance both domestically and internationally, providing a myriad of benefits to society.

12. Secondly, s(7)(h) provides de facto protection for our other freshwater species. Trout and salmon are amongst the most studied fish in the world. Salmonid habitat requirements (water quality and quantity and physical habitats) are well established in the literature. Regrettably the habitat requirements of most of our native fish species are much less well known. Given the sensitivity of salmonids to habitat degradation, it is recognised that the provision of salmonid habitat requirements provides protection for the health of other species in aquatic ecosystems, and for Life Supporting Capacity generally. This is another reason for the inclusion of the protection for the habitats of these species in section 7(h). There is a good correlation between the habitat requirements of salmonids and suitability for other species and other purposes.

Wetlands

13. Wetlands are some of the most diverse, complex and productive ecosystems on earth. Supporting and providing essential habitat for an array of micro-organisms, plants, insects, and animals. They essentially act as biodiversity hot spots supporting indigenous flora and fauna, along

with game bird species. Wetlands also play a crucial role in environmental regulation: including flood, water quality, erosion and sediment protection; groundwater recharge; and climate regulation, as well as providing recreational and amenity values.

14. Globally wetlands account for about 6% of land area, and are considered to be among the most threatened of all environmental resources. Since European colonisation in the mid 1800's the vast majority of New Zealand's wetlands have been drained or irretrievably modified for coastal land reclamation, farmland, flood control, and the creation of hydro electricity reservoirs. It is estimated that only 10% of the original wetland environment remains in New Zealand, with only 4.9% in the North Island (MfE, 2007), and only approximately 2.3% in the Greater Wellington Region (Aussiel et al, 2011, Greater Wellington Regional Council, 2015). The Ministry for the Environment specifically identifies wetlands as a priority for protection as nationally important (MfE, 2007).
 15. The Resource Management Act gives local government the mandate to recognise and provide for the protection of wetlands as a matter of national importance under sections 6(a) preservation of natural character; 6(b) preservation of outstanding features; and section 6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Under s6(c), due to the rarity of these remaining habitats, all wetlands should be considered significant.
 16. Protection of our significant water bodies and game habitats is of vital importance for the maintenance and enhancement of the Greater Wellington regions reputation as a healthy and sustainable visitor region and agricultural producer. This also has national significance for ensuring New Zealand delivers on its 100% Pure New Zealand brand promise.
- General Submission on the proposed Natural Resources Plan**
17. Fish and Game support the intent of Greater Wellington Region Council in developing an integrated catchment land and water plan to address significant resource management issues, and ensure that the regions land and water resources are sustainably managed and their values protected. Fish and Game are particularly supportive of provisions which recognise and aim to protect the life supporting capacity and ecosystem health of freshwater, and the recognition of mana whenua values and the incorporation of provisions which aim to provide and protect these values.
 18. Fish and Game acknowledge the intent of Greater Wellington in regards to further development of the Natural Resources Plan through collaborative whaitua group processes, which will be incorporated into the Natural Resources plan through future plan changes. Fish and Games review of the draft proposed plan has been undertaken with this in mind.

19. Development of second generation plans which ensure that land and water resources are managed in an integrated and sustainable way is challenging, to say the least. The proposed natural resources plan provides a good start to this difficult process, and appears to be leading New Zealand in regards to recognising mana whenua values of freshwater environments. However, further work is required to ensure that this plan delivers on its objectives including those to safeguard ecosystem health and processes and recognise and provide for mana whenua values.

20. Fish and Games primary focus is to ensure that this Natural Resource Plan:

- (i) safeguards the life supporting capacity and ecosystem health of freshwater;
- (ii) recognises and protects the regions trout fishery and recreational values;
- (iii) achieves the objectives of the plan
- (iv) ensures that water quality is at a minimum maintained, and where degraded is improved;
- (v) ensures that allocated water is used efficiently and where over allocated that allocation is clawed back;
- (vi) ensures that the natural character is recognised and preserved including the natural character of rivers which encompasses the rivers natural form and processes (hydrology, geomorphology and fluvial processes)
- (vii) Ensures that river management activities are managed in a manner which protects the natural character of rivers and their ecological, recreational, and cultural values
- (viii) That all remaining wetland habitats are recognised as significant and protected from further degradation and loss.
- (ix) That agricultural land uses are managed including through regulation to ensure that these activities are sustainably managed and avoid, remedy, or mitigate their effects including cumulative effects on the environment; and finally
- (x) That numerical standards/ limits/ targets/ outcomes are set for water quality and quantity which safeguard the life supporting capacity and ecosystem processes of freshwater, protect natural character, and provide for recreational, cultural, and amenity and intrinsic values

Areas of Concern

21. While Fish and Game accept that the Natural Resources Plan will be further developed via plan changes which will feed the Whaitua derived chapters into the plan and give effect to the policies of the NPSFWM (2014), Fish and Games position is that this Regional Plan still needs to give effect to the RMA, address the regionally significant natural resource management issues, and ensure that the regions land and water resources are sustainably managed, and the objectives of the plan achieved. Fulfilment of these statutory requirements cannot be put off to later schedule 1 processes or plan changes. Fish and Game submit that as notified the pNRP fails to achieve the purpose of the Act, and is inconsistent with the NPSFWM and Coastal Policy Statement, and fails to adequately address the significant water quality and quantity issues this region faces.

22. Reason for the submission are:

23. The Plan in its current form does not adequately provide for / or give effect to:

24.1. The Purpose and Principles of the Resource Management Act, including but not limited to

24.1.1. Safeguarding the life supporting capacity of.... water, soil, and ecosystems, and

24.1.2. the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;

24.1.3. the protection of outstanding natural features and landscapes

24.1.4. the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna

24.1.5. maintenance and enhancement of amenity values;

24.1.6. protection of the habitat of trout and salmon

24.2. s15 RMA

24.3. s32 RMA

24.4. s69 and Schedule 3

24.5. s70 RMA

24.6. The NPS Freshwater;

24.7. The New Zealand Coastal Policy Statement 2010

24.8. Greater Wellington Regional Policy Statement 2015

- 24.9. Ensuring that resource use (including the taking of water and use of the assimilative capacity of water) is necessary, reasonable, and efficient
- 24.10. The protection of recreational fisheries and gamebird resources, including the protection of rivers, lakes, wetlands, and their margins;
- 24.11. Maintenance and enhancement of the quality of freshwater environments, including wetland environments, as habitats for sports fish and game birds;
- 24.12. The maintenance and enhancement of recreational values, amenity values, and the intrinsic values of ecosystems;
- 24.13. The maintenance and enhancement of public access to and along the coastal marine area, lakes, rivers, and wetlands;
- 24.14. Set numerical water quality and quantity standards, freshwater objectives, or limits or targets to protect freshwater values including safeguarding life supporting capacity and ecosystem health and processes, and give effect to the NPS Freshwater Management and Fish and Game sports fish and gamebird management plans;
- 24.15. Ensure that land use activities and development are managed so that life supporting capacity and ecosystem health and processes of water is safeguarded; and freshwater values including trout fishery, trout spawning, recreational, and amenity values; areas of significant indigenous vegetation and significant habitats of indigenous fauna including all remaining natural wetlands; and the natural character of waterbodies is protected
- 24.16. Ensuring that land use activities and development are managed so that where numerical water quality and quantity objectives, outcomes, standards, or limits are currently being achieved that they continue to be met, and where water quality and quantity objectives, outcomes, standards, or targets are not met (currently degraded) that water quality and quantity is restored to meet them over time.

RMA s69 and Schedule 3

25. Fish and Game submits that at the very least, the Plan should identify which water bodies support the values set out in Schedule 3 to the RMA.

Relevant to Fish and Game's submission are the following classes:

- 25.1 Aquatic ecosystem purposes
- 25.2 Fishery purpose
- 25.3 Water - Class CR – managed for contact recreation
- 25.4 Class NS Water – water being managed in its natural state.

26. The proposed plan does identify aquatic ecosystem values, the majority of the regions trout fishery and spawning rivers, and some areas of contact recreation. By doing so, it comes under section 69 of the RMA that requires that rules in relation to those identified waters must, at the very least, ensure the standard set out in Schedule 3 is complied with.

27. Fish and Game submit that the Plan should be amended to include trout fishery and spawning values identified by Fish and Game as shown in appendix 1 to this submission, that all rivers should be managed for primary contact recreation, and that the notified plan and schedules be amended to incorporate these values. Fish and Game also submit that the following values should be identified, and managed by the plan: Natural state water such as the Outstanding Fresh Water Bodies and rivers and lakes with significant indigenous ecosystems, which have been identified by the plan.

28. Numerical water quality and quantity standards, objectives, outcomes, and limits or targets should be inserted into the plan to protect these values including aquatic ecosystem values and trout fishery values. The rules in the plan will then need to be amended/ incorporated to ensure compliance with the standards set in Schedule 3 of the RMA, and as shown in appendix 2 and appendix 3 to this submission.

Section 32

29. In specific terms Fish and Game proposes alternative objectives, policies and rules. In general terms Fish and Game considers that an alternative framework is preferable. In respect of the Plan's Objectives, policies, and methods including rules, the subject of this submission, Fish and Game submits that the Councils section 32 evaluation is flawed.

30. The objectives of the notified plan are not the most appropriate way to achieve the purpose of the Act. In many cases, it is not apparent that the Council has considered or weighed up the alternatives preferred by Fish and Game in a meaningful sense.
31. Fish and Game submit that the Council has not correctly evaluated the benefits and costs of the policies, rules and methods in order to determine the appropriateness or otherwise of including and in some cases specifically excluding, provisions the subject of this submission. Fish and Game disagrees that the Plan's provisions will provide an efficient and effective framework to achieve what should be the Objectives of the Plan, and the purpose of the Act.
32. Fish and Game also submit that s32 has not been complied as an assessment of the beds of rivers and lakes provisions has not been undertaken, nor has an assessment of whether or not the as yet to be developed provisions of the Whaitua processes will actually achieve the objectives of the plan including safeguarding aquatic ecosystem health and the maintenance and where degraded enhancement of water quality and quantity. Furthermore, some of the rules cannot have been assessed to determine their appropriateness or otherwise of achieving the objectives of the plan, as an integral component of the rules such as management of farming land uses which manage all contaminants of concerns including sediment, faecal contamination, phosphorus and nitrogen losses, is absent.

NPS Freshwater

33. In regards to the NPS Freshwater, Fish and Game submit that the Proposed Plan, in relation to managing water quality and quantity, does not give effect to the NPS Freshwater including, but not limited to, for the following reasons:
 - 33.1 The freshwater objectives established in the Plan (the Objectives in Section 3 and Policies in section 4) will not give effect to the Objectives of the NPS Freshwater, and do not give effect to the attributes listed within the NPSFWM. Key freshwater objectives (attributes and attribute states) such as nutrient concentrations have been omitted from the section 3 tables
 - 33.2 The pNRP does not specify limits or targets nor timeframes for achieving targets.
 - 33.3 The pNRP fails to manage land use activities to limits or targets and as such fails to ensure that this plan achieves its freshwater objectives.
 - 33.4 The pNRP does not ensure that overallocation is prevented; and
 - 33.5 Where resources are currently overallocated such that the freshwater objectives are not met, the pNRP does not ensure that this

overallocation is reduced overtime to achieve the freshwater objectives within a defined time period

- 33.6 The Plan's definition of 'outstanding freshwater bodies' only includes reference to indigenous ecosystem values and fails to take into account other values which should also be used to assess the outstanding nature of habitats including cultural values, recreational values, natural character etc. The plan does not protect outstanding habitats.
- 33.7 The Plan will not result in an improvement of the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated, particularly in relation to nitrogen concentrations in ground and surface water bodies.
- 33.8 Because the Plan does not define clear limits, it is not possible to determine whether and where over-allocation has occurred in terms of Policy A1 (a) of the definition of 'Over-allocation' in the NPS Freshwater.
- 33.9 Where over-allocation has been identified (as shown in appendix 5 to 8 attached to this submission), the rules in the Plan will not result in an improvement of the quality of fresh water in those catchments, particularly in relation to the enabling of current rates of nutrient discharges from farming activities to continue and permitting increases in nutrient discharges.
- 33.10 The Plan does not establish targets for catchments that have been identified as being over-allocated, as is required by Policy A3 of the NPS Freshwater.
- 33.11 The Council is not able to impose conditions on discharge permits to ensure limits and targets can be met because:
- 33.11.1 The Plan does not set defined limits or targets
 - 33.11.2 The Plan does not provide assistance to the Council in determining how individual discharge proposals will influence the achievement of the Freshwater Objectives (and limits/targets) when accounting for all other discharges in a catchment.
- 33.12 The Plan requires only 'industry developed good practice' to be applied in relation to farming activities and this is unlikely to be the same as the 'best practicable option'.
34. While acknowledging that the Council has chosen to notify the current plan as an interim regional plan until such time as the sub-regional sections are developed, this does not mean that the Council does not need to give effect to the NPS Freshwater in the currently proposed Plan.

The Plan should give effect to the NPS Freshwater using interim measures and, if those measures need to be amended in the future during the development of sub-regional sections, that is able to be achieved while maintaining consistency with the NPS. It is not appropriate for the Council to defer giving effect to the NPS on the basis that regional chapters are yet to be developed.

35. **Fish and Game seek the following relief:**

- 35.1 That the relief outlined under the specific submission points, and as appended, is accepted; and in general terms;
- 35.2 That provisions are included which ensure that the life supporting capacity of water, soil, and ecosystems are safeguarded
- 35.3 Inclusions of objectives, policies, and rules to ensure that water quality is maintained where it currently achieves the freshwater objectives (section 3 freshwater objectives and tables), and where it is degraded is improved over time. This includes amendments and inclusion of further policies and methods including rules to manage land uses and its effects on water quality, including exclusion of stock from waterbodies including all natural wetlands irrespective of size;
- 35.4 Currently a number of objectives, policies, and rules, just talk about reducing or minimising adverse effects eg. Objectives O44, O45, Policy P4, P19, P30, P31, P36, P51, P52, P67, P71, P73, P75, P76, P78, P81, P89, P91, P97, P105, P123, P124, P126, P130, P134, P136, Rule R51, R52, and Schedule N (i) this is inconsistent with sustainable management which requires that life supporting capacity and ecosystem health be safeguarded (s5 RMA and Objective A1 NPSFWM) and that adverse effects are avoided, remedied, or mitigated (s5 RMA) in order to promote sustainable management. Recommend amendments which ensure that freshwater is sustainably managed including 'avoidance of an adverse impact' as a first priority, and avoidance of significant adverse impacts as an absolute bottom line. Delete provisions which allow significant adverse impacts to be remedied or mitigated as policy P32, P74, P89, rule R42, R48, R59, does. Recommend inclusion of "*and where degraded enhanced*" to objectives policies and rules. Include methods including rules which ensure that over allocation is phased out over time (water takes and point and non-point sources discharges of contaminants from land to water bodies including groundwater);
- 35.5 Inclusion of further objectives and numerical and narrative parameters are required in section 3 tables to provide for the life supporting capacity, ecosystem health and processes, recreational, amenity and aesthetic values, mahinga kai, Maori, and natural character freshwater objectives and values. Parameters that should be included are ecoli, temperature, water clarity, pH, deposited sediment, dissolved oxygen, nutrients, cyanobacteria, the weighted composite cover (WCC) of filamentous and mat material (PeriWCC), periphyton, flow requirements, toxicants, ammonia, and a narrative and numerical requirement for natural character.

- 35.6 Amend table 3.1 so that all rivers and streams in the region are being managed for primary contact recreation as shown in appendix 4
- 35.7 Delete table 3.2 in its entirety
- 35.8 Amend table 3.4 as shown in appendix 3
- 35.9 Include new table 3.4a, as set out in Appendix 2, which establishes Freshwater Objectives which recognise and provide for the regions trout fishery and spawning values
- 35.10 Include a new objective which recognises and provides for the protection of the habitat of trout and trout fishery and spawning values as identified in schedule 1 as amended in appendix 1 and appendix 2
- 35.11 Include / and strengthen provisions which recognise and provide for recreational values of freshwater. Recreation values are not just provided for by meeting E.coli objectives/outcomes. Protection of the recreational values of freshwater will also require achievement of clarity, periphyton, and cyanobacteria parameters, and also may require the achievement of further parameters which provide for amenity and natural state values. Fishing recreational values will require the inclusion of parameters which provide for angling opportunity including healthy abundant fish, suitable species (including trout), which are suitable for consumption;
- 35.12 Where the plan recognises schedule 3 RMA water quality classes such as in section 3 and tables 3.1, 3.3, 3.4, new table for fishery and fish spawning values, standards as set out in schedule 3 RMA and as shown in the section 3 tables will need to be established and the rules in the plan will then need to be amended or inserted to require compliance with these standards as a minimum.
- 35.13 That the Plan is amended so that is it consistent with the Sports Fish and Game Management Plans of the Wellington Fish and Game region
- 35.14 That provisions (objectives, policies, and rules) are included in the Plan which ensure that freshwater resource use is necessary, reasonable, and efficient (e.g. Policy 118, Rules 143, 144, R.R1 and K.R1 schedule Q) ; Numerical measures should be included to quantify what is meant by 'reasonable' and 'efficient'. Necessary, reasonable, and efficient, criteria should also apply to the assimilative capacity of water (pollution) and not just water abstraction.
- 35.15 Water use that is deemed essential and as such allowed to continue beyond water allocation limits is still required to meet the requirements of s14(b) RMA "*and the taking or use does not, or is not likely to, have an adverse effect on the environment*". Amend the appropriate provisions to include this requirement.
- 35.16 That provisions are included in the plan to preserve the natural character of the coastal environment, wetlands, lakes and rivers and their margins and the protection of them from inappropriate subdivision, use, and development;

- 35.17 That the plan is amended to recognise the significance of all wetlands and to protect them as s6(c) habitats under the RMA, to restore these habitats where degraded; to recognise and provide for their values including game bird values, and to enable the creation of new habitats.
- 35.18 That the plan is amended to ensure that river management activities are undertaken in a manner which recognises and protects the ecological health and processes, and the natural character of rivers including their physical form and function (fluvial and geomorphological processes and features), and ensures that natural character is maintained at a natural character index of between 1 and 0.7 depending on the river as shown in the amended table 3.4 (appendix 3)
- 35.19 That the plan is amended to ensure that the natural flow patterns of the Regions Rivers, lakes, and wetlands are provided for and protected. This includes minimum flows, core allocations, and hydrological variability. Minimum flows should not exceed 70% of the natural MALF. Core allocations should not exceed 30% of the natural MALF. Supplementary takes shall not cause departure from the natural hydrological regime
- 35.20 That land use (including "farming") rules include ancillary discharges (s9 and s15 RMA);
- 35.21 That land use and ancillary discharge rules for both intensive and extensive land uses manage sediment, faecal, phosphorus, and nitrogen discharges, and include standards (limits or targets) in relation to these contaminants;
- 35.22 Inclusions of objectives, policies, and methods (including rules) which ensure that land is managed sustainably in order to achieve the freshwater objectives, including the maintenance of water quality and where degraded its improvement over time. Reliance on industry good management practice is not sufficient to ensure that water is used sustainably including its assimilative capacity. Output based standards, such as nitrogen leaching per ha per annum, which is set to achieve environmental outcomes are an essential component of second generation Natural Resource Plans. Failure to adopt regulation which ensures point and non-point source discharges of contaminants from primary productive land uses are managed to environmental limits (output based standards) will result in failure to sustainably manage the land and water resources of the region, and will lead to further declines in the health of freshwater environments and their values;
- 35.23 That in at or under allocated catchments (where numerical water quality or quantity freshwater objectives/ standards/ or limits are met but not exceeded) land use and ancillary discharge activities are regulated to discharge/ leaching standards to ensure that at a minimum the water resource (quantity and quality) is used efficiently;
- 35.24 That in approaching, at allocation, and in over allocated catchments (where numerical water quality or quantity freshwater objectives, standards, or limits or targets are currently being exceeded), Land use and ancillary discharge activities are regulated to discharge/ leaching standards which are set to progressively decline over time to ensure that discharges/ leaching is reduced to meet the receiving water freshwater standards and numerical limits/ targets and achieve the freshwater objectives of the Plan;

- 35.25 That land use and ancillary discharge activities are regulated to ensure that 'good environmental management practices are achieved at a minimum;
- 35.26 That land use and ancillary discharge activity rules are holistic;
- 35.27 That land use and ancillary discharge activity rules meet the requirements of s70 RMA, and relevant planning considerations;
- 35.28 That nitrogen leaching standards are established and allocated based on the natural capacity of soil such as Land Use Capability or a similar alternative, and that in catchments that are at allocation or over allocated contaminant losses from the farming activity will not increase above grand parented rates. That existing farming activities discharges contaminants in excess of the flexibility cap (allocation based on natural capital or alternative approach) are required to reduce their leaching overtime.
- 35.29 That nitrogen leaching rights are allocated within catchments in such a way that there is equitable allocation of a total catchment nitrogen load to all users/activities who may wish to use the available resource;
- 35.30 That a nutrient transfer or trading regime is established where catchment caps have been established to enable nitrogen leaching reductions to be achieved at least cost and to enable maximum flexibility of resource use to enable economic benefits to be maximised from the available resource;
- 35.31 That all intensively farmed cattle, deer, and pigs should be excluded from all permanently flowing waterbodies, intermittently flowing waterbodies with an active bed greater than 1m, and all natural wetlands irrespective of size;
- 35.32 The consequential restructuring of the Plan, or parts thereof, arising from the material amendments sought;
- 35.33 Wellington Fish and Game Council have requested amendments to a number of objectives in the Proposed Plan. In order for the policy cascade as set out in s67(1) RMA to be effective, consequential changes should be made to the policies and methods including rules (and schedules) in order for the objectives of the Plan to be achieved. Retain, delete, or amend policies in Section 4 of the Plan and the rules in section 5 of the plan to ensure that they will, individually and collectively, direct how the objectives, as retained or amended by the Wellington Fish and Game submission, are to be achieved.
- 35.34 That a s32 analysis is undertaken by the council of the beds of rivers and lakes provisions, provisions around natural character, and farming rules or
- 35.35 Proposed Greater Wellington Regional natural Resources Plan in its current form be withdrawn
- 35.36 Such other or further relief as addresses the issues raised by this submission and any consequential amendments

SPECIFIC SUBMISSION POINTS:

Note: This submission has been set out in an attempt to be user friendly. The outcomes sought and the wording used is as a suggestion only, where a suggestion is proposed it is with the intention of 'or words to that effect'. The outcomes sought may require consequential restructuring of the Plan, or parts thereof, arising from the material amendments sought.

SECTION 2 - HOW THE PLAN WORKS AND DEFINITIONS

Provision Section	The submission is that: Support/ Oppose	Reason	Relief sought
Section 1	Support with amendments	Fish and Game support the approach of GWRC in relation to the integrated management of land and water resources and the identification of values including intrinsic values of freshwater and ecosystems. However as currently proposed the plan fails to identify a number of these values which are a fundamental component in establishing the planning framework required to sustainably manage land and water resources.	Include full suite of values in section 1 and table 1.1 including but not limited to primary recreation, angling, trout fishery and trout spawning, amenity, aesthetic, natural character, natural form and function. At a minimum the plan should identify the schedule 3 values RMA and the compulsory values and secondary values set in the NPSFWM The values identified in the schedules of the plan and as amended by this submission should also be included in table 1.1
Section 2 Definitions	Support with amendments	Many of the matters addressed in Fish and Game's submission involve, either implicitly or explicitly, the definitions of terms used in the Plan. Fish and Game therefore seeks changes to definitions that are consequential to relief sought elsewhere in its submission in addition to any relief sought directly in relation to specific	Fish and Game seek changes to definitions that are consequential to relief sought elsewhere in its submission in addition to any relief sought directly in relation to specific definitions.

Section 2 Definitions	Support with amendments	<p>definitions.</p> <p>Fish and Game consider Life-Supporting Capacity is a more appropriate term to use in combination with Aquatic ecological health, and is more appropriate in relation to Part 2 of the RMA and NPSFWM</p> <p>The definition for Aquatic ecosystem health does not actually relate to a healthy aquatic ecosystem. Aquatic ecosystem health should mean that the aquatic ecosystem is healthy such that it is able to sustain its ecological structure, processes, functions, supports its intrinsic and non-consumptive values including fishery values, and that it is resilient to human mediation impacts and climate change</p>	<p>Include definitions and references to them in the Plan including for "life-supporting capacity"</p> <p>Amend the definition of aquatic ecosystem health to ensure that the definition requires that the aquatic ecosystem is in a state of health such that it retains its form and function and processes within its natural ranges, is resilient to anthropogenic impacts and climate change, and that it provides habitat and processes which support healthy macroinvertebrate communities and fish populations and their life stages and cycles, including recreational species.</p>
Section 2 Definition	Support with amendments	<p>The definition of mahinga Kai is not appropriate and does not reflect cultural values associated with Mahinga Kai</p> <p>Aquatic ecosystem health and mahinga kai are not necessarily the same and so should be recognised and protected both in their own right.</p>	<p>Amend the definition for Mahinga Kai to incorporate the definition proposed/ used by Iwi and Hapu.</p> <p>The definition should include the cultural values of mahinga kai which describes areas of significance to iwi/hapu for their qualities as food-gathering areas. Mahinga typically means 'the place where and 'kai' meaning 'the foods'. Thus the etymological meaning of the expression 'mahinga kai' is 'the foods and the places where those foods are produced or procured'.</p> <p>Mahinga Kai refers to the production and</p>

Section 2 Definition	Support with amendments	<p>Include a new definition for the natural productive capability of land and soils e.g. Natural capital can be defined as the earth's stocks of natural material and energy, which is akin to the RMA's prescient words of "natural and physical resources". The sum of these natural capital stocks can be referred to as our ecological infrastructures. From natural capital stocks there are flows of ecosystem services, which can be defined as the beneficial flows of goods and services between natural capital stocks, or between these stocks and humans.</p> <p>The Natural Capital approach is based on the ability of the soil to sustain a legume based pasture, fixing N biologically under optimum management (i.e. new plant germplasm, use of P, S, K fertilisers, lime, trace elements and technologies to control pests and weeds), before the introduction of additional technologies (eg. N fertiliser, supplements). A legume-based pasture is a self-regulating biological system with an upper limit on the amount of N that can be fixed, retained, cycled, made available for plant growth and lost by leaching. It reflects the underlying capacity of soil to retain and supply nutrients and water, and the capacity of the soil to provide an environment to sustain legume and grass growth under the pressure of grazing animals.</p>	<p>gathering of all foods and other natural resources, as well as the areas from which they are sourced. Mahinga kai is an activity as well as a physical location from which food is gathered, harvested or cultivated. For the current project we are interested in mahinga kai in freshwater ecosystems</p>
Section 2	Support with amendments	<p>Fish and Game consider the proposed plan does not provide for</p>	<p>An allocation based on the productive capacity of the land including soil type, slope, and rainfall. It is tied to the land rather than existing land uses. The Natural capital based allocation system is the most economically efficient allocation approach and provides the greatest nutrient loss to the elite soils that will produce the most per kg of N loss/ Ha/yr</p> <p>Include a new Definition for Natural</p>

<p>Definition</p>		<p>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.</p> <p>Natural Character is not natural state or naturalness but rather “is that dimension of its character which is an <u>expression of nature, and also may include anthropogenic values including cultural and aesthetic values</u>”, and includes the extent to which natural elements, patterns and processes occur. The preservation of Natural character is a matter of national importance under s6 RMA. The preservation of the natural character of freshwater can be provided for by ensuring the physical naturalness of these environments which make up its natural character are protected and where degraded restored, and that hydrological regimes (including allocations, minimum flows, and supplementary takes) are established which ensure natural processes including the movement of periphyton, sediment, and creation of habitats including pools and riffles, are provided for, along with the lifecycle requirements of fish. The preservation of the natural character of freshwater is also intimately linked to the protection of its life supporting capacity and ecosystem health, along with recreational and Maori values including Mahinga Kai. As currently drafted the Natural Resource Plan will not achieve s6((a) RMA</p>	<p>Character</p> <p><u>The Natural Character of rivers lakes and wetlands may include such attributes and characteristics as:</u></p> <p>a) <u>natural elements, processes and patterns, chemical, biophysical, ecological, geological, geomorphological and morphological aspects,</u></p> <p>b) <u>natural landforms;</u></p> <p>c) <u>the natural movement of water and sediment including hydrological and fluvial processes;</u></p> <p>d) <u>places that are wild and scenic</u></p> <p>e) <u>a range of natural character from pristine to modified</u></p> <p>Include or amend objectives policies and rules to recognise and protect the natural character of rivers, lakes, wetlands and their margins from land use activities, discharges, water takes, and the management of the beds and margins of waterbodies.</p>
<p>Section 2 Definition</p>	<p>Support with amendments</p>	<p>The definition may be taken to exclude some natural wetlands from the RMA definition of wetland where they are used for the purposes outlined under (b) (i) to (iv). Use of a natural wetland for consumptive use should not be used to exclude that wetland from provisions which would ensure that the habitat is protected and where degraded enhanced.</p>	<p>Amend the definition of natural wetland</p> <p>(b) areas of <u>artificially created wetland</u> habitat...</p>

<p>Section 2 Definition</p>	<p>Support with amendments</p>	<p>As currently proposed the definition has been structured such that livestock are only excluded from wetlands defined in Schedule F3. All intensively farmed livestock should be excluded from all natural wetlands</p> <p>Sheep grazing may impact on flora and fauna of wetland habitats and as such should be excluded from those wetland habitats listed in schedule F3 with significant riparian values.</p>	<p>Amend the definition of 'significant natural wetlands' reference to 'significant natural wetlands' Cattle, deer, and pigs should be excluded greater than 0.1ha.</p> <p>Amend the definition so that sheep should be excluded from wetlands listed in schedule F3.</p> <p>Schedule may need to be amended to identify wetlands with significant riparian values and the extent of that habitat in relation to sheep exclusion.</p>
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SECTION 3 – OBJECTIVES

Provision	The submission is that: Support/ Oppose	Reason	Relief sought
Section 3 Objectives not specifically addressed below or in the general section	Support	Meets to the purpose of sustainable management	Objectives not covered specifically below are supported and Fish and Game seeks that they are retained as proposed
Section 3 (sections 4, 5 and 12)	Support with amendments	Sports fishery management sits within a framework established for freshwater fishery management and similarly game bird management within a framework of wildlife management jointly between Fish and Game Councils and the Department of Conservation in Part VB of the Conservation Act 1987. Aspects of fishery and game bird management (such as which species should be managed where) are covered by that legislation. Thus species management is primarily the function of DOC and Fish and Game Councils. The nature of this management is set out in some detail for each Fish and Game region in their respective statutory Sports Fish and Game Management Plans which have been through a public process and approved by the Minister of Conservation. As statutory management plans, this regional plan and other such plans prepared under the RMA are obliged to 'have regard to' such plans in their preparation (section 66(2)(c)(i)). Fish and Game submits that this plan does not adequately have regard for these plans, nor does it have regard to s7 RMA 'protection of the habitat of trout and salmon'.	<p>Include objectives policies and standards and where applicable rules which recognise and protect regional sports fish and gamebird populations and their habitats, and which recognise and provide for recreational hunting and angling.</p> <p>Amend Schedule 1 as shown in appendix 1</p> <p>Include numerical and narrative freshwater objectives/ standards/ limits/ targets which protect the life supporting capacity, ecological health and processes of freshwater and which provide for recreational sports fish species.</p> <p>Include numerical and narrative freshwater objectives/ standards/ limits/ targets which provide for primary contact recreation of freshwater environments</p> <p>Amend tables 3.1, 3.2 as shown in appendix 4</p> <p>Include new table as shown in appendix 2</p> <p>Include new objective or amend existing objectives (such as objective 030) and policies and rules to the effect that <u>"sports fish and angling values of fresh water bodies and the coastal marine area identified in schedule 1 are recognised and provided for: aquatic ecosystem health and natural character"</u></p>

			<p><u>of freshwater bodies are protected; policies, limits and methods including rules are established in relation to water quality, natural character, hydrological variability, core allocations and minimum flows such that the habitat of trout and recreational angling values are protected; where an objective/ standard/ or limit set in tables 3.1, 3.2, 3.3, new freshwater objective 3.1a, or sections 4 or 5 are currently achieved they are maintained; where an objective or standard or target set in tables 3.1, 3.2, 3.3, new freshwater objective 3.1a, or sections 4 or 5 are not achieved the parameter is improved over time to meet the objective, standard or target.</u></p>
Objective 02	Support with amendments	The benefits of natural systems and processes to human health and social and economic wellbeing should be recognised and provided for to ensure the sustainable management of natural resources and part 2 of the Act is met and the NPSFWM and NZCPS are given effect to	Include recognition of ecosystem health, ecological processes, natural character, and ecosystem services to the economic, social, and cultural aspects within Objective 02. Also include human health as an aspect within objective 02
Objective 04	Support with amendments	Contrary to part 2 Act and the NPSFWM and NZCPS	Amend to ensure that the intrinsic values of aquatic freshwater and marine ecosystems and their life supporting capacity and natural character are recognised and protected.
Objective 05	Support with amendments	<p>Objectives 05 fails to protect Natural character, Safeguard life supporting capacity, and provide for primary contact recreation, which as such, is contrary to the purpose and principals of the RMA and fails to give effect to the NPSFWM. Mahinga Kai and ecosystem health are not the same. Separate out these two primary values and recognise each separately.</p> <p>The preservation of Natural character is a matter of national importance under s6 RMA. Natural Character is not constrained to natural state or naturalness but rather “is that dimension of its character which is an <u>expression of nature</u>, and also may include anthropogenic values including cultural and aesthetic values” ,</p>	<p>Amend Objective 05 to recognise and protect the natural character of fresh waterbodies and the coastal marine area, and where degraded restore natural character</p> <p><i>Fresh water bodies and the coastal marine area, as a minimum, are managed to:</i></p> <p><i>(a) safeguard life supporting capacity and aquatic ecosystem health</i> <i>(aa) safeguard mahinga kai, and</i> <i>(b) recognise and provide for primary contact recreation and Māori customary use, and</i> <i>(c) in the case of fresh water, provide for the health needs of people and</i> <i>(d) recognise and protect Natural character including:</i></p>

		<p>and includes the extent to which natural elements, patterns and processes occur. The preservation of the natural character of freshwater can be provided for by ensuring the physical naturalness of these environments which make up its natural character are protected and where degraded restored, and that hydrological regimes (including allocations, minimum flows, and supplementary takes) are established which ensure natural processes including the movement of periphyton, sediment, and creation of habitats including pools and riffles, are provided for, along with the lifecycle requirements of fish. The preservation of the natural character of freshwater is also intimately linked to the protection of its life supporting capacity and ecosystem health, along with recreational and Maori values including Mahinga Kai. As currently drafted the Natural Resource Plan will not achieve s6((a) RMA.</p>	<p>(a) <u>Natural elements, processes and patterns;</u> (b) <u>Biophysical, biochemical, ecological, geomorphological and morphological aspects;</u> (c) <u>The natural movement of water and sediment including hydrological and fluvial processes</u></p>
Objective 07	Support with amendments	Objective is contrary to section 14(3)(b) and the principals of sustainable management, and the NPSEWMM	Amend objective 07 to ensure that provision of water for livestock is not contrary to s14(3)(b) and that it does not cause significant adverse effects on aquatic life and occurs within water quantity limits
Objective 08	Support with amendments	Objective is contrary to part 2 of the Act and the NPSEWMM and the NZCPS	Amend objective 08 to ensure that the take and use of water including its assimilative capacity occurs within environmental limits which achieve the freshwater objectives in relation to non-consumptive values including safeguarding life supporting capacity and ecosystem health and processes, cultural values, natural character, mahinga kai, indigenous species, and the habitat of trout, and recreational values including primary contact recreation and angling
Section 3.4 and objectives 017, objective 019, and 022	Support with amendments	The preservation of Natural character is a matter of national importance under s6 RMA. Natural Character is not constrained to natural state or naturalness but rather "is that dimension of its character which is an expression of nature, and also may include anthropogenic values including cultural and aesthetic values",	Amend section 3.4 and objectives 017, 019, and 022 to: <u>Recognise and preserve the natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands.</u>

		<p>and includes the extent to which natural elements, patterns and processes occur. The preservation of the natural character of freshwater can be provided for by ensuring the physical naturalness of these environments which make up its natural character are protected and where degraded restored, and that hydrological regimes (including allocations, minimum flows, and supplementary takes) are established which ensure natural processes including the movement of periphyton, sediment, and creation of habitats including pools and riffles, are provided for, along with the lifecycle requirements of fish. The preservation of the natural character of freshwater is also intimately linked to the protection of its life supporting capacity and ecosystem health, along with recreational and Maori values including Mahinga Kai. As currently drafted the Natural Resource Plan will not achieve s6((a) RMA or sustainable management</p>	<p><u>Recognise and preserve aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats.</u></p> <p><u>Recognise and preserve freshwater habitats that are important to the life cycle and survival of aquatic species</u></p> <p><u>avoid effects of land use activities and activities on the margins of freshwater bodies and their beds at times which will affect the breeding, spawning, and dispersal or migration of aquatic species</u></p> <p><u>avoid activities and the placement of structures in the bed of freshwater environments which would create barriers to the migration or movement of indigenous aquatic species</u></p> <p><u>restore natural character including the connections between fragmented aquatic habitats where degraded</u></p> <p>Specifically require that flood protection and river management activities are undertaken in a manner which recognises and protects the natural character of freshwater and enhances natural character where degraded such that the provisions listed above are achieved and the natural character narrative and index in Table 3.4 Appendix 3 to this report is met.</p>
Section 3.5	Support with amendments		<p>Include water quantity freshwater objectives</p>
Section 3.5 Objective 023	Support with amendment	Regional councils have functions under s30 RMA to establish and implement provisions to achieve integrated management of	<p>Amend Objective 023 or include new objectives in section 3.5 which ensures that:</p>

		<p>natural and physical resources of the region and to control land for the purpose of the maintenance and where degraded enhancement of water quality and quantity in waterbodies. Furthermore NPSFM requires establishment of freshwater objectives (attributes) and attribute states to provide for the values of freshwater and the associated management of land use activities to limits which achieve the freshwater objectives (attributes).</p> <p>As currently proposed section 3.5 objectives fail to achieve the purpose of the Act, s30RMA, and the NPSFWM and NZCPS</p>	<p><u>Water quality of aquifers, lakes, rivers, natural wetlands and coastal water is managed to ensure that:</u></p> <ul style="list-style-type: none"> I. <u>Water quality is maintained where the existing water quality is at a level sufficient to support the values of freshwater (listed)</u> II. <u>Water quality is restored where the existing water quality is not at a level sufficient to support the values of freshwater (listed)</u> III. <u>Accelerated eutrophication and sedimentation of waterbodies in the region is prevented</u> IV. <u>The special values of waterbodies protected by water conservation orders are maintained or where degraded are restored</u> <p>Such other or further relief as addresses the issues raised by this appeal point</p>
Objective 024	Support with amendments	<p>As currently proposed the section 3.5 objectives fail to give effect to part 2 Act, s30 Act, or the NPSFWM or NZCPS</p>	<p><u>Amend objective 024 to ensure that:</u></p> <p><u>Water quality and quantity of aquifers, lakes, rivers, natural wetlands and the coastal water is managed including through land use provisions to ensure that life supporting capacity and ecosystem health are protected and that water quality and quantity is suitable for primary contact recreation and Maori customary use including by:</u></p> <ul style="list-style-type: none"> (a) <u>maintaining water quality and quantity where it current meets the freshwater objectives (numerical states) set in tables 3.1 to 3.4 and 3.4a</u> (b) <u>Improving water quality and quantity where it currently is more degraded than the freshwater objectives (numerical state) set in tables 3.1, 3.2, 3.3 and 3.4 and 3.4a are met by 2030</u> (c) <u>Maintain macroinvertebrate community health where the table 3.4 and 3.4a freshwater attribute states are achieved and where degraded are improved to achieve the freshwater attribute states by 2030</u> (d) <u>Reduce the frequency and duration of algal and cyanobacteria blooms to achieve the attribute states listed in table 3.1, 3.2, 3.4, and 3.4a by 2030</u>

			<p>Amend the objectives policies and rules so that numerical water quality and quantity limits and standards are included which ensure that the life supporting capacity and ecosystem health and processes, cultural, primary recreation, the habitat of trout are protected, and that land use activities are managed to achieve these freshwater objectives/standards/ targets over time. Standards/ limits/ targets should be included within the rules to ensure that both non-point and point source discharges and water takes are managed in an integrated way to achieve the freshwater objectives in tables 3.1, to 3.4 and 3.4a, and ensure compliance with the standards set in Schedule 3 of the RMA.</p> <p>An analysis of current state versus desired state should be determined by assessing current state against the freshwater objectives in tables 3.1, to 3.4 and 3.4a. This analysis should be used to establish the allocation status of waterbodies or and waterbody catchments, and appropriate management approaches including regulation should be developed to either maintain water quality and flows where they are currently sufficient to provide for the values and safeguard the life supporting capacity of waterbodies, or enhance water quality and flows where the catchment or waterbody is currently degraded such that the limits are not met.</p> <p>The allocation status of the Wairarapa is shown in appendix 5 to appendix 8, and in relation to macroinvertebrate community health as a measure of ecosystem health for the entire region in appendix 8</p> <p>Management frameworks for land uses and activities should relate to both the waterbody and also the appropriate catchment area. Catchment boundaries for the Wairarapa are shown in appendix 5 and 6</p>
Section 3.5 and 3.6 New objective Table 3.6	New Objective Table 3.6 support with amendments	As proposed the NRP fails to provide for the sustainable management including water quality and quantity, and fails to recognise the groundwater and surface water resources and the impacts land use natural resources.	<p>Include new objective to ensure that the water quality and quantity of groundwater is maintained or where degraded improved over time</p> <p>The quality and quantity of groundwater is managed including through land use provisions and rules to ensure that groundwater continues to provide a sustainable source of high quality water, and surface flow recharge, to</p>

<p>Tables 3.1, 3.2, 3.3, 3.4, and 3.5</p>	<p>Support with amendments</p>	<p>As proposed tables 3.1, to 3.5 fail to provide sufficient attributes and states to ensure that freshwater resources are sustainably managed to safeguard life supporting capacity and ecosystem health and processes of freshwater, provide for the habitat of trout, and indigenous fish. Provide for primary contact recreation and cultural values including mahinga kai, and recognise and protect the natural character of rivers, lakes, natural wetlands, and coastal waterbodies</p>	<p><u>protect the life supporting capacity, ecological health and cultural and recreational values of freshwater bodies</u></p> <p>Amend table 3.6 to delete the narrative in relation to nitrate levels and replace with numerical states for acceptable groundwater drinking concentrations, and insert requirements to maintain water quality and quantity, and where degraded such that the ecosystem health of connected surface waterbodies is impacted, groundwater quality and quantity is improved</p> <p>Amend tables 3.1, to 3.4 as shown in appendix 4 and 3 Include new table 3.4a as shown in appendix 2</p> <p>Amend table 3.5 to include a Trophic level index (TLI) for the lake type either at current state if the lake is healthy (oligotrophic) or where degraded set the TLI at mesotrophic. Include nitrogen phosphorus instream concentrations to achieve TLI. Include visual clarity, sediment, and Macrophytes growth and dissolved oxygen and temperature attribute states which achieve the TLI.</p> <p>Amend the plan to ensure that Lake Wairarapa is managed to achieve a TLI set at mesotrophic. Currently the lake is eutrophic for nitrogen and super trophic for phosphorus and requires significant improvement. Land use activities and non-point and point source discharges should be managed to improve the health of lake Wairarapa to a mesotrophic state or better.</p> <p>Amend the objectives policies and rules so that numerical water quality and quantity limits and standards are included which ensure that the life supporting capacity and ecosystem health and processes, cultural, primary recreation, the habitat of fish are protected, and that land use activities are managed to achieve these freshwater objectives/standards/ targets over time. Standards/ limits/ targets should be included within the rules to ensure that both non-point and point source discharges and water takes are managed in an integrated way to achieve the freshwater objectives in table 3.5, and ensure compliance with the standards set in Schedule 3 of the RMA.</p>
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Trophic status	TLI	Chlorophyll <i>a</i> (mg/m ³)	Secchi depth (m)	Total phosphorus (mg/L)	Total Nitrogen (mg/L)
Oligotrophic (low)	2 - 3	0.82 - 2	15 - 7	0.0041 - 0.009	0.073 - 0.157
Mesotrophic (medium)	3 - 4	2 - 5	7 - 2.8	0.009 - 0.02	0.157 - 0.337

Section 3.6 objective 025	Support with amendment	As currently proposed the section 3.5 objectives fail to give effect to part 2 Act, s30 Act, or the NPSFWM or NZCPS	<p>Amend objective 025 to safeguard life supporting capacity and ecosystem health and processes, protect natural character, and also to safeguard mauri of freshwater and mahinga kai. These values should be recognised and provided for separately as they may not be the same things (links to submission points under definitions).</p> <p>Amend the objective to ensure that the freshwater attribute states are maintained where they are currently achieved or where degraded are improved including through land use controls and rules to achieve the attribute state by 2030</p> <p>Include relief sought under objective 024</p> <p>Amend the note and include provisions to ensure that the relevant Whaitua sections of the plan should be subservient to the section 3 and the freshwater outcomes including tables 3.1 to 3.4 and 3.4a</p>
Objective 027	Support with amendments	Riparian zones are where the land-water interface is most direct. They are the 'last line of defense' before contaminants enter waterways and can have a significant influence on water quality and the health of freshwater habitats as well as providing terrestrial ecological corridors. As currently proposed the NRP fails to sustainable manage riparian margins or recognize their importance in the sustainable management of land and water resources.	<p>Amend to ensure that the ecological values of healthy functioning riparian margins are recognised and provided for, including through protection and establishment. Recognise and provide for the protection and creation of riparian margins in relation to application of good management farm practices, cultivation, and forestry to reduce contaminant losses to freshwater bodies and provide for ecological health of freshwater</p> <p>Include policies and rules which establish appropriate buffer zone widths and protection, from plantation forestry, farming, and cultivation, including setback distances for cattle, deer, and pigs from waterbodies</p>

	<p>and nutrients carried in overland flows from entering waterways, and as such are an essential element in good management practices for farming land uses. The degree to which overland flows are likely to be a problem depends on:</p> <ul style="list-style-type: none"> • Drainage class – non-porous soils or ineffective artificial drainage results in higher overland flows • The gradient of slopes – steeper slopes will likely have greater overland flows • Slope length – longer slopes will likely have greater overland flows • Soil type (e.g. clay or sandy) – clay soils have more fine particulates that are harder to settle out • If flows are diffuse rather than channelized – where they are channelized it is better to address the flow in the channel rather than have a buffer strip along the entire waterway. <p>Effective overland flow filtering normally requires buffers of 5-10 metres in width and appropriate vegetation to act as a physical buffer. Exclusion of livestock improves the filtering effect by reducing soil compaction and allowing the runoff to better infiltrate into the soil.</p> <p>Vegetation in the riparian area can help remove nutrients from subsurface water and prevent them entering waterways, through:</p> <ul style="list-style-type: none"> • Uptake into plant biomass; and • Enhancing denitrification – by supplying carbon and aerobic/anaerobic interfaces. <p>Uptake of nutrients in subsurface water requires larger areas, i.e. setbacks of 10-30 metres in width. The area should be planted with vegetation that has significant uptake potential. Shrubs and trees with deep rooting systems (e.g. carex and cabbage trees)</p>	<p>Riparian setback standards could be based on either a flat setback such as 5m on flat land and 10m on land with a slope of 16 degrees or greater, and are also dependent on the sensitivity of the receiving environment for example 10m from trout spawning sites or Inanga spawning sites and wetlands, or apply a calculation such as</p> <ul style="list-style-type: none"> • Buffer width = $15.2 + 0.61 \text{ per } 1\% \text{ of slope (m)}$ (Wenger, 1999) • Buffer width = $8 + 0.65 \times \text{slope (m)}$ (Baring & Moore, 1994)
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		become more important as depth to groundwater increases.		
		Riparian zones when forested or vegetated can support terrestrial biodiversity values, as well as providing important instream habitats for native fish and trout (e.g. overhanging branches, bank under cutting, creating pools and areas of day time and flood refuge). Vegetated or forested riparian zones also support the adult life stages of aquatic macroinvertebrates along with terrestrial insects which often form a major component of the diet for many native and sport fish at certain times of the year. Grassy or forested river banks also provide spawning habitat for Inanga and other Galaxias species.		
Objective 028	Support with amendments	All natural wetlands are s6(c) habitats and as such are significant. Wetlands should be protected and where degraded restored	Amend to ensure that existing natural wetlands are protected and where degraded are restored. That no further degradation or losses of wetlands occur in the region, and that wetland enhancement and restoration is encouraged and enabled.	
Objective 030	Support with amendments	Sports fishery management sits within a framework established for freshwater fishery management and similarly game bird management within a framework of wildlife management jointly between Fish and Game Councils and the Department of Conservation in Part VB of the Conservation Act 1987. Aspects of fishery and game bird management (such as which species should be managed where) are covered by that legislation. Thus species management is primarily the function of DOC and Fish and Game Councils. The nature of this management is set out in some detail for each Fish and Game region in their respective statutory Sports Fish and Game Management Plans which have been through a public process and approved by the Minister of Conservation. As statutory management plans, this regional plan and other such plans prepared under the RMA are obliged to 'have regard to' such plans in their preparation (section 66(2)(c)(i)).	<p>Include objectives policies and standards and where applicable rules which recognise and protect regional sports fish and gamebird populations and their habitats, and which recognise and provide for recreational hunting and angling.</p> <p>Amend Schedule 1 as shown in appendix 1</p> <p>Include numerical and narrative freshwater objectives/ standards/ limits/ targets which protect the life supporting capacity, ecological health and processes of freshwater and which provide for recreational sports fish species.</p> <p>Include numerical and narrative freshwater objectives/ standards/ limits/ targets which provide for primary contact recreation of freshwater environments</p> <p>Amend tables 3.1 to 3.4 as shown in appendices 4 and 3</p>	

Section 3.7 Objective 031	Support with amendment	<p>regard for these plans, nor does it have regard to s7 RMA 'protection of the habitat of trout and salmon'.</p> <p>As currently proposed NRP does not recognise nor protect outstanding freshwater bodies, nor achieve the provisions of the RPS in relation to outstanding natural features and landscapes. The outstanding waterbodies identified Schedule A only identify outstanding indigenous ecosystem values and fails to apply criteria which is more holistic and which would identify outstanding status for other values such as tangata whenua values, recreational values, trout habitat values, aesthetic, amenity, natural features and landscape, natural character, coastal environments.</p> <p>Fish and Game supports the identification and protection of the values of outstanding water bodies. While some outstanding water bodies are worthy of preservation in or near to their pristine state, most are outstanding due to the high value they provide for particular values. It is important this objective reflects this and recognises that any restoration process for outstanding waters returns them to an outstanding state in</p>	<p>Include new table 3.4a as shown in appendix 2</p> <p>Include new objective or amend existing objectives (such as objective 030) and policies and rules to the effect that <u>'sports fish and angling values of fresh water bodies and the coastal marine area identified in schedule 1 are recognised and provided for; aquatic ecosystem health and natural character of freshwater bodies are protected; policies, limits and methods including rules are established in relation to water quality, natural character, hydrological variability, core allocations and minimum flows such that the habitat of trout and recreational angling values are protected; where an objective/ standard/ or limit set in tables 3.1, 3.2, 3.3, 3.4 new freshwater objective 3.4a, or 3.5, or sections 4 or 5 are currently achieved they are maintained; where an objective or standard or target set in tables 3.1, 3.2, 3.3, 3.4 new freshwater objective 3.4a, or sections 4 or 5 are not achieved the parameter is improved over time to meet the objective, standard or target.'</u></p>
			<p>Amend the objective, policies and rules to ensure that outstanding waterbodies are identified based on a full assessment of their values including: cultural values, amenity, aesthetic, recreational, trout habitat, natural character, natural features and landscape, tangata whenua values, mahinga kai. That the criteria for identifying outstanding waterbodies is set out, and that the following waterbodies are included in Schedule A as outstanding waterbodies</p> <ul style="list-style-type: none"> • Hutt river source to sea • Ruamahanga River source to sea • Lake Wairarapa • All natural wetlands • Lake Onoke • Mangaterere River • Whakatikei River • Akatarawa River • Waingawa River above cable way • Waiohine River • Otaki River above gorge

		respect of the values for which they are regarded as outstanding.	<ul style="list-style-type: none"> Waikanae River <p><u>Outstanding fresh water bodies and their margins are identified and included in Schedule A, and are protected or if degraded are restored to protect and enhance their values</u></p> <p>Include provisions to protect high naturalness sites</p> <p>Include provisions to protect natural character</p> <p>Such other or further relief as addresses the appeal point</p>
Section 3.9 Objective 042	Support with amendments	<p>The pNRP is contrary to part 2 of the Act and fails to recognise and provide for the significant natural resource management of soil erosion and the sustainable management of land and water resources</p> <p>Accelerated erosion is a significant regional natural resource management issue. Its not only impacts on the sustainability of soils but also on the health and sustainability of freshwater habitats including wetlands, rivers, and lakes.</p>	<p>Amend Objective 042 to ensure that:</p> <p><u>Land use is sustainably managed to protect the life supporting capacity of soils and where degraded to improve soil health and structure. That land use is sustainably managed so as to prevent loss of soils to freshwater habitats to achieve the freshwater objectives set in table 3.4 and 3.4a by 2030</u></p>
Section 3.9 New Objective	Oppose	<p>The pNRP is contrary to part 2 of the Act and fails to recognise and provide for the significant natural resource management of soil erosion and the sustainable management of land and water resources</p> <p>Accelerated erosion is a significant regional natural resource management issue. It's not only impacts on the sustainability of soils but also on the health and sustainability of freshwater habitats including wetlands, rivers, and lakes.</p> <p>Land use activities should be regulated to output based standards and best management practices to avoid loss of soils to freshwater, and to establish and protect riparian habitats.</p>	<p>Include new objective which will ensure that:</p> <p><u>Hill country land uses intensive farming, horticulture, cropping and plantation forestry are regulated to good management practice and output based standards which avoid discharges of sediment to freshwater habitats.</u></p> <p>Ensure that these land uses activities include provisions/ standards which establish appropriate riparian setback distances taking into account slope, soil, activity, and the risk of contaminant discharge to freshwater. Riparian setback standards could be based on either a flat setback such as 5m on flat land and 10m on land with a slope of 15degrees or greater, and are also dependent on the sensitivity of the receiving environment for example 10m from trout spawning sites or inanga spawning sites and wetlands, or apply a calculation such as</p>

Section 3.9 New Objective	Oppose	<p>The pNRP is contrary to part 2 of the Act and fails to recognise and provide for the significant natural resource management of soil erosion and the sustainable management of land and water resources</p> <p>Accelerated erosion is a significant regional natural resource management issue. Its not only impacts on the sustainability of soils but also on the health and sustainability of freshwater habitats including wetlands, rivers, and lakes.</p> <p>Land use activities should be regulated to output based standards and best management practices to avoid loss of soils to freshwater, and to establish and protect riparian habitats.</p>	<ul style="list-style-type: none"> • Buffer width = $15.2 + 0.61$ per 1% of slope (m) (Wenger, 1999) • Buffer width = $8 + 0.65$ x slope (m) (Barling & Moore, 1994) <p>Include new objective which will ensure that: <u>Hill country land uses, intensive farming, horticulture, cropping and plantation forestry are regulated to good management practice and output based standards which avoid discharges of sediment to freshwater habitats.</u></p> <p>Ensure that these land uses activities include provisions/ standards which establish appropriate riparian setback distances taking into account slope, soil, activity, and the risk of contaminant discharge to freshwater. Riparian setback standards could be based on either a flat setback such as 5m on flat land and 10m on land with a slope of 15degrees or greater, and are also dependent on the sensitivity of the receiving environment for example 10m from trout spawning sites or Inanga spawning sites and wetlands, or apply a calculation such as</p> <ul style="list-style-type: none"> • Buffer width = $15.2 + 0.61$ per 1% of slope (m) (Wenger, 1999) • Buffer width = $8 + 0.65$ x slope (m) (Barling & Moore, 1994).
Section 3.10 and 3.11 Objective 044 and Objective 046 and Objective 047	Oppose	<p>Contrary to purpose and principals of the RMA and fails to give effect to the NPSFWM and NZCPS.</p> <p>Fails to adequately address the impact farming land uses have on freshwater environments and fails to establish clear objectives in relation to how land use will be managed in a manner consistent with achieving the freshwater objectives set in tables 3.1 to 3.5, and how the impacts of these activities will be avoided, remedied, or mitigated.</p>	<p>Amend objectives 044, 046, and 047, or create new objectives, and create associated policies and rules to ensure that:</p> <ul style="list-style-type: none"> • The impacts of land use on the health of freshwater habitats are recognised and that land use is managed in a manner consistent with achieving the freshwater objectives set in tables 3.1 to 4.5, and which is consistent with s70 RMA, and the NPSFWM and NZCPS, including the establishment of nitrogen and where appropriate phosphorus leaching standards/ limits/ targets (N or P/ha/yr.) • That land use and ancillary discharge rules for both intensive and extensive land uses manage sediment, faecal, phosphorus, and nitrogen discharges, and include standards (limits or targets) in relation to these contaminants; • That in at or under allocated catchments (where numerical water quality or quantity limits are met but not exceeded) Land use and ancillary discharge activities are regulated to discharge/ leaching

		<p>standards to ensure that at a minimum the water resource (quantity and quality) is used efficiently;</p> <ul style="list-style-type: none"> • That in over allocated catchments (where numerical water quality or quantity limits are currently being exceeded), new and existing land use and ancillary discharge activities are regulated to discharge/leaching standards which are set to progressively decline over time to ensure that discharges/ leaching is reduced to meet the receiving water quality numerical freshwater objectives set in the section 3 tables of the Plan; • new and existing water takes are regulated to so that water takes are reduced to meet the water quantity numerical freshwater objectives in table 3.4 and 3.6, and the limits/targets set in the plan • That land use and ancillary discharge activities are regulated to ensure that 'good environmental management' practices are achieved at a minimum; • That land use and ancillary discharge activity rules are holistic; • That land use and ancillary discharge activity rules meet the requirements of s70 RMA, and relevant planning considerations; • That nitrogen leaching standards are established and allocated based on the natural capacity of soil such as Land Use Capability or a similar alternative; • That nitrogen leaching rights are allocated within catchments in such a way that there is equitable allocation of a total catchment nitrogen limit to all users/activities who may wish to use the available resource; • That a nutrient transfer or trading regime is established where catchment caps have been established to enable nitrogen leaching reductions to be achieved at least cost and to enable maximum flexibility of resource use to enable economic benefits to be maximised from the available resource; • That intensively farmed cattle, deer and pigs are excluded from all natural waterbodies • That extensively farming cattle are excluded from critical source areas for contaminant discharges and sensitive receiving environments such as Inanga spawning and trout spawning.
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<p>The consequential restructuring of the Plan, or parts thereof, arising from the material amendments sought;</p>	<p>Amend objective 045, and associated policies and rules to ensure that deer, cattle, and pigs are excluded from all waterbodies within 3 years; on land under 16 degrees slope. Waterbodies include all natural wetlands, all permanently flowing waterbodies, and all intermittent or ephemeral waterbodies which have an active bed of greater than 1m. On land over 16 degrees slope (hill country) and for extensively farmed stock ensure that cattle are excluded from areas which form a critical source for contaminant and sediment losses or which have sensitive instream values such as trout spawning and Inanga spawning within 5 years.</p> <p>Where stock are excluded from the waterbody through placement of a permanent fence then setback distances are established which is greater than 5m and takes into account GMP, sensitivity of the receiving environment, and risk of contaminant losses to surface water, and protection of the ecological health of freshwater habitats.</p> <p>Cattle, deer, and pigs, should be excluded from all natural wetlands. Sheep shall be excluded from natural wetlands which have significant riparian values.</p> <p>Land classifications are:</p> <ul style="list-style-type: none"> • plains/alluvial (slopes of 0-3 degrees); • lowland hills/rolling hills/down lands (slopes of 4-16 degrees); • hill country (slopes of 16-28 degrees); and • steep hill country (slopes greater than 28 degrees).
<p>Objective 045</p>	<p>As proposed the NRP does not adequately provide for the exclusion of stock from waterbodies and does not establish appropriate riparian setback distances in relation to stock exclusion</p> <p>Excluding stock from waterways is a fundamental component of good management practices (GMP's) and is essential to ensuring that farming land use practices are sustainable and that the impacts of these land uses on freshwater are avoided as far as reasonably practical. Three major types of contaminants can be reduced by excluding stock from waterways:</p> <ul style="list-style-type: none"> • Pathogens – from direct deposition of urine and feces into waterways and also on the stream banks, which can be flushed into the stream by rising water levels or subsequent stock incursions. E. coli is typically used as an indicator of pathogen levels. • Sediment – from livestock disturbing and carrying soil into waterways. • Nutrients – Nitrogen (N) and Phosphorus (P). Nitrogen levels can be increased by direct deposition of effluent into or very near water; however this contribution will be small in comparison with inputs from paddocks through surface and groundwater flow pathways. Historic applications of phosphorus fertilizer can enter waterways along with sediment. <p>In addition to reducing the contaminants entering waterways, livestock exclusion can prevent significant damage to local habitat quality: including damage to riparian plants, greater bank erosion and damage to in-stream habitat, and impacts on fish including spawning and juvenile rearing.</p>
<p>Support with amendments</p>	

<p>Section 3.12 Objective 052</p>	<p>Oppose</p> <p>As currently proposed the NRP does not ensure that water use is first necessary, and where necessary is reasonable and is used efficiently. Numerical measures should be included to quantify what is meant by 'reasonable' and 'efficient'. Necessary, reasonable, and efficient, criteria should also apply to the assimilative capacity of water (pollution) and not just water abstraction.</p> <p>Water use that is deemed essential and as such allowed to continue beyond water allocation limits is still required to meet the requirements of s14(b) RMA "and the taking or use does not, or is not likely to, have an adverse effect on the environment". Amend the appropriate provisions to include this requirement.</p> <p>As proposed the NRP does not ensure that water quantity freshwater objectives, limits, targets or supplementary takes are sustainable and ensure that the life supporting capacity and ecosystem health and processes of freshwater habitats is safeguarded or natural character protected.</p>	<p>Amend objective 052 to ensure that water take and use is 1) necessary, 2) reasonable, and where it is both necessary and reasonable it is 3) efficient. Include numerical criteria for technical efficiency and for what is considered reasonable. Ensure that all takes of water meet the freshwater objectives in table 3.4 and 3.6 including minimum flows, protection of hydrological variability, and core allocations. Ensure that s14 (3)(b) RMA is meet.</p> <p>Delete clause (e)</p> <p>Include a schedule which sets out what is Good Management Practice. This should include deferred irrigation, deficit irrigation, soil moisture testing and reporting of results, upgrading infrastructure including irrigation infrastructure to maximise efficient application of water, ensure all takes are telemetered and information is provided to the regional council via automated systems</p> <p>Include provisions which ensure that water quality freshwater numerical objectives, limits/ targets/ or standards are set to ensure that:</p> <p>a) <u>For surface water</u></p> <ol style="list-style-type: none"> 1. <u>Minimum flows and allocation regimes are set for the purpose of protecting the life supporting capacity and ecosystem health and processes of waterbodies and recognising and providing for values (listed)</u> 2. <u>Allocation regimes and supplementary takes provides for the protection of the natural character of the waterbody which includes:</u> <ol style="list-style-type: none"> a. <u>Natural elements, processes and patterns;</u> b. <u>Biophysical, ecological, geological, geomorphological and morphological aspects; and</u> c. <u>The natural movement of water and sediment including hydrological and fluvial processes;</u> 3. <u>In times of water shortage, takes are restricted to those that are essential to the health or safety of people, and communities, or for drinking water for animals and all other takes are ceased</u> <p>b) <u>For groundwater</u></p>
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			<p>4. <u>Takes does not cause an adverse effect on the long term groundwater yield</u></p> <p>5. <u>Groundwater takes that are hydrologically connected to surface waterbodies are managed with minimum flow and allocation regimes established for those surface water bodies and to protect their natural character</u></p> <p>6. <u>Groundwater takes that are hydrologically connected to lakes or wetlands are managed to protect the life supporting capacity and natural character of those wetlands and lakes</u></p> <p>7. <u>The adverse effects of a groundwater take on other groundwater and surface takes are avoided</u></p> <p>8. <u>Saltwater intrusion into coastal aquifers, induced by groundwater takes, is avoided</u></p>
<p>New objective in relation to management of beds of rivers and lakes</p>		<p>The proposed NRP fails to ensure that flood protection and river management activities are sustainably managed and are undertaken in a manner consistent with safeguarding the life supporting capacity and ecological health and processes of freshwater habitats and protecting natural character.</p>	<p>Include new objectives, policies and rules to ensure that flood protection and river and lake management activities are undertaken in a manner that recognises and protects the natural character of freshwater bodies and achieves the natural character index freshwater objectives set in table 3.4</p> <p><u>The beds of rivers and lakes will be managed in a manner which</u></p> <ul style="list-style-type: none"> • <u>Protects their life supporting capacity and ecological health and processes</u> • <u>Protects cultural values and mahinga kai</u> • <u>Recognises and provides for the habitat of trout and indigenous fish species</u> • <u>Recognises and provides for recreational values</u> • <u>Protects the natural character of the freshwater environment and ensures that the NCI index in table 3.4 is achieved</u> • <u>Provides for the natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and avoids adverse effects on these parameters</u> • <u>Recognises and provides for aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and avoids adverse effects on these parameters</u>

		<ul style="list-style-type: none"> • <u>Recognises and provides for habitats that are important to the life cycle and survival of aquatic species, and avoids adverse effects on these parameters</u> • <u>avoids effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species</u> • <u>avoids creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate</u>
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SECTION 4 – POLICIES

Provision Section	The submission is that:		Relief sought
	Support/ Oppose	Reason	
Section 4 General	Oppose	Wellington Fish and Game Council have requested amendments to a number of objectives in the Proposed Plan. In order for the policy cascade as set out in s67(1) RMA to be effective, consequential changes should be made to the policies and methods including rules (and schedules) in order for the objectives of the Plan to be achieved	Retain, delete, or amend policies in Section 4 of the Plan and the rules in section 5 of the plan to ensure that they will, individually and collectively, direct how the objectives, as retained or amended by the Wellington Fish and Game submission, are to be achieved.
Section 4 General	Oppose	The proposed NRP is inconsistent with the purpose and principals of the RMA Currently a number of objectives, policies, and rules, just talk about reducing or minimising adverse effects eg. Objectives O44, O45, Policy P4, P19, P30, P31, P36, P51, P52, P67, P71, P73, P75, P76, P78, P81, P89, P91, P97, P105, P123, P124, P126, P130, P134, P136, Rule R51, R52, and Schedule N this is inconsistent with sustainable management which requires that life supporting capacity and ecosystem health be safeguarded (s5 RMA and Objective A1 NPSFWM) and that <u>adverse effects are avoided, remedied, or mitigated</u> (s5 RMA) in order to promote	Amend provisions which allow significant adverse impacts to be remedied or mitigated as policy P32, P74, P89, and rule R42, R48, R59, do, so that adverse effects are first avoided, and where they cannot be avoided are remedied or mitigated, and that significant adverse effects are avoided. Ensure that the policies set out clearly the management outcomes to be achieved so that the objectives of the plan are achieved and in particular the section 3 tables. Recommend inclusion of " <u>and where degraded enhanced</u> " to policies and rules. Include methods including rules which ensure that over allocation is phased out over time (water takes and point and non-point sources discharges of contaminants from land to water bodies including groundwater)

			sustainable management. Recommend amendments which ensure that freshwater is sustainably managed including 'avoidance of an adverse impact' as a first priority, and avoidance of significant adverse impacts as an absolute bottom line.	
Policy P3	Support	Promotes the sustainable management of natural resources		Retain as notified
Policy P4	Oppose	Is contrary to sustainable management and the NPSFWM and NZCPS. Is contrary to the objectives of the plan and if implemented would result in the objectives and in particular the numerical freshwater outcomes in the section 3 tables not being achieved.		Delete Replace with a new policy that ensures that: <ul style="list-style-type: none"> • <u>sustainable management is achieved</u> • <u>adverse effects are avoided, remedied, and mitigated, and that</u> • <u>significant adverse effects are avoided, and that</u> • <u>the outcomes from the policy are clear, and that</u> • <u>application of the policy is consistent with achieving the freshwater outcomes set in section 3 tables</u> • <u>Avoid adverse effects outstanding habitats;</u> • <u>Avoid adverse effects on natural wetlands</u> • <u>Avoid adverse effects on riparian vegetation</u> • <u>Avoid adverse effects on natural character</u> • <u>Avoid adverse effects on ecosystems and habitats with significant biodiversity values</u> • <u>Avoid adverse effects on fish spawning and juvenile rearing habitats and fish migration</u>
Policy P5 and P6	Support with amendments	As currently proposed the policies are contrary to the NPSFWM and fail to ensure that the cumulative effects of activities are sustainably managed		Amend policies so that common catchment expiry dates are set for each catchment (water management unit) and which will be applied for consent review periods and expiry dates. Delete provisions which allow consents to be granted which would cause an catchment or freshwater management unit to become over allocated Delete in its entirety
Policy P7	Oppose	Contrary to sustainable management and will fail to ensure the plan achieves its freshwater objectives		
Policy P8	Support with	The policy does not currently recognise sports fish and gamebird		Amend to include activities which result in enhancement of sportfish and

	amendments	values, and some of the clauses will not result in beneficial outcomes for freshwater habitats and ecosystems.	gamebird habitats (wetlands, lakes, and rivers), including restoration of spawning and juvenile rearing habitats. Include removal of structures which impede fish migration and flow Amend clause (h) to ensure that it is only structures which have a beneficial role in enhancing or protecting the habitat and its ecological values which are recognised as beneficial and generally appropriate
Policy P9	Support with amendments	As proposed policy P9 does not provide for the protection and enhancement of public access to freshwater and marine environments and is therefore contrary to the objectives of this plan and s7 RMA	Amend the policy such that the access to and along rivers, lakes, wetlands, and the coastal marine area are provided for and enhanced
Policy P10	Support with amendments	Policy should achieve freshwater objectives for contact recreation. Contact recreation should be managed for primary contact and not secondary. It is the inherent right of New Zealand's to water that is safe to swim in and take food from.	Amend policy so that water quality is managed for primary contact recreation and to achieve the freshwater objectives in section 3 tables including E.coli, periphyton, cyanobacteria, and visual clarity
Policy P11	Oppose	Is inconsistent with sustainable management and will result in failure of this plan to achieve its freshwater objectives	Delete in its entirety
Policy P15 and P16	Support with amendments	As proposed policy P15 and P16 does not recognise the significant adverse effects the river management and flood protection activities can have on freshwater and its natural character. River management activities, as with other activities, is required to avoid, remedy, or mitigate its effects on freshwater habitats, and to safeguard the life supporting capacity and ecosystem health and processes of freshwater and to protect the natural character of rivers, lakes, and wetlands and their margins. Natural Character is not natural state or naturalness but rather "is that dimension of its character which is an expression of nature, and also may include anthropogenic values including	Amend policy P15 and P16 to ensure that river management and flood protection activities are undertaken in a manner which is consistent with safeguarding the life supporting capacity and ecological health and processes of freshwater and which protect the natural character of rivers, lakes, wetlands, and their margins. <i>The use, maintenance, and ongoing operation of 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 so long as the activities are undertaken in a manner which:</i> <ul style="list-style-type: none"> • <i>Protects the life supporting capacity and ecological health and processes of freshwater</i> • <i>Protects cultural values and mahinga kai</i>

		<p><i>cultural and aesthetic values</i>", and includes the extent to which natural elements, patterns and processes occur. The preservation of Natural character is a matter of national importance under s6 RMA.</p> <p>The preservation of the natural character of freshwater can be provided for by ensuring the physical natural of these environments which make up its natural character are protected and where degraded restored, and that hydrological regimes (including allocations, minimum flows, and supplementary takes) are established which ensure natural processes including the movement of periphyton, sediment, and creation of habitats including pools and riffles, are provided for, along with the lifecycle requirements of fish. The preservation of the natural character of freshwater is also intimately linked to the protection of its life supporting capacity and ecosystem health, along with recreational and Maori values including Mahinga Kai.</p>	<ul style="list-style-type: none"> • <u>Recognises and provides for the habitat of trout and indigenous fish species</u> • <u>Recognises and provides for recreational values</u> • <u>Protects the natural character of the freshwater environment and ensures that the NCI index in table 3.4 is achieved</u> • <u>Provides for the natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and avoids adverse effects on these parameters</u> • <u>Recognises and provides for aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and avoids adverse effects on these parameters</u> • <u>Recognises and provides for habitats that are important to the life cycle and survival of aquatic species and avoids adverse effects on these parameters</u> • <u>avoids effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species</u> • <u>avoids creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate</u>
Policy P23	Support with amendments	<p>The policy should set clear and enforceable management approaches and standards to ensure that the health of these habitats are restored overtime a defined period of time</p>	<p>Ensure that the policy directs maintenance or where degraded enhancement of freshwater habitats to achieve the freshwater objectives in section 3 tables.</p> <p>Amend the policy so that it refers to the regulation of farming land uses to output based leaching standards and application of GMP including establishment of riparian margins, to ensure that the health of lake Wairarapa is restored to TLI of 3 by 2030</p> <p>Standards should be applied as shown below and managed to</p>

Trophic status	TLI	Chlorophyll <i>a</i> (mg/m ³)	Secchi depth (m)	Total phosphorus (mg/L)	Total Nitrogen (mg/L)
Oligotrophic (low)	2 - 3	0.82 - 2	15 - 7	0.0041 – 0.009	0.073 – 0.157
Mesotrophic (medium)	3 - 4	2 - 5	7 – 2.8	0.009 – 0.02	0.157 – 0.337

Amend policy P25 so that it is consistent with the following principals

Protects the life supporting capacity and ecological health and processes of freshwater

- Protects cultural values and mahinga kai
- Recognises and provides for the habitat of trout and indigenous fish species
- Recognises and provides for recreational values
- Protects the natural character of the freshwater environment and ensures that the NCI index in table 3.4 is achieved
- Provides for the natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and avoids adverse effects on these parameters
- Recognises and provides for aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and avoids adverse effects on these parameters
- Recognises and provides for habitats that are important to the life cycle and survival of aquatic species, and avoids adverse effects on these parameters
- avoids effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species
- avoids creating barriers to the migration or movement of

Policies and methods (including rules) in relation to recognising and providing for the preservation of Natural character should be incorporated and or strengthened in order to give effect to s6 RMA and promote sustainable management.

Natural Character is not natural state or naturalness but rather “is that dimension of its character which is an expression of nature, and also may include anthropogenic values including cultural and aesthetic values”, and includes the extent to which natural elements, patterns and processes occur. The preservation of Natural character is a matter of national importance under s6 RMA. The preservation of the natural character of freshwater can be provided for by ensuring the physical natural of these environments which make up its natural character are protected and where degraded restored, and that hydrological regimes (including allocations, minimum flows, and supplementary takes) are established which ensure natural processes including the movement of periphyton, sediment, and creation of habitats including pools and riffles, are provided for, along with the lifecycle requirements of fish.

The preservation of the natural character of freshwater is also intimately linked to the protection of its life supporting capacity and ecosystem health, along with recreational and Maori values including Mahinga Kai. As currently drafted the Natural Resource

Supported with amendments

Policy P25

		Plan will not achieve s6((a) RMA.	<i>indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate</i>
Policy P31	Support with amendments	Policy fails to recognise the life supporting capacity of freshwater and the habitat of trout, and to manage to achieve specified freshwater objectives as set out in section 3 and tables 3.4 and 3.4a in particular	Amend the policy so that it applies to life supporting capacity, aquatic ecosystem health, the habitat of trout, and mahinga kai Amend the policy to replace minimise with avoid Amend the policy so that it manages water quality and quantity and natural character to continue to achieve the numerical and narrative freshwater objectives in the section 3 tables (table 3.4 and table 3.4a) or where degraded improves water quality, water quantity, and natural character over time to achieve the section 3 table freshwater objectives by 2030
Policy P32	Oppose	Contrary to sustainable management and fails to achieve the freshwater objectives and protect the significant values of freshwater in the region	Delete in its entirety
Policy P37	Support with amendments	Fail to recognise and provide for significant gamebird and recreational hunting values of wetlands in the region	Include recognition of the recreational and gamebird hunting values of wetlands, and as habitat for gamebird species
Policy P38	Support with amendments	Fish and game and hunters invest in significant wetland enhancement and restoration within the region, which should be recognised and supported. Wellington Fish and Game Council are part of the Wairarapa Moana coordinating Committee established in 1991 to manage the lake and competing values of various interests. Wetlands are currently threatened by development, drainage, irrigation takes, poor water quality and, sedimentation.	Include restoration and creation of gamebird habitat and recreational hunting opportunity to the policy
Policy P62	Support with amendments	Fails to recognise or provide for safeguarding life supporting capacity and recognising and providing for the habitat of trout	Include life supporting capacity, and the habitat of trout
Policy P63	Support with amendments	Water quality should be managed for primary contact recreation. New Zealanders have an inherent right to water that	Amend so that the policy requires water quality to be managed for primary contact recreation and not secondary contact recreation.

<p>Policy P65 and policy P96</p>	<p>is safe to swim in and take food from</p> <p>As proposed the NRP fails to promote the sustainable management of land and water resources and fails to give effect to the NPSFWM and NZCPS.</p> <p>Inclusions of objectives, policies, and methods (including rules) are required to ensure that land is managed sustainably in order to achieve the freshwater objectives, including the maintenance of water quality and where degraded its improvement over time. Reliance on industry good management practice is not sufficient to ensure that water is used sustainably including its assimilative capacity. Output based standards, such as nitrogen leaching per ha per annum, which are set to achieve freshwater objectives are an essential component of second generation Natural Resource Plans. Failure to adopt regulation which ensures point and non-point source discharges of contaminants from primary productive land uses are managed to environmental limits (output based standards) will result in failure to sustainably manage the land and water resources of the region, and will lead to further declines in the health of freshwater environments and their values;</p> <p>It should be made clear that rules which relate to land use or discharges to land where the land use or discharge from land may impact on freshwater, or where standards/terms/conditions/ or matters of discretion relate to effects on freshwater, that the rule is both a (RMA) s9 and s15 rule.</p> <p>Activities should not be permitted where they may either on their own or in combination with other activities have a significant adverse effect on aquatic life, ecosystem health, or result in a freshwater objective being exceeded or further exceeded. Permitted activities which authorise the discharge of contaminants into the environment either directly or indirectly via land must first meet the requirements of s70 RMA.</p>	
<p>Oppose</p>	<p>Include policies which ensure that</p> <ul style="list-style-type: none"> • <u>the allocation status of freshwater management units is defined and included in a schedule to the plan along with lines of appendix 9 to this submission</u> • <u>farming activities comply with a sustainable nitrogen leaching rate which is based on allocating the total allowable load of nitrogen for the sub catchment, water management zone or catchment to the land on the basis of either a 'flat' per hectare allocation of nitrogen leaching (~15kgN/ha/yr), or a nitrogen leaching allowance per hectare based on an allocation on a land use capability class basis, or some other methodology which achieves the efficient use of natural resources</u> • <u>require farms to comply with specified management practices which minimise or reduce the loss of nitrogen, phosphorous, sediment and faecal contamination, including, but not limited to, the requirement to seal effluent ponds and to practice deferred irrigation, good management practices for the application of fertiliser and other nutrient sources, including setbacks from waterbodies, permanent fencing and planting of riparian margins, good management practices for earthworks and cultivation including setbacks from waterbodies to avoid or minimise sediment run off to water,</u> • <u>nutrient budgets are to be prepared annually by a person who has completed both the "Intermediate" and the "Advanced" courses in "Sustainable Nutrient Management in New Zealand Agriculture" conducted by Massey University and provided to the regional council. The information shall be provided in an electronic format compatible with regional councils information systems and may include but shall not be limited to the following reports from Overseer or their equivalent if an alternative model is used (must be accredited for use by the regional council): <u>Nutrient Budget, Nitrogen, Phosphorus, Summary, Nitrogen Overview</u></u> • <u>exclude all livestock from rivers, lakes and wetlands, and to</u> 	

	<ul style="list-style-type: none"> • <u>culvert or bridge all regular stock crossings</u> • <u>provide for consent applications for new or intensified (a use that increases loss of nitrogen or phosphorus) use of production in sub catchments that are currently over allocated for nitrogen or phosphorus to be a prohibited activity.</u> • <u>Provide for trading of nitrogen or phosphorus loss rates between production land uses or properties in the same sub catchment so long as the nutrient load and the freshwater objectives in tables 3.4 and 3.4a, 3.5 and 3.6, and the limits/ standards are not breached at any point within that sub catchment, or water management unit</u> • <u>Ensure that the rules include both land use and ancillary discharge provisions (section 9 and section 15 RMA)</u> • <u>Ensure that rules do not breach s70 RMA and apply sound planning principals</u> • <u>Ensure that those activities and land users which are contributing the most to the over allocation bear the majority of the cost of reducing the over allocation (adopt the polluter pays principal)</u> <p><u>The following numerical limits/ targets for Nitrogen leaching are provided as an indication of the sought of LUC numbers that are intended to be applied. LUC numbers may be amended to be subcatchment specific in order to 1) maintain water quality where it currently meets the freshwater objectives or 2) improve water quality so that the freshwater objectives are achieved by 2030</u></p> <table border="1" data-bbox="1050 107 1212 801"> <thead> <tr> <th>LUC</th> <th>I</th> <th>II</th> <th>III</th> <th>IV</th> <th>V</th> <th>VI</th> <th>VII</th> <th>VIII</th> </tr> </thead> <tbody> <tr> <td>YEAR 1</td> <td>20</td> <td>18</td> <td>16</td> <td>14</td> <td>13</td> <td>10</td> <td>8</td> <td>2</td> </tr> <tr> <td>YEAR 5</td> <td>18</td> <td>16</td> <td>12</td> <td>11</td> <td>9</td> <td>8</td> <td>6</td> <td>2</td> </tr> </tbody> </table>	LUC	I	II	III	IV	V	VI	VII	VIII	YEAR 1	20	18	16	14	13	10	8	2	YEAR 5	18	16	12	11	9	8	6	2
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	<p>Include Farm environment management plans and good management practice standards as shown indicatively in appendix 10 to this submission</p> <p>Apply the allocation principals from Beef and Lamb as set out in appendix</p>																											

<p>Policy P70 and Policy P81</p>	<p>Support with amendments</p>	<p>Fails to recognise the habitat of trout, life supporting capacity. Fails to manage to achieve the freshwater objectives set in section 3 tables including table 3.4</p>	<p>1.1 to this submission</p> <p>Ensure that the policy also manages point source discharges to safeguard the life supporting capacity of freshwater and for the protection of the habitat of trout as recognised in Schedule 1. Ensure that point source discharges are managed to continue to meet section 3 tables freshwater objectives where they are achieved, or are progressively improved over the life of the consent to achieve the section 3 tables freshwater objectives.</p>
<p>Policy P71</p>	<p>Support with amendments</p>	<p>Further parameters are required to be included as standards to ensure that the freshwater objectives are achieved. Standards and the parameters set should more appropriately relate to the values of the waterbodies rather than just the waterbody type. Standards should be consistent with s70 RMA.</p>	<p>Amend the receiving water standards to include the standards in table 3.4 and 3.4a as appended to this submission, and the parameters and standards covered below along with the values</p> <p>Ensure that the standards in policy P71 are consistent with the standards required to protect the habitat of trout as set out in table 3.4a for rivers recognised as trout habitat and spawning habitat in schedule 1. Ensure that for rivers recognised as trout habitat the visual clarity does not change by more than 20%, and deposited sediment does not increase by more than 5%.</p> <p>A no greater than 20% change in visual clarity should also apply to rivers designated as outstanding Schedule A, and also rivers and lakes designated with significant indigenous ecosystems (Schedule F1).</p> <p>The same should apply for temperature in relation to river classes, both maximum and degree change standards should be applied. For rivers that are outstanding schedule A, have trout spawning values or are regionally or nationally significant (Schedule I), and for rivers and lakes with significant indigenous ecosystems (Schedule F1), temperature should not be allowed to change by more than 2 degrees, and should not exceed 11 degrees in winter or 19 degrees in summer.</p> <p>Standards should also apply for (b) 7-day mean minimum dissolved oxygen ("DO") no lower than 5mg/L and (c) daily minimum dissolved oxygen of no lower than 4mg/L. These standards apply between 1</p>

<p>November and 1 April. The standards for discharges should relate directly to instream values. For water bodies identified as outstanding (Schedule A), rivers and lakes with significant indigenous ecosystems (Schedule F1), and important trout fishery rivers and spawning waters (Schedule I), more precautionary DO standards should apply "a 7-day mean minimum DO no lower than 7mg/L and a 1-day minimum of no less than 5mg/L "</p> <p>Previously included in the Draft NRP were standards relating to biochemical oxygen demand ("ScBOD5") and particulate organic matter ("POM"). These standards should be reinstated as they relate to different effects on instream water quality and aquatic life that may not be included in the standards now proposed for P71. ScBOD5 standards should be added that do not allow a discharge to exceed 2mg/L, as high BOD can contribute to growth of heterotrophic organisms (sometimes known as sewage fungus) that have adverse ecological and aesthetic effects on instream values.</p> <p>The POM at the downstream site should not be allowed to exceed 5mg/L at flows less than the median as this level of POM is known to have adverse effects on benthic macroinvertebrates (Quinn and Hickey 1993).</p> <p>Discharges should not be allowed to have toxic effects on aquatic ecosystem health and as a minimum toxicity standards from the ANZECC guidelines (2000) should apply at 99% protection for values identified in schedule A, Schedule I, and Schedule F, and at 95% protection for other waterbodies</p> <p>The discharge shall not give rise to the following effects after the zone of reasonable mixing: (i) a change in the pH of ± 0.5pH unit, or (ii) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or (iii) any conspicuous change in the colour or visual clarity, or (iv) any emission of objectionable odour, or (v) the fresh water is unsuitable for consumption by farm animals, or (vi) any significant adverse effects on aquatic life.</p> <p>Ammend the rules so that permitted and controlled activities have to</p>		
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<p>Policy P99, Policy P100, and Policy P101</p>	<p>Support with amendments</p>	<p>As proposed the NRP does not adequately provide for the exclusion of stock from waterbodies and does not establish appropriate riparian setback distances in relation to stock exclusion, and cultivation and forestry activities.</p> <p>Excluding stock from waterways is a fundamental component of good management practices (GMP's) and is essential to ensuring that farming land use practices are sustainable and that the impacts of these land uses on freshwater are avoided as far as reasonably practical. Three major types of contaminants can be reduced by excluding stock from waterways:</p> <ul style="list-style-type: none"> • Pathogens – from direct deposition of urine and feces into waterways and also on the stream banks, which can be flushed into the stream by rising water levels or subsequent stock incursions. E. coli is typically used as an indicator of pathogen levels. • Sediment – from livestock disturbing and carrying soil into waterways. • Nutrients – Nitrogen (N) and Phosphorus (P). Nitrogen levels can be increased by direct deposition of effluent into or very near water; however this contribution will be small in comparison with inputs from paddocks through surface and groundwater flow pathways. Historic applications of phosphorus fertiliser can enter waterways along with sediment. <p>In addition to reducing the contaminants entering waterways, livestock exclusion can prevent significant damage to local habitat quality: including damage to riparian plants, greater bank erosion and damage to in-stream habitat, and impacts on fish including spawning and juvenile rearing.</p> <p>Land use activities such as forestry, hill country cropping and</p>	<p>comply with these standards. Include rules for cultivation, forestry, point source discharges, sediment discharges, and farming operations.</p> <p>Create new policies, and amend existing policies to ensure that the provisions stated below are achieved</p> <p>Deer, cattle, and pigs are excluded from all waterbodies within 3 years, on land under 16 degrees slope. Waterbodies include all natural wetlands, all permanently flowing waterbodies, and all intermittent or ephemeral waterbodies which have an active bed of greater than 1m. On land over 16 degrees slope (hill country) and for extensively farmed stock ensure that cattle are excluded from areas which form a critical source for contaminant and sediment losses or which have sensitive instream values such as trout spawning and inganga spawning within 5 years.</p> <p>Where stock are excluded from the waterbody through placement of a permanent fence then setback distances are established which is greater than 5m and takes into account GMP, sensitivity of the receiving environment, and risk of contaminant losses to surface water, and protection of the ecological health of freshwater habitats, as set out below in relation to land use activities.</p> <p>Cattle, deer, and pigs, should be excluded from all natural wetlands. Sheep shall be excluded from natural wetland which have significant riparian values.</p> <p>Land classifications are:</p> <ul style="list-style-type: none"> • plains/alluvial (slopes of 0-3 degrees); • lowland hills/rolling hills/down lands (slopes of 4-16 degrees); • hill country (slopes of 16-28 degrees); and • steep hill country (slopes greater than 28 degrees). <p>Include new policies to ensure that Hill country land uses, intensive farming, horticulture, cropping and plantation forestry are regulated to</p>
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		<p>vegetation removal, and cultivation can have significant adverse effects on aquatic ecosystem health and the values of freshwater. These activities should be managed including through regulation to ensure that they adopt good management practices, and avoid remedy or mitigation their impacts on the environment and that appropriate riparian setback distances are enforced to ensure that freshwater habitats are protected.</p>	<p>good management practice and output based standards which avoid disturbance of the bed and riparian margins of waterbodies, and discharges of sediment to freshwater habitats. Policies and regulation should also include consideration of sensitive receiving environments and habitats such as shown in schedule A, schedule I, and Schedule F, which will require more stringent standards and which may also require exclusion periods for example for forestry harvesting and tracking during fish spawning and migration periods. The standards as set out under policy P71 should apply to activities.</p> <p>Ensure that these land uses activities include provisions/ standards which establish appropriate riparian setback distances taking into account slope, soil, activity, and the risk of contaminant discharge to freshwater. Riparian setback standards could be based on either a flat setback such as 5m on flat land and 10m on land with a slope of 16degrees or greater, and are also dependent on the sensitivity of the receiving environment for example 10m from trout spawning sites or inganga spawning sites and wetlands, or apply a calculation such as</p> <ul style="list-style-type: none"> • Buffer width = 15.2 + 0.61 per 1% of slope (m) (Wenger, 1999) • Buffer width = 8 + 0.65 x slope (m) (Barling & Moore, 1994).
Policy P102	Oppose	Contrary to sustainable management and the protection of natural character	<p>Delete</p> <p>Reclamation or drainage of the beds of rivers and lakes should be prohibited</p>
Policy P105	Support with amendments	As discussed it is not sufficient to simply 'minimise adverse effects' as this is inconsistent with provisions of the RMA and NPSFWM. The preservation of the Natural character of freshwater is a vital component to protecting trout fishery values and trout habitat and should be provided for in the policy. Furthermore, it is not sufficient to simply 'have particular regard' to the habitat of trout, as this will fail to protect the significant habitat of trout identified in Schedule I.	<p><u>Policy P105 Protecting trout habitat</u></p> <p><u>Recognise and provide for 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:</u></p> <p>(a) <u>Maintain or where degraded improve water quality, water quantity, and natural character in accordance with the freshwater objectives set out in the section 3 tables; and</u></p>

<p>(b) <u>Protect components of the natural flow regime in order to provide for the health and sustainability of trout fisheries and allow them to complete their lifecycle unimpeded</u></p> <p>(c) <u>Maintain fish passage for trout, and</u></p> <p>(d) <u>Avoid adverse effects on the beds of trout spawning waters identified in Schedule 1 (trout habitat), and</u></p> <p>(e) <u>Preserve the Natural character of rivers to protect the health and sustainability of trout fisheries</u></p>		<p>The policy does not actually establish the allocation framework or standards/ limits/ or targets which apply for the take and use of freshwater, and which would ensure that the freshwater objectives including table 3.4 objectives are met.</p>	<p>Support with amendments</p>	<p>Policy 107</p>
<p>Amend the policy so that the water quantity standards/ limits/ targets are clearly states. This should include minimum flows, core allocations, and requirements to maintain hydrological processes and variability, and protect flows which provide for fish migration and spawning, and which manage periphyton and cyanobacteria growths.</p> <p>The hydrological parameters and standards (limits/ targets) should ensure that the freshwater objectives of the plan are achieved including the freshwater objectives set in table 3.4 and 3.4a. The hydrological parameters should relate to the values of the waterbody. For trout habitat which is designated as nationally or regionally significant minimum flows should not exceed 90% of the natural mean annual low flow and core allocations should not exceed 20 to 30% of the natural mean annual low flow, and should not cause the rivers flows to flatline or disrupt its hydrological variability. For trout habitat which is designated as locally significant minimum flows should not exceed 70% of natural mean annual low flow, and core allocation should not exceed 30% of the natural mean annual low flow and should not cause the river to flatline or reduce hydrological variability.</p> <p><u>Minimum flows and core allocation are shown in appendix X updated table 3.4 along with requirements to maintain hydrological variability.</u></p>		<p>The whaitua chapters should be consistent with the freshwater objectives set in section 3 including the section 3 tables, and should not allow degradation from current state including</p>	<p>Oppose</p>	<p>Section 4.9.1 and section 4.9.2</p>
<p>Policies in the whaitua chapters on water quantity, minimum flows, core allocations, and provisions around hydrological variability should not be more lenient than those set out in policy P107 above and should achieve</p>				

<p>Policy P111, P112, P113, P114, P115, P116, P118 and schedule Q</p>	<p>Support with amendments</p>	<p>overalllocation or further overallocation</p>	<p>the freshwater objectives in section 3 including table 3.4</p>
		<p>As proposed the policies and schedule is inconsistent with s14(3)(b) and the NPSFWM, and does not ensure takes and uses of water are first necessary, second reasonable, and where they are both necessary and reasonable are used efficiently</p> <p>Does not promote sustainable management</p>	<p>Ammend policies to ensure that takes below minimum flow are consistent with section 14(3)(b) of the RMA and do not result in significant adverse impacts on aquatic life including cumulative impacts.</p> <p>Ammend Policies to ensure that the life supporting capacity and ecological health and processes of freshwater are safeguarded and that natural character including hydrological variability are protected.</p> <p>Ammend the Policies to ensure that water saving measures are undertaken before minimum flows are reached and to significantly reduce takes which cause (include cumulatively) minimum flows to be exceeded and the river to flatline.</p> <p>Ammend the Policies to ensure that necessary water takes are efficient</p> <p>Ammend the Policies so that water storage during high flows is considered in order to provide for essential needs during periods of low flow and which may also be used to supplement flows.</p> <p>Ammend the policies to ensure that limits are not breached and that further allocation does not occur</p> <p>Delete provisions which allow takes below minimum flow for root stock and encourage water saving and storage options</p> <p>Ammend Schedule Q to incorporate provisions which ensure takes and uses of water are first necessary, second reasonable, and where they are both necessary and reasonable are used efficiently. Include numerical standards to define what is meant by efficient and which defines technical efficiency</p>
<p>Schedule Q</p>	<p>Oppose</p>	<p>As proposed the policies and schedule Q is inconsistent with s14(3)(b) and the NPSFWM, and does not ensure takes and uses of water are first necessary, second reasonable, and where they</p>	<p>Ammend policies and Schedule Q to incorporate provisions which ensure takes and uses of water are first necessary, second reasonable, and where they are both necessary and reasonable are used efficiently.</p>

	<p>are both necessary and reasonable are used efficiently. Does not define parameters and numerical standards for good management practice.</p> <p>Does not promote sustainable management</p> <p>Include numerical standards to define what is meant by efficient and which defines technical efficiency and good management practices. Include standards and narrative from industry best management codes of practice including the MGM Matrix of good management practice and Irrigation New Zealand best practice guidance and standards</p> <p>The amount of water taken by resource users must be reasonable and justifiable for the intended use. In addition, the following specific measures for ensuring reasonable and justifiable use of water must be given effect in permitted activities and taken into account when considering consent applications to take water for irrigation, public water supply, animal drinking water, dairy shed washdown or industrial use, and during reviews of consent conditions for these activities.</p> <p>For irrigation, resource consent applications must be required to meet a reasonable use test in relation to the maximum daily rate of abstraction, the irrigation return period and the seasonal or annual volume of the proposed take. When making decisions on the reasonableness of the rate and volume of take sought, the Regional Council must:</p> <ul style="list-style-type: none"> (i) consider land use, crop water use requirements, on-site physical factors such as soil water holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration (ii) assess applications either on the basis of an irrigation application efficiency of 80% (even if the actual system being used has a lower application efficiency), or on the basis of a higher efficiency where an application is for an irrigation system with a higher efficiency (iii) link actual irrigation use to soil moisture measurements or daily soil moisture budgets in consent conditions (iv) Only grant applications which ensure that deficit irrigation is applied. (v) Only grant applications which do not cause (including cumulatively) freshwater objective/ limit/ standard to be exceeded
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	<p>For domestic use, animal drinking water and dairy shed washdown water, reasonable needs must be calculated as:</p> <ul style="list-style-type: none"> (i) up to 300 litres per person per day for domestic needs (ii) up to 70 litres per animal per day for drinking water (iii) up to 70 litres per animal per day for dairy shed washdown. <p>For industrial uses, water allocation must be calculated where possible in accordance with best management practices for water efficiency for that particular industry.</p> <p>For public water supplies, the following must generally be considered to be reasonable:</p> <ul style="list-style-type: none"> (i) an allocation of 300 litres per person per day for domestic needs, plus (ii) an allocation for commercial use equal to 20% of the total allocation for domestic needs, plus (iii) an allocation for industrial use calculated, where possible, in accordance with best management practices for water efficiency for that particular industry, plus (iv) an allocation necessary for hospitals, other facilities providing medical treatment, marae, schools or other education facilities, New Zealand Defence Force facilities or correction facilities, plus (v) an allocation necessary for public amenity and recreational facilities such as gardens, parks, sports fields and swimming pools, plus (vi) an allocation necessary to cater for the reasonable needs of animals or agricultural uses that are supplied by the public water supply system, plus

	<p>(vii) an allocation necessary to cater for growth, where urban growth of the municipality is provided for in an operative district plan for the area and is reasonably forecast,</p> <p>(e) When making decisions on consent applications where the existing allocation for a public water supply exceeds the allocation determined in accordance with (c)(i) to (d)(vi) above:</p> <p>(i) consideration must be given to imposing a timeframe for the existing allocation to be reduced to the core allocation limit, or</p> <p>(ii) if (i) is not imposed, an alternative allocation must be determined based on the particular social and economic circumstances of the community serviced by the public water supply and the actual and potential effects of the abstraction on the instream and cultural and recreational values for the waterbody affected by the take.</p> <p>Water must be used efficiently, including by the following measures:</p> <p>(a) requiring water audits and water budgets to check for leakages and water-use efficiency as appropriate</p> <p>(b) requiring the use of, or progressive upgrade to, infrastructure for water distribution that minimises the loss of water and restricts the use of water to the amounts determined in accordance with Policy (or schedule Q) as set out above</p> <p>(c) enabling the transfer of water permits</p> <p>(d) promoting water storage</p> <p>(e) raising awareness about water efficiency issues and techniques</p> <p>(f) requiring monitoring of water takes, including by installing water metering and telemetry.</p>

Policy P117	Support with amendments	<p>Supplementary flows should only be provided for where the objectives of the Plan relating to protecting natural Character including hydrological regimes and variability, and safeguarding life-supporting capacity and ecosystem health and processes and recognizing and providing for contact recreation, trout habitat, indigenous fish habitat and cultural values including mahinga kai, are achieved.</p> <p>Maintaining variable flows within rivers is also important for sustaining mauri.</p>	<p><u>Supplementary water[^] allocation</u> <u>In addition to the core allocations, a supplementary allocation from rivers[^] may be provided:</u></p> <p>(a) <u>in circumstances where water[^] is only taken when the river[^] flow is greater than the median flow, and the total amount of water[^] taken by way of a supplementary allocation does not exceed 10% of the actual flow in the river[^] at the time of abstraction, and</u></p> <p>(b) <u>in circumstances where it can be shown that the supplementary allocation will not:</u></p> <p>(i) <u>increase the frequency or duration of minimum flows</u></p> <p>(ii) <u>lead to a significant departure from the natural flow regime, including the magnitude of the median flow and the frequency of flushing flows</u></p> <p>(iii) <u>cause any adverse effects that are more than minor on the freshwater environment including ecosystem health, freshwater fish, and Mahinga Kai and Maori values;</u></p> <p>(iv) <u>limit the ability of anyone to take water under a core allocation</u></p>
New Policy		As proposed the NRP fails to adopt the integrated management of water takes and use with water quality and their combined impact on freshwater ecosystems and values.	<p>Include new policies and rules to ensure that water takes and use are managed in an integrated manner with water quality and the impacts of the land use on aquatic ecosystems processes and the in stream and recreational values of freshwater, and that this informs whether or not permitted activity status is appropriate and also decision making in relation to consented activities.</p>

SECTION 5 – RULES

Provision	The submission is that:	Relief sought
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	Support/ Oppose	Reason	
Section 5 General	Oppose	Wellington Fish and Game Council have requested amendments to a number of objectives in the Proposed Plan. In order for the policy cascade as set out in s67(1) RMA to be effective, consequential changes should be made to the policies and methods including rules (and schedules) in order for the objectives of the Plan to be achieved	Retain, delete, or amend the rules in section 5 of the plan and schedules in section 12 of the plan to ensure that they will, individually and collectively, direct how the objectives, as retained or amended by the Wellington Fish and Game submission, are to be achieved.
Section 5 General	Oppose	<p>The permitted activity rules fail to apply sound planning principals for permitted activities such as: be clear and certain; not contain subjective terms; be capable of consistent interpretation and implementation by lay people without reference to council officers; and not retain later discretions. Furthermore, permitted activity rules are difficult to enforce by regional councils, and monitoring and enforcement costs are generally not recoupable.</p> <p>Activities should not be permitted where they may either on their own or in combination with other activities have a significant adverse effect on aquatic life, ecosystem health, or result in a freshwater objective being exceeded or further exceeded (Objective O5 - Policy P31, Objective O30 – Policy P105, rule R42, R48, R59 and tables 3.1 as set out in Appendix 4). Permitted activities which authorise the discharge of contaminants into the environment either directly or indirectly via land must first meet the requirements of s70 RMA, including in relation to cumulative impacts.</p> <p>Fish and Game accepts that permitted activity rules can play a useful resource management purpose for authorising simple activities that are undertaken on a routine and frequent basis and where the effects of those activities are demonstrably minor and the risks to the environment if they are misused are small. However, this is not the case in regards to mand of these permitted activity rules as these activities: can be complex; methods to avoid, remedy or mitigate the effects on the environment vary with climate. geology, and the</p>	<p>Amend the rules so that they are consistent with s70 and ensure that adverse effects including cumulative adverse effects are avoided, remedied, or mitigated, and that, significant adverse effects are avoided.</p> <p>Amend the activity status of permitted activity rules which are not consistent with s70 or sound planning principals to be controlled activities at a minimum. Permitted activity rules should be capable of consistent interpretation and implementation by lay people without reference to council officers; and not retain later discretions, should not result in adverse impacts or cumulative adverse impacts which are more than minor, should not require substantial monitoring or enforcement by the council as costs are generally not recoupable,</p> <p>Amend the rules so permitted activities are only applied where clear measurable and enforceable standards are able to be set which ensure that s70 RMA is met, and that significant adverse effects will not occur</p> <p>Amend the rules so that the standards in policy P71 are applied for permitted and controlled activities which relate to land use activities and non-point and point source discharges.</p> <p>Amend the rule to ensure that appropriate riparian margins are established for land use activities including forestry, cultivation, hill country cropping, and vegetation clearance, stock exclusion from</p>

		<p>sensitivity of habitats and receiving freshwater environments; the impacts of these activities including cumulative impacts can be significant including the permanent loss of rare and threatened habitat types; can cause significant adverse effects on natural character including of rivers and streams, and significant adverse effects on aquatic ecosystem health and processes.</p> <p>Stock access to freshwater should generally not be a permitted activity, except in the hill country where stock requires access to drinking water.</p>	<p>waterbodies. Appropriate riparian setback distances should be set taking into account slope, soil, activity, and the risk of contaminant discharge to freshwater. Riparian setback standards could be based on either a flat setback such as 5m on flat land and 10m on land with a slope of 16degrees or greater, and are also dependent on the sensitivity of the receiving environment for example 10m from trout spawning sites or Inanga spawning sites and wetlands, or apply a calculation such as</p> <ul style="list-style-type: none"> • Buffer width = $15.2 + 0.61 \text{ per } 1\% \text{ of slope (m)}$ (Wenger, 1999) • Buffer width = $8 + 0.65 \times \text{slope (m)}$ (Barling & Moore, 1994).
Rule R42	Support with amendments	Permitted activities must comply with s70 RMA, and ensure that the adverse effects on the freshwater environments and values are less than minor	Give effect to relief sought policy P71 and apply the standards as amended in relation to policy P71
Rule R59	Support with amendments	Permitted activities must comply with s70 RMA and ensure that the adverse effects on the freshwater environments and values are less than minor	Give effect to relief sought policy P71 and apply the standards as amended in relation to policy P71
Rule R61	Support with amendments	Must give effect to NPSFWM and sustainable management under the RMA and be consistent with achieving the freshwater objectives set out in the section 3 tables.	<p>Amend the rule so that existing activities are required to achieve the freshwater objectives in section 3 tables including table 3.4 and 3.4a. Where the activity currently causes or contributes to over allocation then the activity must be managed in a manner consistent with improving the quality and reducing the quantity of its discharge so that the freshwater objectives including section 3 table objectives are achieved by 2030</p> <p>Insert a new rule that makes existing discharges non-complying after 2030 where freshwater outcomes in section 3 tables are not achieved.</p>
Rule R69	Support with amendment	Must give effect to NPSFWM and sustainable management under the RMA and be consistent with achieving the freshwater objectives set	Amend to include “shall not enter water either directly or indirectly”...

		out in the section 3 tables, and must be consistent with s7ORMA	
Rule R79	Support with amendments	Must give effect to NPSFWM and sustainable management under the RMA and be consistent with achieving the freshwater objectives set out in the section 3 tables, and must be consistent with s7ORMA	<p>Amend the rule so that activities are required to achieve the freshwater objectives in section 3 tables including table 3.4 and 3.4a. Where the activity currently causes or contributes to over allocation then the activity must be managed in a manner consistent with improving the quality and reducing the quantity of its discharge so that the freshwater objectives including section 3 table objectives are achieved by 2030</p> <p>Insert a new rule that makes existing discharges non complying after 2030 where freshwater outcomes in section 3 tables are not achieved.</p> <p>New activities which would cause or contribute to the freshwater objectives in section 3 tables being exceeded should be prohibited</p> <p>Give effect to relief sought policy P71 and apply the standards as amended in relation to policy P71</p>
Rule R81, R83	Support with amendments	Must give effect to NPSFWM and sustainable management under the RMA and be consistent with achieving the freshwater objectives set out in the section 3 tables, and must be consistent with s7ORMA	<p>Amend the rule so that under matters of control the following provisions apply activities are required to achieve the freshwater objectives in section 3 tables including table 3.4 and 3.4a. Where the activity currently causes or contributes to over allocation then the activity must be managed in a manner consistent with improving the quality and reducing the quantity of its discharge so that the freshwater objectives including section 3 table objectives are achieved by 2030</p> <p>Give effect to relief sought policy P71 and apply the standards as amended in relation to policy P71</p>
Rule R89, R90, and R91	Support with amendments	Must be consistent with s7ORMA and promote sustainable management	Amend to include " <u>shall not result in discharges entering water either directly or indirectly</u> "
Rule 92	Support with	Must give effect to NPSFWM and sustainable management under the	Rule should be discretionary or matters of discretion should be

	amendment	RMA and be consistent with achieving the freshwater objectives set out in the section 3 tables, and must be consistent with s7ORMA	included which ensure that the objectives in section 3 including tables are achieved
Section 5.4	Oppose	<p>As proposed the NRP fails to promote the sustainable integrated management of land and water resources and fails to give effect to the NPSFWM and NZCPS</p> <p>Land use rules should also include ancillary discharges (section 9 and section 15 rules)</p>	<p>Amend rules so that they are both land use and ancillary discharge rules (both section 9 and 15 rules), and the rules and methods ensure that the freshwater objectives including section 3 table objectives continue to be met where they are currently achieved and that existing land use activities are managed to ensure that the objectives (including section 3 table objectives) are met by 2030 where they are currently exceeded, and that new land use activities in catchments which are over allocated, and which would cause or contribute to the over allocation or reduce the ability for the over allocation to be reduced, are prohibited.</p>
New land use and ancillary discharges	Oppose	<p>As proposed the NRP fails to promote the sustainable management of land and water resources and fails to give effect to the NPSFWM and NZCPS.</p> <p>Inclusions of objectives, policies, and methods (including rules) are required to ensure that land is managed sustainably in order to achieve the freshwater objectives, including the maintenance of water quality and where degraded its improvement over time. Reliance on industry good management practice is not sufficient to ensure that water is used sustainably including its assimilative capacity. Output based standards, such as nitrogen leaching per ha per annum, which is set to achieve freshwater objectives, are an essential component of second generation Natural Resource Plans. Failure to adopt regulation which ensures point and non-point source discharges of contaminants from primary productive land uses are managed to environmental limits (output based standards) will result in failure to sustainably manage the land and water resources of the region, and will lead to further declines in the health of freshwater environments and their values;</p> <p>It should be made clear that rules which relate to land use or discharges to land where the land use or discharge from land may</p>	<p>Include new rules which ensure that</p> <ul style="list-style-type: none"> • <u>farming activities comply with a sustainable nitrogen leaching rate which is based on allocating the total allowable load of nitrogen for the sub catchment, water management zone or catchment to the land on the basis of either a 'flat' per hectare allocation of nitrogen leaching, or a nitrogen leaching allowance per hectare based on an allocation on a land use capability class basis, or some other methodology which achieves the efficient use of natural resources</u> • <u>require farms to comply with specified management practices which minimise or reduce the loss of nitrogen, phosphorous, sediment and faecal contamination, including, but not limited to, the requirement to seal effluent ponds and to practice deferred irrigation, good management practices for the application of fertiliser and other nutrient sources, including setbacks from waterbodies, permanent fencing and planting of riparian margins, good management practices for earthworks and cultivation including setbacks from waterbodies to avoid or minimise sediment run off to water,</u> • <u>nutrient budgets are to be prepared annually by a person</u>

impact on freshwater, or where standards/terms/ conditions/ or matters of discretion relate to effects on freshwater, that the rule is both a (RMA) s9 and s15 rule.

Activities should not be permitted where they may either on their own or in combination with other activities have a significant adverse effect on aquatic life, ecosystem health, or result in a freshwater objective being exceeded or further exceeded. Permitted activities which authorise the discharge of contaminants into the environment either directly or indirectly via land must first meet the requirements of s70 RMA.

who has completed both the "intermediate" and the "Advanced" courses in "Sustainable Nutrient Management in New Zealand Agriculture" conducted by Massey University, and provided to the regional council. The information shall be provided in an electronic format compatible with regional councils information systems and may include but shall not be limited to the following reports from Overseer or their equivalent if an alternative model is used (must be accredited for use by the regional council):

Nutrient Budget, Nitrogen, Phosphorus, Summary, Nitrogen Overview

- exclude all livestock from rivers, lakes and wetlands, and to culvert or bridge all regular stock crossings
- provide for consent applications for new or intensified (a use that increases loss of nitrogen or phosphorus) use of production in sub catchments that are currently over allocated for nitrogen or phosphorus to be a prohibited activity.
- Provide for trading of nitrogen or phosphorus loss rates between production land uses or properties in the same sub catchment so long as the nutrient load and the freshwater objectives in tables 3.4 and 3.4a, 3.5 and 3.6, and the limits/ standards are not breached at any point within that sub catchment, or water management unit
- Ensure that the rules include both land use and ancillary discharge provisions (section 9 and section 15 RMA)
- Ensure that rules do not breach s70 RMA and apply sound planning principals

The following numerical limits/ targets for Nitrogen leaching are provided as an indication of the sought of LUC numbers that are intended to be applied. LUC numbers may be amended to be subcatchment specific in order to 1) maintain water quality where it currently meets the freshwater objectives or 2) improve water quality so that the freshwater objectives are achieved by 2030

<u>LUC</u>	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>V</u>	<u>VI</u>	<u>VII</u>	<u>VIII</u>
<u>YEAR</u> <u>1</u>	<u>20</u>	<u>18</u>	<u>16</u>	<u>14</u>	<u>13</u>	<u>10</u>	<u>8</u>	<u>2</u>
<u>YEAR</u> <u>5</u>	<u>18</u>	<u>16</u>	<u>12</u>	<u>11</u>	<u>9</u>	<u>8</u>	<u>6</u>	<u>2</u>

Include Farm environment management plans and good management practice standards as shown indicatively in appendix 10 to this submission

Apply the allocation principals from Beef and Lamb as set out in appendix 11 to this submission

Activities should not be permitted where they may either on their own or in combination with other activities have a significant adverse effect on aquatic life, ecosystem health, or result in a freshwater objective being exceeded or further exceeded. Permitted activities which authorise the discharge of contaminants into the environment either directly or indirectly via land must first meet the requirements of s70 RMA, including in relation to cumulative impacts.

Rule R94, R99, R100, R102

Support with amendments

Amend the rules so permitted activities are only applied where clear measurable and enforceable standards are able to be set which ensure that s70 RMA is met, and that significant adverse effects will not occur

Amend the rules so that the standards in policy P71 are applied for permitted activities which relate to land use activities and non-point and point source discharges.

Amend the rule to ensure that appropriate riparian margins are established for land use activities including forestry, cultivation, hill country cropping and vegetation clearance, stock exclusion from waterbodies. Appropriate riparian setback distances should be set taking into account slope, soil, activity, and the risk of contaminant discharge to freshwater. Riparian setback standards could be based on either a flat setback such as 5m on flat land and 10m on land with a slope of 16degrees or greater, and are also dependent on the sensitivity of the receiving environment for example 10m from trout spawning sites or Inanga spawning sites and wetlands, or apply a calculation such as

- Buffer width = 15.2 + 0.61 per 1% of slope (m) (Wenger, 1999)

			<ul style="list-style-type: none"> • Buffer width = $8 + 0.65 \times \text{slope (m)}$ (Barling & Moore, 1994). <p>Amend the rules so that activities are not permitted where they disturb riparian margins or beds of rivers, lakes, wetlands.</p> <p>Amend the rules so that they are controlled activities at a minimum</p>
Rule R97	Oppose	<p>The intention of GWRC is supported. However, as currently proposed the rule will not ensure that the adverse effects of stock access to waterbodies are avoided, or the effects are avoided, remedied or mitigated. The rule fails s70 RMA, and is not consistent with the objectives of the plan including achievement of the section 3 table objectives.</p> <p>The permitted activity rules fail to apply sound planning principals for permitted activities such as: be clear and certain; not contain subjective terms; be capable of consistent interpretation and implementation by lay people without reference to council officers; and not retain later discretions. Furthermore, permitted activity rules are difficult to enforce by regional councils, and monitoring and enforcement costs are generally not recoupable.</p>	<p>Amend the rule[s] to ensure that stock is not permitted to have access to the beds of rivers, lakes, and wetlands, with the exception of extensively farmed stock in the hill country.</p> <p>Amend the rule[s] to ensure that Deer, cattle, and pigs are excluded from all waterbodies within 3 years; on land less than 16 degrees slope. Waterbodies include all natural wetlands, all permanently flowing waterbodies, and all intermittent or ephemeral waterbodies which have an active bed of greater than 1m. On land over 16 degrees slope (hill country) and for extensively farmed stock ensure that cattle are excluded from areas which form a critical source for contaminant and sediment losses or which have sensitive instream values such as trout spawning and Inanga spawning within 5 years.</p> <p>Where stock are excluded from the waterbody through placement of a permanent fence then setback distances are established which is greater than 5m and takes into account GMP, sensitivity of the receiving environment, and risk of contaminant losses to surface water, and protection of the ecological health of freshwater habitats and their values.</p> <p>Cattle, deer, and pigs, should be excluded from all natural wetlands. Sheep shall be excluded from natural wetland which has significant riparian values.</p> <p>Land classifications are:</p> <ul style="list-style-type: none"> • plains/alluvial (slopes of 0-3 degrees); • lowland hills/rolling hills/down lands (slopes of 4-16

			degrees); <ul style="list-style-type: none"> • hill country (slopes of 16-28 degrees); and • steep hill country (slopes greater than 28 degrees). <p>Setback distances of greater than 5m could be applied for sites with sensitive receiving environments such as Inanga spawning, trout spawning, outstanding waterbodies, significant indigenous values (as set out in the schedules)</p>
Rule R103	Oppose	Does not promote sustainable management	Amend so that the activity is either RD with appropriate matters of discretion which would ensure that the activity [ies] were consistent with achieving the freshwater objectives in section 3 including section 3 tables, or Amend the activity so that it is discretionary
Section 5.5	Support with amendments	Consistent with sustainable management under the RMA and recognition and protection of wetland habitats as s6(c) habitats	The provisions which are not specifically addressed below are supported and fish and game seek that they be retained as notified
Section 5.5.2 and Rule R104	Support with amendments	As currently proposed fails to recognise and provide for gamebird and recreational hunting values and enable wetland maintenance, restoration and enhancement as undertaken by gamebird license holders. Fails to have regard for Fish and Game sports fish and gamebird management plans.	<p>5.5.2 <i>Activities in wetlands general conditions</i> <i>Wetlands general conditions</i> <i>Wetland general conditions for activities in natural wetlands, significant natural wetlands and outstanding natural wetlands are that:</i></p> <p>(a) <i>there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) to water or the bed, other than sediment and other materials inherent to the water or bed, but excluding any discharge of heavy metals or other toxicants, and</i></p> <p>(b) <i>no cleaning or refuelling of machinery or equipment shall take place on any area of a natural wetland, and fuel storage shall not occur at any location where fuel can enter a water body, and</i></p>

	<p>(c) <i>all machinery, equipment and materials used for the activity shall be removed from the natural wetland every night where practicable and on completion of the activity. This includes any excess material from the construction operation, any materials used during construction of any structure but not part of that structure, and any material removed or demolished from any structure, and</i></p> <p>(d) <i>structures are designed, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times, and</i></p> <p>(e) <i>in any part of the natural wetland inanga spawning habitat identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats), no bed disturbance, diversions of water or sediment discharge shall occur between 1-March and 31-May 31 April – 31 May, and</i></p> <p>(f) <i>the diversion of water shall not be for longer than the time required to undertake the activity, and any diversion of water required to undertake the activity must be for fewer than 14 consecutive days, and must occur prior to the disturbance of the bed of the natural wetland, and</i></p> <p><i>the vegetation and the bed of the natural wetland shall not be disturbed to a depth or an extent greater than that required to undertake the activity.</i></p>

<p>Section 5.5.4 General activities, Rule R114, R117, R122</p>	<p>Oppose</p>	<p>Activities on which impact on riparian margins and on the beds of rivers, lakes, wetlands should be managed to recognise and protect natural character. Activities which either on their own or cumulatively may have an more than minor impact on natural character should not be permitted</p>	<p>Amend the rules so that the natural character of rivers, lakes, and wetlands and their beds is protected.</p> <p><u>Activities on the beds of rivers, lakes and wetlands, and their margins shall be managed to protect the life supporting capacity and ecological health and processes of freshwater</u></p> <ul style="list-style-type: none"> • <u>Protects cultural values and mahinga kai</u> • <u>Recognises and provides for the habitat of trout and indigenous fish species</u> • <u>Recognises and provides for recreational values</u> • <u>Protects the natural character of the freshwater environment and ensures that the NCI index in table 3.4 is achieved</u> • <u>Provides for the natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes, and natural wetlands, and avoids adverse effects on these parameters</u> • <u>Recognises and provides for aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and avoids adverse effects on these parameters</u> • <u>Recognises and provides for habitats that are important to the life cycle and survival of aquatic species, and avoids adverse effects on these parameters</u> • <u>avoids effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species</u> • <u>avoids creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate</u> <p>General conditions and standards terms and conditions of activities should be included in the rules to ensure that these provisions are achieved. Consents for activities which breach these provisions should be declined.</p>
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			<p>Permitted activities should only be provided where the provisions set out above are satisfied and the activity will not cause the standards in policy P71 to be breached.</p> <p>Permitted activities should only be provided where the Permitted activity rules should be capable of consistent interpretation and implementation by lay people without reference to council officers; and not retain later discretions, should not result in adverse impacts or cumulative adverse impacts which are more than minor, should not require substantial monitoring or enforcement by the council as costs are generally not recoupable,</p> <p>Ammend the rules so permitted activities are only applied where clear measurable and enforceable standards are able to be set which ensure that s70 RMA is met, and that significant adverse effects will not occur</p> <p>Or delete permitted activities and replace with controlled activities or full discretionary activities</p>
New Rule		Consistent with sustainable management under the RMA, and the Conservation Act	<p>Insert a new rule for flood and river management activities undertaken by the Regional Council which includes requirements to operate under a code of practice for river management which establishes best management practices (See Horizons Code of Practice) and which requires that activities maintain natural character as set out in the policies and table 3.4 in section 3, or where degraded improve natural character in accordance with the policies and to met the Natural character freshwater objectives including table 3.4, and recognise and provide for trout habitat, recreational values, and indigenous fish values, and which require the Regional Council to monitor natural character of their rivers and report on their state and management approaches taken restore natural character</p> <p>Include method</p>

New Rule		Consistent with sustainable management under the RMA, and the Conservation Act	Insert a new rule for flood and river management activities undertaken by the Regional Council which includes requirements to operate under a code of practice for river management which establishes best management practices (See Horizons Code of Practice) and which requires that activities maintain natural character as set out in the policies and table 3.4 in section 3, or where degraded improve natural character in accordance with the policies and to meet the Natural character freshwater objectives including table 3.4, and recognise and provide for trout habitat, recreational values, and indigenous fish values, and which require the Regional Council to monitor natural character of their rivers and report on their state and management approaches taken restore natural character Include method
Section 5.5.4 clauses (e) and (f)	Supported	Consistent with sustainable management under the RMA, and the Conservation Act	Retain as notified
Rule R112, R113, R115, R118, R120, R123, R124	Supported	Consistent with sustainable management under the RMA, and the Conservation Act	Retain as notified
Rule R121	Supported	Consistent with sustainable management under the RMA, and the Conservation Act	Retain as notified
Rule R116	Oppose	Activities on which impact on riparian margins and on the beds of rivers, lakes, wetlands should be managed to recognise and protect natural character. Activities which either on their own or cumulatively may have an more than minor impact on natural character should not be permitted	Amend rule so that it only applies to existing small dams New small dams should be discretionary activity
Rule R119	Oppose	Activities on which impact on riparian margins and on the beds of rivers, lakes, wetlands should be managed to recognise and protect natural character. Activities which either on their own or cumulatively may have an more than minor impact on natural character should not	Delete Amend so that the activity is discretionary activity

Section 5.6 Rules	be permitted	<p>As proposed the rules are inconsistent with s14(3)(b) and the NPSFW/M, and does not ensure takes and uses of water are first necessary, second reasonable, and where they are both necessary and reasonable are used efficiently</p> <p>Does not promote sustainable management.</p> <p>Does not promote integrated management of land and water resources and fails to manage the interconnected nature of land use activities, water takes and uses, and discharges on aquatic ecosystem health</p>	<p>Amend the rules so that they are consistent with the relief sought under policies P107, P111 to P118, and Schedule Q</p> <p>Amend the rules to ensure that takes below minimum flow are consistent with section 14(3) (b) of the RMA and do not result in significant adverse impacts on aquatic life including cumulative impacts.</p> <p>Amend the Rules to ensure that the life supporting capacity and ecological health and processes of freshwater are safeguarded and that natural character including hydrological variability is protected.</p> <p>Amend the Rules to ensure that water saving measures are undertaken before minimum flows are reached and to significantly reduce takes which cause (include cumulatively) minimum flows to be exceeded and the river to flatline.</p> <p>Amend the Rules to ensure that necessary water takes are efficient</p> <p>Amend the Rules so that water storage during high flows is considered in order to provide for essential needs during periods of low flow and which may also be used to supplement flows.</p> <p>Amend the Rules to ensure that limits are not breached and that further allocation does not occur</p> <p>Delete provisions which allow takes below minimum flow for root stock and encourage water saving and storage options</p> <p>Amend the rules to ensure that permitted activity takes do not cause or contribute to over allocation and are within limits.</p> <p>Amend Schedule Q to incorporate provisions which ensure takes and uses of water are first necessary, second reasonable, and where</p>
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				they are both necessary and reasonable are used efficiently. Include numerical standards to define what is meant by efficient and which defines technical efficiency
Rule R136, R137	Supported with amendment	Consistent with sustainable management		Include condition/ standard that the take and use will not cause or contribute to the freshwater objectives in section 3 tables being exceeded or further exceeded. New takes in over allocated catchment should be prohibited
Rule R138	Oppose	Ultra vires		Delete
Rule R139	Supported	Consistent with sustainable management		Retain as notified
Rule R141, R143	Supported with amendment	Rules should ensure that the take and use of freshwater and its transfer is sustainable and consistent with the NPSFWM and NZCPS, and that cumulative impacts of the take and use of freshwater and discharges are managed so that the freshwater objectives in section 3 including section 3 table numerical and narrative objectives are achieved. The rules are required to be consistent with s14(3)(b) and the NPSFWM, and should ensure that the take and use of water is first necessary, second reasonable, and where they are both necessary and reasonable are used efficiently Rules should promote sustainable management. Rules should ensure that resources are managed in an integrated manner, acknowledging the interconnected nature of land use activities, water takes and uses, and discharges on aquatic ecosystem health		Include condition/ standard that the take and use will not cause or contribute to the freshwater objectives in section 3 tables being exceeded or further exceeded. New takes in over allocated catchment should be prohibited Include conditions/ standards to ensure that the take and use is necessary, reasonable and efficient and meets the requirements of policy 107 and relief sought for Schedule Q.
Rule 144	Support with amendments	Rules should ensure that the take and use of freshwater and its transfer is sustainable and consistent with the NPSFWM and NZCPS, and that cumulative impacts of the take and use of freshwater and discharges are managed so that the freshwater objectives in section 3 including section 3 table numerical and narrative objectives are achieved. The rules are required to be consistent with s.14(3)(b) and		Include condition/ standard that the take and transfer and use will not cause or contribute to the freshwater objectives in section 3 tables being exceeded or further exceeded. New takes in over allocated catchment should be prohibited Include conditions/ standards to ensure that the take and use is

		<p>the NPSFWM, and should ensure that the take and use of water is first necessary, second reasonable, and where they are both necessary and reasonable are used efficiently</p> <p>Rules should promote sustainable management.</p> <p>Rules should ensure that resources are managed in an integrated manner, acknowledging the interconnected nature of land use activities, water takes and uses, and discharges on aquatic ecosystem health</p>	<p>necessary, reasonable and efficient and meets the requirements of policy 107 and relief sought for Schedule Q.</p>
<p>Rules R146, R147</p> <p>Section 6 Section 6.15 Good management Practice</p>	<p>Supported</p> <p>Oppose</p>	<p>Consistent with sustainable management</p> <p>Method M28 is still to be developed. Therefore the method cannot be assessed to determine whether or not it is the most efficient and effective method including rule to achieve the freshwater objectives of the plan. The council has therefore given effect to s32 RMA.</p> <p>Application of GMP within the farming rules is an essential component in ensuring that farming land use activities are sustainably managed and the effects on the environment including cumulative effects are avoided, remedied, or mitigated, and any adverse effects including cumulative effects are not significant.</p>	<p>Retain as notified</p> <p>Amend method M28 to include narrative and numerical parameters for good management practice. This should include those elements set out in appendix 10 to this submission, and must include specified management practices which:</p> <ul style="list-style-type: none"> • Avoid or reduce the loss of nitrogen, phosphorous, sediment and faecal contamination to surface waterbodies and groundwater; • requirements to seal effluent ponds and • requirements to practice deferred irrigation; • good management practices for the application of fertiliser and other nutrient sources; • setbacks from waterbodies, permanent fencing and planting of riparian margins; • good management practices for earthworks and cultivation including setbacks from waterbodies to avoid or minimise sediment run off to water, • nutrient budgets are to be prepared annually by a person who has completed both the "intermediate" and the "Advanced" courses in "Sustainable Nutrient Management in New Zealand Agriculture" conducted by Massey University, and provided to the regional council. The information shall be provided in an electronic format

			<p>compatible with regional councils information systems and may include but shall not be limited to the following reports from Overseer or their equivalent if an alternative model is used (must be accredited for use by the regional council): Nutrient Budget, Nitrogen, Phosphorus, Summary, Nitrogen Overview</p> <ul style="list-style-type: none"> exclude all livestock from rivers, lakes and wetlands, and to culvert or bridge all regular stock crossings <p>Riparian setback standards could be based on either a flat setback such as 5m on flat land and 10m on land with a slope of 15degrees or greater, and are also dependent on the sensitivity of the receiving environment for example 10m from trout spawning sites or Inanga spawning sites and wetlands, or apply a calculation such as</p> <ul style="list-style-type: none"> Buffer width = $15.2 + 0.61 \text{ per } 1\% \text{ of slope (m)}$ (Wenger, 1999) Buffer width = $8 + 0.65 \times \text{slope (m)}$ (Barling & Moore, 1994)
Whaitua sections	Oppose	As currently proposed the Whaitua sections fail to give effect to part 2 Act, s30 Act, the NPSFWM or NZCPS, and are not consistent with achieving the freshwater objectives in section 3	<p>Amend objective 025 to safeguard life supporting capacity and ecosystem health and processes, protect natural character, and also to safeguard mauri of freshwater and mahinga kai. These values should be recognised and provided for separately as they may not be the same things (links to submission points under definitions).</p> <p>Amend the Whaitua sections to ensure that provisions including rules and establishment of limits/ targets must be consistent with achieving the freshwater objectives in section 3 and in particular the freshwater objectives in the section 3 tables. Activities should be managed including through rules to safeguard life supporting capacity and ecosystem health and processes, protect natural character, and also to safeguard mauri of freshwater and mahinga</p>

Appendices 1 to 11

Include new method	Oppose	The plan fails to recognise and protect the natural character of rivers.	<p>kai. Provisions including rules should ensure that the freshwater attribute states are maintained where they are currently achieved or where degraded are improved including through land use controls and rules to achieve the attribute state by 2030</p> <p>Amend the Whaitua sections to ensure that the provisions of the relevant Whaitua sections of the plan are subservient to the section 3 and the freshwater outcomes including tables 3.1 to 3.4 and 3.4a, and that the provisions recognise and provide for the values set in the freshwater plan including but not limited to trout habitat, outstanding waterbodies, Ecosystems and habitats with significant indigenous biodiversity values, and cultural values</p>
			<p>Include a new method to monitor and report on the natural character of rivers and their natural character index in assessing how the natural character provisions of the plan and table 3.4 natural character narrative and numerical freshwater objectives are being met.</p>

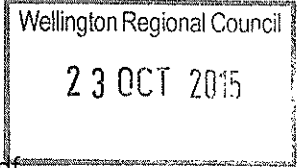
Yours sincerely

Phil Teal
 Manager
 Wellington Fish and Game Council

#1530812 5308

Mark Sutherland

From: Regional Plan
Sent: Tuesday, 27 October 2015 10:50 a.m.
To: Records
Subject: FW: Appendices to FG submission on GWRC pNRP
Attachments: Appendices 1-8.pdf; Appendices 10-11.pdf; Appendix 9.pdf



Kind Regards,

Erin Campbell | Hearings Officer, Environmental Policy
GREATER WELLINGTON REGIONAL COUNCIL
Te Pane Matua Taiao
Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011

PO Box 11646, Manners St, Wellington 6142
T: 04 830 4318 | www.gw.govt.nz

From: RMA [<mailto:rma@fishandgame.org.nz>]
Sent: Friday, 23 October 2015 5:02 p.m.
To: Regional Plan
Subject: Appendices to FG submission on GWRC pNRP

Please find attached the appendices to Fish and Games submission on GWRC pNRP. Submission to follow due to size.

Kind Regards

Stacy Tahere | Environmental Resource Officer
WELLINGTON FISH & GAME
292 Featherston Street | PO Box 1325, Palmerston North, 4440
DD: 06 359 0409 | MB: 027 241 7968 | rma@fishandgame.org.nz



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Appendix 1. Recommended Amendments to Schedule I GWRC pNRP

Recommended amendments to schedule I

Schedule I: Significant Important trout fishery rivers and spawning waters			
Significant Important trout fishery rivers			
Akatarawa River	I	Ruamāhanga River	III
Te Awa Kairangi/Hutt River	II	Tauweru River	I
Huangarua River	I	Waikanae River	II
Kopuaranga River	I	Waingawa River	I
Mangaroa River	I	Wainuiomata River	II
Mangatarere Stream	I	Waiohine River	II
Orongorongo River	I	Waipoua River	I
Ōtaki River	II	Waitohu Stream	I
Pakuratahi River	I	Whakatikei River	I
Mangaone stream		Makara stream	I
Karori stream		Beef Creek	
Kaiwharawhara stream	I	Pahao river	
Korokoro stream	I	Wainuioru stream	I
Tauherenikau River	II	Otakura stream	
Ohau	I		
Important trout spawning waters (specific locations shown in Map 22) ¹			
Abbotts Creek			
Te Awa Kairangi/Hutt River			
↪	Pakuratahi River		
↪	Farm Creek		
↪	Rimutaka Stream		
↪	Akatarawa River		
↪	Akatarawa West		
↪	Deadwood Stream		
↪	Frances Stream		
↪	Birchville Stream		
↪	Mangaroa River		
↪	Collins Stream		
↪	Cooleys Stream		

¹ An indented river is a tributary of the river above
²I=Local Significance II=Regional Significance III=National Significance

Schedule I: Significant Important trout fishery rivers and spawning waters
Significant Important trout fishery rivers
↪ Narrow Neck Stream
↪ Whakatikei Stream
↪ Wainui Stream
↪ Flighty's Stream
↪ Plateau Stream
↪ Moonshine Stream
Ōtaki River
↪ Waiotauru River
↪ Pukeatua Stream
↪ Rahui Stream
↪ Pukehinau Stream
↪ Waitatapia Stream
Ruamāhanga River
↪ Kopuaranga River
↪ Waipoua River
↪ Mikimiki Stream
↪ Te Mara Stream
↪ Kiriwhakapapa Stream
↪ Wakamoekau Creek
↪ Waingawa River
↪ Blakes Stream
↪ Atiwhakatu Stream
↪ Tauweru River
↪ Kourarau/Tupurupuru Stream
↪ Waiohine River
↪ Mangatarere stream
↪ Enaki Stream
↪ Kaipatangata Stream
↪ Beef Creek
↪ Papawai Stream
↪ Huangarua River
↪ Whangaehu Stream
↪ Ruakokoputuna River

Schedule I: Significant Important trout fishery rivers and spawning waters
Significant Important trout fishery rivers
Waikanae River
→ Maungakotukutuku stream
Wainuiomata River
→ Catchpool Stream

Appendix 2. Recommended Inclusion of Table 3.4a in Section 3 GWRC
pNRP – Freshwater Objectives and Standards for Trout Habitat Identified
in Schedule I

Recommended inclusions to pNRP as Freshwater Objective and Standards

Value	Rivers														Natural Character Index (NCI)
	Trout spawning and trout fishery rivers identified in Schedule I														
Freshwater Objective	Biological			Water quality				Habitat			Natural Character			Natural Character Index (NCI)	
	MCI	In stream plants	Chlor α	Temp	pH	range	DO (% sat)	Water Clarity	Dissolved inorganic nitrogen (DIN)	Dissolved reactive phosphorus (DRP)	Ammonia (g/m ³)	Sediment cover	Form and function	Narrative	< change
Regionally significant	120	50	20	19	7 - 8.2		80	10	0.3	0.010	0.320	10	10	river form (including pool, run, riffle, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish through their life phases and protect, and where degraded restore, ecosystem health	0.8
Locally Significant	100	120	30	22	7 - 8.5		70	3	0.6	0.019	0.4	20	20		0.7
Trout Spawning	120	50	20	11	7 - 8.2		80	10			0.320	10			0.8
									0.3	0.010					

Appendix 3. Recommended Ammendments to Table 3.4 GWRC pNRP

3.4 Freshwater objectives and as inclusion as standards within the plan
 Aquatic ecosystem health and life supporting capacity mahinga-kai objectives

Table 3.4 Rivers and Streams																
River Class	Biological					Water quality					Flows			Habitat		
	fish	macrophytes	Periphyton	Invertebrates	Temp	pH	DO	Nutrients	Water clarity	Toxicants	Minimum	Core allocation	Hydrological variability	Sediment cover	Natural Character	
1 Steep, hard sedimentary	Indigenous fish communities are resilient and their structure composition and diversity are balanced	Indigenous Macrophytes communities are resilient and their structure composition and diversity are balanced	50 SM 50	120 SM 130	19 SM 19 TS 11	5.8 -- 5.5 SM 6.1 -- 8.2	90 SM 90	0.1 SM 0.1	Dissolved reactive phosphorus ≤ mg/l	No. N ≤ mg/l	MALE	% natural MALE	narrative	≤ % visual cover fine sediment	Narrative	Natural Character Index
2 Mid gradient, coastal and hard sedimentary	Indigenous fish communities are resilient and their structure composition and diversity are balanced	Indigenous Macrophytes communities are resilient and their structure composition and diversity are balanced	120 SM 50	105 SM 130	20 SM 19 TS 11	6.4 -- 8.9 SM 6.7 -- 8.6	80 SM 80	0.4 SM 0.2	6	CH 2.4/3.5 SM 1/1.5 USEPA 2009	80	20	natural flow characteristics including the natural pattern and range of water level fluctuations and hydrodynamic processes of rivers, lakes and natural wetlands and coastal habitats is provided for to safeguard aquatic habitat diversity and quality, to ensure the natural connectivity between habitats, and to enable fish to complete their lifestages unimpeded including migration, breeding, spawning, juvenile and adult life stages and feeding requirements.	river form (including pool, run, riffle, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish through their life stages and protect and restore ecosystem health	0.9	
3 Mid gradient, soft sedimentary	Indigenous fish communities are resilient and their structure composition and diversity are balanced	Indigenous Macrophytes communities are resilient and their structure composition and diversity are balanced	120 SM 50	105 SM 130	21 SM 19 TS 11	6.8 -- 8.7 SM 7.1 -- 8.4	70 SM 80	0.4 SM 0.2	3	CH 2.4/3.5 SM 1/1.5 USEPA 2009	70	20	natural flow characteristics including the natural pattern and range of water level fluctuations and hydrodynamic processes of rivers, lakes and natural wetlands and coastal habitats is provided for to safeguard aquatic habitat diversity and quality, to ensure the natural connectivity between habitats, and to enable fish to complete their lifestages unimpeded including migration, breeding, spawning, juvenile and adult life stages and feeding requirements.	river form (including pool, run, riffle, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish through their life stages and protect and restore ecosystem health	0.8	
4 Lowland, large, draining ranges	Indigenous fish communities are resilient and their structure composition and diversity are balanced	Indigenous Macrophytes communities are resilient and their structure composition and diversity are balanced	120 SM 50	110 SM 130	19 SM 19 TS 11	5.8 -- 8.5 SM 6.1 -- 8.2	80 SM 80	0.3 SM 0.2	6	CH 2.4/3.5 SM 1/1.5 USEPA 2009	90	30	natural flow characteristics including the natural pattern and range of water level fluctuations and hydrodynamic processes of rivers, lakes and natural wetlands and coastal habitats is provided for to safeguard aquatic habitat diversity and quality, to ensure the natural connectivity between habitats, and to enable fish to complete their lifestages unimpeded including migration, breeding, spawning, juvenile and adult life stages and feeding requirements.	river form (including pool, run, riffle, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish through their life stages and protect and restore ecosystem health	0.8	
5 Lowland, large, draining plains and	Indigenous fish communities are resilient and their structure composition and diversity are balanced	Indigenous Macrophytes communities are resilient and their structure composition and diversity are balanced	120 SM 50	100 SM 120	22 SM 19 TS 11	5.8 -- 8.7 SM 6.1 -- 8.2	70 SM 80	0.6 SM 0.2	3	CH 2.4/3.5 SM 1/1.5 USEPA 2009	80	30	natural flow characteristics including the natural pattern and range of water level fluctuations and hydrodynamic processes of rivers, lakes and natural wetlands and coastal habitats is provided for to safeguard aquatic habitat diversity and quality, to ensure the natural connectivity between habitats, and to enable fish to complete their lifestages unimpeded including migration, breeding, spawning, juvenile and adult life stages and feeding requirements.	river form (including pool, run, riffle, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish through their life stages and protect and restore ecosystem health	0.7	

6	eastern Wairarapa																			
	Lowland small	120 SM 50	100 SM 120	21 SM 19 15.11	6.1 8.4 5.8 7.8 SM 6.1 7.5	70 SM 70	0.6 SM 0.2	0.019 SM 0.010	2			70	20						30 SM 20 TS 10	

SM Rivers or streams with high macroinvertebrate community health, identified in column 2 of schedule F1 (rivers/lakes)

TS Trout spawning rivers during winter periods from 1 May through to 1 October

A Acute

CH Chronic

Other toxicants not identified in table 3.4 should not exceed the trigger A values identified in the ANZECC (2000) guidelines for the level of protection of 95% or for SM rivers 99% species protection.

Periphyton % cover shall not exceed 30%

Cyanobacteria cover shall not exceed 20%

Relief sought - Note the numerical values are given as a guide only and may be amended either up or down as more data is analysed against the values.

Appendix 4. Recommended Amendments to Table 3.1 GWRC pNRP

Table 3.1 is amended as shown

Contact recreation and Maori customary use objectives

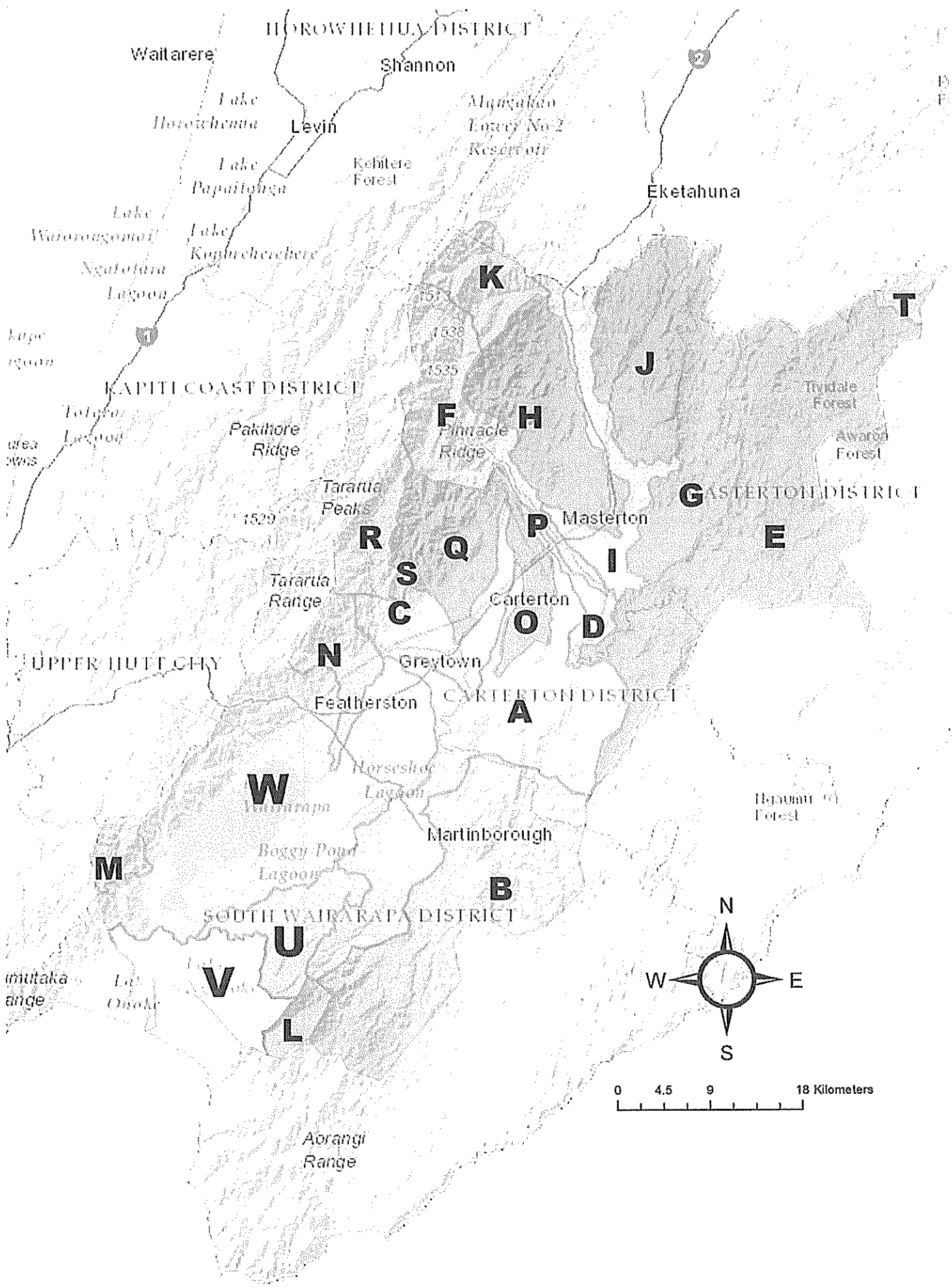
Waterbody type	Table 3.1 Primary contact recreation in significant freshwater bodies and Maori customary use objectives											
	Health					Aesthetic						
	E.coli ≤ cfu/100ml	Benthic cyanobacteria	pH	Toxicants/irritants	Tangata whenua use	Macrophyte cover Total	Emergent	Mat. algal cover	Filamentous algae cover	Water clarity (m) (flows under 50% flow)	Sediment cover	Sewage Fungus
Rivers	Bathing season 260 annual medium 540 95% flow	20	6.5 – 8.5	Anztec guidelines 2000	Rivers are safe for primary contact and customary use	60	30	50	30	3	20	No bacteria or fungal slime growths visible to the naked eye as plumose growths or mats
Lakes	Outside bathing season 540 95% flow 540 at all flows											

Relief sought - Note the numerical values are given as a guide only and may be amended either up or down as more data is analysed against the values.

Delete table 3.2

Appendix 5. Sub Catchment Management Units and Water Quality Allocation Status for the Wairarapa (based on nitrogen concentrations)

Allocation status is indicative only and is subject to change.
Lake wairapra sub catchment is overallocated



Waitarere

HOROWHENUA DISTRICT

Shannon

Lake Horowhenua

Levin

Manukaua
Lacey No. 2
Reservoir

Kahitere
Forest

Eketahuna

Lake Papaitonga

Lake Wairongomai

Lake Kaitiaki

Ngatutura
Lagoon

K

T

KAPITI COAST DISTRICT

1513

1538

1535

J

Totara
Lagoon

Pakihore
Ridge

Pinnacle
Ridge

F

H

Tivdale
Forest

Awarua
Forest

GASTERTON DISTRICT

1529

Tararua
Peak

Masterton

R

Q

P

G

E

Tararua
Range

S

C

Carterton

O

D

UPPER HUTCHY

N

Greytown

CARTERTON DISTRICT

A

Featherston

Harseshoe
Lagoon

Hauiti
Forest

W

Marlborough

M

Boggy Pond
Lagoon

B

SOUTH WAIRARAPA DISTRICT

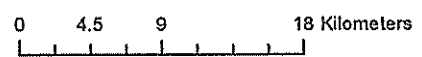
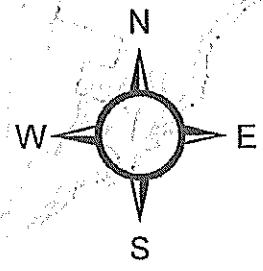
mitaka
range

La
Ouke

V

U

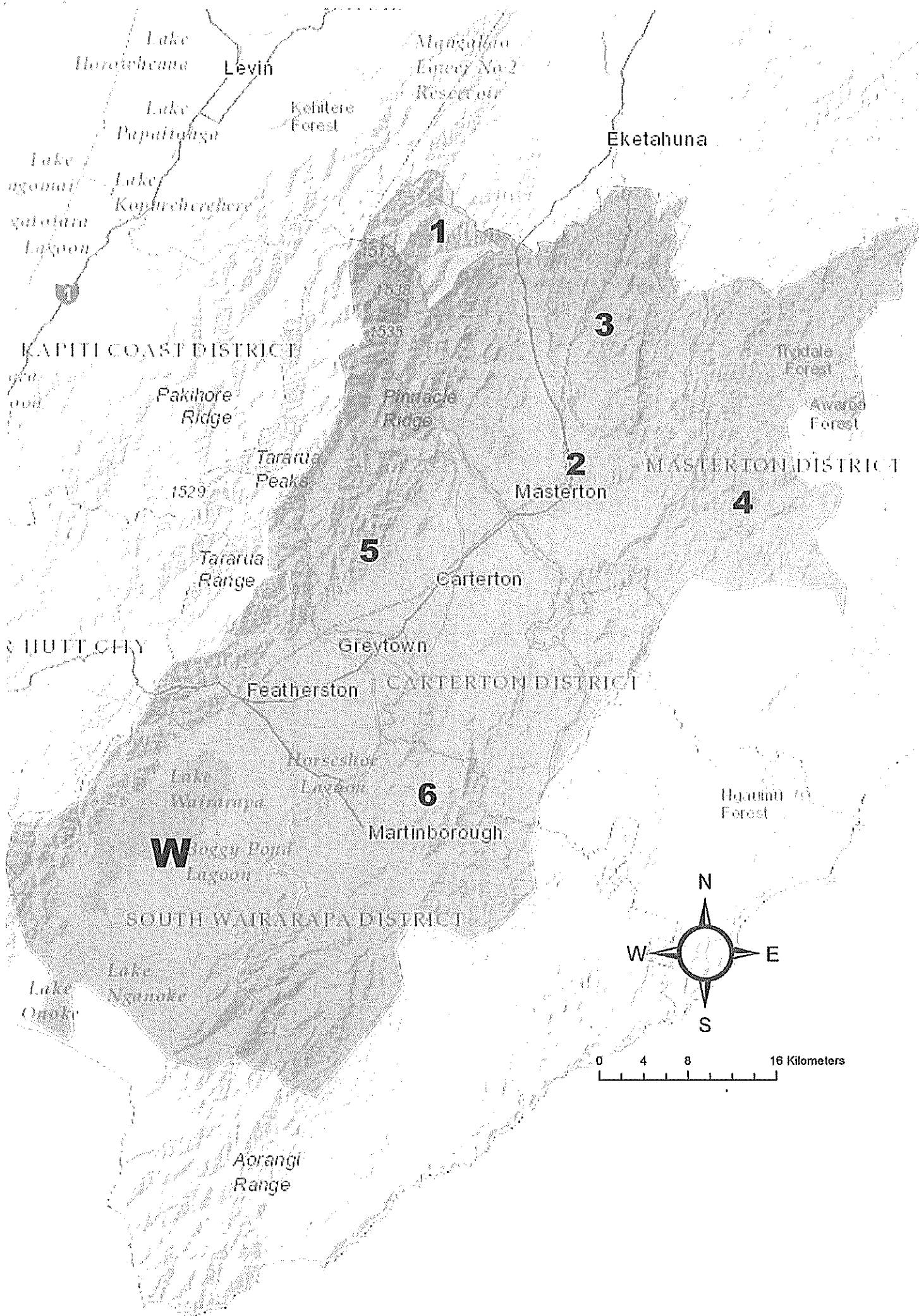
L



Aorangi
Range

Appendix 6. Sub Catchment Management Units and Water Quality
Allocation Status for the Wairarapa (based on nitrogen loads)

Allocation status is indicative only and is subject to change.



Appendix 7. Allocation Status of the Region based on Macroinvertebrate Community Health (modelled data)

Allocation status is indicative only and is subject to change.

Areas in red and pink have degraded macroinvertebrate community health

Areas in yellow have good macroinvertebrate community health

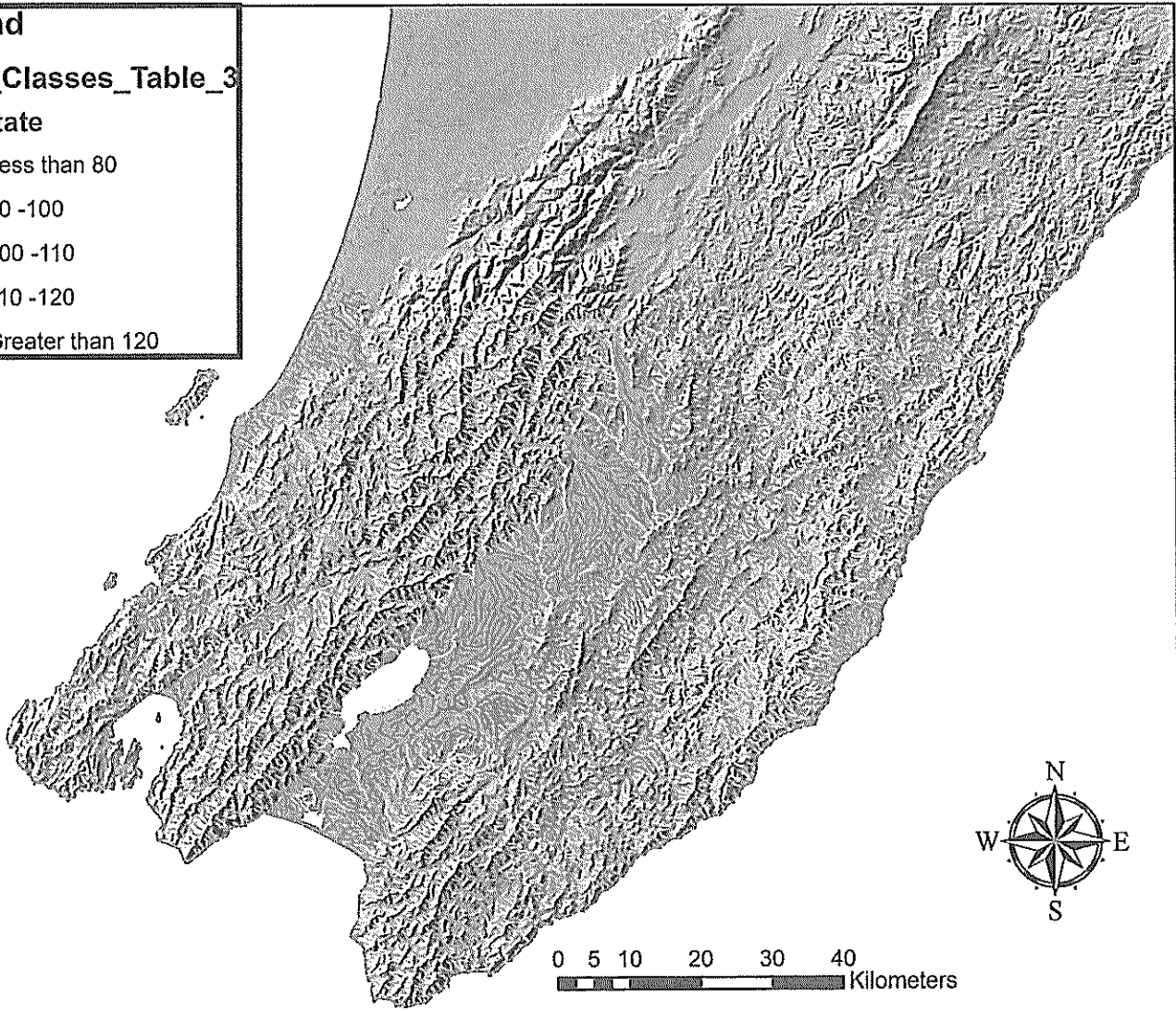
Areas in blue have excellent macroinvertebrate community health

Legend

River_Classes_Table_3

MCI_State

- Less than 80
- 80 -100
- 100 -110
- 110 -120
- Greater than 120



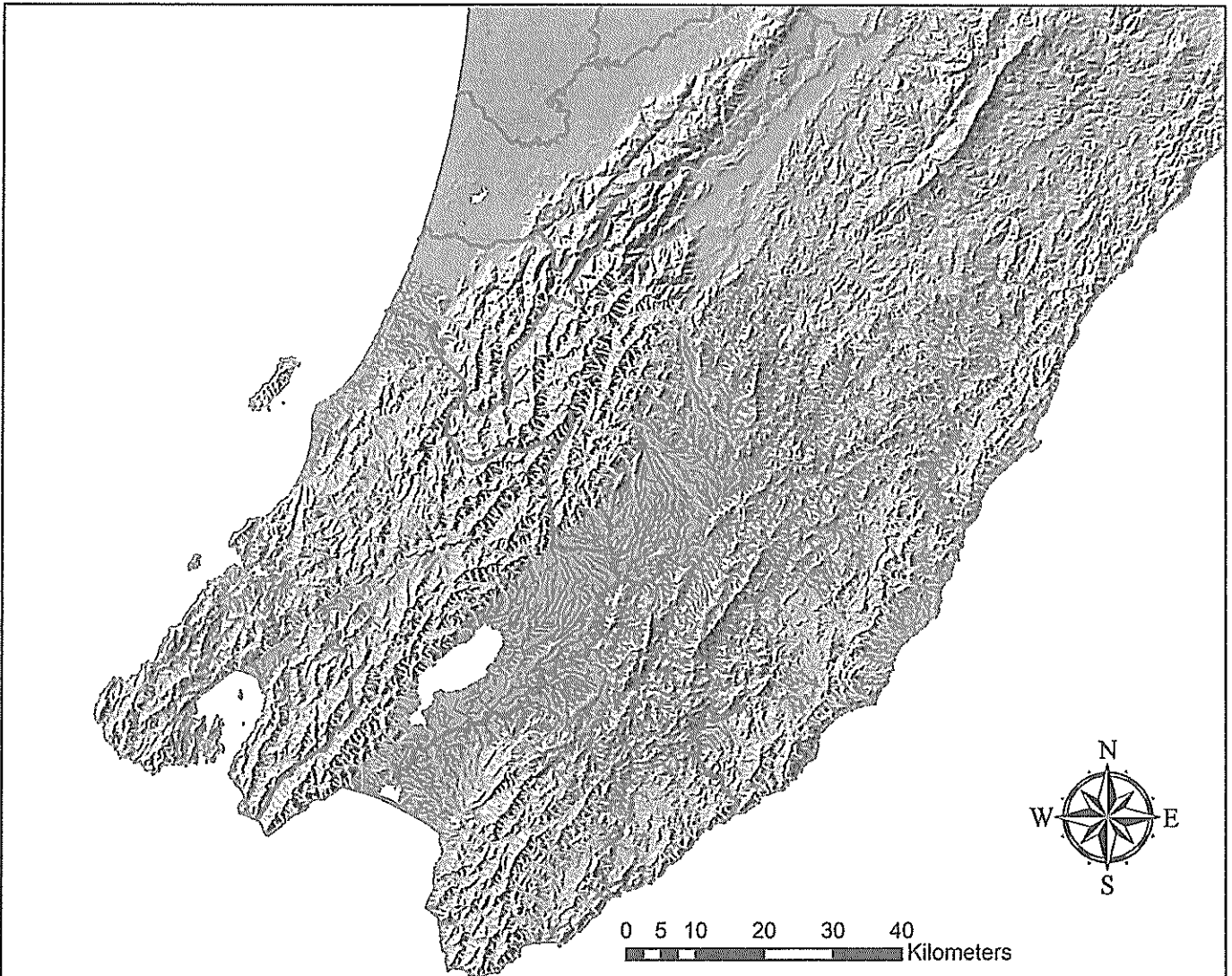
Current MCI

Appendix 8. Allocation Status of the Region based on Macroinvertebrate Community Health assessed against the Table 3.4 Freshwater Objectives (modelled data)

Allocation status is indicative only and is subject to change.

Areas in red and pink are more degraded than the table 3.4 Objectives for macroinvertebrate health (overallocated)

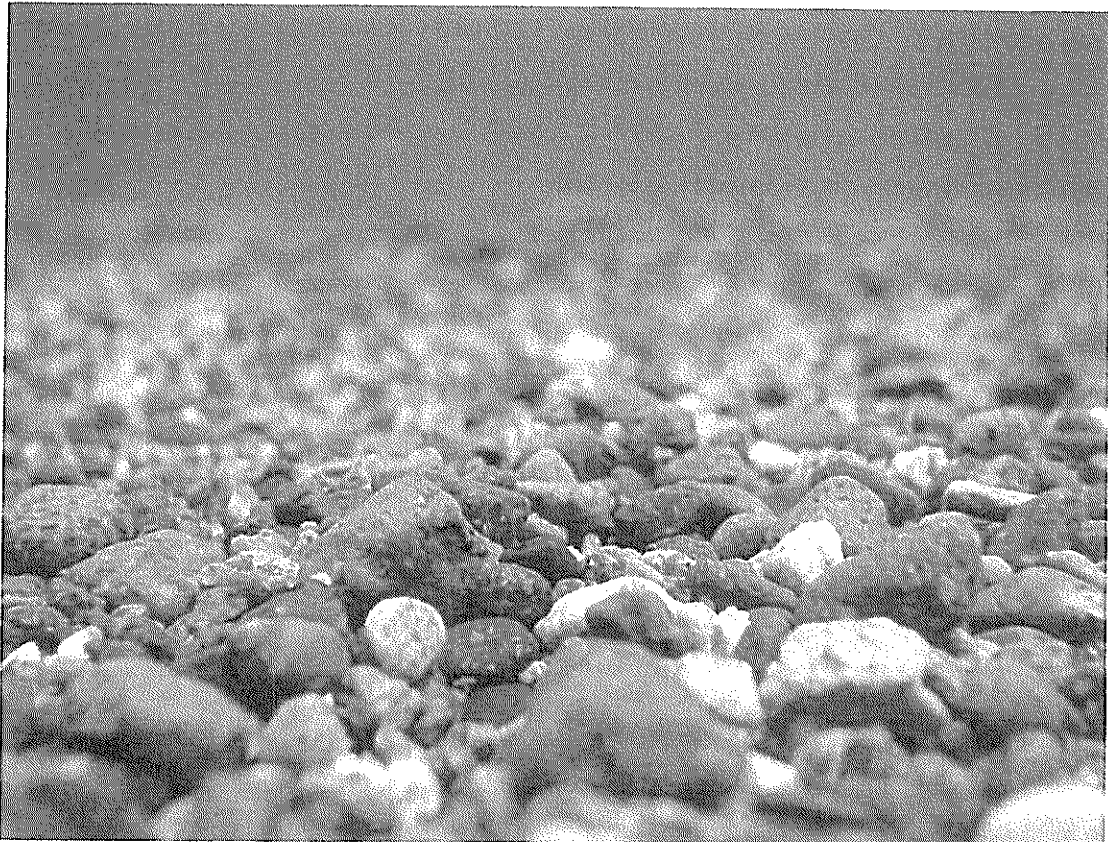
Areas in green equal or exceed the table 3.4 Objectives for macroinvertebrate health (at allocation or are under allocated)



Exceedence of MCI value by River Class

Appendix 9. Ecosystem Health and Nutrient Concentrations for Wellington Rivers and Streams (Professor Death)

Ecosystem Health and Nutrient Concentrations for Wellington Rivers and Streams



Russell Death

Innovative River Solutions, Institute of Agriculture & Environment, Massey University,
Private Bag 11-222, Palmerston North, New Zealand.

Executive Summary

1. This report provides an overview of the current state of rivers and streams in the Greater Wellington region and how ecosystem health in those rivers could be best maintained.
2. Although GWRC sample many sites in their SOE monitoring, most reaches are not sampled. Therefore for the assessment I used data and models from Unwin & Larned (2013) and Clapcott, Goodwin & Snelder (2103).
3. Depending on river class 7 – 93% of reaches in the Wellington region have MCI values below those listed in Table 3.4.
4. Rivers in the Wairarapa farmland including the Ruahamhanga, and a number of coastal rivers on the east and west coast are the most degraded.
5. Critical management parameters to maintain ecosystem health should include the nutrients nitrogen-nitrate and phosphorus-dissolved reactive phosphorus.
6. I modelled nitrate - MCI relationships to calculate nitrate concentrations to maintain MCI values in Table 3.4
7. Nitrate concentrations to maintain MCI values range from 0.02 – 0.61 mg/l depending on river class.
8. Depending on river class 8 – 98% of reaches in the Wellington region have nitrate values above those listed in Table 1.
9. The rivers with nutrient concentrations above those required for particular MCI reflect those with low MCI. Thus rivers in the Wairarapa farmland including the Ruahamhanga, and a number of coastal rivers on the east and west coast are most degraded. Although there are some differences between areas where MCI is too low or nitrate too high.
10. I modelled DRP - MCI relationships to calculate DRP concentrations for maintain MCI values in Table 3.4
11. Dissolved Reactive Phosphorus DRP concentrations to maintain MCI values range from 0.003 – 0.019 mg/l depending on river class.
12. Depending on river class 9 – 35% of reaches in the Wellington region have DRP values above those listed in Table 1.
13. Linking ecosystem health and Mahinga kai in the same table is nonsensical given how different they are.

Purpose of report

This report has been requested by Wellington Fish and Game to provide an overview of the current state of rivers and streams in the Greater Wellington region with respect to the GWRC proposed Natural Resource Plan (pNRP). In particular to consider Table 3.4 from the pNRP and make recommendations on the appropriate parameters and concentrations to achieve ecosystem health.

Table 3.4 from GWRC pNRP

River class ^[1]		Macrophytes	Periphyton ^[2] mg/m ² chlorophyll <i>a</i>		Invertebrates ^[3] Macroinvertebrate Community Index		Fish	Mahinga kai species
			All rivers	Significant rivers ^[4]	All rivers	Significant rivers ^[5]		
1	Steep, hard sedimentary	Indigenous macrophyte communities are resilient and their structure, composition and diversity are balanced	≤ 50	≤ 50	≥ 120	≥ 130	Indigenous fish communities are resilient and their structure composition and diversity are balanced	Mahinga kai species, including taonga species, are present in quantities, size and of a quality that is appropriate for the area
2	Mid-gradient, coastal and hard sedimentary		≤ 120	≤ 50	≥ 105	≥ 130		
3	Mid-gradient, soft sedimentary		≤ 120*	≤ 50*	≥ 105	≥ 130		
4	Lowland, large, draining ranges		≤ 120	≤ 50	≥ 110	≥ 130		

[1] Shown on Maps 21a to 21e.

[2] The periphyton objectives for River classes 3,5 and 6 marked with an asterisk (*) shall not be exceeded by more than 17% of samples; for all other River classes, to be exceeded by no more than 8% of samples based on a minimum of three years of monthly sampling.

[3] Rolling median based on a minimum of three years of annual samples collected during summer or autumn.

[4], [5] Rivers or streams with high macroinvertebrate community health, identified in column 2 of Schedule F1 (rivers/lakes).

Table 3.4 Rivers and streams from pNRP

River class ^[1]	Macrophytes	Periphyton ^[2] mg/m ² chlorophyll <i>a</i>		Invertebrates ^[3] Macroinvertebrate Community Index		Fish	Mahinga kai species
		All rivers	Significant rivers ^[4]	All rivers	Significant rivers ^[5]		
5 Lowland, large, draining plains and eastern Wairarapa		≤ 120*	≤ 50*	≥ 100	≥ 120		
6 Lowland, small		≤ 120*	≤ 50*	≥ 100	≥ 120		

Analysis methodology

The Macroinvertebrate Community Index MCI is used in Table 3.4 of the pNRP. In New Zealand the MCI is the most widely used index to assess and manage ecosystem health (Stark, 1985; Boothroyd & Stark, 2000; Stark *et al.*, 2001). It assesses the effects of some common anthropogenic stressors such as nutrients and is a good integrator of temporal and spatial changes in many chemical measures.

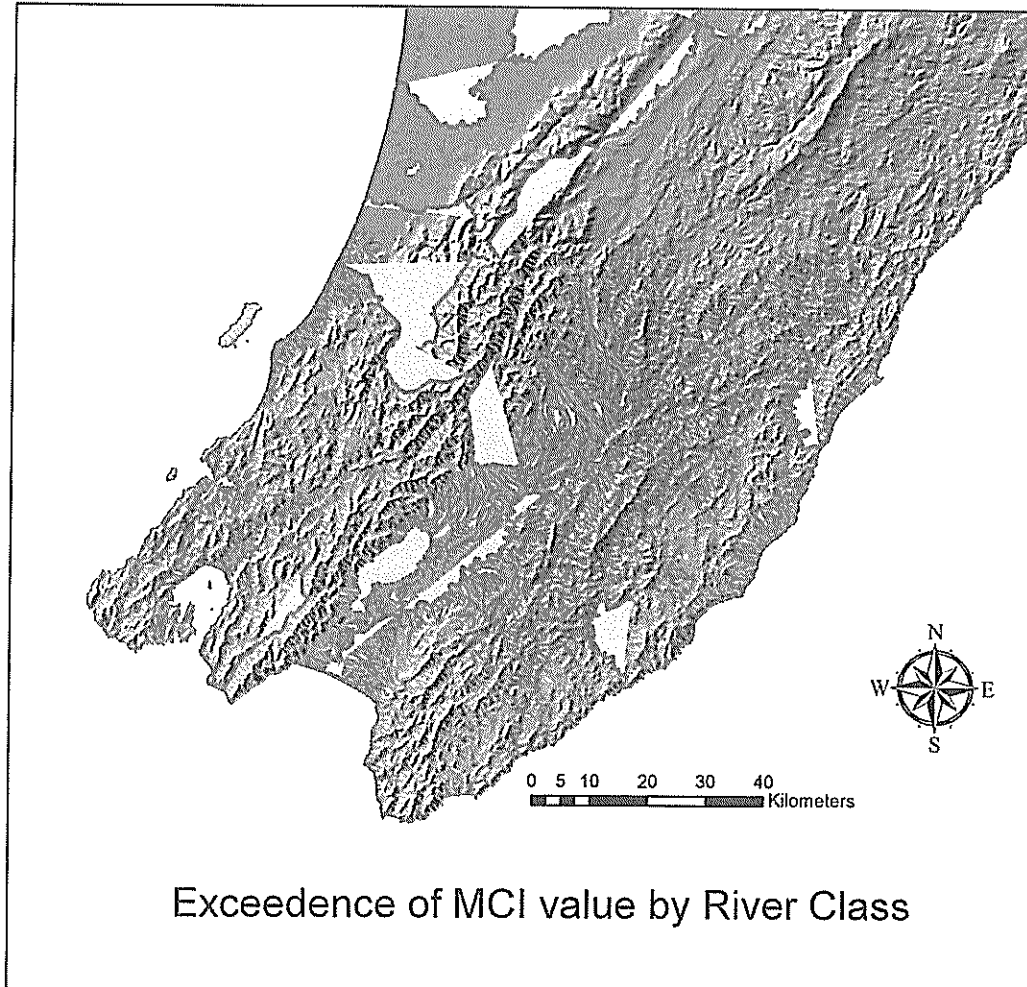
Greater Wellington samples a considerable number of sites throughout the region to assess state and trends in ecosystem health. However, it does not cover all the reaches of river and stream in the region. Several national studies have used data collected by Regional Councils and GIS layers to model nutrients and MCI from that data. These models are very good fit to the real data but provide a more spatially extensive dataset. Therefore I used the data from (Unwin & Larned, 2013) (65.9% of variation in nitrate explained by model) and (Clapcott, Goodwin & Snelder, 2103) (cross validation coefficient 0.64) for this assessment.

The health of a river or stream is assessed in this report using MCI. As highlighted above the MCI reflects the ecosystem health of a stream or river integrating the effects of a variety of anthropogenic stressors, in particular nutrients (Stark, 1985). Therefore, to explore how MCI values outlined in Table 3.4 could be achieved, I modelled the MCI nutrient relationship from data in Unwin & Larned (2013) and Clapcott, Goodwin & Snelder (2103) and determined the nutrient concentration to achieve each of the MCI values in Table 3.4.

MCI state

I have examined whether each reach in the Wellington region has an MCI from Clapcott *et al.* (2013) that is above or below the corresponding MCI value from Table 3.4 for each river class (red = exceeds, green = compliant). Figure 1 presents a map of the river reaches and whether they exceed the value from Table 3.4 or not. Depending on river class 7 – 93% of reaches in the Wellington region have MCI values below those listed in Table 3.4. These are detailed for each river type in Table 1.

Figure 1



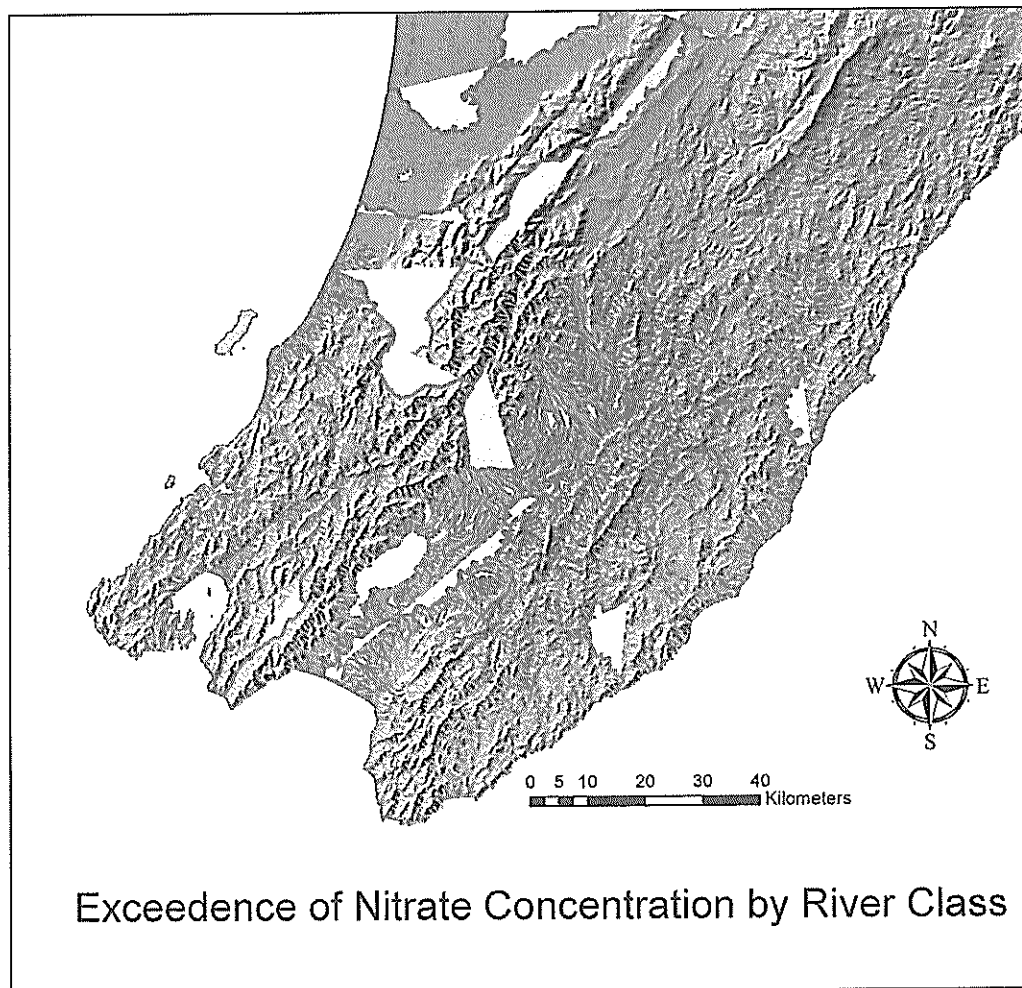
Nitrate concentration for ecosystem health (defined by MCI for river class)

To determine the nitrate concentrations for each river type I regressed MCI against nitrate and then used the model ($r^2=0.79$ and $r^2=0.24$ for modelled and real data, respectively) to calculate the nitrate concentration associated with that MCI value.

Figure 2 presents a map with exceedance of nitrate concentrations for MCI values in Table 3.4 (red = exceeds, green = compliant). Nitrate concentrations range from 0.02 – 0.61 mg/l

depending on river class (Table 1). Depending on river class 8 – 98% of reaches in the Wellington region have nitrate values above those listed in Table 1.

Figure 2



DRP limit for ecosystem health (defined by MCI for river class)

To determine the DRP limit for each river type I regressed MCI against DRP and then used the model ($r^2=0.79$ and $r^2=0.24$ for modelled and real respectively) to calculate the DRP concentration associated with that MCI value.

Figure 3 presents a map with exceedance of DRP concentrations from Table 3.4 (red = exceeds, green = compliant). Dissolved Reactive Phosphorus DRP concentrations range from 0.003 – 0.019 mg/l depending on river class (Table 1). Depending on river class 9 – 35% of reaches in the Wellington region have DRP values above those listed in Table 1.

Figure 3

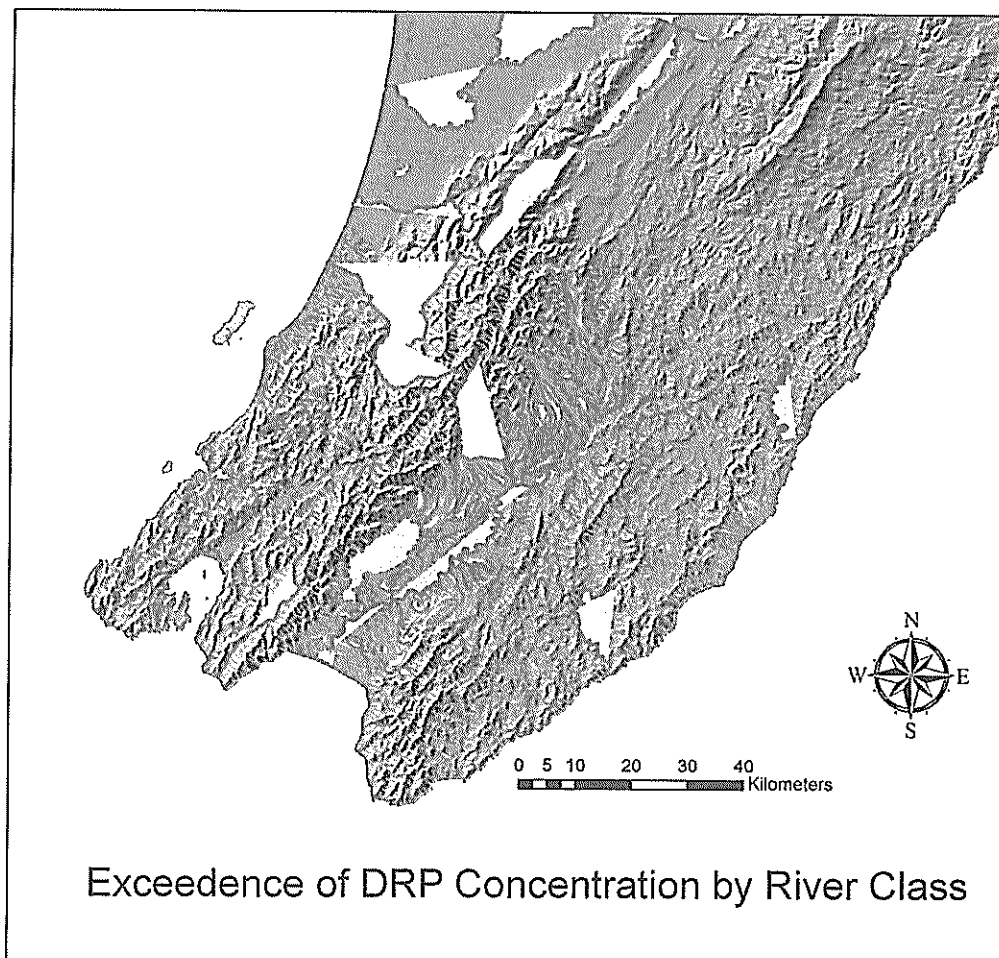


Table 1. Aquatic ecosystem health objectives

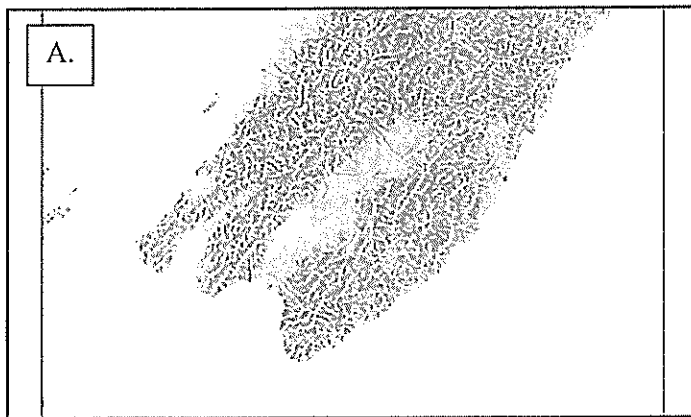
Modified Table 3.4 Rivers and streams		No. of reaches	MCI	No. reaches with MCI exceedance of limit	Percent (of river type) reaches with exceedance of MCI limit	Nitrate limit for MCI	No. reaches with exceed. of nitrate limit	Percent reaches with exceed. of nitrate limit	DRP limit for MCI	No. reaches with exceed. of DRP limit	Percent reaches with exceed. of DRP limit
River class			All rivers								
1	Steep, hard sedimentary	5229	≥ 120	351	7	0.02 - 0.07	599	11	0.003-0.007	1747	33
2	Mid-gradient, coastal and hard sedimentary	5003	≥ 105	1324	26	0.18 - 0.27	730	15	0.011-0.012	693	14
3	Mid-gradient, soft sedimentary	2681	≥ 105	2292	85	0.18 - 0.27	1426	53	0.011-0.012	819	31

Modified Table 3.4 Rivers and streams		No. of reaches	MCI	No. reaches with MCI exceedance of limit	Percent (of river type) reaches with exceedance of MCI limit	Nitrate limit for MCI limit	No. reaches with exceed. of nitrate limit	Percent reaches with exceed. of nitrate limit	DRP limit for MCI limit	No. reaches with exceed. of DRP limit	Percent reaches with exceed. of DRP limit
River class			All rivers								
4	Lowland, large, draining ranges	474	≥ 110	234	49	0.12 - 0.13	347	73	0.008-0.010	145	21
5	Lowland, large, draining plains and eastern Wairarapa	248	≥ 100	207	83	0.25 - 0.61	19	8	0.013-0.019	20	9
6	Lowland, small	4242	≥ 100	3936	93	0.25 - 0.61	4160	98	0.013-0.019	1507	36

Linking Mahinga kai and ecosystem health values

Linking ecosystem health and Mahinga kai in the same table (Table 3.4 pNRP) is nonsensical given how different they are. To illustrate this I have mapped one aspect of Mahinga kai (shortfin eel) in Fig 4 A and one aspect of ecosystem health (MCI) in Fig 4 B. Clearly there is no direct link between these two aspects in Fig. 4 and managing these together as one value will be problematic.

Figure 4. A. Mahinga kai (shortfin eel). Green is presence of eel, red absence ($P > 0.05$) (Leathwick *et al.*, 2010) B. Ecosystem health. Green is healthy ($MCI > 100$) and red is unhealthy



References

- Boothroyd I.K.G. & Stark J.D. (2000) Use of invertebrates in monitoring. In: *New Zealand Stream Invertebrates: Ecology and Implications for Management*. (Eds K.J. Collier & M.J. Winterbourn), pp. 344-373. New Zealand Limnological Society, Hamilton.
- Clapcott J., Goodwin E. & Snelder T.H. (2103) Predictive models of benthic macroinvertebrate metrics. Vol. Report No. 2301. Cawthron Institute, Nelson.
- Leathwick J., West D., Gerbeaux P., Kelly D., Robertson H., Brown D., Chadderton W.L. & Ausseil A.-G. (2010) Freshwater Ecosystems of New Zealand (FENZ) Geodatabase. Users Guide. Department of Conservation, Wellington.
- Stark J.D. (1985) A macroinvertebrate community index of water quality for stony streams., p. 52. Ministry of Works and Development, Wellington.
- Stark J.D., Boothroyd I.K.G., Harding J.S., Maxted J.R. & Scarsbrook M.R. (2001) Monitoring macroinvertebrates in Wadeable streams. MfE.
- Unwin M.J. & Larned S.T. (2013) Statistical models, indicators and trend analyses for reporting national-scale river water quality (NEMAR Phase 3). In: *For the Ministry for the Environment*, Vol. NIWA Client Report No: CHC2013-033. NIWA, Christchurch.

Appendix 10. Farm Environment Plans and Good Management Practice
from the Canterbury Land and Water Regional Plan

3 Amendments to Section 16- Schedules

Insert a new Schedule 24b – 'Farm Practices' as follows:

Schedule 24b- Farm Practices

(a) Nutrient Management:

(i) A nutrient budget based on soil nutrient tests has been prepared, using OVERSEER in accordance with the OVERSEER Best Practice Data Input Standards [2013], or an equivalent model approved by the Chief Executive of Canterbury Regional Council, and is reviewed annually.

(ii) Fertiliser is applied in accordance with the Code of Practice for Nutrient Management [2007].

(iii) Records of soil tests, nutrient budgets and fertiliser applications are kept and provided to the Canterbury Regional Council upon request.

(b) Irrigation Management:

(i) All irrigation systems installed or replaced after 1 May 2015 meet the Irrigation New Zealand Piped Irrigation Systems Design Code of Practice [2013], Irrigation New Zealand Piped Irrigation Systems Design Standards [2013] and the Irrigation New Zealand Piped Irrigation Systems Installation Code of Practice [2013].

(ii) The irrigation system application depth and uniformity are self-checked annually in accordance with the relevant Irrigation NZ Pre-Season Checklist and IRRIG8Quick Irrigation Performance Quick Tests for any irrigation system operating on the property.

(iii) Irrigation applications are undertaken in accordance with property specific soil moisture monitoring, or a soil water budget, or an irrigation scheduling calculator. Soil monitoring means monitoring soil moisture using either volumetric or tension based methodology.

(iv) Records of irrigation system application depth and uniformity checklists, irrigation applications, soil moisture monitoring or soil water budget or irrigation scheduling calculator results and rainfall are kept and provided to the Canterbury Regional Council upon request.

(c) Grazing of intensively farmed stock:

(i) All grazing of intensively farmed stock adjacent to any river, lake, drain, artificial watercourse (excluding irrigation canals or stock water races) or a wetland to be prevented by fencing or a minimum of 3m vegetative strip (measured from the edge of the bed of the river, lake, artificial watercourse, or wetland) from which stock are excluded, is maintained around the water body.

(d) Cultivation:

(i) Cultivation means the preparation of land for growing pasture or a crop and the planting, tending and harvesting of that pasture or crop, but excludes:

- direct drilling of seed;
- no-tillage practices;
- re-contouring of land; and
- forestry.

(ii) For all cultivation adjacent to any river, lake, artificial watercourse (excluding irrigation canals, stock water races or ephemeral streams) or a wetland, a minimum of 3m uncultivated vegetative strip (measured from the edge of the bed of the river, lake, artificial watercourse, or wetland) is maintained around the water body.

(e) Collected Animal Effluent:

(i) Collection, storage and treatment systems for dairy effluent installed or replaced after 1 May 2015 meet the Dairy NZ Farm Dairy Effluent Design Standard and Code of Practice [2013].

(ii) The application, separation distances, depth, uniformity and intensity of dairy effluent disposal is checked annually in accordance with Section 4 'Land Application' in the Dairy NZ Farm Dairy Effluent Design Standard [2013].

(iii) Records of the application, separation distances, depth, uniformity and intensity of dairy effluent disposal, in accordance with (e)(ii) above, are kept and provided to the Canterbury Regional Council upon request.

Schedule 7 Farm Environment Plan

Part A – Farm Environment Plans

A Farm Environment Plan can be based on either of:

1. The material set out in Part B below;

OR

2. Industry prepared Farm Environment Plan templates and guidance material that:
 - (a) Include the following minimum components:
 - (i) The matters set out in 1, 2, and 3 of Part B below;
 - (ii) Contains a methodology that will enable development of a plan that will identify actual and potential environmental effects and risks specific to the property, addresses those effects and risks and has a high likelihood of appropriately avoiding, remedying or mitigating those effects;
 - (iii) Performance measures that are capable of being audited as set out in Part C below; and
 - (b) Has been approved as meeting the criteria in (a) and being acceptable to the Canterbury Regional Council by the Chief Executive of the Canterbury Regional Council.

Part B – Farm Environment Plan Default Content

The plan requirements will apply to:

1. a plan prepared for an individual property or farm enterprise; or
2. a plan prepared for an individual property which is part of a collective of properties, including an irrigation scheme, principal water supplier, or an Industry Certification Scheme.

The plan shall contain as a minimum:

1. Property or farm enterprise details
 - (a) Physical address
 - (b) Description of the ownership and name of a contact person
 - (c) Legal description of the land and farm identifier
2. A map(s) or aerial photograph at a scale that clearly shows:
 - (a) The boundaries of the property or land areas comprising the farm enterprise.
 - (b) The boundaries of the main land management units on the property or within the farm enterprise.
 - (c) The location of permanent or intermittent rivers, streams, lakes, drains, ponds or wetlands.
 - (d) The location of riparian vegetation and fences adjacent to water bodies.
 - (e) The location on all waterways where stock access or crossing occurs.
 - (f) The location of any areas within or adjoining the property that are identified in a District Plan as “significant indigenous biodiversity”.

Canterbury Land and Water Regional Plan

3. A list of all Canterbury Regional Council resource consents held for the property or farm enterprise.
4. An assessment of the adverse environmental effects and risks associated with the farming activities and how the identified effects and risks will be managed, including irrigation, application of nutrients, effluent application, stock exclusion from waterways, offal pits and farm rubbish pits.
5. A description of how each of the following objectives will, where relevant, be met.
 - (a) Nutrient management: To maximise nutrient use efficiency while minimising nutrient losses to water
 - (b) Irrigation management: To operate irrigation systems efficiently and ensuring that the actual use of water is monitored and is efficient.
 - (c) Soils management: To maintain or improve the physical and biological condition of soils in order to minimise the movement of sediment, phosphorus and other contaminants to waterways.
 - (d) Collected animal effluent management: To manage the risks associated with the operation of effluent systems to ensure effluent systems are compliant 365 days of the year.
 - (e) Livestock management: To manage wetlands and water bodies so that stock are excluded as far as practicable from water, to avoid damage to the bed and margins of a waterbody, and to avoid the direct input of nutrients, sediment, and microbial pathogens.
 - (f) Offal pits: To manage the numbers and locations of pits to minimise risks to health and water quality.

The plan shall include for each objective in 5 above;

- (a) detail commensurate with the scale of the environmental effects and risks;
 - (b) defined measurable targets that clearly set a pathway and timeframe for achievement and set out defined and auditable “pass/fail” criteria
 - (c) a description of the good management practices together with actions required
 - (d) the records required to be kept for measuring performance and achievement of the target.
6. Nutrient budgets, prepared by a suitably qualified person, using the OVERSEER[®] nutrient budget model, or equivalent model approved by the Chief Executive of Environment Canterbury, for each of the identified land management units and the overall farm or farm enterprise.

Part C – Farm Environment Plan Audit Requirements

The Farm Environment Plan must be audited by a Farm Environment Plan Auditor who is independent of the farm being audited (i.e. is not a professional adviser for the property) and has not been involved in the preparation of the Farm Environment Plan.

The farming activity occurring on the property will be audited against the following minimum criteria:

1. An assessment of the performance against the objectives, targets, good practices and timeframes in the Farm Environment Plan;
2. An assessment of the robustness of the nutrient budget/s;

3. An assessment of the efficiency of water use (if irrigated).

Part D – Farming Information

Whenever one of Rules 5.41-5.58 requires information to be submitted, the following is to be provided:

1. The OVERSEER®, or equivalent model approved by the Chief Executive of Environment Canterbury, input and output files for the property; or
2. Information detailing:
 - (a) The site area to which the farming activity relates;
 - (b) Monthly stocking rates (numbers, types and classes) including breakdown by stock class;
 - (c) Annual yield of arable or horticultural produce;
 - (d) A description of the farm management practices used on each block including:
 - (i) Ground cover – pasture, crops, fodder crops, non-grazed areas (including forestry, riparian and tree areas) and any crop rotation;
 - (ii) Stock management – lambing/calving/fawning dates and percentages, any purchases and sales and associated dates, types and age of stock;
 - (iii) Fertiliser application – types and quantities per hectare for each identified block, taking into account any crop rotation;
 - (iv) Quantities of introduced or exported feed;
 - (e) Farm animal effluent, pig farm effluent, feed pad and stand-off pad effluent management including:
 - (i) Area of land used for effluent application;
 - (ii) Annual nitrogen loading rate and nitrogen load rate per application;
 - (iii) Instantaneous application rate;
 - (f) Irrigation – areas, rates, monthly volumes and system type.

The information is to be collated for the period 1 July to 30 June in the following year and be provided annually, no later than 31 of October

Appendix 11. Nutrient Allocation Principals from Beef and Lamb New Zealand



These principles have been developed to guide decisions on nutrient allocation within catchments. They seek to ensure that nutrient allocation is fair, equitable, recognises the complexity of farming systems, is informed by the best science, and provides for continued flexibility of land use. B+LNZ supports catchment specific solutions to nutrient management and that different allocation regimes will be established that reflect differences between communities and their catchments, and to meet water quality objectives in those catchments. These principles should be considered carefully when forming any nutrient allocation policies or methods to achieve them. Each principle is important but they should be considered as a whole to inform allocation discussions.



Principle 12

Regulation, monitoring, auditing and reporting of nutrients within an allocation regime needs to relate to the degree of environmental impact and pressure if there is limited environmental pressure and if an activity has a low impact then regulation – and the financial cost of complying with that regulation – should be commensurate with the degree to which the activities are causing an adverse effect on water quality

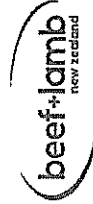
Principle 13

As a minimum expectation, in all catchments, all land users should be at or moving towards (industry defined) Good Management Practice (GMP), recognising that GMP is constantly evolving and continuous improvement is inherent in GMP in many catchments, lifting everyone to GMP is likely to go a long way towards achieving community objectives for managing to water quality limits, in catchments where nutrients are not over allocated, requiring good management practice is a sound alternative method to allocating nutrients to a farm (property based) level.

Principle 14

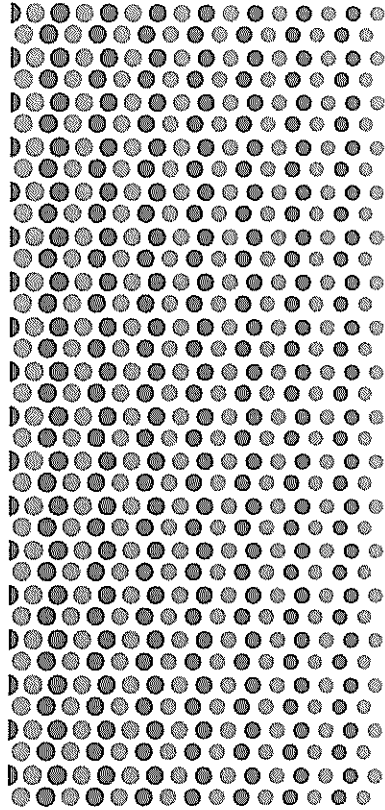
Nutrient allocation must be informed by sound science and stable and reliable catchment and farm system modelling and measurement Modelling nutrient loss is important to inform nutrient allocation, but all models have limitations. Overseer is a key tool for understanding and managing nutrients on farms and to inform nutrient allocation decisions. In the short term there are significant limitations that need to be catered for in determining any regulatory or nutrient allocation regime (e.g. assumptions in Overseer regarding GMP, modelling of cropping regimes, ability of Overseer to estimate nutrient loss from the adoption of certain mitigations and the validation of Overseer estimates). Other measures may need to be included in the approach to managing nutrient loss to ensure innovative change is incentivised and that the focus remains on promoting good practice. Over time modelling designed to estimate nutrient loss will improve. Modelled estimates will change, so allocation regimes should account for modelling uncertainty and provide for appropriate transition periods. Estimates of nutrient loss are a necessary input to decisions on nutrient management but broader catchment-scale modelling is critical if these decisions are to be robust. There is an urgent need to increase the emphasis placed on catchment-scale modelling.

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154 Featherston Street,
PO Box 121, Wellington 6011, NZ
0800 BEEFLAMB (0800 233 352)
www.beeflambnz.com

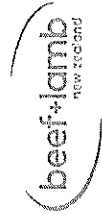


**BY FARMERS.
FOR FARMERS.**

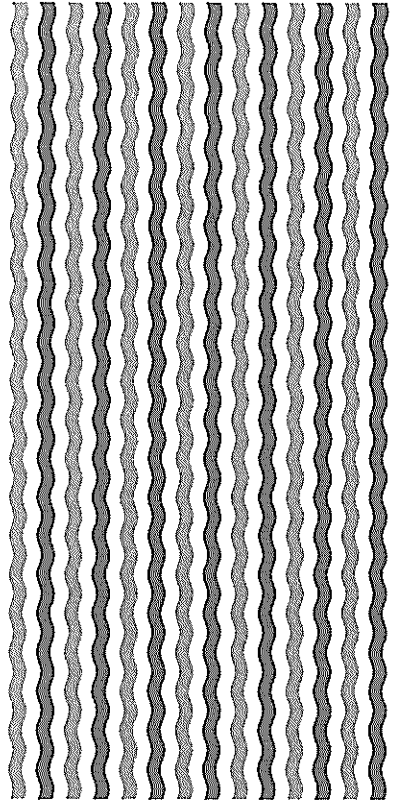
While we have endeavoured to ensure that the information in this document is accurate and current we accept no liability arising from, or connected to, any error or omission or the use of this material. We recommend that users exercise their own skill and care with respect to their use of the principles and obtain any appropriate professional advice relevant to their particular circumstances.



Principles for the Allocation of Nutrients



BY FARMERS.
FOR FARMERS.



Beef + Lamb New Zealand

Principles for the Allocation of Nutrients



Principle 1

Like land should be treated the same
Allocation should be based on the intrinsic qualities of the land. Two pieces of land with the same qualities should receive the same allocation. This principle recognises that allocation regimes should not be overly influenced by existing land use.

Principle 2

Those undertaking activities that have caused water quality problems should be required to improve their management to meet water quality limits
All New Zealanders have a responsibility to manage their activities to maintain or improve water quality. This principle reflects the need for those who have caused water quality problems or who are contributing a greater amount to them to take a greater responsibility for meeting the costs of reducing nutrient loss to water. It also reinforces that those who have managed responsibly should not be required to have their land use constrained as a result of others' activity.

Principle 3

Flexibility of land use must be maintained
Land owners need to have the ability to respond to changes in climate, input costs, markets and technological innovation in order to maintain a profitable and sustainable farming enterprise. Allocating nutrients in such a way that unnecessarily limits land use change constrains the ability of land users to respond to those changes and optimally utilise the land resource.

Principle 4

The allocation system should be technically feasible, simple to operate and understandable
A high level of technical feasibility is fundamental to a successful allocation approach. The simpler the system, the more likely it is to be able to operate effectively. The approach must also be understandable by land users and the wider community. It must be able to be administered fairly and at minimum transaction costs to users and the regulator.

"Land owners need to have the ability to respond to changes in climate, input costs, markets and technological innovation in order to maintain a profitable and sustainable farming enterprise"



Principle 5

The natural capital of soils should be the primary consideration when establishing an allocation mechanism for nutrient loss
A natural capital approach allows for an economically efficient allocation of nutrients. Those soils with the greatest ability to retain nutrients and optimise nutrient use give land users the greatest flexibility to optimise production, respond to markets and technology while managing potential effects on water quality. Allocation systems should reflect the ability of these soil types to optimise production and land use flexibility.

Principle 6

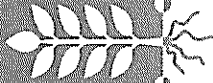
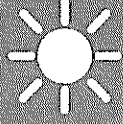
Allocation approaches should provide for adaptive management and new farm systems information
Allocation decisions are primarily made on the information we know now and modelled future scenarios. Our understanding and the availability of both catchment and farm systems will change over the life of an allocation system as will possible management techniques. Allocation systems should provide sufficient flexibility to provide for adaptive management and be reviewed regularly to incorporate new information. Adequate transition times should be provided to incorporate new information where allocation changes as a result.

Principle 7

Appropriate timeframes must be set to allow for transition from current state to one where allocation of nutrients applies
Timeframes should take account of the degree to which any waterway is over-allocated (if that is the case), the period over which this state has come about and the costs for businesses and the current ability to manage to that allocation.

It should be recognised that current water quality issues are sometimes the result of many years of land use within catchments and may have developed over generations. Consideration needs to be taken of the legitimate expectations of people and natural justice. Accordingly time should be provided for them to adjust. There needs to be a balanced approach and recognition of the uncertainty associated with water science versus the likely economic impact on businesses and the region. The primary objective should be to set an appropriate direction of travel that will see a steady improvement in water quality.

"Maximum economic efficiency of land use could be assisted by a mechanism for transferring nutrient discharge allowances within the same catchment"



Principle 8

Long term investment certainty is a critical feature of a viable nutrient management system
Changes to nutrient allocation regimes must be signalled as far out as possible. Refinements to those systems must be managed to minimise their impacts on business viability, land value and the flexibility of land use. The aim must be to reflect the underlying elements of sustainable management in achieving improved water quality outcomes including reducing those adverse impacts on social and economic outcomes.

Principle 9

Improvement in water quality must remain the primary objective of adopting any nutrient allocation regime
When exploring the adoption of methods to achieve water quality improvements and manage to limits, the focus of community debates, modelling and discussion of allocation of nutrients can distract from the primary goal – maintaining and improving water quality. This principle emphasises that allocating nutrients to a property level doesn't in itself result in improved water quality; it is the actions of land users that ultimately result in improved nutrient management.

Principle 10

In under-allocated catchments, where property based nutrient allocation has not been adopted in setting water quality limits, the system for allocating nutrients must be determined well before the limit is reached, be clear and easy to understand, and designed to avoid over-allocation
The mechanism for allocating nutrients, even if it does not have immediate effect, should be clear from the time when water quality limits are set. Allocation mechanisms should reflect the level of risk that the catchment will become over allocated. This may include the adoption of a pre-agreed catchment-specific environmental threshold (e.g. 75%-90% of a limit) to determine when an allocation regime should be adopted.

Principle 11

In designing the allocation system the benefits of a nutrient transfer system within the catchment or water management unit must be considered
Maximum economic efficiency of land use could be assisted by a mechanism for transferring nutrient discharge allowances within the same catchment.

Proposed Natural Resources Plan:

Submitter:

Nga Hapu o Otaki

Submitter Number:

S309

**Ngā Hapū o Ōtāki submission on the Proposed Natural Resources Plan for
the Wellington region**

Name of Organisation: Ngā Hapū o Ōtāki

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We are supporting and opposing aspects of this plan and we wish to be heard at a hearing in support of our submission.

Ngā Hapū o Ōtāki (NHoO) are recognised by Wellington Regional Council (WRC) as mana whenua through the signing of the Memorandum or Partnership 2014. This relationship is also noted in the Proposed Natural Resource Plan¹ (NRP) alongside other mana whenua groups from within the region. The specific area that NHoO exercise's mana whenua within the WRC area is from the Kukutauaki Stream (approximately 1.5km north of Waikanae), east to the Tararua ridgeline, and north to the extent of the WRC's northern boundary.

NHoO are a collective of five closely related hapū of Ngāti Raukawa ki te tonga. We are comprised of;

Ngāti Huia ki Katihiku

Ngāti Pare

Ngāti Koroki

Maiōtāki

Ngāti Kapu (also known as Kapumanawawhiti)

Our collective hapū and tūpuna have continuously occupied the area of land described above since before the signing of Te Tiriti o Waitangi. We assert that we are the mana whenua of the said area, and as such are the Treaty partner with the Crown. For all intensive purposes we acknowledge the WRC as an agent of the Crown, working on behalf of the Crown, and exercising laws and policies developed by the Crown. Our submission on the NRP is from the Treaty partner and as such we stress that our submission is heard in relation to the ethic of partnership, that it is received in good faith, and remind the commissioners of the special role Iwi and Hapū have played in the founding of this country.

This relationship has been noted in the preamble of the National Policy Statement for Freshwater Management which states;

¹ NRP pg 3

The Treaty of Waitangi (Te Tiriti o Waitangi) is the underlying foundation of the Crown–iwi/hapū relationship with regard to freshwater resources. Addressing tāngata whenua values and interests across all of the well-beings, and including the involvement of iwi and hapū in the overall management of fresh water, are key to meeting obligations under the Treaty of Waitangi.

We would like to support the new approach taken by Te Upoko Taiao with the adoption of the principle of ‘mahitahi – a work in partnership’². We believe that good environmental outcomes require us to work together, or Kotahitanga. NHoO would like to continue to reflect on the principle of Mahitahi as we progress through this submission, as it will be beneficial to assess objectives, policies, rules, and methods against this principle, as it is essentially the partnership principle, some could even say a Treaty principle.

NHoO support the ‘Integrated Catchment Management’ approach to managing natural resources and the establishment of Whaitua to determine attribute limits for their ‘catchment’. NHoO are supportive of the Kāpiti Coast whaitua as it includes the mana whenua groups of Te Ātiawa ki Whakarongotai (TAA), Ngāti Toa Rangatira (NTR) and ourselves. NHoO have worked in partnership with TAA and NTR together on many endeavors which include the occupation of the area known as Te Upoko o te Ika a Maui.

However, we must stress that the representation of mana whenua on the Whaitua must be reflective of the Treaty principle of partnership. This would mean that the Kāpiti Coast Whaitua should contain equal membership of Crown/community and mana whenua appointments. If the WRC determines they require 6 appointees to represent their community, then 6 mana whenua appointees should be also made available. If this notion of partnership is unpalatable for the WRC, we could look to the Raukawa-Mihinare Model³ to determine how attribute limits can be determined through a treaty based decision-making framework. Given the Raukawa-Mihinare Model was developed within a Ngāti Raukawa, Ngāti Toa Rangatira, and Te Ātiawa organization (namely Te Wānanga o Raukawa) it would be appropriate to apply this model of decision making in the Kāpiti Coast Whaitua. This would be consistent with the Mahitahi principle of the NRP.

NHoO have noticed that there is limited reference to the role of Whaitua in the NRP apart from what is mentioned on page 6 and 16 of the plan. From the NRP the function of the Whaitua will be to;

‘... committees will each develop an implementation programme which will include both regulatory provisions and non regulatory programmes.’⁴

While NHoO are supportive of the function of the Whaitua committee we assert that representation of Iwi on the committee must reflect a balanced partnered approach to management of the environment. Limited Iwi Māori representation

² NRP pg 3

³ See appendix 1

⁴ Pg 6 NRP

in this space will undoubtedly result in limited influence in the development of regulatory provisions and non-regulatory programmes. NHO believe to achieve a balanced approach to this critical application aspect of the NRP that a amendment that addresses the representation of the Kapiti Whaitua committee is included in the NRP and utilizes one of the options suggested by NHO.

Regional Principles

NHO are in support of the five principles to guide the review of the Regional plans. We are emphatic that objectives, policies, rules, and methods must be able to demonstrate clear linkages back to these principles and used to protect our collective values.

NHO support and welcome the inclusion of Māori use, Wai Tapu, and Mahinga Kai as values identified in table 1.1 of the NRP. These values have been alluded to in the National Policy Statement for Freshwater Management, and we absolutely support the retention of these values in the NRP. NHO have a number of places where these values are paramount, and they require the protection from inappropriate use, sub-division and development. NHO feel that the inclusion of these values are long overdue, and they are a welcome addition to the NRP that successive generations of Iwi and Hapū leaders have strived to have included in Councils management documents. The inclusion of these values is critical in progressing a relationship with NHO, and is an expression of good faith toward a meaningful relationship with mana whenua.

Objectives

NHO support the following objectives.

- 3.1 Ki uta ki tai; objectives 01, 02, 03, 04, 05.
- 3.2 Beneficial use and development; objective 011
- 3.3 Māori Relationships; objectives 014, 015, 016
- 3.4 Natural character, form and function; objectives 017, 018, 019, 021
- 3.5 Water Quality; objectives 023, 024 (a) and (b) (i)(ii)
- 3.6 Biodiversity, Aquatic Ecosystem Health and Mahinga Kai; objectives 025, 026, 027, 028, 029
- 3.7 Sites with significant values; objectives 031, 032, 033, 034, 035, 036
- 3.10 Land Use; objectives 044, 045.
- 3.11 Discharges; objectives 046, 047, 049.
- 3.13 Coastal Management; objectives 055, 058

The inclusion of the above objectives are absolutely critical for the recognition and provision of the relationship of māori with our ancestral waters, sites, waahi tapu, and taonga⁵. These objectives pave the way for progressive thinking and program development that is essential in providing for the relationship of Māori with their taonga.

⁵ As per the RMA 1991 section 6e Matters of National Importance

NHoO absolutely and unreservedly support the inclusion of 3.1, 3.3 and 3.7, and the subsequent objectives. NHoO assert that places identified by mana whenua are consistent with objective D of the National Policy Statement for Freshwater Management. The sites and areas defined by NHoO within Schedule C1 and schedule B (Ngā Taonga nui a Kiwa) are recognised as extremely significant to mana whenua and their retention in the plan is a foundation for mahitahi to occur.

We are opposed to 3.5, objective 024 (b)(iii) as secondary contact in such a high number of streams and rivers across the region is unacceptable for mahinga kai and Māori Customary Use. The application of the median *E.coli* count of 1000 per 100ml undermines numerous objectives in the NRP. The suggested limit is excessively high and should be removed from the NRP and left for the Whaitua Committee to determine. The inclusion of this 'standard' is a reflection of the historical poor management of our waterways and should not be considered in this plan. The 'standard' is socially, culturally, and environmentally unacceptable and needs to be removed from the plan. The inclusion of the secondary contact 'standard' allows for the Wellington Regional Council to be compliant with their plan while the water remains in a state unsuitable for safe human use.

NHoO are concerned with the wording in 3.12 Water Allocation. We are opposed to the wording in objective 052 which alludes to the maximisation of water allocation and use. While we do not believe that this is the intent of the objective, any language that could be interpreted as a promotion of the maximised use of water is unacceptable. NHoO support the philosophy of efficient water use but are extremely concerned about over allocation of water in our rohe.

We are opposed to 3.11 objective 050 as the discharge of wastewater containing human effluent to freshwater should be prohibited.

Policies

4.1 Ki uta ki tai and integrated catchment management

P1: Ki uta ki tai and integrated catchment management

NHoO support the notion of the policy but the principles fail to recognise the objectives under the same heading. There needs to be clear linkages between the policy and mahinga kai, mauri, and Māori customary use. The inclusion of the coverall wording in subsection (e) 'cultural sustainability' does not recognise and provide for the relationship of NHoO with the environment. The wording used is very similar to what has not worked in the past and continues to erode and damage the relationship NHoO can safely have with the environment.

NHoO recommend the inclusion of wording which reflects the intent of the objective into this policy.

P4: Minimising adverse effects

NHoO support this policy in its entirety but would like to emphasize the importance of retaining subsection (b) which refers to Schedule C sites.

P5: Review of existing consents

NHoO absolutely support the inclusion of this policy and implore council staff to act on this policy.

4.2 *Beneficial Use and Development*

P8: Beneficial Activities

NHoO support the inclusion of P8.

P9: Public Access

NHoO support this policy, especially subsection (a)

P10: Contact Recreation and Māori Customary Use

This an example of excellent policy and NHoO absolutely support the retention of this policy.

P11: In-stream water storage

NHoO object to this policy and recommend that it is removed from the plan. The policy does not provide a balanced approach for recognizing values and fails to include cultural and environmental benefits. This policy can potentially be used to undermine cultural and environmental values because there is 'significant social and economic benefits'. This selfish attitude to our environment, and the elevation of economic values above others has led to the regional deterioration of water quality and needs to stop.

P15: Flood protection activities

While NHoO support the protection aspect of this policy, we do not agree with the wording around 'beneficial and generally appropriate'. There are numerous examples of where the 'use, maintenance, and ongoing operation of ... activities' has significant effects on social, cultural, and environmental values. We do not understand what the intent of this policy is and recommend it is removed.

4.3 *Māori relationships*

P17, P18, P19, P20, P21

NHoO support all of these policies being incorporated into the final plan in their current state.

4.4 *Natural form and function*

4.4.1 *Estuaries and harbours*

P22: Ecosystem values of estuaries

NHoO support the inclusion and retention of this policy in the plan.

4.5 Biodiversity, aquatic ecosystem health and mahinga kai

Nga Hapū o Ōtaki support all of the policies in this section of the NRP (policies 31 to 38)

4.6 Sites with significant values

It is with great disappointment that GWRC has failed to include Schedule B sites into the policy chapter on Sites with Significant Values. This approach is inconsistent with a partnership approach to managing these areas and clearly places biodiversity values, natural features, surf breaks and historic heritage above those held by tangata whenua.

NHoO assert that the schedule B (Nga Taonga nui a Kiwa) sites identified by Tangata Whenua are included into policy 44 and 45.

The sites scheduled in C1 are significant to NHoO. These are a mere remnant of the past and are extremely important in NHoO retaining our relationship with our tribal lands. Given the rarity of these sites, we are adamant that these places require sufficient protection from inappropriate use and subdivision. Successive Councils and Crown agents have administered the removal and desecration of most of our sites of significance, which has directly elevated the value of those remaining. Generalised policies of the past have not afforded our significant sites the required protection needed, and we have lost those forever. The proposed policies and schedules are supported by NHoO as we hope they offer a level of protection that is appropriate for the sites.

Policies

4.8 Discharges to land and water – P62, P63, P64, P65, P66

NHoO would like to emphasis their support for the policies mentioned above. They all play an important role in managing land and water together and providing for the relationship Māori have with our ancestral waters, lands, sites, and taonga.

4.8.3 Discharges to Water

NHoO are opposed to the following policies;

P68(a). There should not be an exception for extreme weather or system failure. The inclusion of this policy is an enabling policy for poor managers.

All of the actions made in policy 68 should be avoided and exceptions should not be made for those activities.

P70. NHoO believe that the policy is in direct conflict with the plan development principles and a significant number of the objectives. NHoO

stress that activities that fail to meet outcomes need to cease, or are redesigned so they do meet the required outcomes. Allowing this policy to be included in the plan creates a pathway for non-compliance of outcomes. This is in direct conflict to a community based approach as the community will endure the failings of the consent holder to comply with the determined outcomes.

4.8.3 Stormwater

NHoO support the policies on stormwater and congratulate the WRC on beginning to address this significant issue in managing our freshwater systems.

4.8.4 Wastewater

NHoO generally agree with the wastewater policies but we stress that the notion of discharges into fresh and coastal waters is totally unacceptable.

4.8.7 Hydraulic fracturing

NHoO support the policies concerning hydraulic fracturing.

4.8.11 Livestock access and riparian management

NHoO feel that the livestock access policies do not sufficiently protect waterways from the adverse effects caused from stock entering waterways. NHoO recommend that Schedule B sites are included into policy 99 to give effect to section 6e of the RMA.

Rules

5.2.2 Water Discharges

R42 Minor discharges – permitted activity; subsection (b)(i)

NHoO are opposed to the proposed value of 50g/m³ as maintaining a minor effect on the receiving water. This value requires some robust data to support its inclusion in the NRP, and NHoO contend that this does not constitute a minor effect on the receiving environment, especially in relation to māori values. We suggest a value of 30g/m³ in all waterways. We also recommend that schedule B sites 'Ngā Taonga Nui ā Kiwa' are included in subsection (b)(i). To omit these schedule (b) sites would suggest that they are of inferior significance, and our values are considered inferior to that of the other scheduled sites. This would not provide the level of protection consistent with a partnership relationship, and could result in the degradation of the relationship that NHoO have with these sites.

5.2.3 Stormwater

R48; subsection (e)(i)

As per our comments to R42

NHoO recommend that schedule B sites are included in subsection (e)(i)

5.2.6 Wastewater

R61 & 62: Wastewater to freshwater

NHoO are opposed to the discharge of wastewater to water. It is known to be culturally and socially unacceptable and should be prohibited in P62. Policy 61 does not state to what criteria that discretion will be administered. NHoO recommend that any discharge of sewage to water is undertaken at the discretion of mana whenua values, and our relationship with those waters.

R67: Discharges inside sites of significance

NHoO are disappointed that schedule B and C sites have not been included in this rule. **We recommend that schedule B and C sites are included into subsection (a).**

5.3.4 Treated wastewater

R80: Discharge of treated wastewater

NHoO insist that under matters of discretion must include 'the effects on tangata whenua values'.

5.3.6 Fertiliser and animal effluent

R83: Discharge of collected animal effluent onto or into land

NHoO recommend that conditions within subsection (e) should include land where the groundwater is directly connected to schedule B and C waterbodies.

5.4.3 Livestock exclusion

R97: Access to the beds of surface water bodies by livestock

NHoO support the exclusion of stock from all waterways. We would also like to see subsection (b) inclusive of the Schedule B sites

5.5.4 Activities in beds of lakes and rivers general conditions

R125: Structures within a site identified in Schedule C

NHoO absolutely supports this rule, however we believe and recommend that Schedule B sites are added to this rule.

5.6.2 Take and use of water

R136; subsection (f)

NHoO are deeply concerned about cumulative effects of private water use and the WRC inability to manage the volumes being taken for this purpose. While we are not opposed to people having access to water for

their reasonable needs, we recommend that 'all water takes from surface water bodies and groundwater have a water meter installed, and records are kept and provided to WRC on request'. This is a critical aspect to managing our freshwater resource and needs to be implemented. We do not believe that it should be on written request from WRC, and meters should be compulsory.

R137:

NHoO are opposed to the inclusion of this rule as a permitted activity. The operation of a dairyshed is a commercial activity and the use of water is an essential element in the operation of that commercial activity. The rule does not address minimum flows in waterways or provide for the purpose of the RMA. It simply provides 70l of water per stock unit. We recommend the removal of this rule, or the inclusion of further subsections that prevent the abuse of the permission during minimum flow periods. This rule needs to also include the installation of a water meter as a requirement, and not just at the written request of the WRC.

Coastal Management

NHoO harbour concerns about coastal management and particularly areas identified in Schedule B sites. We recommend that any activities in these sites are managed with specific reference to our values.

Methods

6.1 General

M2: Kaitiaki information and monitoring strategy

NHoO are extremely supportive of the inclusion of method 2. We see this as a benchmark method that provides for the development of new approach to looking at our environment. We believe that it will be of benefit to mana whenua and the wider community as it will encompass tohu that the wider community also value. This method provides for genuine development of a partnership approach in this area, and NHoO absolutely support the inclusion of this method.

M7: NPS Freshwater Management Strategy

NHoO recommends that the development of the freshwater management strategy is undertaken in partnership with mana whenua. We recommend the following changes to method 7; 'Wellington Regional Council in partnership with mana whenua will develop an intergrated....'
We see this as an essential inclusion to provide for the governance role. This is necessary as noted in the preamble of the NPSFW and in objective D, for the inclusion in decision making processes.

Improving water quality

M10: Water Quality investigations and remediation actions

NHoO recommends that the investigations and remedial actions under this method are undertaken in partnership with mana whenua. We recommend the following changes to method 10; 'Wellington Regional Council in partnership with mana whenua will further investigate...'
We see this as an essential inclusion to provide for the governance role. This is necessary as noted in the preamble of the NPSFW and in objective D, for the inclusion in decision making processes.

M12: Sustainable land management

NHoO are supportive of sustainable land management, but we are concerned about the omission of urban land owners being support with this method. We suggest that the method is reworded to say; 'Wellington Regional Council will promote sustainable land management by;'. The removal of 'rural' from this method provides for a more inclusive approach to sustainable land management which includes our urban communities.

M15: Regional stormwater working group

NHoO support the method of developing a stormwater working group, however we are opposed to being excluded from this group as the method has been currently worded. We recommend that the method is amended to read: 'WRC will work together with mana whenua, city and district councils in a regional stormwater working group to;'
NHoO assert that our interest in this topic and our relationship with water requires us to participate in this forum. The current rule provides for absolute control of the strategy by Crown agents. This would be in conflict with the NPSFW and the principles of the NRP, especially Mahitahi.

6.12 Mana whenua

M20: Understanding and providing for mana whenua values and relationships

M20a: Encouraging the involvement of Kaitiaki

NHoO support the inclusion of methods 25 and 26 in the NRP. We see these methods as supporting a partnership between mana whenua and the WRC. We also recognise the methods as being a requirement to achieving the objectives in the plan, and critical in supporting the inclusion of mahinga kai and Māori use within the plan.

6.13 Contact recreation and Māori Customary use

M27: Improving water quality in priority water bodies

While NHoO support the inclusion of this method, we recommend the inclusion of mana whenua in the development and implementation of the programme. This would require amending the method to read; 'WRC in

partnership with mana whenua will develop and implement.... water bodies identified in Schedule H1.'

Closing statement

In addition to the written submission, NHoO would like to reserve the right to speak to our submission and to add further detail to our position. We are willing to do this as part of our oral submission on the NRP.

Proposed Natural Resources Plan:

Submitter:

Ravensdown Limited

Submitter Number:

S310

**SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN
FOR THE WELLINGTON REGION**

To: Chief Executive Officer
Wellington Regional Council
P O Box 11646
Wellington 6142

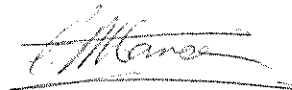
Submission on: The Proposed Natural Resources Plan (NRP) for the
Wellington Region

Name of Submitter: Ravensdown Limited
PO Box 1049
CHRISTCHURCH

Address of Submitter: C/- CHC Ltd
P O Box 51-282
Tawa
WELLINGTON 5249
Attention: Chris Hansen

Phone: 021 026 45108
Email: Chris@rmaexpert.co.nz

- 1. The specific provisions of the proposed plan change that Ravensdown's submission relates to are:**
The Proposed Natural Resources Plan as included in the attached submission below.
- 2. Trade Competition**
Ravensdown could not gain an advantage in trade competition through this submission.
- 3. Ravensdown's submission is:**
Refer to submission points below. The relief sought by Ravensdown are also outlined in the submission points below.
- 4. Ravensdown wishes to be heard in support of this submission.**
Ravensdown would be prepared to present a joint case with others that have made similar submissions at a hearing.



.....
Chris Hansen
Authorised Agent for Ravensdown Limited
23 October 2015

SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

1 Introduction

The following submission is made on behalf of Ravensdown Limited (Ravensdown) to the Proposed Natural Resources Plan (NRP) for the Wellington Region.

Ravensdown takes an interest in regional plans from two perspectives – how plan provisions affect their own manufacture and storage activities (in the Wellington Region, Ravensdown has the Masterton Fertiliser Bulk Store), and how the plan provisions may affect the users of their products. When considering plans Ravensdown wishes to ensure planning provisions are enabling and are not unduly restrictive.

In this context, Ravensdown is mindful that the purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources, while achieving a number of outcomes, including avoiding, remedying or mitigating the actual or potential adverse environmental effects of an activity. Ravensdown therefore seeks for plans to recognise that the RMA enables activities and anticipates environmental effects will occur, so long as these effects are managed to levels considered acceptable by the community. The RMA does not anticipate no development or zero effects from activities.

Ravensdown's submission is divided into two parts: Part I provides some general comments on the proposed NRP and provides comment on the key matters of concern. Part II provides specific comment on the proposed NRP provisions, and the amendments sought by Ravensdown to address the key matters of concern addressed in Part I.

Ravensdown has been involved extensively in regional plans throughout New Zealand and has been involved in different processes in different regions. Ravensdown has found it particularly helpful where councils have entered into pre-hearing meetings or mediation with submitters, to explore submission points and identified possible agreed solutions prior to hearings. This has meant only matters that are outstanding proceed to hearings, and the time and effort (and costs) involved in attending hearings is minimised.

The Auckland Unitary Plan process is a case in point, where Council provides a marked-up version of the plan provisions based on their review of submissions. This marked up version is then used in mediation with an Independent Mediator where parties review the Council's suggested amendments, and any further amendments that are agreed through the mediation. A formal record of the mediation is circulated to all parties. The agreed marked up version then becomes the basis of the Council Officer evidence which addresses the outstanding matters.

Ravensdown would highly recommend the Wellington Regional Council adopt such an approach to submissions on the proposed NRP.

2 Part I - General Comment on the Proposed NRP

2.1 General Support

Ravensdown generally supports the intent of the proposed NRP including the integrated catchment management approach and identification of whaitua catchments to facilitate collaboration, subject to amendments to address the matters raised in this submission.

In particular Ravensdown supports:

- The intention to have finished the limit setting process, in relation to water quality and quantity, for all 5 whaitua by 2023;
- The inclusion in the proposed NRP of an interim position that provides a regional transitional regime through which whaitua-specific plan changes made between 2015 and 2025 will ultimately give full effect to the NPS-FM;
- The reference to and reliance on good management practices;
- The enabling nature of a number of objectives, policies and rules;
- The range of methods identified to manage adverse effects on the natural resources of the region.

2.2 Matters Need Addressing

Notwithstanding the matters supported above, the following matters have been identified by Ravensdown as needing addressing in the proposed NRP:

- Improvement in water quality or values should only be required where they are degraded or improvement is necessary;
- The control and management of adverse effects should be the focus of provisions, rather than the activities that cause the adverse effects;
- The requirement to manage adverse effects should be focus of the provisions, rather than requiring effects to be minimised;
- Controls should be placed on the nitrogen losses from activities, rather than placing controls on the nitrogen inputs;
- Provisions relating to discharges from contaminated land;
- Provisions are required to address reverse sensitivity effects;
- An interim rule regime is required providing for primary production activities while limits are being developed for each whaitua catchment – while in the notified NRP Rule 42 may be interpreted as providing for the discharge of contaminants from primary production activities

as a permitted activity (subject to conditions), there are no provisions for these activities per se.

To address the above matters Ravensdown has sought a number of amendments to specific provisions discussed in Part II below with the intention of ensuring the wording provides clarity and avoids confusion with any interpretation, and considers these amendments assist the proposed NRP to meet the purpose of the Resource Management Act 1991 being to promote the sustainable management of natural and physical resources.

3 Part II - Specific Submission Points

In addition to the general submission points made above a number of requested changes to provisions are set out below. However, Ravensdown's submission and relief sought are not restricted to the specific words used. While suggesting possible amendments to wording, Ravensdown generally seeks such other or alternative wording for the provisions it seeks changes to which would properly address the concerns raised in this submission.

#	Page No.	Plan Provision	Support / Oppose	Comment	Relief Sought
1	22	Definition of <i>Fertiliser</i>	Support	Ravensdown considers the definition is appropriate as it is consistent with the definition used in the <i>Agricultural and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011</i> which is considered by the Fertiliser Industry to be the most appropriate definition for regional plans to adopt.	Ravensdown seeks for Council to retain the definition of <i>Fertiliser</i> as written.
2	23	Definition of <i>Good Management Practice</i>	Support in part	<p>Ravensdown considers that Good Management Practice (GMP) on a farm is not necessarily focused on environmental outcomes but appropriate practice for the purpose for which an action is undertaken.</p> <p>Desired environmental outcomes are an anticipated benefit, but not a guaranteed outcome of GMPs for a farm business.</p> <p>Desired environmental outcomes may require controls well beyond what can be achieved with GMPs for a farm activity. GMP is likely to include the use of a range of tools, but by definition is not itself a tool or a rule. However, it is considered that given the evolving nature of GMP, GMP guidelines should be kept outside of the Proposed NRP to allow documents to develop.</p> <p>The link to the website providing guidelines on GMP leads to a large number of documents relating to a wide range of topics and organisations. Many of the links do not work, and the provision of this range of guidelines means the GWRC may not have the control over the type of GMP being implemented and also little certainty for land users. GWRC should work with industry to arrive at industry agreed GMP guidelines, which can then be made available on the web site. This approach is provided for under Method M12 (a).</p>	<p>Ravensdown seeks for Council to amend the definition of Good Management Practice to read: "Practices, procedures or use of tools that performance that are effective at achieving the desired environmental outcomes responsibility. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Industry agreed & good management practice guidelines can be found on the Wellington Regional Council's website: http://www.govt.nz/good-management-practice/."</p>

3	25	Definition of <i>High Risk Soils</i>	Support in part	Ravensdown considers the definition is not clear on what the risk is being described. Is the risk related to the soil or to something else from an activity on the soil? Whilst it is understood that some soils are susceptible to leaching nutrients and others are prone to losses from erosion processes, the actual risk to the soil arises from activities undertaken on or in the soil (e.g. earthworks, vegetation clearance, grazing animals). Therefore the definition should determine the risks posed to these soils by defined activities.	Ravensdown seeks for Council to amend the definition to read: <u>“High risk soils means soils at risk of erosion, or increased nutrient leaching loss. These are identified as being soils with a high degree of preferential flow, artificial drainage or coarse structure with infiltration or drainage impediments, or soils on rolling/sloping country.”</u>
4	31	Definition of <i>Reverse Sensitivity</i>	Support	Ravensdown supports the definition as it considers that it correctly describes the reverse sensitivity effect. Specific Provisions relating to this effect are sought below.	Ravensdown seeks for Council to retain the definition of <i>reverse sensitivity</i> as written, and add additional provisions as requested below.
5	37	Objective O2	Support	Ravensdown supports the recognition of importance of land and water to social, economic and cultural well-being of the community as included in Objective O2.	Ravensdown seeks for Council to retain the intent of Objective O2 as written.
6	37	Objective O3	Support in part	While Ravensdown supports the intent of Objective O3, it is considered the Mauri should be enhanced only where it is degraded.	Ravensdown seeks for Council to retain the intent of Objective O3, and reword to read: <u>“Mauri is sustained and enhanced where degraded, particularly the mauri of fresh and coastal waters.”</u>
7	38	Objective O7	Support	Ravensdown supports the intent of Objective O7.	Ravensdown seeks for Council to retain the intent of Objective O7 as written.
8	38	Objective O8	Support	Ravensdown supports the intent of Objective O8.	Ravensdown seeks for Council to retain the intent of Objective O8 as written.
9	38	Objective O9	Support in part	While Ravensdown supports the intent of Objective O9, it is considered the recreational values should be enhanced only where they are degraded.	Ravensdown seeks for Council to retain the intent of Objective O9, and reword to read: <u>“The recreational values of the coastal marine</u>

10	38	Objective O11	Support in part	While Ravensdown supports the intent of Objective O11, it is considered the Maori Customary uses should be improved only where improvement is necessary.	area, rivers and lakes and their margins and natural wetlands are maintained and enhanced where degraded.” Ravensdown seeks for Council to retain the intent of Objective O11, and reword to read: “ <i>Opportunities for Māori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and improved where improvement is necessary.</i> ”
11	38	New Objective O13B		Ravensdown seeks a new Objective O13B that addresses reverse sensitivity issues and requires new sensitive activities to be appropriately located within the existing environment recognising existing lawfully established activities may generate effects unacceptable to the new sensitive activity.	Ravensdown seeks a new Objective O13B to address reverse sensitivity issues that may arise from new sensitive activities locating in a receiving environment with lawfully established existing activities that may generate effects unacceptable to the new sensitive activity.
12	39	Objective O23	Support in part	While Ravensdown supports the intent of Objective O23, it is considered the quality of water should be improved only where it is degraded.	Ravensdown seeks for Council to retain the intent of Objective O23, and reword to read: “ <i>The quality of water in the region’s rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained or improved where degraded.</i> ”
13	39	Objective O24	Support in part	While Ravensdown supports the intent of Objective O24, it is considered the quality of water should only be improved where degraded.	Ravensdown seeks for Council to retain the intent of Objective O24, and reword to read: “... (b) <i>improving water quality where degraded in:...</i> ”
14	46	Objective O42	Support in part	While Ravensdown supports healthy soils in the region, the intent of the objective is not clear. Is the intention of the Objective that all soils are productive in an agricultural sense? Such intent may not be realistic or	Ravensdown seeks for Council to reword Objective O42 to read:

				achievable, especially for soils in non-rural areas. Ravensdown considers it is more appropriate for the function of the soil to be protected.		<u>"Soil health and function are protected and accelerated soil erosion is reduced."</u>
15	46	Objective O43	Support	Ravensdown supports the intent of Objective O43 to protect human health and the environment by managing contaminated land.		Ravensdown seeks for Council to retain Objective O43 as written.
16	46	Objective O44	Support in part	While Ravensdown supports the intent of Objective O44, it is considered that it is not appropriate for all adverse effects on soil and water to be minimised. The objective should address significant adverse effects and require such effects to be avoided, remedied or mitigated.		Ravensdown seeks for Council to retain the intent of Objective O44, and reword to read: <u>"The Significant adverse effects on soil and water from land use activities are minimised avoided, remedied or mitigated."</u>
17	46	Objective O46	Oppose in part	Ravensdown considers the objective is it is currently written appears to require landowners to continually reduce nutrient runoff or leaching which is an impracticable requirement, and may be unnecessary. There should only be a requirement to reduce runoff or leaching discharge through applying good management practices.		Ravensdown seeks for Council to reword Objective O46 to read: <u>"Discharges to land are managed to reduce the control levels of runoff or leaching of contaminants to water in accordance with good management practices"</u> .
18	46	Objective O47	Support in part	While Ravensdown supports the intent of Objective O47 to reduce sediment-laden runoff, it is considered it may be difficult to reduce sediment-laden runoff from naturally occurring erosion, particularly in hill country areas. The objective should focus on managing sediment-laden runoff through good management practices.		Ravensdown seeks for Council to retain the intent of Objective O47, and reword to read: <u>"The amount of Sediment-laden runoff entering water is reduced in accordance with good management practices."</u>
19	47	Objective O51	Oppose in part.	Ravensdown considers the intent of Objective O51 is inappropriately focused on the protection of human health, property and the environment rather than the management of adverse effects that may arise from the discharge. Ravensdown considers Objective O51 should be reworded to provide for the avoidance, remediation and mitigation of adverse effects.		Ravensdown seeks for Council to reword Objective O51 to read: <u>"The discharge of hazardous substances is managed to prevent avoid, remedy or mitigate adverse effects on human health, property and the environment."</u>
20	49	Policy P1	Support in part	While Ravensdown supports the principles of integrated catchment management, it considers recognition of improvements in technology and science is also required. Ravensdown considers clause (c) should make reference to these matters		Ravensdown seeks for Council to retain the intent of Policy P1, and reword clause (c) to read: <u>"... (c) coordinated management, with decisions based on best available information, technology and science, and..."</u>

21	50	Policy P3	Support in part.	<p>While Ravensdown supports the intent of the policy, a precautionary approach is not defined in the proposed NRP and some guidance is needed regarding how this policy will be implemented.</p> <p>Ravensdown considers that either a note to the policy or definition is required. A possible note or definition could read: <i>"A precautionary approach is one that adopts prudent foresight, and is only applied in circumstances where there is scientific uncertainty or ignorance about the nature or scope of environmental harm."</i></p>	<p>Ravensdown seeks for Council to retain the intent of Policy P3 while either introducing a definition or a note to the policy that reads:</p> <p><i>"A precautionary approach is one that adopts prudent foresight, and is only applied in circumstances where there is scientific uncertainty or ignorance about the nature or scope of environmental harm."</i></p>
22	50	Policy P4	Oppose	<p>As discussed above in relation to Objective 044, Ravensdown has concerns regarding the requirement to minimise adverse effects rather than manage (avoid, remedy or mitigate) adverse effects. As written Policy P4 is difficult to apply to nutrient discharges from farming activities as:</p> <ol style="list-style-type: none"> 1. It may be difficult for a farmer to find an alternative location for irrigation or grazing animals without negatively impacting the farm business; 2. Farming often occurs close to outstanding water bodies, areas of indigenous biodiversity and historic heritage without causing adverse effects on these areas; 3. It would be difficult to avoid discharges during certain times of the year given the scale of storage facility that would then be required; and 4. Scale is likely to be farm-wide for irrigation. <p>Ravensdown does support the use of good management practices.</p>	<p>Ravensdown seeks for Council to reword Policy P4 to read:</p> <p><i>"Where minimisation of adverse effects is required by policies in the plan, minimisation means reducing <u>controlling</u> adverse effects of the activity to the smallest amount practicable <u>using the best practicable options to support achievement of the NRP and Waitaitua Implementation Programme (WIP) objectives and shall include consideration of:</u></i></p> <ol style="list-style-type: none"> <i>a) the nature, objectives and functional requirements of the activity, and</i> <i>b) the practicality of consideration of alternative locations and methods for undertaking the activity that would have less adverse effects, and</i> <i>c) the practicality of locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous vegetation), and</i> <i>d) timing of the activity or the adverse effects of the activity, to avoid time of the year when adverse effects may be more</i>

					<p>severe, or times when receiving environments are more sensitive to adverse effects, and</p> <p>e) <i>using good management practices for reducing the adverse effects of the activity, and</i></p> <p>f) <i>designing the activity so the scale or footprint is as small as practicable, and</i></p> <p>g) <i>developing strategies for priority catchments to support prioritising effective and cost-effective interventions."</i></p>
23	50	New Policy P4B		<p>Ravensdown seeks a new Policy P4B that addresses reverse sensitivity issues and requires new sensitive activities to be appropriately located within the existing environment recognising existing lawfully established activities may generate effects unacceptable to the new sensitive activity.</p>	<p>Ravensdown seeks a new Policy P4B to address reverse sensitivity issues that may arise from new sensitive activities locating in a receiving environment with lawfully established existing activities that may generate effects unacceptable to the new sensitive activity.</p>
24	50/51	Policy P7	Support in part	<p>While Ravensdown supports the intent of the policy to provide guidance regarding the uses of land and water will be recognised with cultural, social and economic benefits, it considers that the policy should also provide for a wider range of primary production activities than just food production and harvesting.</p> <p>Ravensdown also seeks that the policy be amended to not just recognise but provide for the use of land and water as this will set a policy framework for the rules, as all listed uses are an essential component of the functioning and productivity of the region.</p>	<p>Ravensdown seeks for Council to retain the intent of Policy P7 and amend to read:</p> <p>"(f) <i>primary food production and harvesting, and</i></p> <p>....</p> <p><i>shall be recognised-enabled and provided for."</i></p>
25	52	Policy P10	Support in part	<p>While the intent of the Policy is supported, the contact recreation values should only be enhanced where necessary.</p>	<p>Ravensdown seeks for Council to retain the intent of Policy P10, and reword to read:</p> <p>"... (b) <i>managing activities to maintain or enhance where necessary contact recreation</i></p>

26	54	Policy P17	Support in part	While Ravensdown supports the intent of Policy P17, it considers the activities should only be required to enhance the Mauri where it is degraded.	values in the beds of lakes and rivers, ..." Ravensdown seeks for Council to retain the intent of Policy P17, and reword to read: "...(b) providing for activities that sustain and, where degraded, enhance mauri, and..."
27	55	Policy P22	Support in part	While Ravensdown supports the intent of Policy P22 in so far as it seeks to avoid significant adverse effects, it considers the policy should be consistent with the provisions of the NZ Coastal Policy Statement 2010 by providing for 'other adverse effects' to be avoided, remedied or mitigated.	Ravensdown seeks for Council to retain the intent of Policy P22, and reword to read: "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, and all other adverse effects shall be avoided, remedied or mitigated."
28	58	Policy P32	Support in part	While Ravensdown supports the intent of Policy P32, it is considered the construct of the policy is poor and can be more easily written by including (a) – (c) in one statement.	Ravensdown seeks for Council to retain the intent of Policy P32, and reword to read: "Significant adverse effects on aquatic ecosystem health and mahinga kai shall be avoided, remedied or mitigated, managed-by- (a) avoiding significant adverse effects and (b) where significant adverse effects cannot be avoided, remedying them and (c) where significant adverse effects cannot be remedied, mitigating them, and (d) Where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets. Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting)."

29	60	Policy P39	Support in part	While Ravensdown supports the intent of Policy P39, it is considered the current wording does not focus on significant adverse effects and does not provide for a range of management options.	Ravensdown seeks for Council to retain the intent of Policy P39, and reword to read: " The Any significant adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided, remedied or mitigated. "
30	60	Policy P41	Support in part	Similar comments as Policy P32 above apply.	Ravensdown seeks for Council to retain the intent of Policy P41, and reword to read: " ... <i>If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by avoided, remedied or mitigated.</i> ; (a) avoiding more than minor adverse effects; and (b) where more than minor adverse effects cannot be avoided, remedying them, and (c) where more than minor adverse effects cannot be remedied, mitigating them, and (d) where residual adverse effects remain it is appropriate to consider the use of biodiversity offsets. <i>Proposals for mitigation and biodiversity offsets will be assessed against the principles listed in Schedule G (biodiversity offsetting)...</i> "
31	64	Policy P58	Support in part	While Ravensdown supports the intent of Policy P58 and the use of good management practices, it is not considered appropriate for all industrial point source discharges and fugitive emissions into air to be minimised. The policy should focus on managing the adverse effects associated with these activities, not the activities themselves.	Ravensdown seeks for Council to retain the intent of Policy P58, and reword to read: " Significant adverse effects from industrial point source discharges and fugitive emissions into air will be minimised avoided, remedied or mitigated by using good management practices. "
32	66/67	Policy P65	Support in part	While Ravensdown supports the intent of Policy P65, it is considered the	Ravensdown seeks for Council to retain the

			Policy should relate to the management of adverse effects.	intent of Policy P65, and reword to read: "The <u>any adverse effects of nutrient discharges from agricultural activities that may enter water shall be minimised managed through the use of...</u> "
33	68	Policy P67	Support in part While Ravensdown supports the intent of Policy P67, it is not clear why it refers to discharges to land when the heading refers to discharges to water and the previous policies in section 4.8.1 deal with discharges to land and water. Similar to Policy P65 above, the policy should also focus on managing adverse effects rather than minimising them.	Ravensdown seeks for Council to retain the intent of Policy P67, and reword to read: "The <u>adverse effects of discharges of contaminants to land and water will be minimised managed by...</u> "
34	68	Policy P68	Oppose Ravensdown notes Policy P68 is focussed at controlling activities rather than managing adverse environmental effects of such activities and as currently written may mean these activities should be prohibited. A full range of management options should be available to manage adverse effects.	Ravensdown seeks for Council to reword Policy P68 to read: "Adverse effects <u>from P discharges to fresh and coastal water of:</u> ... <u>shall be avoided, remedied or mitigated.</u> "
35	68	Policy P69	Support in part While Ravensdown supports the intent of Policy P69, it is not clear why it refers to discharges to land when the heading refers to discharges to water and the previous policies in Section 4.8.1 deal with discharges to land and water.	Ravensdown seeks for Council to retain the intent of Policy P69, and reword to read: "The <u>adverse effects from discharges to land and water on the quality of</u> "
36	70	Policy P73	Support in part While Ravensdown supports the intent of Policy P73 and the use of good management practices, it is not considered appropriate for the adverse effects of all stormwater discharges to be minimised. The policy should focus on managing the adverse effects associated with these discharges.	Ravensdown seeks for Council to retain the intent of Policy P73, and reword to read: "The <u>adverse effects of stormwater discharges shall be minimised avoided, remedied or mitigated, including by:</u> ..."
37	74	Policy P83	Oppose Ravensdown notes Policy P83 is focussed on avoiding new activities rather than managing the adverse effects of these new activities and as currently written may mean these activities should be prohibited. A full range of management options should be available to manage adverse effects of new activities.	Ravensdown seeks for Council to reword Policy P83 to read: "The <u>adverse effects of A new discharges of wastewater to fresh water are avoided, remedied or mitigated.</u> "

38	76	Policy P90	Support in part	<p>Ravensdown supports the intent of Policy P90 relating to the use of hazardous substances. However, Ravensdown considers the storage and transport of hazardous substances is not a discharge but an activity. While it is accepted that accidental discharges can occur from these activities, any effects from accidental spillage should be provided for in a separate policy.</p>	<p>Ravensdown seeks for Council to retain the intent of Policy P90 relating to the use of hazardous substances, and reword to read: <i>“The discharge of a hazardous substance to land (including accidental discharges), fresh water, including groundwater, or coastal water from the use, storage and transport of hazardous substances shall be managed by compliance with the HSNO Act, its associated regulations and where applicable, the use of industry approved good management practices.”</i> Provide a new policy that relates specifically to accidental spillage.</p>
39	77	Policy P95	Support in part	<p>Ravensdown considers it is unclear how Policy P95 relates to earlier policies in Section 4.8.1 which also deals with discharges to land. While Ravensdown supports the intent of Policy P95, it is considered (e) and (f) are outcomes of managing the discharge of contaminants to land, and are not management mechanisms. In addition, the phrase <i>‘and infiltrate’</i> is not appropriate and should be deleted from clause (d).</p>	<p>Ravensdown seeks for Council to clarify the relationship of Policy P95 with policies in Section 4.8.1; delete (e) and (f) from Policy P95 as they are not management mechanisms; and deleted the phrase ‘and infiltrate’ from clause (d).</p>
40	78	Policy P96	Support in part	<p>While Ravensdown supports the intent of Policy P96, it considers the policy should require land use activities to operate at (not meet) GMP to ensure adverse effects are managed. Ravensdown supports the use of industry agreed good management practice subject to the amendment sought to the definition, and the note and approach to introducing a limit, target and/or allocation regime by way of a plan change in the future.</p>	<p>Ravensdown seeks for Council to retain the intent of Policy P96 including the use of good management practices and the intention to introduce a limit, target and/or allocation regime by way of a plan change in the future, and reword to read: <i>“Rural land use activities shall be managed using operate at good management practice.”</i></p>
41	115/116	Rule R42	Support in part	<p>While Ravensdown accepts that the discharge of contaminants from farming activities could be interpreted as being provided for by Rule R42 if the permitted activity conditions are met, it is not clear whether this is the intent of this rule, or in fact whether there is any intent in the proposed NRP to provide for farming activities (or other activities) that might have non-point discharges prior to limits being set through the whatua</p>	<p>Ravensdown seeks for Council to provide an interim rule regime providing for farming activities until the whatua process introduces limits into the NRP by a plan change, but either:</p> <ul style="list-style-type: none"> Amending Rule R42 to include

			<p>committee process. As the rules in the proposed NRP took effect in July 2015, some farming activities (for example that are within 50m of a bore) may be a non-complying activity under Rule R67. This situation is inappropriate and does not represent sound resource management practice. Ravensdown considers and interim position is required to provide for farming activities by either amending Rule R42 or providing a new rule.</p>	<p>provision for farming activities;</p> <ul style="list-style-type: none"> Introduce a new rule that specifically provides for farming activities.
42	122/123	Rule 55	<p>Oppose</p> <p>Ravensdown notes that Rule R55 only appears to permit a discharge from contaminated land if a site investigation has been completed in accordance with Rule R54 and a copy of the report provided to the Council by 31.07.2017 (two years after the date of notification of the Proposed Plan). This means that any if a fertiliser store (if deemed a contaminated site) is to be permitted it would need to undertake testing of its site over the next two years. This timeframe may be difficult to achieve (depending on the resources available) and unrealistic. A timeframe of five years is considered more appropriate.</p> <p>Ravensdown also considers Rule R55(b) (i) it is not clear as to what is intended by reference to New Zealand Drinking Water Standards New Zealand 2005 (revised 2008) with potable water for 90% of species when the drinking water standards apply to human health only.</p> <p>In addition, Rule R55 (b)(ii) refers to ANZEEC Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of species. If it is intended that the 95 % protection levels apply to the values for the contaminants listed in Table 3.4.1, 'Trigger values for toxicants at alternative levels of protection', (page 3, 4-5), then for clarity, this should be clearly stated.</p> <p>It is noted the guidelines to the ANZEEC standards are a trigger values for investigation and as such do not necessarily represent an appropriate or necessary limit.</p> <p>Ravensdown is concerned that Rule R55 represents an inappropriate application of ANZEEC guideline values.</p>	<p>Ravensdown seeks Council to amend Rule R55 as follows:</p> <p><i>"The discharge of contaminants onto or into land from contaminated land where the discharge may enter water is a permitted activity provided the following conditions are met:</i></p> <p><i>(a) a site investigation has been completed in accordance with Rule R54 with and a copy of the report provided to the Wellington Regional Council within two five years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and."</i></p> <p>Delete Rule R55 (b) and further review of acceptable limits which should apply.</p>
43	128	Rule R69	<p>Oppose</p> <p>Ravensdown opposes the intent of Rule R69 as it considers the matters addressed are already dealt with the in discharge to water rules. Should Council decide to retain Rule R69, condition (a) should be deleted as this</p>	<p>Ravensdown seeks for Council to delete Rule R69.</p> <p>If Council decides to retain Rule R69, it should</p>

44	142/143	Rule R82	Support in part	particular matter it is already dealt with in discharge rules. While Ravensdown supports the intent of Rule 82, it considers there are two minor amendments to Condition (a) that are required to make the rule workable. Firstly, Condition (a) should be amended to clarify a discharge is not to be directly onto or into a surface water body; and secondly the phrase " <i>including as a result of wind drift</i> " should be deleted. In relation to the second matter, while following best practice for the application of fertiliser will minimise the possibility that fertiliser will drift beyond the boundary of the site, it is not practicable to require very fine particle not drifting on a light breeze for some distance.	be amend by deleting condition (a). Ravensdown seeks for Council to retain the intent of Rule R82, and amend to read: <i>"The discharge of fertiliser onto or into land or into air is a permitted activity, provided the following conditions are met: (a) the discharge is not directly onto or into a surface water body or beyond the boundary of the property including as a result of wind drift, and..."</i>
45	144/145	Rules R85 and R86	Oppose in part	Ravensdown opposes the controls placed on nitrogen inputs in Rules R85 and R86 as this is not an effects based approach. Ravensdown supports controls on nitrogen losses (i.e. outputs) which may give rise to adverse effects. This outputs based approach provides for innovation and flexibility in farming systems, while addressing the adverse effects of activities.	Ravensdown seeks for Council to: <ul style="list-style-type: none"> • Delete Condition (c) from Rule R85; • Delete matter of discretion 3 from Rule R86.
46	149	Rule R93	Support	Ravensdown supports intent of Rule R93.	Ravensdown seeks for Council to retain the intent of Rule R93 as written.
47	238	Method M1	Support	Ravensdown supports intent of Method M1.	Ravensdown seeks for Council to retain the intent of Method M1 as written.
48	239	Method M6	Support in part	While Ravensdown supports the intent of Method M6, it considers there needs to be timelines included for the whatua implementation programmes (as already stated in proposed NRP the intention to have limits in relation to water quality and quantity for all 5 whatua in place by 2023) and recognition that plan change process to be used (as per Note to Policy P96).	Ravensdown seeks for Council to retain the intent of Method M6 while including a timeframe (intention to have limits in relation to water quality and quantity for all 5 whatua in place by 2023) and reference to plan change process to implement the whatua committee findings.
49	240/241	Method M10	Support in part	While Ravensdown supports the intent of Method M10, there appears to be no clear linkage between the whatua committee work and the programme developed. Ravensdown questions whether Method M10 is the starting point for the whatua committee work or will this programme run separately? Also, will the findings of Method M10 be brought into the	Ravensdown seeks for Council to retain the intent of Method M10 while clarifying the linkages with the whatua committee work and its programme and the use of the plan change process to implement the method.

50	241/242	Method M12	Support in part	proposed NRP by way of a plan change process? While Ravensdown supports the intent of Method M12, the method appears to focus on erosion and sediment control. Nutrient management is best dealt with in the whatua catchments.	Ravensdown seeks for Council to retain the intent of Method M12, and introduce nutrient management through farm environment plans in whatua catchments.
51	244	Method M18	Support in part	While Ravensdown supports the intent of Method M18, similar to comments on Method M10 above, there seems to be no linkage with the whatua committee programme. The outcomes of the mechanisms identified in Method M18 could be brought through into plan changes that implement the whatua work.	Ravensdown seeks for Council to retain the intent of Method M18 while clarifying the linkages with the whatua committee work and its programme and the use of the plan change process to implement the method.
52	247	Method M28	Support in part	While Ravensdown supports the intent of Method M28, there seems to be no linkage with the whatua committee programme. The outcomes of the mechanisms identified in Method M28 could be brought through into plan changes that implement the whatua work. In addition, Ravensdown considers it is necessary amend the method in accordance with the GMP definition discussed above, and delete the reference to rules as a tool as this reference is not necessary.	Ravensdown seeks for Council to retain the intent of Method M28 while clarifying the linkages with the whatua committee work and its programme and the use of the plan change process to implement the method, amend the method in accordance with the GMP definition discussed above, and delete the reference to rules as a relevant tool.

Proposed Natural Resources Plan:

Submitter:

Beef and Lamb NZ

Submitter Number:

S311



SUBMISSION

23 OCTOBER 2015

TO

Greater Wellington Regional Council

ON

**Proposed Natural
Resources Plan**

BY

Beef + Lamb New Zealand Ltd

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BY FARMERS. FOR FARMERS

Submission

1. Introduction

- 1.1 Beef + Lamb New Zealand Ltd (B+LNZ) welcomes the opportunity to make a submission on Greater Wellington regional Council's Proposed Natural Resources Plan
- 1.2 B+LNZ is an industry-good body funded under the Commodity Levies Act through a levy paid by producers on all cattle and sheep slaughtered in New Zealand. Its mission is to deliver innovative tools and services to support informed decision making and continuous improvement in market access, product positioning and farming systems.
- 1.3 B+LNZ is actively engaged in environmental issues that affect the pastoral production sector.

2. General Submission

- 2.1 B+LNZ supports the submission by Federated Farmers of New Zealand.
- 2.2 B+LNZ also addresses some specific issues of concern to sheep and beef sector, and more generally.
- 2.3 The pNRP includes some excellent enabling approaches, which helps achieve a good balance between the various aspirations of the community as a whole. There is a fundamental concern with the rules relating to land use, which effectively make all land uses which result in any contaminant discharge to ground water from land a discretionary activity. It is to be hoped that this is a drafting error, as it does not align with the Policies and Objectives in the proposed Plan.
- 2.4 It also has the presumably unintended consequence of including land under native forest, all wetlands of whatever type, and every land use of any type where there is leaching of nitrogen to water, no matter how small. The relevant rules are identified below.
- 2.5 B+LNZ submits that the pNRP could usefully provide direction to the Whaitua committees on the subject of nutrient allocation, that will provide the basis for a consistent framework across the region, from which communities can determine the water quality outcomes they would like to see, in line with the requirements of the National Policy Statement for Freshwater Management.
- 2.6 Nutrient Allocation decisions must be taken in order to meet the requirement to maintain or improve water quality, in accordance with the NPS-FM.
- 2.7 B+LNZ **supports in part and opposes in part** the Proposed Natural Resources Plan and seeks that amendments are made to the plan that account for the above general submission.

Note: The standard planning format indicating additions or ~~deletions~~ is followed in this submission.

- 2.8 **Retain** those parts of pNRP that are not the subject of the submissions below.
- 2.9 Insert New Policy

Nutrient Allocation Framework

The following principles should apply across the catchment in the determination of nutrient allocation allowances.

- Principle 1 Like land should be treated the same
- Principle 2 Those undertaking activities that have caused water quality problems should be required to improve their management to meet water quality limits
- Principle 3 Flexibility of land use must be maintained
- Principle 4 The allocation system should be technically feasible, simple to operate and understandable
- Principle 5 The natural capital of soils should be the primary consideration when establishing an allocation mechanism for nutrient loss
- Principle 6 Allocation approaches should provide for adaptive management and new farm systems information
- Principle 7 Appropriate time frames must be set to allow for transition from current state to one where allocation of nutrients applies
- Principle 8 Long term investment certainty is a critical feature of a viable nutrient management system
- Principle 9 Improvement in water quality must remain the primary objective of adopting any nutrient allocation regime
- Principle 10 In under-allocated catchments, where property based nutrient allocation has not been adopted in setting water quality limits, the system for allocating nutrients must be determined well before the limit is reached, be clear and easy to understand and designed to avoid over-allocation
- Principle 11 In designing the allocation system the benefits of a nutrient transfer system within the catchment or water management unit must be considered
- Principle 12 Regulation, monitoring, auditing and reporting of nutrients within an allocation regime needs to relate to the degree of environmental impact and pressure
- Principle 13 As a minimum expectation, in all catchments, all land users should be at or moving towards (industry defined) Good Management Practice (GMP), recognising that GMP is constantly evolving and continuous improvement is inherent in GMP
- Principle 14 Nutrient allocation must be informed by sound science and stable and reliable catchment and farm system modelling and measurement.

Note: These principles and the narrative behind them are appended

Definitions

2.10 Drain

The definition makes reference in the last sentence to a 'farm drainage canal'. There is no definition for a 'farm drainage canal', only an 'artificial farm drainage canal'. The difference between the two is marginal and confusing.

- Drain - Any artificial watercourse, open or piped, designed...
- Artificial farm drainage canal - An open (not piped) artificial watercourse, that is designed....

Is the distinction between being only an open drain versus and open or piped drain needed, and if yes, then a more intuitive naming system needs to be adopted. Also confusing is the definition of a highly modified river or stream, for the purposes of R121 only, and appears to duplicate the 'Artificial farm drainage canal', adding further to a lack of clarity and duplication of definitions.

Relief sought

The same approach used in the definition of 'drain' in referring to a drain as also including a highly modified watercourse or river, be adopted for the difference between a drain that is only open, and a drain that may be open or piped.

~~Artificial farm drainage canal – an open (not piped) artificial.... Plan.~~

~~Highly modified river or stream.~~

Drain (1) - An open (not piped) artificial watercourse, that is designedPlan.
Previously an artificial farm drainage canal.

Drain (2) – Any artificial watercourse, open or piped, designed... canal. Previously a drain.

Drain (3) – for the purposes of R121, (drain clearance) a drain that also includes a highly modified watercourse or river and is channelled to such an extent that it has the characteristics of a Drain (1).

2.11 Ephemeral flow path

Ephemeral flow paths occur with streams as well as rivers.

Relief sought

A river or stream that:...

2.12 Erosion prone land

Not all land with a slope greater than 20 degrees is erosion prone, and not all land less than 20 degrees is free from the risk of erosion. A definition with greater specificity is needed, for example all land classified as erosion prone under the Land Use Capability system. This takes into account not just slope but parent material and a range of other biophysical factors as well.

Relief sought

Erosion prone land

Land that has an erosion (e) classification under the Land Use Capability soil classification system

2.13 Sensitive area

Relief sought

A sensitive area includes the following:

- (a) Dwelling house
- (b) Marae
- (c) Educational facilities...

Section 5 - Rules

- 2.14 Many of the rules in the pNRP are more prescriptive than they need to be, to the detriment of good environmental outcomes being achieved. This is particularly the case in rules relating to land use, including discharges and other land use activities.
- 2.15 It is suggested that rules should focus on the outcomes required to be achieved, and unless there are very specific reasons why a particular action needs to be specified, leave how the attainment of the outcome is to be achieved up to the land user.

- 2.16 For example, prescribing that break feeding is behind electric fencing (see definitions) does not take account of other alternatives that may exist either now or in the near future. Rather, this will default to a discretionary activity and require a consent, because the rule does not envisage that there may be an equally or more effective tool to manage break feeding than the frequent moving of an electric fence. Electric fences may be unsuitable or impractical for some classes of livestock.
- 2.17 Rather than making rules prescriptive and therefore at risk of perverse outcomes not anticipated, or unnecessary consenting being required, a focus on outcomes to be achieved can be managed through further guidance in the form of guidelines or codes of practice to assist with understanding. Such instruments have the advantage of being much more flexible and adaptable, and readily updated without the need for a plan change, whilst still achieving the desired outcomes.
- 2.18 Other not statutory tools such as farm plans offer an effective way of managing to the agreed outcomes required, whilst being specifically designed for the particular circumstances of the land use – such as type of farming, climate, soils, management skills and owner aspirations.

2.19 Rule R37 Agrichemicals into water – permitted activity

The current permitted activity rule does not provide for the application of agrichemicals into water by boat, for the purposes of undertaking pest control in water bodies, for pest management and biosecurity purposes. Control of unwanted organisms may need to be immediate, and requiring a consent may adversely delay the ability to respond quickly to control or eradicate a pest incursion before it spreads.

Relief sought

Amend R37 (c) for ground-based applications, or water-based applications for the control of pest species that are Unwanted Organisms under the Biosecurity Act 1993 or a pest species in a Regional Pest Management Strategy, the applicator shall hold either:...

2.20 Rule R 42 refer to Rule 69

2.21 Rule R63 Wastewater from ships and offshore installations – permitted activity

Clarity is sought on whether wastewater in relation to ships and offshore installations includes ballast water. If it does, then the protocols for ballast water exchange/biosecurity should need to be met before any ballast water is permitted to be discharged in coastal waters. This will assist in preventing new and unwanted marine organisms arriving or becoming established in New Zealand.

2.22 Rule R65 In-water biofoul cleaning – permitted activity

Any suspect harmful or unusual aquatic species must be immediately reported to MPI Biosecurity Hotline

Relief sought

Amend (f) (i) immediately notify MPI Biosecurity

2.23 Discharges

5.2 Discharges to Water

Rule R42 Minor discharges – permitted activity

5.3 Discharges to land

Rule R69 Minor contaminants – permitted activity

Rule R93 All other discharges to land – discretionary activity

R42 provides for:

"The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretion[sic], non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met:"

R69 provides for contaminants discharged onto or into land and not elsewhere dealt with, to be permitted activities provided the contaminants **do not enter water**, cause an adverse effect beyond the boundary of the property and the contaminant is not a hazardous substance.

R93 provides for all other discharges onto or into land not already addressed to be discretionary activities.

Given that only collected animal effluent and compost are dealt with elsewhere, and R42 and R69 in combination prohibit the discharge of contaminants to ground water, then under R93 the discharge of nitrogen or phosphorus or any other contaminant from land use that makes its way to groundwater is a discretionary activity and therefore in need of a consent.

Under the rules as currently written, all land uses that result in any nitrogen, phosphorus or any other contaminant that enters ground water are discretionary. As a result all farming, all vegetable growing both commercial and domestic, keeping of any livestock and even the fertilising of domestic lawns will require a consent, unless on site monitoring can show that there is no contaminant loss to ground water - as required in R69.

It is not clear if this is intended, but seems likely that it is not, based on policies and objectives in the pNRP.

Part of the confusion stems from R42 being a rule relating to discharges to water that also includes discharges to land where contaminants may enter ground water, whilst R69 relates to discharges to land where contaminants may enter ground water.

As a result of the overlap, the default is R93 making all activities where contaminants applied to land may enter ground water a discretionary activity.

Relief sought

Rewrite and align R42, R69 and R93 to provide for land uses that result in discharges to land where they may enter water, being a permitted activity, where the permitted land uses includes, but is not limited to, all forms of primary production.

2.24 Rule R82 Application of fertiliser from ground based or aerial applications – permitted activity

Amend R82

~~(a) the discharge is not onto or into a surface waterbody, or beyond the boundary of the property, including as a result of wind drift;~~ ground-based and aerial applications of fertiliser must follow the latest available Fertiliser Association of New Zealand Code of Practice; and

(b) for aerial discharges....

2.25 Rule R89 Farm refuse dumps – permitted activity

Consideration should be given to providing for a larger dump such as 100m³ on larger or more remote properties, or where there are limited suitable sites. The alternative is that dumps will be filled more quickly and replacement dumps required, with no net benefit to the environment.

Relief sought

Rule R89 (b) the volume of a farm refuse dump shall not exceed 50m³ 100m³

2.26 Rule R90 Manufacture and storage of silage and compost – permitted activity

Requiring an impermeable lining able to withstand corrosion, as well as no discharge of leachate to water, makes the impermeable lining unnecessary and unduly prescriptive. Alternative methods may be available which are more effective but cannot then be used. The focus should be on the outcomes to be achieved.

Relief sought

~~(d) the walls and the floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate water, and~~

2.27 Rule R94 Cultivation or tilling of land – permitted activity

If the intention of this rule is to protect a surface water body from soil laden run-off then this should be the clearly articulated requirement. Prohibiting cultivation within 5 metres of a surface water body will not achieve the protection of the surface waterbody from sediment-laden runoff as there is more to it than just distance. There may be situations where the 5 metres of land may be completely unvegetated and thus of no use for reducing either overland flow volumes or reducing sediment load. On the contrary, sediment loads might be increased. This then potentially puts condition (a) in conflict with condition (c) or that condition (a) is required but completely ineffective.

A range of factors go into determining the most suitable method of preventing sediment laden run-off entering a surface waterbody, of which width is only one. Others include vegetation cover, slope, aspect, time of year, underlying soil parent material, meaning a site specific approach is required to be effective and avoid unnecessary or ineffective prescriptive rules.

In the event that condition (c) is deemed to be insufficient as a rule to achieve the result – no sediment-laden-runoff entering a surface waterbody, then an alternative that is more outcome focussed is proposed.

Relief sought

Either delete condition (a)

Or

(a) ~~cultivation shall not occur within 5m of a surface water body~~ a suitably vegetated buffer is to be provided between a surface water body and any cultivation so that any runoff does not result in any conspicuous change in colour or visual clarity of the water, and

2.28 Rule R95 Break-feeding – permitted activity

There is an issue with the definition of break feeding relating only to livestock behind regularly moved electric fencing. This clearly does not envisage that other forms of equally effective and potentially more effective fencing might be used for certain classes of stock, at certain times of the year. In some circumstances a greater distance may be appropriate.

If the intention is to prevent sediment laden run-off to surface water bodies, then this should be the focus of the rule, not dictating a certain type of fence be used, when it may in fact not be totally inappropriate in a particular circumstance.

A range of factors go in to determining the most suitable method of preventing sediment laden run-off entering a surface waterbody, of which width is only one. Others include vegetation cover, slope, aspect, time of year, meaning a site specific approach is required to be effective and avoid unnecessary or ineffective prescriptive rules.

In the event that condition (b) is deemed to be insufficient as a rule to achieve the result – no sediment-laden runoff entering a surface waterbody, then an alternative that is more outcome focussed is proposed.

Relief sought

Either delete condition (a), or

(a) break-feeding shall not occur within 5m of a surface water body, and a suitably vegetated buffer is to be provided between a surface water body and any break-feeding so that any runoff does not result in any conspicuous change in colour or visual clarity of the water, and ...

2.29 Rule R97 Access to the beds of surface water bodies by livestock – permitted activity

The definition of stock crossing point is problematic in that it requires entry and exit points to be directly opposite each other, and a maintained access track. While this may be achievable on lowland or flat land, hill and steep hill country, bluffs and rocky faces may mean that entry and exit points are not directly opposite each other, and formed tracks may not exist in hill or steep hill country. See definitions.

Sheep are not the only livestock that dislike getting their feet wet and present a low risk to water bodies. Sheep and goats may also be useful for the periodic grazing of rank vegetation around surface water bodies, reducing fire risk and weed infestations.

Relief sought

(d) (iv) the **stock crossing point** is associated with a maintained access track on plains or lowlands, and ...

(e) (i) within a **significant natural wetland** listed in Schedule F3 (significant wetlands) **livestock** access is limited to sheep, goats or any other livestock that dislike standing in water, and

Note that (e)(ii) has a reference to (vii) and there is no (vii) above. This may refer to (e) (i).

2.30 Rule R99 Earthworks – permitted activity

The requirement for the earthworks to be a single contiguous area of disturbance prevents normal track construction or maintenance, or other minor earthworks such as the establishment of stock handling yards, that are part of the normal and less than minor disturbance on farms, particularly hill and steep hill country farms, from being considered as a permitted activity. It seems unwarranted to require farm tracks and maintenance to be a discretionary activity (R101).

Stormwater – see R100 commentary

Relief sought

The use of land, and the discharge of ~~stormwater~~ sediment laden surface run-off into water or onto or into land where it may enter water from earthworks of a ~~contiguous-total~~ area up to 3,000m² per property per 12 month period is a permitted activity, provided the following conditions are met: ...

2.31 Rule R100 vegetation clearance on erosion prone land – permitted activity

The definition of erosion prone land is unsuitable and needs to be revised, in particular given the extensive work and resources that GWRC has put into the management of erosion prone land over the years. The two are not consistent.

Nor is it clear why there is a requirement for contiguous land clearance, when vegetation on erosion prone land is far more likely to be smaller and scattered across the landscape. This requirement is far more likely to result in perverse outcomes as far greater areas than are actually needed will be cleared if they have to be contiguous. It is suggested that this be reworded to provide for a maximum clearance in any one year. It is also unclear why 2ha was selected as an appropriate maximum size as there is no science to support this apparently arbitrary number.

This rule needs to specify the outcome that is wanted and provide for site specific approaches to be developed to meet the outcome. Of greater importance than the size of the area from which vegetation is cleared is the speed with which the land is revegetated and stabilised. It seems unwarranted that a large programme of erosion prone land management and stabilisation that might be undertaken on a single large steep hill country property should be restricted to a maximum of 2ha, or require a consent where suitable stabilisation is to be carried out

It is also unclear if stormwater includes the runoff that would naturally occur following average rainfall, - given that there is legal recognition of the point water flows down hill, it would seem that run-off is a natural process and is not a 'discharge' which implies a deliberate collection and release of water from an activity. Stormwater would suggest that it is only water generated by 'storms' i.e. individual rainfall events of considerable magnitude.

A more site specific and appropriate definition of erosion prone land that matches GWRC work to date is required. (see definitions earlier)

Relief sought

The use of land and the ~~discharge of stormwater~~ entry of sediment laden overland flow into water or onto or into land where it may enter water from **vegetation clearance** of an ~~contiguous~~ area up to 2.5ha in total per property per 12 month period on **erosion prone land** is a permitted activity, provided the following conditions are met:

- (a) All areas of erosion prone land from which vegetation has been cleared must be stabilised and revegetated within 4 years of clearance, and
- (b) Any soil or debris...

2.32 Rule R102 Plantation forestry harvesting on erosion prone land – permitted activity

See R100 regarding the definition and intent of the use of 'stormwater'.

Allowing the disturbed vegetation and soil (clause (b)) to be placed in a surface water body, whether or not it can dam or divert it seems contrary to good practice. Good practice would be that it is placed where it may not enter a surface water body.

Similarly for slash (clause(c)), it should be placed where it will not enter a surface water body, regardless of whether it is blocking a river or causing bank erosion. The implication in the current wording is that as long as it is not blocking the river or causing erosion it is acceptable.

The use of the word 'effectively' in clause (d) is open to alternative interpretations and so is confusing. If it intends that 100% revegetation of a site must be completed within 18 months, then it should say so. If 'effectively' means that an amount of revegetation that is less than 100% must be completed and is considered acceptable, then this should be stated.

Relief sought

The use of land and the discharge of stormwater entry of surface runoff water into water or onto or into land where it may enter water from plantation forestry harvesting on erosion prone land is a permitted activity, provided the following conditions are met:....

- (b) disturbed vegetation or soil is ~~not~~ placed where it cannot enter, dam or divert a **surface water body**, and
- (c) slash is placed where it cannot removed from ~~a surface water body~~ where it is enter or blocking ~~river flow or is diverting river flow and or causing~~ bank erosion, and
- (d) work areas are ~~effectively~~ completely revegetated within 4 years after the final completion of the **plantation forestry harvesting**, and

2.33 Rule R103 Plantation forestry harvesting – controlled activity

See earlier discussion on 'stormwater'.

2.34 5.5.2 Activities in wetlands general conditions

Clause (a) permits the discharge of sediment and any other materials 'inherent' to the water or bed. The use and meaning of 'inherent' is confusing and unclear and should be replaced with a more understandable alternative. The meaning of clause (a) also needs to be clarified as it currently allows the discharge of sediment and any other material normally found in water or on the bed of a wetland. Given the wide range of elements that includes, including a significant

number that in elevated or excess amounts are disruptive of a wetland ecosystem, this needs to be reconsidered. Sediment, nitrogen, phosphorus and E.coli in elevated amounts are detrimental to natural wetlands (but may be acceptable in managed wetlands created specifically for the function of trapping sediment or excess nutrients).

Conditions for wetland activities need to include a prohibition on causing or allowing the spread of pest plants and animals that are Unwanted Organisms (UO) e.g. disturbing the beds of wetland where UOs are present, requiring all machinery used in wetlands to be cleaned before and after use to prevent the spread of UOs and pest species to other waterways.

Some clauses refer only to natural wetland and it is not clear if this is specific to just natural wetlands or intended to encompass all categories of natural wetland.

Relief sought

Clarify and amend accordingly if reference to '**natural wetland**' is a generic reference to all categories of **natural wetland** or is specific only to **natural wetlands** and not to significant natural wetlands and **outstanding natural wetlands**.

Amend:

(a) there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, solvents, heavy metals or other toxicants) to water or the bed, other than sediment and other materials inherent to the water or bed, but excluding any discharge of heavy metals or other toxicants, and

(b) no cleaning or refuelling of machinery or equipment shall take place on any area of a **natural wetland**, and fuel storage shall not occur at any location where fuel can enter a water body natural wetland, and

(c) all machinery, equipment and materials used for the any activity shall be removed from the a natural wetland every night and on completion of the activity. This includes any excess material from the any construction operation, any materials used during construction of any structure but not any part of that structure, and any demolition or other material removed or demolished from any structure, and

(x) All activities in any natural wetland are undertaken in a manner which prevent pests (both aquatic and terrestrial) being spread to or from a natural wetland, including the inspection of all machinery or equipment used in an natural wetland before and after use to remove any pests, including pest plant fragments.

2.35 Rule R104 Structures in natural wetlands and significant natural wetlands – permitted activity

As for the previous item, the use of **natural wetland** as a coverall for other types of wetland needs to be rationalised and made clearer as the introduction to the rule includes two classes of natural wetland.

2.36 Rules R105 – R110

Provision needs to be made for the control of aquatic pests, both plant and animal, in all natural wetlands. 'Appropriate' pest plant control is a permitted activity, however for GWRC to be able to undertake aquatic pest control activities without the need for a resource consent, it will need to define which are the appropriate species that it may take action to control, as many aquatic pest control activities are not suitable for the general public to undertake.

Many of the waterbodies in the region have significant aquatic weed populations already established e.g. Lake Wairarapa, Lake Horowhenua. Provision is also needed for the management and /or removal of pest animals, in particular pest fish e.g. koi carp, rudd, perch, tench, mosquito fish, water snails.

Provision is needed to enable the use and application of aquatic herbicides, including boats or aerial vehicles for such application. Provision is also needed to enable the introduction of biocontrols that are non-native species.

It is suggested that a rule is included that enable GWRC or its agents to undertake aquatic or other pest control without the need to obtain a resource consent, to enable a rapid response to new pests occurring in any natural wetland.

Note that the enabling of GWRC to undertake pest control activities will need to go beyond those pests listed in a Regional Pest Management Strategy, as new incursions of pests need to be responded to more rapidly than the RPMS can provide for.

Relief sought

Amend Rules R105 – R110 to include provision for the control of aquatic pest plants and aquatic pest animals by GWRC, including provision for the use of boats or other vessels in all categories of natural wetlands.

Enable, through amendment of an appropriate rule, the introduction of non-native species for the purposes of bio-control of pest plants or pest animals in all categories of natural wetland, by GWRC or its agents.

Amend appropriate rules in section 5.5.4 – Activities in beds of lakes and rivers in the same way as requested for natural wetlands, for the control of pest plants e.g. hornwort or Manchurian wild rice and pest animals by GWRC or their agents, without the need for a resource consent.

(x) All activities in any wetland are undertaken so as to prevent prevent pests either aquatic or terrestrial from being spread to or from a wetland.

2.37 Rule R114 River crossing structures – permitted activity

The reason for the reduced catchment area on the western side of the Ruamahanga river is not clear, and is not addressed in the s32 report. The science behind this approach needs to be presented, particularly since Rule R117 provides for sediment retention weirs to have a maximum of catchment of 200ha in any part of the region. Likewise the determination of 20m² as the maximum size for river crossing structures needs to be supported by good science. Fords provide a low impact option for river crossings where use if infrequent or erecting structures creates a greater risk and impact.

Relief sought

(f) (ii) ~~50ha~~ 200ha in any catchment in the region on the western side of the Ruamahanga river, and

g) the formed crossing shall be no wider than what is required for the purpose of the crossing and the total area of the structure in or on the bed of the river shall not exceed ~~20m²~~ 100m², and ...

2.38 Rule R115 Culverts – permitted activity

It is not clear why a maximum diameter of culvert is specified (0.3m to 1.2m) when the objective is to provide for a once in 20 year flood, and a flow from a two year return period flood event without any flow impediment. Diameter should be appropriate to meet the 20 year flood provision, especially if a greater than 1.2m is required.

Relief sought

Delete (h)(i) and (h)(ii) and replace with a clause requiring a culvert size that will meet or exceed the 20 year return period flows.

2.39 Rule R121 Maintenance of drains

In order to clearly identify exactly which drains are affected by this rule, high resolution maps are needed for inclusion on the plan. Failure to do so has the potential to lead to rules being breached or drains not maintained for fear of prosecution.

Good practice for managing the control of pest plant and animals species is for all machinery to be inspected and if needed, cleaned before machinery or equipment is used in any waterway, including drains. Cleaning should also take place after use and before moving to another location.

Machinery should not allow the return of pest plants to a drain, particularly where maintenance activity results in fragments of pest plants being returned to a drain. Such an activity is likely to cause the spread of pest plants, and where the pest plants are Unwanted Organisms under the Biosecurity Act 1993, this is a breach of the Act. Similarly any actions that cause the spread of pest animals, including pest fish that are UOs is a breach of the Act.

All pest fish should be removed from a drain if the opportunity arises when maintenance activities are carried out, not just the 'identified' species, if this has the same meaning as earlier – being species identified by GW. Pest fish should not be returned to the drain.

The requirement in condition (g) for a weed bucket with a curved flat base is unclear as 'curved' and 'flat' appear to be contradictory. This condition as written appears to promote the risk of loss of pest plant material in a manner that is likely to cause it to spread.

Relief sought

Insert a new condition

(XX) all tools and mechanical devices used for drain clearing must be inspected and if necessary cleaned to remove any pest plants or fragments of pest plants, or pest animals before and after use, to prevent the spread of pests.

Amend:

~~(g) if mechanically clearing aquatic vegetation, the machinery must use a weed bucket with a curved flat base, and a slatted back that permits the easy drainage of water and fish back into the drain which reduces the likelihood of pest plant material being spread through the drain, and~~

(h) any fish (~~except identified~~ except all pest animal species) and koura removed from the drain during maintenance works shall be returned to the drain as soon as practicable, and no later than one hour after removal from the drain, and

(i) any sediment or bed material, or plant material especially any pest plant material, removed from the drain

2.40 Rule R122 Removing vegetation – permitted activity

Refer to R121 above and apply where relevant to R122

Relief sought

(h) if mechanically clearing aquatic vegetation from an area of river or lake bed covered with water, the machinery must use a weed bucket ~~with a curved flat base, and a slatted back that permits the easy drainage of water and fish back into the drain~~ which reduces the likelihood of pest plant material being spread through the river, and

(i) any fish (~~except identified~~ including all pest animal species) and koura removed from the river or lake bed during works shall be returned to the river or lake as soon as practicable, and no later than one hour after removal, and

(j) floating debris and plant material shall be prevented from drifting away and causing obstructions to the river or lake bed, or spreading pest plants (as listed in the Greater Wellington Regional Pest Management Strategy 2002-2022 operative at the time, or listed as an Unwanted Organism under the Biosecurity Act 1993), and ...

2.41 Rule R123 Planting – permitted activity

Crack willow and grey willow are Unwanted Organisms under the Biosecurity Act 1993 and any planting is a breach of the Act, regardless of whether they are already present. Any actions that allow the spread of UOs, including seeding and / or vegetative spread also breaches the Act.

The introduction of any UO into the bed of a river or lake, or a submerged aquatic UO species is also unlawful, whether or not it is listed in an RPMS.

Relief sought

~~(e) crack willow (*Salix fragilis*) and grey willow (*Salix cinerea*), other than where they are already predominant but excludes the following areas where they are predominant (to be developed), and~~

~~(f) any introduced, ~~submersed~~ submerged aquatic plant, and~~

~~(g) a species listed in the operative Greater Wellington Regional Pest Management Strategy 2002 – 2022 or any Unwanted Organism under the Biosecurity Act 1993.~~

2.42 Rule R217 and R219

Prohibited species for planting should include all Unwanted Organisms under the Biosecurity Act 1993.

Relief sought

R217 Planting – permitted activity

~~(d) the plant species shall not be identified in the an operative National Pest Plant Accord 2013 or in the an operative Greater Wellington Regional Pest Management Strategy 2002–2022 or otherwise be an Unwanted Organism under the Biosecurity Act 1993, and ...~~

R219 Planting-Introduction of pest species – prohibited activity

The introduction or planting of a pest plant or pest animal species identified in the an operative National Pest Plant Accord 2013 or in the an operative Greater Wellington Regional Pest Management Strategy 2002–2022 or otherwise be an Unwanted Organism under the Biosecurity Act 1993 in the coastal marine area is a prohibited activity.

3 Conclusion

B+LNZ thanks Greater Wellington Regional Council for the opportunity to comment on the proposed Natural Resources Plan.

B+LNZ would not gain an advantage in trade competition through this submission

B+LNZ wishes to be heard in support of this submission and is happy to discuss the issues raised in this submission.

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Appendix 1

Principles for the Allocation of Nutrients

These principles have been developed to guide decisions on nutrient allocation. They seek to ensure that nutrient allocation is fair, equitable, recognises the complexity of farming systems, and provides for continued flexibility of land use. They support catchment specific solutions to nutrient management and that different allocation regimes will be established that reflect differences between communities and their catchments, and to meet water quality objectives in those catchments. These principles should be considered carefully when forming any nutrient allocation policies or methods to achieve them. Each principle is important but they should be considered as a whole to inform allocation discussions.

Principle 1 Like land should be treated the same

Allocation should be based on the intrinsic qualities of the land. Two pieces of land with the same qualities should receive the same allocation. This principle recognises that allocation regimes should not be overly influenced by existing land use.

Principle 2 Those undertaking activities that have caused water quality problems should be required to improve their management to meet water quality limits.

All New Zealanders have a responsibility to manage their activities to maintain or improve water quality. This principle reflects the need for those who have caused water quality problems or who are contributing a greater amount to them to take a greater responsibility for meeting the costs of reducing nutrient loss to water. It also reinforces that those who have managed responsibly should not be required to have their land use constrained as a result of others' activity.

Principle 3 Flexibility of land use must be maintained

Land owners need to have the ability to respond to changes in climate, input costs, markets and technological innovation in order to maintain a profitable and sustainable farming enterprise. Allocating nutrients in such a way that unnecessarily limits land use change constrains the ability of land users to respond to those changes and optimally utilise the land resource.

Principle 4 The allocation system should be technically feasible, simple to operate and understandable

A high level of technical feasibility is fundamental to a successful allocation approach. The simpler the system, the more likely it is to be able to operate effectively. The approach must also be understandable by land users and the wider community. It must be able to be administered fairly and at minimum transaction costs to users and the regulator.

Principle 5 The natural capital of soils should be the primary consideration when establishing an allocation mechanism for nutrient loss

A natural capital approach allows for an economically efficient allocation of nutrients. Those soils with the greatest ability to retain nutrients and optimise nutrient use give land users the greatest flexibility to optimise production, respond to markets and technology while managing potential effects on water quality. Allocation systems should reflect the ability of these soil types to optimise production and land use flexibility.

Principle 6 Allocation approaches should provide for adaptive management and new information

Allocation decisions are primarily made on the information we know now and modelled future scenarios. Our understanding and the availability of both catchment and farm systems will change over the life of

an allocation system as will possible management techniques. Allocation systems should provide sufficient flexibility to provide for adaptive management and be reviewed regularly to incorporate new information. Adequate transition times should be provided to incorporate new information where allocation changes as a result.

Principle 7 Appropriate timeframes must be set to allow for transition from current state to one where allocation of nutrients applies

Timeframes should take account of the degree to which any waterway is over-allocated (if that is the case), the period over which this state has come about and the costs for businesses and the current ability to manage to that allocation.

It should be recognised that current water quality issues are sometimes the result of many years of land use within catchments and may have developed over generations. Consideration needs to be taken of the legitimate expectations of people and natural justice. Accordingly time should be provided for them to adjust. There needs to be a balanced approach and recognition of the uncertainty associated with water science versus the likely economic impact on businesses and the region. The primary objective should be to set an appropriate direction of travel that will see a steady improvement in water quality.

Principle 8 Long term investment certainty is a critical feature of a viable nutrient management system

Changes to nutrient allocation regimes must be signalled as far out as possible. Refinements to those systems must be managed to minimise their impacts on business viability, land value and the flexibility of land use. The aim must be to reflect the underlying elements of sustainable management in achieving improved water quality outcomes including reducing those adverse impacts on social and economic outcomes.

Principle 9 Improvement in water quality must remain the primary objective of adopting any nutrient allocation regime

When exploring the adoption of methods to achieve water quality improvements and manage to limits, the focus of community debates, modelling and discussion of allocation of nutrients can distract from the primary goal – maintaining and improving water quality. This principle emphasises that allocating nutrients to a property level doesn't in itself result in improved in water quality; it is the actions of land users that ultimately result in improved nutrient management.

Principle 10 In under-allocated catchments, where property based nutrient allocation has not been adopted in setting water quality limits, the system for allocating nutrients must be determined well before the limit is reached, be clear and easy to understand, and designed to avoid over-allocation

The mechanism for allocating nutrients, even if it does not have immediate effect, should be clear from the time when water quality limits are set. Allocation mechanisms should reflect the level of risk that the catchment will become over allocated. This may include the adoption of a pre-agreed catchment-specific environmental threshold (e.g. 75%-90% of a limit) to determine when an allocation regime should be adopted.

Principle 11 In designing the allocation system the benefits of a nutrient transfer system within the catchment or water management unit should be considered

Maximum economic efficiency of land use could be assisted by a mechanism for transferring nutrient discharge allowances within the same catchment.

Principle 12 Regulation, monitoring, auditing and reporting of nutrients within an allocation regime needs to relate to the degree of environmental impact and pressure

If there is limited environmental pressure and if an activity has a low impact then regulation – and the financial cost of complying with that regulation – should be commensurate with the degree to which the activities are causing an adverse effect on water quality

Principle 13 As a minimum expectation, in all catchments, all land users should be at or moving towards (industry defined) Good Management Practice (GMP), recognising that GMP is constantly evolving and continuous improvement is inherent in GMP

In many catchments, lifting everyone to GMP is likely to go a long way towards achieving community objectives for managing to water quality limits. In catchments where nutrients are not over allocated, requiring good management practice is a sound alternative method to allocating nutrients to a farm (property based) level.

Principle 14 Nutrient allocation must be informed by sound science and stable and reliable catchment and farm system modelling and measurement

Modelling nutrient loss is important to inform nutrient allocation, but all models have limitations. Overseer is a key tool for understanding and managing nutrients on farms and to inform nutrient allocation decisions. In the short term there are significant limitations that need to be catered for in determining any regulatory or nutrient allocation regime (e.g. assumptions in Overseer regarding GMP, modelling of cropping regimes, ability of Overseer to estimate nutrient loss from the adoption of certain mitigations and the validation of Overseer estimates). Other measures may need to be included in the approach to managing nutrient loss to ensure innovative change is incentivised and that the focus remains on promoting good practice. Over time modelling designed to estimate nutrient loss will improve. Modelled estimates will change, so allocation regimes should account for modelling uncertainty and provide for appropriate transition periods.

Estimates of nutrient loss are a necessary input to decisions on nutrient management but broader catchment-scale modelling is critical if these decisions are to be robust. There is an urgent need to increase the emphasis placed on catchment-scale modelling.

Note: The principles have been adopted by the Board of Beef + Lamb New Zealand.

Proposed Natural Resources Plan:

Submitter:

Taratahi Agricultural Training Centre

Submitter Number:

S312

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	<i>Tony Dowman – Taratahi Agricultural Training Centre</i>
Farm Name	<i>Taratahi Dairy Unit, Mangarata</i>
Physical Address	<i>529 Cornwall Road, RD7, Masterton 265 Caves Road, RD, Masterton</i>
Phone Number	<i>0272207965</i>
Email Address	<i>Tony.dowman@taratahi.ac.nz Paul.crick@taratahi.ac.nz</i>

Communication from GWRC: *I prefer email*

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission. I support the Wairarapa Water Users submission.

INTRODUCTION – Key Points about farm/business

Farm Type	<i>Sheep, Beef , Arable, Dairy, agricultural business and Education</i>
Farm size (area)	818 hectares combined over 2 properties
Main Waterways	Waingawa River, Ruamahunga, Whangahu River
GW Soil plan or Farm Plan	Yes No
Environmental investments	Irrigation infrastructure for irrigation from the Waingawa River,
QE2 or Retirement Blocks	A number of blocks have been excluded of stock in working with GWRC to minimize hill country erosion and preservation of water ways/dams.

General Comments	<i>We appreciate the partnership approach with council staff on the ground and the support and advice they provide. The council, in the past, has been very approachable and good to work with.</i>
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STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, eg, crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, eg, Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

Taratahi's owns and leases various properties within the Wairarapa. Our sheep and beef breeding properties have a significant proportion of hills where in the absence of troughs or dam's for collection of surface water/spring stock water is limited to drains and creeks. As a diverse business we continue to look for opportunities that complement business unit interaction that may include grazing of dairy cows on these farms for mutual benefit. It would be an unrealistic expectation and very difficult to manage excluding all dairy cows from waterways >1m on hill country. The scale of this undertaking would require significant cost and time (being a number of years) as well as continual upkeep. To an extent, depending on farm size may become unprofitable.

WETLANDS**Specific Provisions that my submission relates to are:**

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritize to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

A common sense approach is required.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (eg, 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

Taratahi plans improve our effluent storage facilities however wish for the reasoning of the benefit and costs associated for the proposed guidelines to be clear with the technical data to support this reasoning at a Regional and National level. To meet the expectation as proposed will require significant investment ranging (and quoted) from \$180,000 to \$300,000. For this to be possible a staggered approach would be required.

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*The requirement for an impermeable liner reflects on large capital costs required or changing farm systems to utilize the likes of baleage. Each season pasture surpluses are harvested but given the variability of seasons, it is near on impossible to dictate the volume likely to be produced or harvested. That being should the volume exceed capacity of storage on an impermeable liner what is expected of the surplus? If baleage is required the cost is significantly more and the plastic would need to be dealt with. For our farm a concrete area capable of withstand traffic (*tractors/wagons) and meeting these expectations would cost upwards of \$100,000. This is a cost our business cannot sustain.*

Conservation methods of wilting silage significantly reduces the risk of leaching and would be considered low risk

A Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

Setbacks are unnecessary where the slope of the land falls away from the water body. When cultivating and break feeding we give consideration to ensure bank degradation does not occur and that a sensible margin suitable between cultivated area and the embankment are left depending on the slope, aspect and catchment size so surface water run is minimised. On the uphill side a wider margin is required as compared to the downhill where flow patterns are away from the water body. Where at all possible water bodies are fenced for cattle exclusion during break feeding unless alternate water supplies are unavailable, however access areas are kept to a minimum.

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the water table at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

The proposed rules seem impractical as it is overly restrictive of what can be done and when, requires multiple visits. This could place additional risk on crops and land should maintenance not be able to be carried out to the extent required and follow up unable to occur due to potential damage occurring to crops. Historical modification is not recognized nor the purpose of why and how it was installed.

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

In order for Taratahi to ensure access to the farm is maintained and is of a nature that ensures health and safety of staff and students is maintained, regular maintenance and construction of farm tracks is required to occur. Typically this could be in excess of 5km or maintenance of varying widths to ensure safe transit of vehicles and machinery which would exceed the proposed 3000m² if the definition remains.

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, eg, greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

confusion with different slope triggers.

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

(e) no discharge within a community drinking water supply protection area

(g) spray plan must be prepared once per annum

- identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)

- notify neighbours the spray plan is available on request

- get written agreement from adjoining neighbours that notification is not required

- supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

Clause g provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected. It would also be unclear if changes are made to a neighbours property that would inadvertently increase the risk beyond what is known of the operator.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available and in the short term will not be financially viable.

Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (eg, Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on “significance” of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

This is impractical where costs would be prohibitive, low risk. It is unclear if it requires a consultants report to get consent?

Any other areas of concern – just copy format above

RUAMAHUNGA WHAITUA

Specific Provisions that my submission relates to are:

Table R1: Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)

My submission is: ~~support~~/oppose

I seek the following changes:

That the figure of 1700l/sec is removed from the Waingawa River

Comment and Reasons

Taratahi's irrigation take is located in very close proximity to the confluence of the Ruamahunga and Waingawa Rivers. Taratahi was initially granted consent for this take in 2005 and has invested significantly in infrastructure developing our dairy farm to a milking platform to 220ha . A cease take at 1700l/sec would have significant effects on Taratahi's operation both as a farmer and our ability to operate a productive unit at this scale and as educationalists whereby the ability to demonstrate best practice and operational management via our 'real farm, real training' delivery mode would severely be limited or non existent during critical times. Over the 2014/15 season, this restriction would have reduced irrigated days by approx. 56 days.

The Waingawa river is flow metered at Kaituna. This is above the confluence of the Ahtiwhaktu River. With Taratahi's take just above the confluence of the Ruamahunga River, being below the Wardell's bridge monitoring site, there is no data of flows until the lower valley monitoring site.

Taratahi has recently renewed its consent with increased restrictions reducing irrigated area during low flow (<1700l/s) from 190ha to 100ha. This will impact the productive and capital value of Taratahi's land.

Taratahi supports submissions made by the Wairarapa Water Users Group.

Proposed Natural Resources Plan:

Submitter:

Matt Dillon

Submitter Number:

S313

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Matt Dillon

Organisation name: (If applicable)

Address for Service: 15B Seaview Road, Paremata, Porirua City

Matt.dillon@me.com

Telephone no's: Work: Home: Cell: 021-762538

Contact person:

Address and telephone no (if different from above): 15B Seaview Road

c

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: matt.dillon@me.com

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.
If you could gain an advantage please complete one of the following:

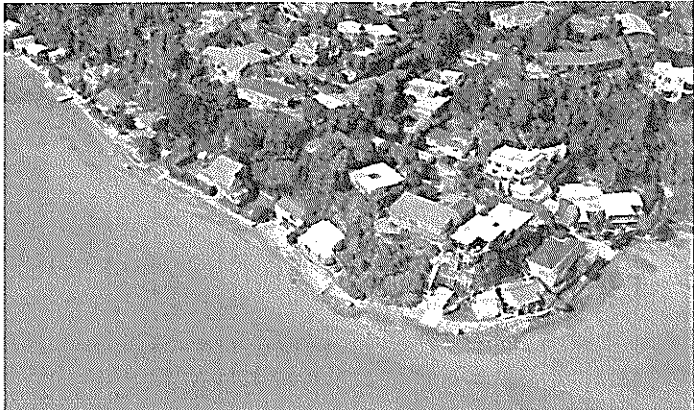
I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Rule R198: Motor vehicles inside sites of significance – non-complying activity	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
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	<p>Reasons for my submission: →</p>	<p>Our understanding is that if the Proposed Natural Resources Plan (PNRP) is adopted in its present form the use of vehicles to access our properties will change from a restricted discretionary activity to a non-complying/ prohibited activity.</p> <p>We seek to amend Rule 198 of the Proposed NRP to be a discretionary activity for the Golden Gate Peninsula including Browns Bay and Ivey Bay. That is, retain the existing provisions for this area.</p> <p>MY POSITION</p> <p><u>I oppose</u> the proposal to change <u>driving along the Golden Gate Peninsula beach</u> area from a <u>restricted discretionary activity to a non-complying / prohibited activity</u>. I request the proposed amendment is rejected, in favour of <u>maintaining the status quo</u>.</p> <p>Yes, <u>I wish to be heard</u> on this matter.</p> <p>BACKGROUND</p>  <p>This is where I live – the Golden Gate Peninsula, Paremata, Porirua. I need to be able to drive around the area shown in the above picture.</p> <p>I am a resident and home-owner in the Golden Gate Peninsula. I live at 15B Seaview Road, Paremata, Porirua. I have lived on the Golden Gate Peninsula for 4 years and have heavily invested in a major rebuild of the house. I intend to live in the area for at least another 40 years.</p> <p>The Golden Gate Peninsula area has long established residential activity. Residential settlement of the Paremata Harbour area occurred more than 500 years ago¹. Residential activities and the establishment of the Seaview Road residential area occurred in the early 1900s. My street, Seaview Road was subdivided in 1908 and my house’s original cottage was among the first built.</p> <p>My house (an alteration of the original 1908 cottage) is at sea level with limited drive-on access to the top of the property. My house is down 122 steps (that’s the equivalent of 8 flights of stairs in an office building).</p>
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¹ Source: Golden Gate Esplanade Reserves Management Plan, 2002, PCC, p8



The topography of my section means that the steps to my property are very steep.

Before you ask, “why don’t I do something to improve my access?”, well, I’ve tried. I cannot lessen the gradient of my steps without causing instability risks on the hillside. I have also spent 15 months attempting to install a cable car which would create some cartage route alternatives for me. Unfortunately, this requires neighbour permission that has not been forthcoming in all instances and access to \$180,000.

It is a **Health & Safety risk** to move heavy materials or equipment through my access way. I have had tradespeople refuse to come down my steps to the property with their equipment and machinery. The **Health and Safety Reform Bill** that comes into effect in April 2016, will likely make this a regular challenge when I am seeking tradesperson or delivery

assistance as employers and business owners will fear the liabilities and duties of care that come with the new legislation.

For situations where:

- a/ a health and safety risk exists
- b/ mobility issues exist
- c/ it is impractical to manually cart materials or equipment

I rely on my resource consent granted by GWRC in consultation with DoC that allows me to drive along the Golden Gate Peninsula (down Trevor Terrace and around to the Beach frontage of my house at 15B Seaview Road). My coastal access permit grants me a limited number of trips by vehicle annually, with conditions attached, to undertake activities necessary for normal family living.

My family and I already take steps to minimise our vehicle trips around the Peninsula so that only essential trips are undertaken. We have built a trolley (like a large go-kart with a 1 metre flat bed platform on it) that we wheel around by hand to avoid vehicle trips. We use this for as often as practical to keep the beach area protected.

MY RATIONALE FOR OPPOSING THE PROPOSED CHANGE FOR VEHICLE ACCESS TO BECOME A NON-COMPLYING, PROHIBITED ACTIVITY RATHER THAN MAINTAINING THE STATUS QUO (RESTRICTED DISCRETIONARY ACTIVITY).

My rationale for opposing the proposed change falls into three categories: firstly, the negative personal impact on my ability to conduct normal household and family tasks and activities; secondly, the lack of reasonable justification for the proposed change; and finally, the onerous financial and resource obligations that the change would have on myself and my fellow residents of the Golden Gate Peninsula.

1) Negative personal impacts on my ability to conduct 'normal' household / family tasks and activities

With no drive-on access to my property and a property with steep topography and 122 steps (that create a Health and Safety risk for occupants, tradespeople and delivery people), household tasks that others take for granted require careful planning around a limited number of "large" tides that occur during daylight hours each month and a coastal access permit.

The trips I make are infrequent, and made with due care for the local environment and conditions of my coastal access permit. They are **required for the simple tasks crucial for the normal operation of a household** (that others take for granted) such as:

- Delivery of firewood
- Replacement of heavy appliances
- Delivery of garden materials such as compost and mulch
- Removal of waste items that cannot be recycled

- or moved safely up the path
- Household maintenance
- Household repairs following adverse weather events

I also use my coastal access permit for important social reasons, namely to be transport my elderly Granny and Grandfather once a year to visit my house and share in my garden and DIY achievements over the year. Photographs don't always suffice.

I can also foresee a need in the future to use one of my coastal access trips each year in order for my elderly Father whose knees are deteriorating to be able to join me for Christmas celebrations and/or significant family events.

I cannot under-state how important it is for me and my fellow residents to be able to live practically in the Golden Gate Peninsula. All residents are sensitive to the special nature of our local environment and the need to safeguard it. I also note that residents have been living this way for over a century now – balancing the need to care for our special location with the practical needs of household operation.

2) **Lack of reasonable justification for the proposed change**

GWRC have not provided any reasonable justification for the change in status of the activity for the Golden Gate Peninsula. I asked GWRC (Caroline Ammundsen) on 24 September 2015 if there has been any issue or incident in the Golden Gate Peninsula area that has given rise to this proposed change and have not received a reply. The 20 working day time limit for my Official Information Request expired on 22 October 2015 and no reply or request for extension was received. It seems fairly safe to conclude, from my personal daily observations of the Inlet area over the last 4 years, conversations with local residents and the Paremata Residents Association, that no-one is aware of any issue that has created a need for additional levels of care and protection beyond what is already required under the status quo (discretionary permitted activity).

I believe that residents of the Golden Gate Peninsula already appreciate, appropriately value and safeguard the local environment. We all know that the Peninsula and its ecological systems deserve protection and care by local residents. I do not know of any residents that would want removal of the existing levels of protection afforded by resource consent process for a discretionary, permitted activity. We all want the status quo requirement (to be granted a resource consent for the discretionary activity of driving along the Peninsula) to be maintained, along with the current high fee (\$1200) to be paid that deters any frivolous use of permitted driving trips along the Peninsula).

3) **The onerous financial and resource obligations would have on me personally and my fellow residents of the Golden Gate Peninsula.**

For a non-complying activity, the activity needs to pass the 'gate-way test' under section 104D of the Resource Management Act. In a nutshell, as I understand it (as a layperson rather than a planning professional), either the adverse effects of the activity will need to be proven to be minor, or the activity will not be contrary to the objectives and policies of the regional plans (both the operative and proposed plans).

What this means is that it is likely that **I would have to employ the services of a professional planner** that can help me to assess the effects on the environment and also assess against the objectives and policies of the Natural Resources Plan, District Plan, Resource Management Act, Golden Gate Reserves Esplanade Plan etc plus probably a whole lot other national and local policy frameworks. I am not a professional planner, and as a resident, I shouldn't have to either become one or pay one thousands of dollars to undertake infrequent but necessary household living tasks that have taken place in this same exact area since the early 1900s without any permanent lasting negative effects.

The costs for applying for the non-complying, prohibited activity are far more onerous than the status quo. In order to satisfy the additional hurdles or tests, I will need to provide more evidence and proof points that my activity will not cause any damage because the tests required for a non-complying prohibited activity are far stricter than those of a discretionary, permitted activity. This means that I will likely need to **employ specialist researchers and scientific advisors to provide evidence** that my activity will not cause damage.

In addition to these fees (the professional planner + the specialist researchers/ experts/ scientific advisors) there is also an **increased likelihood that my application will become a "notified" and incur fixed application fees that range from \$11,500 to \$57,000.**

By proposing to change driving along the Golden Gate Peninsula from a discretionary, permitted activity to a non-complying, prohibited activity, the GWRC will be placing **unnecessary and harsh financial penalties and obligations** on residents of the Golden Gate Peninsula. Should this situation arise, I do not believe that I would have the financial resources to pay these significant costs. The activities that I require my coastal access permit for are infrequent but necessary, non-negotiable household

		<p>tasks that are necessary for a normally functioning household. This would threaten my ability to live reasonably on the Golden Gate Peninsula in the same way that others have lived for almost a century. I also believe it will create an unreasonable financial burden for my neighbours who are approaching retirement age and the end of their income wage-earning years.</p>
--	--	---

	I seek the following decision from WRC (give precise details): →	We seek to amend Rule 198 of the Proposed NRP to be a discretionary activity for the Golden Gate Peninsula including Browns Bay and Ivey Bay. That is, retain the existing provisions for this area.
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	Reasons for my submission: →	
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If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____ Date: _____

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

John Carred

Submitter Number:

S314

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	John Carred
Farm Name	Wairaka
Physical Address	113 Coroglen Rise Pukerua Bay Wellington 5026
Phone Number	04 2399701 M 0275882233
Email Address	Wairaka153@yahoo.co.nz

Communication from GWRC: I prefer email

Trade competition: I could not gain an advantage in trade competition through the submission : Yes

Hearing: I wish to be heard and would consider jointly appearing with other submitters : Yes

Support: I support Wairarapa Federated Farmers submission : Yes

INTRODUCTION - Key Points about farm/business

Farm Type	Sheep & Beef 17 hectare block dairy run off
Farm size (area)	Farm one 408 farm two 17hectares
Main Waterways	Drainage on 17 hectare farm
GW Soil plan or Farm Plan	No

Environmental investments	QE2
QE2 or Retirement Blocks	11 hectares
General Comments	

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre Schedule I and Map 22: important trout spawning habitat Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies - permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites - inanga or trout - is during the spawning season.

Specify criteria for "important" trout spawning rivers; delete those that don't meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don't apply until they are.

Stock Exclusion Comments and Reasons

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands - controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands - discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: support/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1 ha to 1.0ha

Rule 104: allow use of machines rather than just hand held Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land - controlled

Rule 93: effluent to land in supply protection area - discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

Extend the consent timeframe to 20 years to reflect the investment made

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: support/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: support/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; and

Rule 122: Removing vegetation from the bed of any river; same conditions for both

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity - straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months - permitted Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months- permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges - permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga Rule R115: culverts - permitted if
- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site - restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself - not leaving this to a consent process at landowner cost

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps - 15 conditions

Rule 91: Offal Pit - 9 conditions

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga Rule R115: culverts - permitted if

My submission is: support/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- P retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals - permitted activity conditions relating to aerial and vehicle based spraying

(e) no discharge within a community drinking water supply protection area

(g) spray plan must be prepared once pa

- identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)

- notify neighbours the spray plan is available on request

- get written agreement from adjoining neighbours that notification is not required

- supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: support/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer - permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: support/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Proposed Natural Resources Plan:

Submitter:

K-J Dillon

Submitter Number:

S315

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: K-J Dillon

Organisation name: _____
 (If applicable)

Address for Service: 15B Seaview Road, Paremata, Porirua City

kjdillon.nz@gmail.com

Telephone no's: Work: _____ Home: _____ Cell: 021-513744

Contact person: K-J Dillon

Address and telephone no (if different from above): 15B Seaview Road

c

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: Kjdillon.nz@gmail.com

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

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Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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Reasons for my submission: →

Our understanding is that if the Proposed Natural Resources Plan (PNRP) is adopted in its present form the use of vehicles to access our properties will change from a restricted discretionary activity to a non-complying/ prohibited activity.

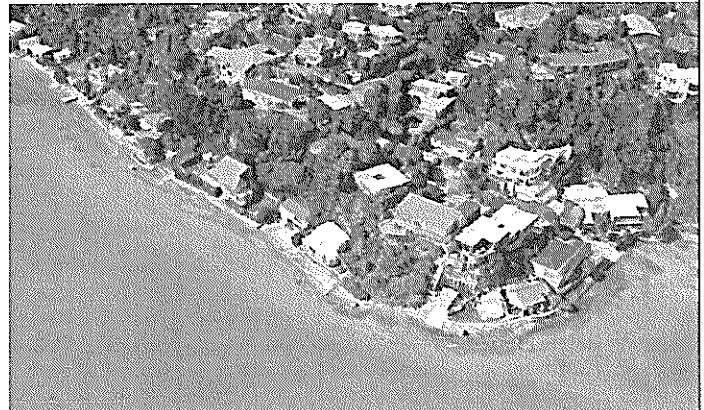
We seek to amend Rule 198 of the Proposed NRP to be a discretionary activity for the Golden Gate Peninsula including Browns Bay and Ivey Bay. That is, retain the existing provisions for this area.

MY POSITION

I oppose the proposal to change driving along the Golden Gate Peninsula beach area from a restricted discretionary activity to a non-complying / prohibited activity. I request the proposed amendment is rejected, in favour of maintaining the status quo.

Yes, **I wish to be heard** on this matter.

BACKGROUND



This is where I live – the Golden Gate Peninsula, Paremata, Porirua. I need to be able to drive around the area shown in the above picture.

I am a resident and home-owner in the Golden Gate Peninsula. I live at 15B Seaview Road, Paremata, Porirua. I have lived on the Golden Gate Peninsula for 4 years and have heavily invested in a major rebuild of the house. I intend to live in the area for at least another 40 years.

The Golden Gate Peninsula area has long established residential activity. Residential settlement of the Paremata Harbour area occurred more than 500 years ago¹. Residential activities and the establishment of the Seaview Road residential area occurred in the early 1900s. My street, Seaview Road was subdivided in 1908 and my house's original cottage was among the first built.

My house (an alteration of the original 1908 cottage) is at sea level with limited drive-on access to the top of the property. My house is down 122 steps (that's the equivalent of 8 flights of stairs in an office building).

¹ Source: Golden Gate Esplanade Reserves Management Plan, 2002, PCC, p8



The topography of my section means that the steps to my property are very steep.

Before you ask, “why don’t I do something to improve my access?”, well, I’ve tried. I cannot lessen the gradient of my steps without causing instability risks on the hillside. I have also spent 15 months attempting to install a cable car which would create some cartage route alternatives for me. Unfortunately, this requires neighbour permission that has not been forthcoming in all instances and access to \$180,000.

It is a **Health & Safety risk** to move heavy materials or equipment through my access way. I have had tradespeople refuse to come down my steps to the property with their equipment and machinery. The **Health and Safety Reform Bill** that comes into effect in April 2016, will likely make this a regular challenge when I am seeking tradesperson or delivery

assistance as employers and business owners will fear the liabilities and duties of care that come with the new legislation.

For situations where:

- a/ a health and safety risk exists
- b/ mobility issues exist
- c/ it is impractical to manually cart materials or equipment

I rely on my resource consent granted by GWRC in consultation with DoC that allows me to drive along the Golden Gate Peninsula (down Trevor Terrace and around to the Beach frontage of my house at 15B Seaview Road). My coastal access permit grants me a limited number of trips by vehicle annually, with conditions attached, to undertake activities necessary for normal family living.

My family and I already take steps to minimise our vehicle trips around the Peninsula so that only essential trips are undertaken. We have built a trolley (like a large go-kart with a 1 metre flat bed platform on it) that we wheel around by hand to avoid vehicle trips. We use this for as often as practical to keep the beach area protected.

MY RATIONALE FOR OPPOSING THE PROPOSED CHANGE FOR VEHICLE ACCESS TO BECOME A NON-COMPLYING, PROHIBITED ACTIVITY RATHER THAN MAINTAINING THE STATUS QUO (RESTRICTED DISCRETIONARY ACTIVITY).

My rationale for opposing the proposed change falls into three categories: firstly, the negative personal impact on my ability to conduct normal household and family tasks and activities; secondly, the lack of reasonable justification for the proposed change; and finally, the onerous financial and resource obligations that the change would have on myself and my fellow residents of the Golden Gate Peninsula.

1) Negative personal impacts on my ability to conduct 'normal' household / family tasks and activities

With no drive-on access to my property and a property with steep topography and 122 steps (that create a Health and Safety risk for occupants, tradespeople and delivery people), household tasks that others take for granted require careful planning around a limited number of "large" tides that occur during daylight hours each month and a coastal access permit.

The trips I make are infrequent, and made with due care for the local environment and conditions of my coastal access permit. They are **required for the simple tasks crucial for the normal operation of a household** (that others take for granted) such as:

- Delivery of firewood
- Replacement of heavy appliances
- Delivery of garden materials such as compost and mulch
- Removal of waste items that cannot be recycled

- or moved safely up the path
- Household maintenance
 - Household repairs following adverse weather events

I also use my coastal access permit for important social reasons, namely to be transport my elderly Granny and Grandfather once a year to visit my house and share in my garden and DIY achievements over the year. Photographs don't always suffice.

I can also foresee a need in the future to use one of my coastal access trips each year in order for my elderly Father whose knees are deteriorating to be able to join me for Christmas celebrations and/or significant family events.

I cannot under-state how important it is for me and my fellow residents to be able to live practically in the Golden Gate Peninsula. All residents are sensitive to the special nature of our local environment and the need to safeguard it. I also note that residents have been living this way for over a century now – balancing the need to care for our special location with the practical needs of household operation.

2) **Lack of reasonable justification for the proposed change**

GWRC have not provided any reasonable justification for the change in status of the activity for the Golden Gate Peninsula. I asked GWRC (Caroline Ammundsen) on 24 September 2015 if there has been any issue or incident in the Golden Gate Peninsula area that has given rise to this proposed change and have not received a reply. The 20 working day time limit for my Official Information Request expired on 22 October 2015 and no reply or request for extension was received. It seems fairly safe to conclude, from my personal daily observations of the Inlet area over the last 4 years, conversations with local residents and the Paremata Residents Association, that no-one is aware of any issue that has created a need for additional levels of care and protection beyond what is already required under the status quo (discretionary permitted activity).

I believe that residents of the Golden Gate Peninsula already appreciate, appropriately value and safeguard the local environment. We all know that the Peninsula and its ecological systems deserve protection and care by local residents. I do not know of any residents that would want removal of the existing levels of protection afforded by resource consent process for a discretionary, permitted activity. We all want the status quo requirement (to be granted a resource consent for the discretionary activity of driving along the Peninsula) to be maintained, along with the current high fee (\$1200) to be paid that deters any frivolous use of permitted driving trips along the Peninsula).

3) **The onerous financial and resource obligations would have on me personally and my fellow residents of the Golden Gate Peninsula.**

For a non-complying activity, the activity needs to pass the 'gate-way test' under section 104D of the Resource Management Act. In a nutshell, as I understand it (as a layperson rather than a planning professional), either the adverse effects of the activity will need to be proven to be minor, or the activity will not be contrary to the objectives and policies of the regional plans (both the operative and proposed plans).

What this means is that it is likely that **I would have to employ the services of a professional planner** that can help me to assess the effects on the environment and also assess against the objectives and policies of the Natural Resources Plan, District Plan, Resource Management Act, Golden Gate Reserves Esplanade Plan etc plus probably a whole lot other national and local policy frameworks. I am not a professional planner, and as a resident, I shouldn't have to either become one or pay one thousands of dollars to undertake infrequent but necessary household living tasks that have taken place in this same exact area since the early 1900s without any permanent lasting negative effects.

The costs for applying for the non-complying, prohibited activity are far more onerous than the status quo. In order to satisfy the additional hurdles or tests, I will need to provide more evidence and proof points that my activity will not cause any damage because the tests required for a non-complying prohibited activity are far stricter than those of a discretionary, permitted activity. This means that I will likely need to **employ specialist researchers and scientific advisors to provide evidence** that my activity will not cause damage.

In addition to these fees (the professional planner + the specialist researchers/ experts/ scientific advisors) there is also an **increased likelihood that my application will become a "notified" and incur fixed application fees that range from \$11,500 to \$57,000.**

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		<p>tasks that are necessary for a normally functioning household. This would threaten my ability to live reasonably on the Golden Gate Peninsula in the same way that others have lived for almost a century. I also believe it will create an unreasonable financial burden for my neighbours who are approaching retirement age and the end of their income wage-earning years.</p>
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____

Date: _____

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

**Dairy NZ and Fonterra Co-operative
Group Ltd**

Submitter Number:

S316



Dairy for life

**SUBMISSION TO
GREATER WELLINGTON
ON THE DRAFT NATURAL RESOURCES PLAN FOR
THE WELLINGTON REGION
DECEMBER 2014**

**FROM
DAIRYNZ
AND
FONTERRA CO-OPERATIVE GROUP LTD**

23 OCTOBER 2015

Dairy Sector Submission – Draft Natural Resources Plan for the Wellington Region

Full Name of Submitter	DairyNZ and Fonterra Co-operative Group Limited
Contact Person	Oliver Parsons
Title	Senior Policy Advisor
Full Postal Address	PO Box 10002, Wellington, 6143
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DairyNZ

1. DairyNZ is the industry good organisation representing New Zealand's dairy farmers. Funded by a levy on milksolids and through government investment, our purpose is to secure and enhance the profitability, sustainability and competitiveness of New Zealand dairy farming. We deliver value to farmers through leadership, influencing, investing, partnering with other organisations and through our own strategic capability. Our work includes research and development to create practical on-farm tools, leading on-farm adoption of best practice farming, promoting careers in dairying and advocating for farmers with central and regional government. For more information, visit www.dairynz.co.nz.
2. DairyNZ strongly supports policy that is founded on robust science. We believe that taking an evidence-based approach leads to more effective and enduring policy, with fewer negative outcomes. Our policy positions are based on economics, farm systems and water quality expertise. In our submissions on both regional and national government policy, we seek to ensure that the focus remains on delivering outcomes that really matter to communities, rather than perceived issues.

Fonterra

Introduction

3. Fonterra Co-operative Group Limited (**Fonterra**) is the world's largest milk processor and dairy exporting company, 100% owned by 10,721 New Zealand dairy farmers. Fonterra's 18,200 staff work across the dairy spectrum, from advising farmers on sustainable farming and milk production, to ensuring Fonterra meets exacting quality standards and delivers dairy nutrition every day in more than 100 markets around the world.¹
4. Fonterra collects more than 16 billion litres of milk from New Zealand, exporting more than 2.4 million tonnes of dairy product annually. Globally Fonterra

¹ Fonterra Annual Review 2014.

processes more than 22 billion litres of milk and owns leading dairy brands in Australasia, Asia, the Middle East and Latin America. In the 2012 financial year, Fonterra's global revenue was over \$22 billion.

Fonterra and the Wellington Region

5. In 2013/2014 Greater Wellington based dairy farmers produced over 61 million kilograms of Milk Solids, contributing significantly to the region's economy. At an average payout of \$8.47² per kg of Milk Solids this equates to \$518 million revenue to the Region at the farm-gate (excluding dividend). 624 people are employed in dairy farming in Greater Wellington region, with most of these based in the South Wairarapa district.³

Fonterra and the Environment

6. Fonterra believes sustainability to be one of the defining issues for the success of the company and for the global dairy industry. Public and consumer expectations about the performance of our industry are increasing around sustainability issues and we acknowledge the need to continuously improve our performance.
7. Land and water are essential resources to Fonterra and its farmers, and we recognise that maintaining a healthy and functioning environment, including healthy waterways and water flow, is important for an enduring and successful dairy industry.
8. On farm, Fonterra has developed a programme called "**Supply Fonterra**", which is the design, development and delivery of a farmer-facing package of continuous improvement initiatives that cross regulatory, compliance and market requirements for Fonterra farmers. Supply Fonterra:
 - a. States minimum standards and recommended good practices;
 - b. Supports farmers through on-farm change with one-to-one support;
 - c. Facilitates access to education and resources; and
 - d. Accelerates knowledge transfer.
9. The "environment" component of Supply Fonterra currently has three parts:
 - a. Effluent management – assisting farmers to have effluent management systems capable of 365-day compliance with regulatory requirements;
 - b. Waterway management – establishing the Fonterra requirement for all waterways (as defined) to be fenced, together with advice on fencing options, riparian margins and reducing overland flow to water;
 - c. Nutrient management - recording nutrient management information giving farmers the ability to understand their own farm's modelled nitrogen loss relative to other farms with similar geographical and climatic conditions.
10. Fonterra has an on the ground team of 19 Sustainable Dairying Advisors who provide support and advice to farmers across all our supply regions.
11. Fonterra is also partnering with DairyNZ and other New Zealand dairy companies to make a dairy sector commitment to continuous improvement on waterway management, in the Sustainable Dairying: Water Accord.

² LIC / DairyNZ New Zealand Dairy Statistics 2013 - 2014.

³ Dairy's role in sustaining New Zealand, NZIER 2010 – Dairy Employment Statistics.

Submission on Draft Natural Resources Plan

12. The dairy sector has been involved in the development of the Draft Natural Resources Plan participating in all workshops and meetings to give feedback and input. The dairy sector is also an active participant in the Federated Farmer-led 'Team Ag' group, with a goal of providing coordinated and consistent feedback to Greater Wellington (GW) from primary production groups in the region. This group has provided sector related advice and information to Greater Wellington that has been used in formulating the Draft Natural Resources Plan.
13. We support and appreciate the collaborative approach that GW has taken with the primary sector in the development of the Draft Natural Resources Plan and commends GW for its overall efforts in developing the Draft Plan.
14. The dairy sector's full set of comments are provided on a "without prejudice" basis on GW's spreadsheet pro forma, which is provided as a separate document. However we wish to highlight a number of key points, as follows.
15. As a general comment, the dairy sector considers many of the Draft Plan provisions that are relevant to dairying are largely appropriate for resources in the Wellington region. The Draft Plan recognises the value of good management practices, consistent with our approach nationwide. The dairy sector supports provisions that are, in principle, consistent with the 'Supply Fonterra' initiative and the Sustainable Dairying: Water Accord.
16. Many provisions in the Draft Plan are framed in the context of achieving water quality outcomes. We appreciate that water quality and allocation has been identified as a key issue for the region, and that the plan must give effect to the National Policy Statement on Freshwater Management 2014 (NPSFM). However, we are concerned that the Draft Plan does not appropriately balance these requirements with the recognition of the use of land for primary production.
17. Accordingly we propose amendments to the objectives to ensure that the social, economic and cultural benefits of regionally significant industries, such as the dairy industry, are recognised and provided for.

Critical issues

18. There are a number of critical issues in the plan to which we wish to draw attention.

Objectives

19. We are concerned at the inclusion of detailed numeric limits and targets for water quality, in the absence of values being defined properly by the Whaitua process. It is questionable whether this default approach is compliant with the requirements of the NPSFM 2014 under policy CA2. Even if it is accepted that numeric objectives are appropriate in this regional plan, there are some serious issues with the proposed figures.
20. The narrative objective of protecting groundwater fauna is sensible, but we are concerned that this only exists due to an unsupported statement in a technical report, suggesting that surface water standards should apply to groundwater fauna. The underpinning of this is fundamentally false. Even taking the

conservative approach of using surface water invertebrates (groundwater invertebrates are likely to be even more resilient to nitrate toxicity), it has been established that drinking water standards are more conservative than any equivalent standard to protect groundwater fauna (11.3 mg NO₃N/L compared to between 17 and 30mg NO₃-N/L). Accordingly, drinking water protection should be the focus of groundwater nitrate standards to protect both human and ecosystem health.

21. Further, the methodology used to set the Macroinvertebrate Community Index (MCI) limits is unreliable and not scientifically sound, as the Cawthron Institute report into reference states highlighted, and which subsequent review by Dr Russell Death and Dr. John Quinn also confirmed. It would be more defensible to simply set the goal of maintaining or improving current MCI levels, using current MCI observations and trends. The method adopted by GWRC risks setting targets too high, too low or both.
22. The periphyton objective for class 6 (hill country rivers) is now 120, down from 200 in the draft. There is no explanation for this change and evidence suggests this is not realistic for rivers that experience extremely long accrual periods during summer dry conditions.

Rules in relation to discharges and on-farm infrastructure

23. We are disappointed to note the inequity with which town wastewater and farm dairy effluent are treated (especially regarding adverse weather events). Given addressing town wastewater discharges is likely to be more cost-effective in terms of addressing actual environmental effects, we do not see the logic to this.
24. Accordingly we believe requirements for improvement of farm infrastructure should be more pragmatic (for example, proposed permeability standards are impossible to enforce on existing storage facilities) and incorporate reasonable timeframes for implementation. Given the significant investment farmers have made in this area, we believe urban communities should be held to the same high standards. To do otherwise is not effects-based, cost-effective or equitable.
25. The rules in relation to the sealing of areas where silage is made are particularly troubling. No adverse environmental effect from making silage has been identified in the Greater Wellington Region. This is an arduous and expensive rule, with no expected benefit. Only poorly-made silage produces significant leachate, so this matter is predominantly a management issue. We consider that there is merit in sealing large permanent silage pits, but this is in relation to producing and storing top-quality silage rather than managing environmental effects. Accordingly, this is not a matter for regulation.

Water allocation

26. We believe it is critical that GW take an approach of maintaining the status quo to water allocation. Businesses that take and use water are built on a particular level of reliability of supply. Any change to minimum flows or allocation frameworks can have severe consequences for a broad range of businesses. We support GW in its wish to put in place a framework which can prevent any further degradation. The way to do this is to fix in place current allocation and flow limits.
27. We are concerned at some ambiguities in the proposed plan that suggest there may be changes to current limits or how they are applied in practice. Any change

to this regime requires careful analysis of the likely social, economic and cultural implications of new limits. Greater Wellington has a good process underway with Whaitua groups which would be the ideal forum for considering the implications of a new water allocation framework, with a true sustainable management approach. This is not just about good practice in planning. Policy CA2 of the NPSFM 2014 indicates that this is a legal requirement and we are currently not aware of any proper analysis of the implications of changes in reliability of supply for resource users.

Conclusion

28. The dairy sector wishes to thank Greater Wellington Regional Council for the opportunity to submit on its Proposed Natural Resources Plan. We look forward to discussing the issues outlined in this letter and the attached spreadsheet further with Council, as well as presenting at hearings. It is a significant achievement to bring a new regional plan to this stage, and we believe that with some further adjustment it will set the stage for a positive consideration and implementation of values at the Whaitua level.

Nāku noa,

Oliver Parsons (DairyNZ) and Charlotte Rutherford (Fonterra)

23 October 2015

Submission on the Proposed Natural Resources Plan for the Wellington Region

INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz

Your details:

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Trade competition

Yes I/we could not gain an advantage in trade competition through this submission

No I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

No I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Yes I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Attendance and wish to be heard at hearing(s)

Yes I/we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

No I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

Yes If other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date: 23/10/2015

Introduction	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
1.5 Factors shaping this Plan	Amend	Section 1.5 lists three principal factors that shaped the Draft Plan, however these do not include social, economic and cultural costs and opportunities as a factor. While this particular factor is inherent in decisions on how the Draft Plan is formulated (and required by section 32 of the RMA), the dairy sector considers that the list should explicitly include it.	Add a fourth factor to the list in Section 1.5, as follows: "Social, economic and cultural costs and opportunities."
Introduction	Not stated	Section 1.6 has been simplified and is no longer confusing.	Retain list of values in Section 1.6.
1.4 Integrated catchment management	Support	The dairy sector supports in principle the Proposed Plan's approach of integrated catchment management.	Retain the approach of integrated catchment management encompassed in the Proposed Plan.

Interpretation	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
2.1 How to use this Plan	Amend	<p>We understand that the use of the "Coastal" icon throughout the Draft Plan is intended to identify provisions that constitute the regional coastal plan and therefore require ministerial approval under section 28b of the RMA . However, the icon is used to note provisions that appear to combine both coastal and general aspects. We are concerned about GW's approach in combining coastal and freshwater provisions from a policy drafting perspective, but is also concerned about the potential confusion that arises from combining general and coastal provisions, and how these apply at a spatial level. In particular we are concerned that requirements of the NZCPS are imposed outside the coastal environment as a result of the combining of coastal and general policies in relation to freshwater.</p>	<p>Clarify the use of the coastal icon throughout the Draft Plan and ensure that there is clear distinction between the coastal regional plan and regional plan provisions, and in particular that NZCPS provisions are not applied to outside the coastal environment.</p>
2.1.3 Rules	Support	<p>The dairy sector supports the concept of 'rule bundling' to allow a single application for a suite of consents.</p>	<p>Retain concept of 'rule bundling' within the plan</p>
2.1.5 Whatiaua chapters	Amend	<p>The dairy sector is concerned that the plan is not sufficiently clear that the provisions developed by the whatiaua committees take precedence over generic policies.</p>	<p>Add the following sentence to 2.1.5: "Provisions developed by the whatiaua committees and contained in these chapters take precedence over generic provisions contained elsewhere in the plan."</p>
Category 1 surface water body	Support	<p>Clarifies that significant natural wetlands are included in definition (and refers to schedule of these), not simply any significant wetland greater than 0.1ha.</p>	<p>Retain definition</p>
Category 2 surface water body	Support	<p>Sensibly this definition does not list natural wetlands.</p>	<p>Retain definition</p>
Category B groundwater (directly connected)	Amend	<p>Definition refers to incorrect schedule.</p>	<p>Amend to refer to Schedule P (Classifying and managing groundwater and surface water connectivity)</p>
Category B groundwater (not directly connected)	Amend	<p>Definition refers to incorrect schedule.</p>	<p>Amend to refer to Schedule P (Classifying and managing groundwater and surface water connectivity)</p>
Dairy cows	Not stated	<p>The definition of "dairy cows" is used in Rule R97 in relation to livestock exclusion. DNZ does not consider that treating dairy cows differently to other livestock in this rule is effects-based and so this definition is not required. However, to avoid doubt, a definition of cattle (which includes dairy cows) could be included</p> <p>Definition of efficient allocation includes economic, technical and dynamic efficiency, and these are appropriate considerations.</p>	<p>Delete the defin+Edition of "dairy cows" . Add a new definition for cattle as follows: "Cows and bulls that are farmed for their milk or meat, including dairy cows."</p>
Efficient allocation	Support	<p>Definition of efficient allocation includes economic, technical and dynamic efficiency, and these are appropriate considerations.</p>	<p>Retain</p>

Farm refuse dump	Oppose	<p>The dairy sector considers that farm refuse dumps should be able to be located on, and receive waste from, any property within a farm enterprise (which is defined as part of this submission).</p> <p>The definition should be clear that GW provides guidelines on some good management practices, with others available through other forums. The dairy sector considers that as rules are regulatory provisions, they should not be included as examples of tools for good management practice.</p>
Good management practice	Amend	<p>Amend the definition as follows: "Practices, procedures or tools (including rules) that are reasonably practicable and are effective at achieving the desired performance while providing for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Good management practices developed by industry may be effectively implemented through audited self-management. Greater Wellington has examples of some good management practice guidelines on can be found on the Wellington Regional Council's website http://www.gw.govt.nz/good-management-practice/"</p>
Natural wetland	Support	<p>The dairy sector supports this definition in principle as it sensibly excludes areas such as wetted pasture and pasture with patches of rushes, and areas of wetland habitat in or around water storage ponds for irrigation and stock watering.</p>
Mean annual low flow (MALF)	Amend	<p>The dairy sector is concerned that the definition for mean annual low flow is not sufficiently robust. The definition does not take into account that some sites that have not been monitored for long will have fewer data points with which to determine the mean annual low flow. In addition, no allowance is made for what the naturalised flow would be in areas of high abstraction. These anomalies could lead to the MALF being calculated at a lower level than it actually is.</p>

Amend definition to read as follows: "A disposal site located on a property used to dispose of household and/or farm waste generated on that property or farm enterprise of which the property forms a part"

Amend the definition to more accurately determine the mean annual low flow as the 7 day or 5 day variant in use by hydrologists: "The mean annual low flow 7D is the average of lowest daily flows recorded over a 7-day continual flow record, derived for a water year (June-July)".

Retain definition

Point source discharge

The dairy sector considers this definition is overly broad, and potentially encompasses what would ordinarily be considered non point sources. As worded, the definition includes the discharge of contaminants at a specific identifiable location (such as a pipe, ditch or smokestack. In addition, the reference to a ditch is problematic as it is unclear what is meant by this term e.g. is it a drain? A ditch (or drain) may also carry contaminants that originate beyond the property from which it discharges, and water quality restrictions have potential to unfairly penalise the downstream property owner. The use of the terms "ditch" and "property" are confusing and should be deleted.

Revise the definition for point source discharge as follows:
"The discharge of contaminants at a specific identifiable location (such as a factory-or-property) ~~or-from a fixed facility~~ such as a pipe,~~ditch~~ or smokestack."

Amend

Sensitive area

It is helpful to clarify that sensitive areas include natural wetlands, rather than any wetlands i.e. "(h) natural wetlands, outstanding water bodies listed in Schedule A and ecosystems and habitats with significant indigenous biodiversity values listed in Schedule F."

Support

Retain the qualification in the definition of sensitive area (h) that such areas include natural rather than all wetlands.

Significant natural wetland

We support in principle the identification of significant wetlands in the region, and the application of this definition only to natural and not all wetlands. The definition refers to Schedule F3 which lists significant natural wetlands over 0.1ha from which livestock (excluding sheep) should be excluded under Rule R97 (from 3 years after date of notification of this plan).

Support

Retain definition

<p>Stepdown allocation</p>	<p>Amend</p>	<p>The dairy sector considers the definition of "stepdown allocation" to be confusing. The definition reads as though the stepdown allocation is the reduction required to bring an over allocated water body back within its allocation limit. However it is quite clear from Schedule R that the stepdown allocation applies only when river flows are low (i.e. at times of water shortage). That is, it is a mechanism designed to protect the minimum flow (not reduce the overall level of allocation). In that sense, we consider the terminology used to be inconsistent with the way other regional water plans address this issue, and indeed inconsistent with the NPS-FM. Furthermore, we consider that as whatua committees should have the ability to influence stepdown allocations, this should be explicitly noted in the Plan.</p>	<p>Amend the definition as follows: "A reduction in the core amount of water allocated from a river below the median flow when resource consents for the total take and use of water exceeds the amount of water available above the interim minimum flow when river flows are low to protect the minimum flow."</p>
<p>Surface water body</p>	<p>Support</p>	<p>The dairy sector supports this definition as it applies to open rather than any drains, and appropriately excludes ephemeral flow paths (e.g. swales) and water bodies designed, installed and maintained for water storage ponds for irrigation or stock watering, and water treatment ponds for animal effluent.</p>	<p>Retain definition.</p>
<p>Taonga species</p>	<p>Not stated</p>		
<p>Zone of reasonable mixing</p>	<p>Support</p>	<p>This definition sensibly applies to surface water bodies and not groundwater bodies, in which it is less straightforward to determine the mixing parameters</p>	<p>Retain definition</p>

Objectives	Mission on this pro	Reasons for my submission:	I seek the following from WRC (give precise details):
Objective O2: Importance of land and water.	Support	The dairy sector considers this objective is appropriate as it seeks to recognise the importance and contribution of both land and water to (amongst other well-beings), the community's economic well-being.	Retain Objective O2.
Objective O7: Water for livestock	Support	Objective O7 seeks that that fresh water is available in quantities and of a suitable quality for the reasonable needs of livestock, and so is supported.	Retain Objective O7.
Objective O8: Allocation regime	Support	This objective seeks that a range of benefits (including economic benefit) of taking and use of water are recognised and provided for within the allocation regime set out in the Plan. We support this provision as being appropriate to underpin the allocation framework.	Retain Objective O8.
Objective O12: Benefits of regionally significant infrastructure	Amend	The dairy sector supports the notion of recognising regionally significant infrastructure and the contribution it makes in terms of social, economic, cultural and environmental benefits. However, the reasoning applied to recognising certain infrastructure also applies to the recognition of large, vertically integrated food producing systems such as dairy. The dairy industry also relies on a network of facilities that involve milk production, collection, storage/concentration and transfer to large centralised processing sites. If any part of this production system is compromised there can be significant effects on overall production and economic output.	Amend Objective O12 as follows: "The wider social, economic, cultural and environmental benefits of regionally significant infrastructure, regionally significant industry and renewable electricity generation activities are recognised." Add a new definition for "regionally significant industry" as follows: "An economic activity based on the use of natural and physical resources in the region and is identified in regional or district plans, which has been shown to have benefits that are significant at a regional or national scale e.g. primary production activities, irrigation infrastructure. These may include social, economic or cultural benefits."
Objective O13: Protecting regionally significant infrastructure	Amend	Objective O13 refers only to protecting such activities in the coastal marine area, which is unduly limited. Also, the objective does not refer to regionally significant industry.	Amend Objective O13 as follows: "The use and ongoing operation of regionally significant infrastructure, regionally significant industry and renewable electricity generation activities are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity."
Objective O17: Natural character	Amend	Objective O17 refers to preserving and protecting the natural character of the coastal marine area, rivers and lakes and their margins and natural wetlands from inappropriate use and development. We have concerns about the combination of coastal and freshwater resources in this objective, as they are subject to different policy regimes. While restoration may be justified for the coastal marine area, this is not necessarily the case for freshwater (as per the NPS-FM). In addition, the requirement to preserve and protect implies that existing natural character is to be unchanged at all. For freshwater resources it is considered appropriate to replace this absolute requirement with "maintain or improve".	Amend Objective O17 to ensure that coastal and fresh waters are subject to requirements consistent with their respective national policy frameworks. This may include drafting separate objectives for these resources. In respect of the natural character of freshwater resources omit the terms "preserved and protected" and replace with "maintained or improved".
Objective O19: Natural processes	Oppose	Objective O19 is overly broad in referring to the "interference" of use and development on natural processes.	Delete Objective O19.
Objective O23: Maintain or improve water quality	Amend	Objective O23 addresses both fresh and coastal water, although these resources are subject to different policy frameworks in the New Zealand Coastal Policy Statement and the NPS-FM.	Amend Objective O23 to read as follows: "The overall quality of water in the region's rivers, lakes and natural wetlands, groundwater and the coastal marine area is maintained or improved."

Objective O25: Aquatic ecosystem health and mahinga kai	Amend
Objective O25: Aquatic ecosystem health and mahinga kai	Amend

The title for this section that begins with Objective O25 should clarify that it refers to indigenous biodiversity, in accordance with the NPS-FM.

The dairy sector has concerns that Objective O25 and other provisions cover both fresh water and the coastal marine area. The reference to water levels in the context of coastal water quality does not make sense as sea level rises will occur, beyond the control of GW. The National Policy Statement for Freshwater Management refers in Objective A2 to "maintaining or improving" overall fresh water quality in a region, and Objective O25 appears to be consistent with this wording, in respect of fresh water. Separating fresh and coastal water provisions will help ensure the policy framework is clear for these resources. Objective O25 seeks that water quality for fresh water bodies and the coastal marine area is improved over time to meet objectives in Table 3.4. However, we question the purpose of Table 3.4 objectives when they will be superseded by provisions developed through the Whaitua process. Even if it is accepted that numeric values are appropriate objectives, we have some fundamental concerns with the proposed standards, listed as follows: (1) Although the narrative objective in Table 3.6 of protecting groundwater fauna is sensible, it is only listed due to an unsupported statement in a technical report suggesting that surface water standards should apply to groundwater fauna (Table 2.10 - Greenfield et al., 2015). The limited supporting technical reporting by GW on groundwater fauna and their protection is highlighted in Greenfield et al (2015 - Table 2.9) where GW refer to it not being possible to define unacceptable effects on groundwater ecosystems before then referring in Table 2.10 to the national surface water nitrate chronic toxicity threshold as being 52.4 mg/L (median) and 53.5 mg/L (95th%), which is also incorrect as the National Objectives Framework has set a national chronic toxicity threshold for nitrate at 56.9 mg/L (median) and 59.8 mg/L (95th%). In the absence of relevant information gathered or analysed by GW, the approach taken in the draft Plan is incorrectly weighted to Greenfield et al. (2015) recommendation rather than the conservative approach of using surface water invertebrates as indicators of groundwater invertebrate sensitivity (noting stygofauna are likely to be even more resilient to nitrate toxicity), as described in the evidence of Dr. Chris Hickey (NIWA) to the Tūkituki Board of Inquiry (Hickey, 2014). Dr Hickey established that drinking water standards are more conservative than any equivalent standard to protect New Zealand groundwater fauna. Accordingly, drinking water protection should be the focus of groundwater nitrate standards to protect for both human and ecosystem health. This approach was accepted as appropriate to meeting the NPSFM requirements by the Tūkituki Board of Inquiry (refer page 22 of evidence by Chris Hickey, attached). (2) The dairy sector considers that the methodology used to set the MCI limits for rivers and streams (Table 3.4) is scientifically unsound. This was highlighted by the Cawthron Institute (Clapcott and Goodwin, 2014) in their supporting technical report to GW into reference states, and subsequently by both external reviewers (Dr. Russell Death and Dr. John Quinn). The report and its reviewers highlighted the poor predictive power attached to the technique used by GW to model reference states across the region and which underpin MCI limits for "good" status on each river class (e.g., only one of the six river classes contained any empirical data on reference state).

The assigning of MCI management bands has already been discussed for inclusion of the MCI as a National Objective Framework attribute (e.g., Collier et al., 2014). A more robust and defensible approach to manage aquatic ecosystem health for macroinvertebrates would be to assign a goal of "maintaining or improving" current MCI observations, using the recommended NOF guidance to set targets for improvement within the widely accepted and firmly-based framework of Collier et al (2014). By contrast, the methodology employed by GW risks setting targets too high, too low, or both, in worse, an arbitrary framework misguided by its lack of empirical testing. (3) Table 3.4 sets a higher periphyton standard (120 mg/m2 Chlorophyll-a) for all rivers than the NPS-FM bottom line (200 mg/m2). While the NPS-FM permits GW to set a higher standard if it wishes, GW does not provide reasons for the higher standard. Although we do not oppose this direction in principle, evidence suggests that a 120 mg/m2 Chlorophyll-a standard is not realistic for rivers that experience extremely long accrual periods during dry summer conditions. This risk was already described by the supporting report for the periphyton attribute included with the National Objectives Framework (e.g., Sneider et al., 2013:8, 11, Table 4-1). In addition, GW has not comprehensively identified values for each freshwater management unit (i.e., values thus far identified are limited to mana whenua and significant indigenous biodiversity values for Porirua and Wellington Harbours and Lake Wairarapa). So, prescribing more stringent standards than the prior periphyton recommendation of 200 mg/m2 Chlorophyll-a is not yet justified. Under the NPS-FM Policy CA2, GW is required to identify the values for each freshwater management unit which must include the compulsory values listed in the NPS and may include any other values considered appropriate by GW or any collaborative decision makers (e.g., the Whaitua groups). The absence of any narrative explaining which values have been identified by corresponding freshwater management unit and how the outcomes have been determined in relation to these values limits our ability to support the proposed periphyton guidance. The Plan would benefit from clearly describing the values identified freshwater management units. The dairy sector supports Objective 25 and the Whaitua Committees being enabled to identify values for freshwater management units in their respective whaitua prior to reviewing general objectives and developing new/more specific objectives through consensus. However, it is unclear whether these Whaitua based objectives can be less stringent than the Plan's general objectives, and this needs to be clarified as would otherwise require a different "lowest common denominator" framework for limit-setting in the Plan to ensure Whaitua committees sufficient scope to tailor objectives as they see fit. We consider that whaitua committees should have the flexibility to set lower water quality standards than the general objectives prescribed in Tables 3.4 to 3.8 if this is considered an appropriate means of managing water quality outcomes for a particular water body. The note to Objective O25 should apply to all objectives in Chapter 3, to avoid doubt as to status of objectives developed by whaitua committees.

Amend title as follows: "Indigenous Biodiversity, Aquatic Ecosystem Health and Mahinga Kai"

Separate out coastal and fresh water provisions to avoid confusion. Amend Objective O25 to precede the term "aquatic ecosystem health" with "Indigenous". Amend the footnote to read as follows: "Where the relevant whaitua sections of the Plan contain an objective on the same subject matter as Objective O25 (water quality, biological and habitat outcomes), the more specific whaitua objective, which may be more or less stringent than Objective 25, whilst remaining the NPS-FM bottom lines) will take precedence." Delete Tables 3.4 to 3.8 or in the alternative, clarify the purpose for the numeric, region-wide objectives supporting Objective O25 when they will be superseded by objectives developed through the Whaitua process and address the dairy sector's concerns as to how values were assigned to the various freshwater management units: (1) Amend Table 3.6 to replace the cells under "Nitrate" with the following: "Nitrate concentrations meet drinking water standards, to protect both human and groundwater ecosystem health". (2) Adopt the proposed National Objective Framework approach for determining MCI limits, replacing those in Table 3.4 as appropriate with thresholds drawn from Collier et al (2014) but based on current observed water quality. The numeric figures for classes 1 to 6 across all significant rivers are replaced with the following: "MCI levels are maintained or improved, in accordance with current MCI observations and desired trends." (3) Clarify the justification for the more stringent periphyton objective in Table 3.4 of 120 to 200 mg/m2 chlorophyll-a for lowland rivers (class 6), whilst ensuring flexibility for Whaitua Committees to specify values of freshwater management units in their catchment and review objectives up or down (i.e. that these Committees are able to set less stringent water quality standards than general objectives impose). Insert a footnote to at the beginning of Chapter 3 to make it clear that it applies to all objectives in Chapter 3: "Where the relevant whaitua sections of this Plan contain an objective on the same subject matter as objectives in Chapter 3, the more specific whaitua objective will take precedence."

Objective O27: Riparian margins	Amend	Objective O27 requires that vegetated riparian margins are established and maintained, but does not qualify when this is appropriate, or any parameters around where, when and how best to do this. The dairy sector has been and is working collaboratively with GW to generate appropriate regionally-tailored riparian guidance, resourcing and tools to generate riparian management plans which in turn permit Land Management Officers to determine with the land holder on a case-by-case basis the merits and rewards of undertaking riparian management across all farm waterways.	Amend Objective O27 as follows: "Vegetated riparian margins are established and maintained in accordance with good practice."
Objective O28: Extent of wetlands	Amend	Objective O28 seeks that the extent of natural wetlands be maintained or increased, and their condition restored. It does not provide any guidance regarding to what extent they should be restored.	Amend Objective O28 to read: "The extent of natural wetlands is maintained or increased, and their condition is improved/restored."
Objective O29: Fish passage	Amend	Objective O29 seeks that use and development provides for the passage of indigenous fish and koura, and that passage is restored, but doesn't consider the appropriateness and practicality of this or qualify the extent of restoration required.	Amend Objective O29 to read "Use and development provides for the passage of fish and koura where it would otherwise occur in the absence of any new barriers, so that fish and koura can complete their lifecycle, and the passage of indigenous fish and koura is restored where appropriate and practicable. ", "
Objective O30: Trout	Amend	Objective O30 requires that trout habitat identified in Schedule 1 is maintained and improved. It is not possible to do both simultaneously, however.	Objective O30 to read as follows: "The habitat of trout identified in Schedule 1 (trout habitat) is maintained or improved."
Objective O35: Significant indigenous biodiversity values	Amend	This objective seeks to protect and restore ecosystems and habitats with significant indigenous biodiversity values. The dairy sector has concerns about the level of restoration required, as this is not qualified.	Amend Objective O35 as follows: "Ecosystems and habitats with significant indigenous biodiversity values are protected and restored to the extent practicable."
Objective O38: Special amenity landscapes	Oppose	Objective O38 seeks to maintain or enhance identified special amenity landscape values, however these do not appear to have been clearly identified in the Plan.	Delete Objective O38.
Objective O52: Efficient allocation	Support	The dairy sector supports Objective O52 which seeks to improve and maximise the efficiency of allocation and water use over time including through means such as good management practice, enabling water to be transferred between users and enabling water storage outside river beds. The dairy sector also comments that while this objective relates to efficiency, the other concept relevant to water allocation is that of reliability of supply.	Retain Objective O52.

I seek the following from WRC (give precise details):

Reasons for my submission:

My submission on this provision is:

Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
<p>Policy P1: Ki uta ki tai and integrated catchment management</p>	<p>Support</p>	<p>The dairy sector supports the use of integrated management principles including use of the catchment as a spatial unit, using adaptive catchment management, making management decisions based on best available information, taking into account the natural processes in a catchment and recognising the links between environmental, social, cultural and economic sustainability of a catchment.</p>	<p>Retain Policy P1.</p>
<p>Policy P3: Precautionary approach</p>	<p>Amend</p>	<p>The dairy sector notes that the use of the precautionary approach in Policy P3 is consistent with the NZ Coastal Policy Statement in relation to the use and development within the coastal environment. However, we further note that there is no national imperative to apply the precautionary approach outside of the coastal environment (although it is accepted that it could be appropriate on a case by case basis). As a general rule, however, we support an adaptive management approach to freshwater management. This is on the basis that there often are significant uncertainties associated with impacts on water quality and applying the precautionary approach could lead to a "no change" outcome that may not promote sustainable management. However, we recognise that in some cases where there is limited information and a risk of serious or irreversible effects, then a precautionary approach is more appropriate for freshwater.</p>	<p>Amend Policy P3 as follows: "Use and development within the coastal environment shall be managed with a precautionary approach where there is limited information on the nature of the receiving environment and the adverse effects of the activity on this environment." Add a new policy as follows: "Use and development of resources other than coastal water shall be managed with an adaptive management approach where there is limited information on the nature of the receiving environment and the adverse effects of the activity on this environment, unless there is also a risk of serious or irreversible effects, in which case a precautionary approach shall be taken."</p>
<p>Policy P4: Minimising adverse effects</p>	<p>Amend</p>	<p>Policy P4 gives methods by which adverse effects shall be minimised to the smallest amount practicable. The dairy sector supports this policy and in particular subclause (d), which is in relation to the use of good management practices. However, the wording of subclause (a) is potentially problematic as it presents an overly high standard to be met when minimising adverse effects, in combination with subclauses (b) to (e). The wording requires that both alternative locations and methods are considered for undertaking the activity, which may not be possible to achieve where the location is fixed e.g. a farming operation.</p>	<p>Amend Policy P4 as follows: "Where minimisation of adverse effects is required by policies in this plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall include: (a) consideration of alternative locations and/or methods for undertaking the activity that would have less adverse effects, and..."</p>

<p>Policy P6: Synchronised expiry and review dates</p>	<p>Amend</p>	<p>Policy P6 provides for resource consents to be granted with a common expiry or review date within a whatua or sub-catchment if the affected resource is fully allocated or over-allocated, or if the exercise of the consent may impede the ability to implement an integrated solution to manage environmental outcomes such as water quality. The dairy sector does not oppose this approach in principle, but queries why GW is allowing for it and is concerned that the Plan has no detail on what processes GW will follow to ensure that the processes for accepting, considering and granting multiple consent renewal applications for the same resource are fair and transparent. The Plan needs to provide this detail to allow users to determine whether Policy P6 is appropriate. Although this policy only provides for the possibility of common expiry or review dates, it would be helpful to have a footnote to clarify that the policy would only take effect as a result of a subsequent plan change recommended by a Whatua Committee.</p>	
<p>Policy P7: Uses of land and water</p>	<p>Support</p>	<p>The dairy sector supports in principle Policy P7 which seeks to recognise and provide for the cultural, social, and economic benefits of both land and water use including for (f) food production and harvesting, and (g) irrigation and stock water.</p>	<p>Retain Policy P7.</p>
<p>Policy P8: Beneficial activities</p>	<p>Amend</p>	<p>This policy states a number of activities that are recognised as beneficial and generally appropriate. While we agree that some of the activities are indeed appropriate, including (e) the establishment of river crossings or fences that will result in the exclusion of regular stock access from a water body, it is concerned at the implication that the list is exclusive, and that only the listed activities have a benefit.</p>	<p>Amend Policy P8 to clarify that this list of beneficial activities is not exhaustive. For example, amend the heading to read: "Recognition of beneficial activities" and amend the preamble to read: "The following list includes examples of activities that are recognised as beneficial and appropriate."</p>
<p>Policy P11: In-stream water storage</p>	<p>Amend</p>	<p>The dairy sector supports this policy as it appropriately recognises the circumstances under which the damming and storing water within the bed of a river is generally appropriate. However, we are concerned that Policy P11 does not similarly recognise the benefits of off stream water storage.</p>	<p>Change the title of Policy P11 to "Water Storage" and amend as follows: "The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <ul style="list-style-type: none"> (a) there are significant social and economic benefits for the region, and (b) water remains available for multiple in-stream and out of stream uses concurrently, and (c) the reliability of water supply improves as a result, and (d) the damming and storage of water contributes to the efficient allocation and use of water.
<p>Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</p>	<p>Amend</p>	<p>The policy should also refer to regionally significant industry. Policy needs to be clear that it is recognising not just existing infrastructure but also the benefits of new infrastructure that might be proposed in the future.</p>	<p>Amend Policy P12 as follows: The benefits of existing and proposed regionally significant infrastructure, regionally significant industry and renewable electricity generation facilities are recognised by having regard to...". Amend the policy title to include reference to regionally significant industry.</p>

<p>Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities</p>	<p>Amend</p>	<p>Policy P13 should also refer to regionally significant industry.</p> <p>Amend Policy P13 as follows: "The use, operation, maintenance, and upgrade of existing regionally significant infrastructure, <u>regionally significant industry</u> and renewable electricity generation activities are beneficial and generally appropriate." Reword policy title accordingly.</p>
<p>Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities</p>	<p>Amend</p>	<p>Amend Policy P14 as follows: "Regionally significant infrastructure, <u>regionally significant industry, primary production activities</u> and renewable electricity generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by the location and design of any new use and development to avoid, remedy or mitigate any reverse sensitivity effects." Amend policy title accordingly.</p>
<p>Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa</p>	<p>Amend</p>	<p>Amend Policy P18 to clarify the responsibilities listed.</p> <p>Policy P18 requires that the relationships (identified in Schedule B) will be recognised and provided for by (a) having particular regard to the values, (b) supporting iwi-led restoration initiatives, (c) informing iwi of relevant resource consents and (d) GW and iwi implementing kaupapa Maori monitoring. We have concerns that the policy is not clear on who is responsible for these actions.</p>
<p>Policy P23: Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson), and Lake Wairarapa</p>	<p>Amend</p>	<p>Policy P23 seeks to restore ecological health and significant values over time by a range of practical measures. However, there is no standard or yardstick by which to measure the progress of restoration and so we have concerns that it will not be possible to determine when it has been completed.</p> <p>Reword Policy P23 as follows "restored <u>to the extent practicable</u> over time by:"</p>
<p>Policy P25: Natural character</p>	<p>Amend</p>	<p>Clause (d), one of the matters to take into account in relation to use and development and its effects on natural character should allow for either (d)(i) or (d)(ii) to be considered, not both simultaneously. If it is practicable to protect natural character through (i) using an alternative location or form of development, then it is not necessary to also (ii) consider the extent to which functional need or existing use limits location and development options.</p> <p>Reword Policy P25 by replacing the word "and" with the word "or" at the end of subclause (d)(i).</p>
<p>Policy P31: Aquatic ecosystem health and mahinga kai</p>	<p>Amend</p>	<p>Policy P31 is another example of a provision that appears to have been drafted in the framework of the NZCPS, but may be overly restrictive in the context of freshwater resources. The policy refers to aquatic ecosystem and health and mahinga kai being maintained or restored, however the standard of restoration is not identified. Subclause (f) seeks to restore riparian habitats where practicable, but does not provide any qualification of the standard to which they should be restored.</p> <p>Amend Policy P31 to read: "(f) minimise adverse effects on riparian habitats and <u>improve</u> restore them where practicable, and..."</p>

<p>Policy P33: Protecting indigenous fish habitat</p>	<p>Amend</p>	<p>Policy P33 seeks to avoid the damming, diversion or taking of water from scheduled waterways, which makes the river impassable to migrating indigenous fish. We consider it appropriate that this policy should focus more clearly on the need for indigenous fish to complete their lifecycle through migration.</p>	<p>Amend Policy P33 (c) as follows: "(c) damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish and prevents them from completing their lifecycle, where this would otherwise occur in the absence of any new barriers."</p>
<p>Policy P34: Fish passage</p>	<p>Amend</p>	<p>Policy P34 goes further than the Regional Policy Statement which seeks in Policy 18 that regional plans include provisions that seek to maintain fish passage. It is appropriate to amend Policy P34 in line with the RPS and to qualify the extent of fish passage that should be maintained.</p>	<p>Amend Policy P34 to read as follows: "The construction or creation of new barriers to the passage of fish and koura species to complete their lifecycle where this would otherwise occur in the absence of any new barriers shall be avoided."</p>
<p>Policy P35: Restoring fish passage</p>	<p>Amend</p>	<p>As currently worded, Policy P35 does not provide any qualification as to whether restoration is practical.</p>	<p>Amend Policy P35 to read: "The passage of indigenous fish and koura shall be restored where practical and this is appropriate for the management and protection of indigenous fish and koura populations."</p>
<p>Policy P37: Values of wetlands</p>	<p>Amend</p>	<p>Policy P37 should refer to the significant values of natural wetlands, rather than all values.</p>	<p>Amend Policy P37 to read "... managed to maintain their significant values..."</p>
<p>Policy P40: Ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Amend</p>	<p>The dairy sector has concerns with the wording of Policy P40 which seeks to protect and restore ecosystems and habitats with significant indigenous biodiversity values. The extent to which they should be restored to does not appear to be qualified.</p>	<p>Amend Policy P40 to read as follows: "Protect and restore, to the extent practicable, the following ecosystems and habitats with significant indigenous biodiversity values:..."</p>
<p>Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Amend</p>	<p>The dairy sector notes that the use of the precautionary approach in Policy P41 is consistent with the NZ Coastal Policy Statement in relation to the use and development within the coastal environment. However, we further note that there is no national imperative to apply the precautionary approach outside of the coastal environment (although it is accepted that it could be appropriate on a case by case basis). As a general rule, however, the sector supports an adaptive management approach to freshwater management. This is on the basis that there often are significant uncertainties associated with impacts on water quality and applying the precautionary approach could lead to a "no change" outcome that may not promote sustainable management. However, we recognise that in some cases where there is limited information and a risk of serious or irreversible effects, then a precautionary approach is more appropriate for freshwater.</p>	<p>Amend the third paragraph of Policy P41 as follows: "Proposals for mitigation and biodiversity offsets will be assessed against the principles listed in Schedule G (biodiversity offsetting). A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values in the following circumstances (a) in the coastal environment and (b) in other environments where there is limited information on the nature of the receiving environment and the adverse effects of the activity on this environment, and there is also a risk of serious or irreversible effects."</p>
<p>Policy P44: Protection and restoration of sites with significant mana whenua values</p>	<p>Amend</p>	<p>Policy P44 requires that sites with significant mana whenua values identified in Schedule C shall be protected and/or restored. While we support the identification of such sites, Schedule C does not explicitly identify 'significant mana whenua values', but lists 'sites of significance' for each iwi grouping and then lists one or more values associated with that site. If all the listed values listed are significant, this should be clear in the Schedule, otherwise there is potential for confusion with the wording of Policy P44.</p>	<p>Amend table headings for Schedules C1 to C5 to read "Significant Values" rather than "Values". Alternatively, identify which values in particular are significant.</p>

<p>Policy P45: Managing adverse effects on sites with significant mana whenua values</p>	<p>Amend</p>	<p>The dairy sector supports the identification of sites with significant mana whenua values, and the management of activities with adverse effects on those values. However, it considers Policy P45 to be overly stringent as it states that in the first instance, all activities in sites with significant mana whenua values shall be avoided and that if the activity has more than minor adverse effects that cannot be avoided, remedied or mitigated, then the activity is inappropriate, regardless of whether the activity might improve environmental outcomes (e.g. a river crossing structure to reduce stock access). In addition, the extent of significance of sites identified in Schedule C isn't particularly clear.</p>	<p>Clarify the extent of significance for sites with significant mana whenua values by amending table headings for Schedules C1 to C5 to read "Significant Values" rather than "Values". In addition, provide guidance on what activities may be restricted in relation to each of the values, with consideration of the long environmental benefits on these sites from particular activities.</p>
<p>Policy P48: Protection of outstanding natural features and landscapes</p>	<p>Amend</p>	<p>The title of Policy P48 does not accurately reflect its application which is wider than just outstanding natural features and landscapes.</p>	<p>Redraft Policy P48 as two policies that refer separately to outstanding natural features and landscapes and other natural features and landscapes.</p>
<p>Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes</p>	<p>Amend</p>	<p>Policy P49 is unclear as to whether its application is limited to use and development in the coastal marine area or whether it applies more generally.</p>	<p>Amend the title to Policy P49 so that it refers exclusively to development in the coastal marine area.</p>
<p>Policy P60: Agrichemicals and fumigants</p>	<p>Support</p>	<p>The dairy sector supports this policy which allows for the management of adverse effects on human health, property and the environment from the application of agrichemicals or fumigants beyond the property boundary by using good management practices. Policy P60 is consistent with The dairy sector's requirements for farmers to use good management practices for fertiliser and agrichemical application.</p>	<p>Retain Policy P60.</p>
<p>Policy P62: Promoting discharges to land</p>	<p>Support</p>	<p>The dairy sector supports Policy P62 in its promotion of discharges of contaminants to land rather than water as this fully aligns with the industry position on the disposal of farm dairy effluent.</p>	<p>Retain Policy P62.</p>

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

Retain Policy P63

The dairy sector supports in principle the approach of Policy P63 in prioritising waterbodies for improvement. This approach gives the Waitua Committees appropriate guidance for determining how to manage water quality for contact recreation in their respective areas, and provides the community with certainty on the high priority directions for environmental management. The framework should be applied more generally in the plan in other resource management areas. The dairy sector also notes requirements in Policy P63 (b) and (c) have particular regard to improving water quality in priority water bodies affected by discharges from stormwater and wastewater networks and wastewater treatment plants. It is appropriate that these sources of potential contaminants are considered. In addition, it is appropriate to have the note to clarify that waitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 within their waitua, which may be incorporated into the Plan by a future plan change of variation.

Support

Policy P64: Mixing waters

Redraft Policy P64 to state: "Mixing waters between catchments is inappropriate except where there are no adverse effects on mana whenua values can be avoided or mitigated."

Retain Policy P65.

Policy P64 as currently worded does not allow for the possibility that adverse effects on mana whenua values from mixing waters between catchments may be avoided or mitigated.

Amend

Policy P65: Minimising effects of nutrient discharges

The dairy sector supports Policy P65 which seeks to minimise the effects of nutrient discharges from agricultural activities that may enter water through the use of various practices including (a) good management practices, (b) information gathering, (c) integrated catchment management including farmer involvement, (d) regulatory and non-regulatory methods and (e) plan changes or variations resulting from waitua catchment process. Practices (a) to (d) are all consistent with the dairy sector's approach to nutrient management.

Support

Policy P68: Inappropriate discharges to water

Amend Policy P68 as follows: "(b) animal effluent from an animal effluent storage facility or from an area where animals are confined, except as a result of extreme weather-related overflow or wastewater system failures."

Subclause (a) allows for the discharge of untreated wastewater resulting from extreme weather related overflows or wastewater system failures. No such allowance is made for animal effluent discharges in (b), however we consider there is no case for the discharge of animal and human wastewater to be treated differently in the Plan.

Amend

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

Policy P70 allows for existing point source discharges to water to continue to breach objectives prescribed in Tables 3.4, 3.5, 3.6 or 3.8 of Objective O25, if the consent application includes a programme of work for upgrading the activity in accordance with good management practice, within the term of the consent, and if consent conditions require the reduction of adverse effects to improve water quality in relation to the objective within the consent term. The policy as written could allow for work to be undertaken in the last year of a consent term (which could be 35 years from when the replacement consent is sought).

The dairy sector considers this policy to be too open-ended, potentially allowing for an extent and duration of non compliance significantly out of scale to that routinely faced by the dairy sector. Moreover, that degree of non compliance may, at some future time, have consequences for the level of reductions in contaminant discharges required from other resource users. The policy should either specify a time period within which work is to be completed (say 5 years) or an additional policy should be introduced specifying that the consent term for discharge in this situation should be no longer than 5 years.

Amend

Amend Policy P70 as follows: "(a) for an existing activity that contributes to the objective not being met, the discharge is only appropriate if:

- (i) the application for resource consent includes a defined programme of work for upgrading the activity, in accordance with good management practice, within 5 years from the date the consent takes effect ~~the term of the resource consent,~~ and
- (ii) conditions on the resource consent require the reduction of adverse effects of the activity in order to improve water quality in relation to the objective within 5 years from the date the consent takes effect ~~the term of the consent, and."~~

Policy P71: Quality of discharges

Policy P71 parameters are in relation to changes in receiving water characteristics of macroinvertebrate community, pH, clarity, temperature and dissolved oxygen, from point-source discharges. The dairy sector recognises the appropriateness of their inclusion in accordance with s70 of the RMA, NOF and other guidance (e.g. Stark, 2010), as well as their modification for differing river class sensitivity. However, the Whatua Committee process should be permitted the opportunity to also vary the sensitivity of change as well as attributes for specified water bodies on a case by case basis, in line with their values assessment. In relation to nutrient management, The dairy sector is concerned that the Plan does not guide Whatua Committees on developing these provisions, to ensure these are equitable and consistent across the region.

Amend

Insert a new policy to guide Whatua Committees in the development of nutrient management provisions for their respective Whatua for both point source and non-point source discharges.

Policy P80: Replacing wastewater discharge consents

The dairy sector supports Policy P80 in providing a more robust framework for the replacement of wastewater discharge consents, including in (c) short-term (within life of Plan) and long-term (beyond lifetime of Plan) goals for wastewater discharges and (d) how these will satisfy Plan provisions, and (e) infrastructure changes required to meet long-term goals including key milestones and dates.

Support

Retain Policy P80.

Policy P81: Minimising and improving wastewater discharges

Policy P81 requires that (a) existing discharges to fresh water from wastewater treatment plants shall be progressively improved and the quantity of discharges be progressively reduced, and (b) the frequency and/or volume of existing discharges to fresh or coastal water from wastewater networks during or following rainfall events shall be progressively reduced. The dairy sector supports this policy in principle, but is concerned at the vagueness over the timeframe / magnitude of improvement. In addition, (b) does not require that both the frequency and the volume be progressively reduced - either may be addressed but not necessarily the other. The dairy sector considers that these are both key factors in the contribution of contaminants to water bodies, that Policy P81 should require that both frequency and volume are required to be progressively reduced.

Amend

Amend Policy P81 (b) as follows: "(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 P94: Discharge of collected animal effluent

Policy P94 is currently in section 4.8.7 Hydraulic fracturing, and Relocate Policy P94 to section 4.8.8. should be in section 4.8.8 Discharges to land.

Amend

Policy P95: Discharges to land

The dairy sector recognises that the application of certain fertilisers incurs the necessary addition of non-essential elements, for which no effective biological uptake or alteration will occur. Fertiliser addition is essential to pastoral and horticultural users and providing for the production value of the region and Whaitua catchments. Without altering the need to ensure any non-essential contaminant is managed to prevent more than minor adverse effects to soil health and avoiding contaminated land status, the terminology used in Policy P95 would currently prevent the addition of fertiliser to productive land under clause (c) as any added trace, non-essential elements would be unable to be treated, used or removed. Removal could in that instance contravene clause (f) as erosion could result in addition to water.

Amend

Amend (c) as follows: "not exceeding the natural capacity of the soil to treat, use or remove ~~mediate~~ the contaminant effects, and."

Policy P96: Managing land use

Policy P96 states that rural land use activities shall be managed using good management practice, with a note that 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. The dairy sector's concerns with this policy are two-fold. Firstly, the note is not clear that the Whaitua process to develop targets, limits or allocation frameworks may not rely on good management practices. Secondly, the note appears out of place in the context of the policy, and its purpose is unclear. Rewording would help clarify that, in future, both good management practices and regulatory provisions will be used to manage rural land use activities.

Amend

Amend the note to Policy P96 as follows: "in future, rural land use activities may also be managed by A limits, targets and/or allocation frameworks ~~which may be established through the whaitua committee process and incorporated into the Plan through a future plan change or variation.~~ However, although a Whaitua committee may decide to continue with good management practices where this is achieving good environmental outcomes."

<p>Policy P100: Riparian margins for cultivation and break-feeding</p> <p>Policy P101: Management of riparian margins</p>	<p>Oppose</p>	<p>Good management practice with respect to riparian margins is best dealt with in Policy P101.</p> <p>Policy P101, which seeks to encourage good management practices for riparian margins (including livestock exclusion and planting appropriate riparian vegetation) is generally supported by DairyNZ as it is in line with the company's position on riparian management. This is evident in DairyNZ's co-development of riparian good practice guidance with GW and planning tools with Landcare Research for professional riparian planning on-farm. However, Policy P101 should also encompass the use of riparian setbacks, as another means of good management of riparian margins.</p>
<p>Policy P105: Protecting trout habitat</p>	<p>Amend</p>	<p>Amend Policy P105 as follows: "Particular regard shall be given to the protection of trout habitat in rivers with important trout habitat identified in Schedule 1 (trout habitat). The effects of use and development in and around these rivers shall be managed to:</p> <p>..</p> <p>(d) maintain fish passage for trout to complete their lifecycle <u>where this would otherwise occur in the absence of any new unnatural barriers, and</u></p>
<p>Policy P107: The framework for taking and using water</p>	<p>Amend</p>	<p>The dairy sector supports Policy P107 in principle as it sets out the parameters on which the framework for taking and using water is based (in relation to groundwater connectivity to surface water, allocation amounts and minimum flows or water levels). However, The dairy sector is concerned that the framework does not allow for the activity of taking water from an off stream storage dam, whether this is a direct take from such a dam or a water take from a natural watercourse into which the dam discharges. Once water has been collected in the dam in accordance with relevant allocation limits and minimum flows, there should be no restriction on the volume or rate of take from the dam, either directly or via a natural watercourse.</p>
<p>Policy P108: Integrating groundwater and surface water</p>	<p>Support</p>	<p>Retain Policy P108.</p>
<p>Policy P111: Water takes at minimum flows and water levels</p>	<p>Amend</p>	<p>Amend Policy P111 (c) as follows: "as authorised by resource consents in accordance with Policy P108."</p>
<p>Policy P112: Priorities in drought and serious water shortage</p>	<p>Support</p>	<p>The dairy sector supports animal drinking water being explicitly Retain Policy P112. included in the priorities for water takes during times of drought and serious water shortage.</p>

<p>Policy P113: Core allocation for rivers</p>	<p>Oppose</p>	<p>Policy P113 is of concern to the dairy sector as it is drafted as a Delete Policy P113. It has the effect of overriding the default allocation limits developed for the Waitua chapters, which were understood to be interim limits. The approach has potential to prejudice the process of the respective Committees considering the values and appropriate allocation limits within each Waitua.</p>
<p>Policy P114: Priorities when demand exceeds supply</p>	<p>Amend</p>	<p>Amend Policy P114 as follows: (c) <u>dairyshed washdown and milk cooling water</u>, and (d) <u>other values</u>."</p>
<p>Policy P117: Supplementary allocation amounts at flows above the median flow</p>	<p>Support</p>	<p>Retain Policy P117</p> <p>The dairy sector supports this policy which allows, in addition to core allocation, for water from rivers at flows above the median flow to be allocated providing flushing flows and a portion of flow above the median flow remain in the river to meet Objective O25. This measure is appropriate in providing flexibility to the allocation framework whilst still managing water flows and quality.</p>
<p>Policy P118: Reasonable and efficient use</p>	<p>Support</p>	<p>Retain Policy P118</p> <p>The dairy sector supports Policy P118 which requires consideration of (a) reasonable and efficient use criteria (Schedule Q) (b) designing water application and conveying systems to maximise the efficient use and (c) industry guidelines for water taken or diverted through resource consents.</p>
<p>Policy P119: Unused water</p>	<p>Support</p>	<p>Retain Policy P119.</p> <p>The dairy sector supports the re-allocation of unused water to the same user providing the user meets a four year time limit to demonstrate how it will be used, including reference to a capital expenditure programme and efficient use criteria (Schedule Q). This is a sensible approach as it requires the user to provide information to justify whether the water should be reallocated.</p>
<p>Policy P128: Transfer of resource consents</p>	<p>Support</p>	<p>Retain Policy P128.</p> <p>The dairy sector supports Policy P128. The permanent or temporary transfer of resource consents to take and use water, is a practical approach to solving temporary or permanent water use requirements in a catchment management unit.</p>
<p>Policy P129: Minimum flows and water levels</p>	<p>Amend</p>	<p>Add a new policy to read as follows: "The taking of water for storage outside a river bed at flows above the median flow is appropriate provided the requirements of Policy P117 are met."</p>

Policy P138: Structures in sites with significant values

The dairy sector is concerned that this policy is overly restrictive in respect of new or replacement structures or their modification (such as culverts as per Rule R125) in mana whenua sites (Schedule C), given that these activities may result in better environmental outcomes. The policy acts as a potential disincentive for improving adverse effects on the environment which may also have a positive effect on the values of mana whenua sites.

Add subclause (e) to Policy P138: "(e) where there is a functional need or operational requirement and in respect of (a) to (e): (f) there are no practicable alternative methods of providing for the activity."

Amend

Rules - Air quality

My submission on this provision is:

Rule R1: Outdoor burning – permitted activity

Amend

Rule R36: Agrichemicals – permitted activity

Amend

Reasons for my submission:

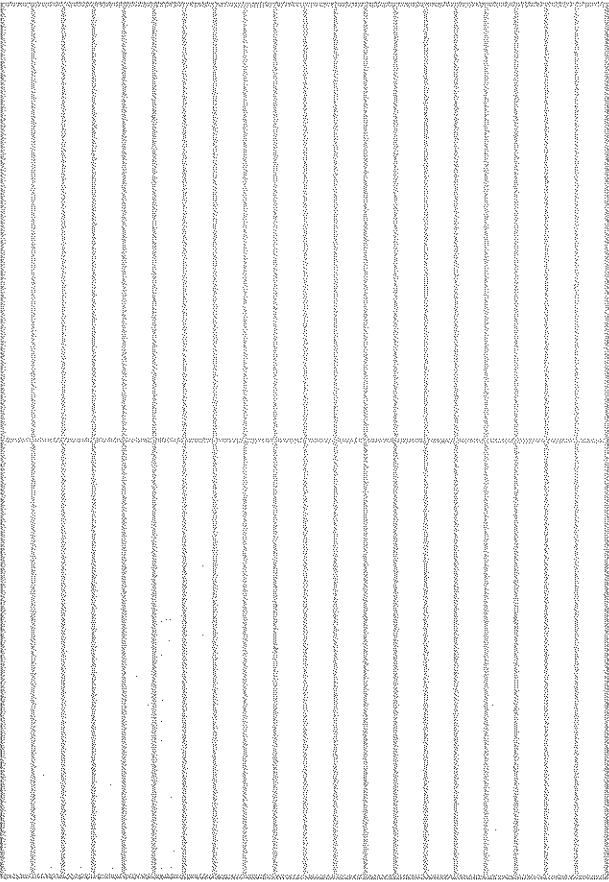
It is more appropriate that condition (a) of Rule R1 refers to "farm enterprise" as well as "property", in relation to containing adverse effects within the boundary. This reflects the fact that more than one property can be used as a single farming operation.

It is more appropriate that condition (a) and the preamble of condition (g) of Rule 36 refer to "farm enterprise" as well as "property", in relation to containing adverse effects within the boundary. This reflects the fact that more than one property can be used as a single farming operation.

I seek the following from WRC (give precise details):

Reword condition (a) of Rule R1 as follows: "the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property or properties comprising a farm enterprise, and..." (Note that we seek that "farm enterprise" be defined in the Plan, in a separate submission point)

Amend Rule 36 as follows: "(a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property or properties comprising a farm enterprise, and..." "(g) the applicator, manager or owner of the property or properties comprising a farm enterprise shall prepare a spray plan at least once per annum, and..."



Rules - Discharges to water

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rule R42: Minor discharges – permitted activity

The dairy sector recognises the intent to limit the effect of sedimentation on instream habitat and freshwater fauna. Sediment is a crucial determinant of plant, insect and fish health through effects on light availability, habitat and migration/predation respectively. The 50g/m3 TSS limit in R42(b)(i) appears overly conservative for discharges to scheduled sites or habitats. The application of 100 g/m3 TSS to discharges to all other water in R42(b)(ii) also appears overly conservative given its origin in protecting "significant trout fisheries and trout habitat" (e.g. Waikato Regional Plan, 2007). The lack of reporting into the effects of TSS on freshwater fauna hinders us from determining the rationale for adopting a more conservative water clarity numeric than that set for the protection of highly sensitive visual predators elsewhere in New Zealand. The current approach to managing TSS would suggest that GW are effectively proposing the entirety of the region's waterways be classified significant trout habitat thereby far exceeding the coverage of Schedule I ("important trout fishery rivers and spawning waters").

Not stated

Clarify the purpose and evidence basis for setting a 50 mg/m3 TSS guideline on Schedule A, F1, F3 or F4.

Rule R48: Stormwater from an individual property – permitted activity

The dairy sector is concerned that Rule R48 (a) is not sufficiently clear that it restricts direct stormwater discharges to Schedule A sites (outstanding water bodies). For example, Lake Wairarapa is identified as an outstanding surface water body under Schedule A, and stormwater enters this lake via a number of drains and streams. If Rule R48 were to apply to all stormwater entering the lake, all these discharges would require consent, which is an unreasonable requirement for the farms that surround it. For the avoidance of doubt, a) should clarify that it restricts only direct discharges.

Amend

Amend Rule R48 (a) as follows: "(a) the discharge is not directly into a site identified in Schedule A (outstanding water bodies), and..."

Rule R49: Stormwater to land – permitted activity

Rule R49 avoids any doubt as to the status of discharging stormwater to land.

Support

Retain Rule R49.

Rule R67: Discharges inside sites of significance – non complying activity

Rule R67 prescribes that unless a discharge to water inside a scheduled site (Schedules A, F1, F3 or F4) is permitted by Rules R42, R43, R44 and R45, it is non-complying. However Rule R48 permits the discharge of stormwater to certain scheduled sites. The status of the activity under this rule conflicts with Rule R67.

Amend

Rules - Discharges to land

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rule R82: Application of fertiliser from ground-based or aerial application – permitted activity

Amend

It is more appropriate that conditions (a) and (b) of Rule R82 refer to "farm enterprise" as well as "property", in relation to containing adverse effects within the boundary. This reflects the fact that more than one property can be used as a single farming operation.

Reword conditions (a) and (b) of Rule R82 as follows: "(a) the discharge is not onto or into a surface water body or beyond the boundary of the property or properties comprising a farm enterprise including as a result of wind drift, and (b) the discharge of odour is not offensive or objectionable odour beyond the boundary of the property or properties comprising a farm enterprise, and..."

Rule R83: Discharge of collected animal effluent onto or into land – controlled activity

Amend

Rule R83 is supported in principle as a sensible approach to managing the effects of dairy farm effluent. However, (e)(iii), requires that discharge is not located within a community drinking water supply protection area as shown on maps. There is no need for this condition given that the existing controlled activity conditions are sufficient to avoid adverse effects on water supplies. The note to preclude applications under this rule from public notification unless there are special circumstances is appropriate. However, the dairy sector has concerns with condition (g) regarding the maximum permeability of the sealing layer (1 x 10⁻⁹ m/s). While we do not oppose this standard, and considers it appropriate for new dairy shed ponds, it has concerns that this standard is not enforceable on existing ponds. Amendments are proposed to restrict this condition to all new or modified effluent storage systems. A (water level) drop test of less than 5mm (+/- 2mm) in 24 hours is more appropriate) for existing ponds. Given that the capital costs of new pond construction is in the order of \$200, 000, and the current financial circumstances of dairy farmers, a 5 year lead in period is proposed to replace existing ponds that do not comply with drop test permeability. We also seek that conditions (c)(iii) and (i) and the second matter of control (maximum herd size for the property) refer to "farm enterprise" rather than simply "property", so that this rule is applicable to the collection of properties operated as a single farm enterprise to better reflect the realities of land ownership and management.

Amend Rule R83, as follows: Delete condition (e)(iii). Amend condition (g)(i): "the animal effluent collection, storage and treatment facilities (including sumps and ponds) are sealed. For all new or modified effluent storage systems, the permeability of the sealing layer shall not exceed 1x10⁻⁹ m/s, or (g) (ii) for effluent storage systems that existed at the date the Proposed Natural Resources Plan was publicly notified (31 July 2015), the permeability shall be less than 5mm +/- 2mm as determined by a water level drop test conducted by a suitably qualified and experienced person, or otherwise repaired or replaced by 31 July 2020, and". Add a new advisory note: "Note: 'Modified' means an increase in storage system capacity and excludes changes to a system's supporting infrastructure including pumps, screens, stone traps, aerators, and inlet or outlet pipes". Amend condition (e)(ii) as follows: "20m of the boundary of the property or properties comprising a farm enterprise, or..." Amend condition (i) as follows: "the discharge of odour is not offensive or objectionable odour beyond the boundary of the property or properties comprising a farm enterprise, and..." Amend the second matter of control as follows: "Maximum herd size for the property/farm enterprise"

<p>Rule R84: Discharge of collected animal effluent to water – non complying activity</p>	<p>Amend</p>	<p>Eisewhere in this submission, The dairy sector has raised concerns with the Plan's inconsistent approach to the discharge of animal and municipal effluent to water. Rule R84 should be amended to ensure consistency.</p>	<p>Amend Rule R84 as follows: "The discharge of collected animal effluent into water <u>except in extreme weather events</u> is a non-complying activity."</p>
<p>Rule R85: Application of compost to land – permitted activity</p>	<p>Amend</p>	<p>It is more appropriate that condition (d) of Rule R85 refers to "farm enterprise" as well as "property", in relation to containing adverse effects within the boundary. This reflects the fact that more than one property can be used as a single farming operation.</p>	<p>Amend Rule R85 (d) as follows: "the discharge of odour is not offensive or objectionable beyond the boundary of the <u>property or properties comprising a farm enterprise.</u>"</p>
<p>Rule R89: Farm refuse dumps – permitted activity</p>	<p>Amend</p>	<p>It is more appropriate that Rule R89 refers to "farm enterprise" throughout, instead of "property". This reflects the fact that more than one property can be used as a single farming operation with effects contained within the boundary of that farming operation.</p>	<p>Amend Rule R89 to amend (a) to read as follows: "(a) the contents of the farm refuse dump is from the <u>property or properties comprising a farm enterprise</u> where the farm dump is located, and". Replace the term "property" with the term "farm enterprise" in conditions (c)(i), (c)(iii), (d)(ii) and (i).</p>
<p>Rule R90: Manufacture and storage of silage and compost – permitted activity</p>	<p>Amend</p>	<p>The dairy sector considers that condition (d) requiring that silage areas are lined is not justified. The dairy sector is not aware of evidence that suggests that silage leachate is having an adverse environmental effect in the Wellington region, and considers that as only poorly-made silage produces significant leachate, this is more of a management issue. While there are advantages in sealing permanent silage pits, this is more for production of top-quality silage than managing environmental effects. In addition, it is more appropriate that condition (e) of Rule R90 refers to "farm enterprise" instead of "property". This reflects the fact that more than one property can be used as a single farming operation with effects contained within the boundary of that farming operation.</p>	<p>Amend Rule R90 by deleting (d) and amending (e) as follows: "(e) the discharge of odour is not offensive or objectionable odour beyond the boundary of the <u>property/farm enterprise.</u>"</p>
<p>Rule R91: Ofal pit – permitted activity</p>	<p>Amend</p>	<p>It is more appropriate that conditions (a) and (h) of Rule R91 refer to "farm enterprise" instead of "property". This reflects the fact that more than one property can be used as a single farming operation with effects contained within the boundary of that farming operation.</p>	<p>Amend Rule R91 as follows: "(a) the ofal pit shall only contain dead animal matter from the <u>property/farm enterprise</u> where the ofal pit is located, and" "(h) the discharge of odour is not offensive or objectionable odour beyond the boundary of the <u>property/farm enterprise</u> and"</p>

Rules - Land use

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

<p>Rule R94: Cultivation or tilling of land – permitted activity</p>	<p>Amend</p>	<p>The dairy sector has concerns that Rule R94 may be unduly stringent as it requires that cultivation shall not occur within 5m of a water body, regardless of the circumstances of the cultivation activity or the topography or riparian margins of the land it occurs on. Narrow, flat paddocks or fields with a stream boundary will have a greater percentage of unusable land under this rule. It may also be appropriate to have a greater setback on steeper terrain.</p>	<p>Amend Rule R94 as follows: "The use of land for cultivation is a permitted activity, provided the following conditions are met: (a) cultivation shall not occur within 5m <u>3m</u> of a surface water body, <u>or within 5m on land with a slope greater than 15 degrees, and</u> (b) cultivation is undertaken along the contour of the land, where reasonably practicable, and..."</p>
<p>Rule R95: Break-feeding – permitted activity</p>	<p>Amend</p>	<p>The dairy sector has concerns that Rule R95 may be unduly stringent as it requires that break-feeding shall not occur within 5m of a water body, regardless of the circumstances of the cultivation activity or the topography or riparian margins of the land it occurs on. Narrow paddocks or fields with a stream boundary will have a greater percentage of unusable land under this rule. It may also be appropriate to have a greater setback on steeper terrain.</p>	<p>Amend Rule 94 as follows: "The use of land for break-feeding is a permitted activity, provided the following condition is met: (a) break-feeding shall not occur within <u>3m</u> 5m of a surface water body <u>or within 5m on land with a slope greater than 15 degrees."</u></p>
<p>Rule R97: Access to the beds of surface water bodies by livestock – permitted activity</p>	<p>Amend</p>	<p>The status of access to Category 1 surface water bodies is unclear - Rule R97 (e) (ii) states that from three years after public notification of the plan there shall be no livestock access except for "(vii) above", which doesn't exist.</p>	<p>Clarify subclause (e)(ii) of Rule R97.</p>
<p>Rule R98: Livestock access to the beds of surface water bodies – discretionary activity</p>	<p>Support</p>	<p>The dairy sector supports the discretionary status afforded by Rule 98 to all activities that are not permitted by Rule R97.</p>	<p>Retain Rule R98</p>
<p>Rule R98: Livestock access to the beds of surface water bodies – discretionary activity</p>	<p>Amend</p>	<p>The dairy sector is concerned that this rule may restrict the access of livestock over Category 1 surface water bodies through the use of such means as bridges. Although there are rules permitting the construction of such structures e.g. Rule R114 River Crossing Structures, the use of structures for stock crossing over a Category 1 water body would appear to default to discretionary status under Rule R98. A new permitted activity rule is proposed to avoid the possibility of a technical knockout.</p>	<p>Insert a new permitted activity rule as follows: "Notwithstanding Rule R98, the access by livestock over the bed and banks of a Category 1 surface water body by way of a structure, including a bridge, is a permitted activity."</p>

Rules - Wetlands and beds of lakes and rivers
Wetlands general conditions

My submission on this provision is:

Amend

Rule R104: Structures in natural wetlands and significant natural wetlands – permitted activity

Amend

Rule R107: Activities in natural wetlands and significant natural wetlands – discretionary activity

Amend

Rule R108: Activities in natural wetlands and significant natural wetlands – non-complying activity

Amend

Reasons for my submission:

Subclause (d) is overly restrictive in requiring that even the installation of structures maintain fish passage at all times.

The dairy sector notes that the activity of erecting fences to prevent stock access does not appear to be allowed for in this rule, and if fencing was to be undertaken outside a restoration management plan, potentially it could default to a non-complying activity under Rule R108(b). In combination, these rules may act as a disincentive to the beneficial activity of preventing stock access.

The dairy sector is concerned that this rule does not distinguish between natural and significant wetlands, and considers that there should be a lower activity status for activities in natural versus significant wetlands.

Land disturbance, take/use/damming/diverting and reclamation and associated effects are non-complying in natural wetlands under Rule R108, but the status for significant wetlands under this rule needs to be clarified as it appears that land disturbance is the only non-complying activity for a significant wetland (as per (b)). In any case, it seems unduly stringent to treat natural and significant wetlands the same with respect to non-complying activities. It is more appropriate that at least some activities in a natural wetland are discretionary rather than non-complying. In addition, it is possible that this rule may act as a disincentive to beneficial activities such as fencing off a significant wetland, as subclause (b) may catch out land disturbance for this purpose. The activity of erecting fences to prevent stock access does not appear to be allowed for in the plan.

I seek the following from WRC (give precise details):

Amend S.5.2 (d) as follows: "structures are designed, installed, and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times. This shall include avoiding any aggradation or scouring of the bed of the river or lake that may inhibit fish passage, and"

Amend Rule R104 as follows: "The maintenance, repair, addition, alteration, or replacement (like for like) of an existing structure, and the placement of a new structure of an area less than 10m2 for the purpose of hunting and recreation (including maimai and jetties), and the removal of an existing structure in a natural wetland or significant natural wetland, and the erection of fencing to prevent stock access including any associated..."

Amend Rule R107 to delete reference to natural wetlands and refer only to significant wetlands. Create a new to give restricted discretionary activity status for those activities in natural wetlands that are covered in R107.

Amend Rule R108 to refer to significant wetlands only and create a new rule that give discretionary activity status for the activities listed in R108 when they occur in natural wetlands. In addition, we seek amendments to Rule R104 to permit fences for the purpose of stock exclusion.

Beds of lakes and rivers general conditions

Amend

Subclause (d) is overly restrictive in requiring that even the installation of structures maintain fish passage at all times.

Amend 5.5.4 (d) as follows: "structures are designed, ~~installed~~ and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times. This shall include avoiding any aggradation or scouring of the bed of the river or lake that may inhibit fish passage, and"

Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates) – permitted activity

Support

The dairy sector supports in principle the permitted activity status of these activities under Rule R112.

Retain Rule R112.

Rule R114: River crossing structures – permitted activity

Amend

The dairy sector has concerns about the limits set in Rule R114 subclause (f) for the Ruamahanga catchment. The requirement for a river crossing to have catchment area above it of no more than 200ha on the east side or 50ha on the west side of the Ruamahanga River seems a low threshold for a permitted activity given the typical size of farms, and the basis for it has not been explained. The dairy sector notes that there is not necessarily a direct relation between catchment size and river flow. It is noted that while this rule permits the construction of river crossing structures, there appears to be no rule that permits their use for stock crossing Category 1 surface water bodies. The dairy sector's submission point in relation to Rule R98 addresses this matter. In addition, subclause (h) does not allow the activity to occur within a site identified in Schedule C (mana whenua), which may be unnecessarily stringent in some cases.

Delete subclause (f) of Rule R114. Amend subclause (h) to read: "the activity does not occur within a site identified in Schedule C (mana whenua), which specifies site specific restrictions on new structures."

Rule R115: Culverts – permitted activity

Amend

Condition (f) of this rule requires that the culvert placement or use does not occur within a site identified in Schedule C (mana whenua). This condition may not necessarily be appropriate for all new culverts in Schedule C sites, and is potentially onerous as it would also apply to culvert replacements.

Amend Rule R115(f) as follows: "the activity does not occur within a site identified in Schedule C (mana whenua), which specifies site specific restrictions on new structures."

Rule R116: Establishing a small dam and existing dams – permitted activity

Amend

Condition (i) of this rule requires that the dam placement or use does not occur within a site identified in Schedule C (mana whenua). This condition may not necessarily be appropriate in Schedule C sites.

Amend Rule R116(i) as follows: "the activity does not occur within a site identified in Schedule C (mana whenua), which specifies site specific restrictions on new structures."

Rule R117: New structures – permitted activity

Amend

Condition (f) of this rule requires that new structures excluding Amend Rule R117(f) as follows: "the activity does not occur additional pipes and cables do not occur within a site identified within a site identified in Schedule C (mana whenua), which in Schedule C (mana whenua). This condition may not specifies site specific restrictions on new structures, and necessarily be appropriate in Schedule C sites. excludes adding pipes or cables to an existing structure."

Rule R121: Maintenance of drains – permitted activity

Amend

We support in principle Rule R121, which permits the removal of vegetation or bed material and associated sediment from any drain or highly modified river or stream, as this is an appropriate status for these activities but emphasises that good management practices already exist (e.g. <http://www.dairynz.co.nz/environment/land-and-nutrient/waterways/> or <http://www.dairynz.co.nz/media/2071975/drains-waterway-technote.pdf>). We note that while the remainder of the rule refers to drains, the definition of "drains" includes a highly modified watercourse or river, for the purposes of this rule. Subclause (f) as worded, perversely interferes with good drain management practices which require regrading of drains greater than 45 degrees in slope, to 45 degrees or less, thereby ensuring reduced bank slumping, improving clarity, oxygenation and temperature whilst restricting weed growth in-channel. Subclause (g) refers to using a "weed bucket with a curved flat base", which is confusing. The requirement in (j)(i) for mechanical clearing activities to only clear one side of the drain at any one time and the other side at three months later is overly prescriptive, and should allow for clearing at any time after 3 months from initial works.

Rule R125: Structures within a site identified in Schedule C (mana whenua) – restricted discretionary activity

Amend

All culverts, river crossing structures, small dams or other small structures within these sites, even those that meet the conditions of Permitted Activity Rule R115, are restricted discretionary activities. The dairy sector considers this to be overly stringent as not all sites may warrant the restriction of these activities

Amend Rule R125(f) as follows: "The placement of a river crossing structure, a culvert, new small dam, or other small structure that is fixed in, on or under the bed of a river within a site identified in Schedule C (mana whenua) which specifies site specific restrictions on the placement of such structures, including any associated:

Rules - Water allocation	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R136: Take and use of water – permitted activity	Amend	The note to Rule R136 does not give the correct references to the RMA in relation to permitted water takes.	Amend the note to R136 to read as follows: "For the avoidance of doubt any water take permitted by this rule is in addition to the take and use of water for an individual's reasonable domestic needs and the reasonable needs of an individual's animals for drinking water as is provided for by section 14(4)(3)(b), and for firefighting purposes as provided by section 14(3)(e) of the Resource Management Act 1991."
Rule R137: Farm dairy washdown and milk-cooling water – permitted activity	Amend	We support the permitted status of Rule R137 as being appropriate to the nature of the activity. However, there are two conditions that we have concerns with. First, subclause (f) requires that all practicable measures for recycling uncontaminated washdown water are implemented. It is unclear what water would fall under this condition, as all washdown water contains contaminants, whether from shed floor washing or from cleaning machinery and tanks. We support the recycling of dairy shed water resources but notes that what water can be recycled in the shed and what it may be used for are controlled by industry standards. Second, subclause (g) allows for GW to require a water meter be installed and daily use records kept and provided to Council. Given that the rate of washdown water per head of milking stock is reasonably well established at 70L/day, this additional condition seems unnecessary. While we support, in principle, all takes being accounted for, we consider that it is appropriate to restrict the circumstances under which water meter installation was justified, to those activities taking more than 50m3 per day. The dairy sector seeks that conditions (a) and (b) and the second note to the rule are amended to refer to a farm enterprise, as this better reflects the realities of land ownership and management.	Amend Rule R137 to clarify in subclause (f) that cooling water and greenwater may be recycled in accordance with industry codes of practice and in (g) to qualify that water meter installation may be requested for activities taking more than 50m3 per day. Amend conditions (a) and (b) as follows: "(a) the take shall be for a single property or properties comprising a farm enterprise, and (b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property or properties comprising a farm enterprise at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and.." Amend the second note to the rule as follows: "In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property or properties comprising a farm enterprise using information obtained from the property owner in compliance with a resource consent obtained under Rule R83."
Rule R138: Water races – permitted activity	Support	The permitted activity status of the take and use of water from a water race shown on Map 28, as per Rule R138 is appropriate.	

Methods 19: Water management

Support

Retain Method M19.

Method M19 is supported for the the methods by which it proposes to work with various groups to encourage the efficient use of water. In particular, we support (a) the establishment and operation of a publicly available freshwater accounting system, (e), in relation to water races and (g) promoting water storage outside river beds.

Method M26: Encouraging the involvement of kaitiaki

Amend

Method M26 states that "Wellington Regional Council will develop and implement a programme to improve water quality for contact recreation and Māori customary use in the first priority fresh and coastal water bodies identified in Schedule H1." This activity should be undertaken by Whaitua and coastal water bodies identified in Schedule H1. Committees, supported by GW.

Method M28: Development of good management practice guidelines.

Support

Retain Method M28

The dairy sector supports the ongoing development of good management practice guidelines by GW in collaboration with industry, other relevant organisations and stakeholders.

Ruamahanga Whaitua

Policy R.P.1: Minimum flows and water levels in the Ruamahanga Whaitua

My submission on this provision is:

Oppose

Policies and rules appear to have been prepared for this whaitua without any apparent review/identification of the values identified for each water body in the whaitua or a review of the general objectives, or the identification of specific objectives. This doesn't appear to have been undertaken even at a high level for water body types in the region. There is a concern that as a result, this chapter may therefore prejudice the outcomes of the Whaitua Implementation Programme.

Reasons for my submission:

I seek the following from WRC (give precise details):

Ensure that the process by which the Whaitua Committee for the Ruamahanga Whaitua identifies/reviews values for each water body in the whaitua, reviews general objectives and sets specific provisions including limits, is undertaken in a clear and transparent manner.

Policy R.P.1: Core allocation in the Ruamahanga Whaitua

Amend

The policy reference to this point should be R.P2 not R.P1. We support in principle Policy R.P2 as it allows the maximum water for allocation to be the greater of that allocated by resource consents or the allocation limits in Tables 7.3 to 7.5. However, we have general concerns as to how the allocation limits in these tables have been set, as no explanation is provided in the Plan. The notes to Tables 7.3 and 7.4 state that the "allocation amount has been derived as a default based upon one of two rules" however there don't appear to be any such rules in the plan (apart from Policy P113 which is drafted as a rule), and in any case this approach will potentially override the ability of the future Whaitua Committee to properly consider the values and allocation limits that are appropriate for the catchment. While we acknowledge that the Committee should be provided with a basic framework as a guide, this prescriptive approach does not give the Committee sufficient flexibility and discretion. Kopuaranga Category A groundwater area is not shown on Figure 7.2. There is potential for confusion as to boundary locations at the junctions of individual Category A units on Figure 7.2. Other groundwater units are not clearly defined at their boundaries either. Te Ore Ore Category C groundwater is listed in Table 7.5 but not shown on Figure 7.3 or 7.4. Booths Creek Category B groundwater is listed in Table 7.3 but not shown on Figures 7.5 to 7.7.

Provide a full explanation as to how allocation limits have been justified for this catchment. Amend the notes to Tables 7.3 and 7.4 to read as follows: "This allocation amount has been derived as an interim default based upon one of two principles #4es; for rivers with a mean flow of greater than 5,000 litres/sec, the allocation limit is equal to 50% of the natural seven-day mean annual low flow (7d MALF) and for rivers with a mean flow of less than 5,000 litres/sec, the allocation limit is equal to 30% of the 7d MALF." Ensure figures show all groundwater units listed in the tables, name those units and clearly show the boundaries between units.

Rule R.R1: Take and use of water in the Ruamāhanga Whaitua - restricted discretionary activity

The restricted discretionary status for the take and use of water under Rule R.R1 is appropriate, however we note that there is no longer any clear distinction between how consent renewals and new takes will be treated. The rule should clearly note the rights afforded by s(14)(3)(b) of the RMA in relation to stock drinking water (as is the case in Rule R136). This will avoid confusion as to the status of stock drinking water in this catchment. Rule R.R1 should also provide an exemption for dairymen's washdown and cooling water takes which are permitted under Rule R137. The matters for discretion include (4) which refers to the guideline for stepdown allocation in Schedule R, although this schedule currently refers to only eight rivers. We are concerned that this guideline could potentially be used as a guideline for rivers not listed in Schedule R, unless the Plan explicitly states that the stepdown only applies to the listed water bodies. Matter (8) in relation to Category B groundwater is not clear on the matter of discretion.

Amend

Amend Rule R.R1 by adding the following to subclause (e)(f): "dairymen's washdown and cooling water." Add a note to the rule as follows: "Note: This rule does not detract from the right to take and use water for an individual's reasonable domestic needs and the reasonable needs of an individual's animals for drinking water as provided for by section 14(3)(b) of the Resource Management Act 1991." Amend matter for discretion (4) as follows: "Reduction in the rate of take... at times of low flow and restrictions when rivers approach or fall below the minimum flows, including the specific guideline for stepdown allocation and flows in Schedule R (stepdown guideline) for a particular water body." Amend matter of discretion (8) as follows: "Whether the take and use is in category B groundwater (directly connected) or category B groundwater (not directly connected).

Rule R.R3: Take and use of water that exceeds minimum flows, lake levels or core allocation - prohibited activity

I seek the following from WRC (give precise details):

Amend Schedule A to provide clear and robust criteria used for identifying the listed outstanding water bodies.

Amend Schedule C to qualify the significance of the listed sites with respect to the different values that are identified, to note the threats to each site and to highlight the type of activities that warrant restriction in a particular site.

Amend Schedule F to identify the sites in accordance with Whatua areas. Amend Schedule F3 to include the criteria under which the region's significant wetlands were identified, and map these features.

FYI Regionally significant primary contact recreation water bodies (refer Objective O24) shown in Schedule H1 include Ruamāhanga River, Tauherenikau River, Waingawa River, Waiohine River and Waipoua River and Lake Wairarapa. Schedule H2 lists priorities for improvement of fresh and coastal water for contact recreation etc. Parkvale Stream is listed under the second priorities for improvement (fresh water bodies for secondary contact recreation).

Reasons for my submission:

The basis for determining the outstanding water bodies listed in Schedule A is unclear.

The dairy sector supports in principle the identification of sites with significant mana whenua values and the management of activities in those sites. However, it is concerned that Schedule C provides no guidance as to the relative significance of the sites with respect to the identified values, the threats and pressures facing the sites and the types of activities that might have adverse environmental effects at each site. The restrictions on activities (e.g. construction of a culvert) in such sites may be unnecessarily stringent in some cases.

The dairy sector considers that individual schedules that comprise Schedule F would be more useful if they listed the sites under the various Whatua areas. Schedule F3 now helpfully lists the region's identified significant wetlands, which is supported by the dairy sector, however the Plan no longer includes the criteria used to identify such wetlands, and Schedule F3 wetlands are not mapped.

Schedule P suggests that Category A and B takes will be subject to the same restrictions as surface water takes, however while groundwater takes are subject to restrictions, only surface water takes can be subject to cease takes.

Amend Schedule R to add the following note: "The stepdown allocations do not apply to the take of water diverted from a storage dam consented as part of a wider water storage and supply scheme, to a watercourse."

There is potential for confusion as to whether Schedule R applies to water directed to a water course from a storage dam.

My submission on this provision is:

Amend

Amend

Amend

Not stated

Amend

Not stated

Amend

Schedules

Schedule A: Outstanding Water Bodies

Schedule C: Sites with significant mana whenua values

Schedule F: Ecosystems and habitats with significant indigenous biodiversity values

Schedule H: Contact recreation and Māori customary use

Schedule P: Classifying and managing groundwater and surface water connectivity

Schedule Q: Reasonable and efficient use criteria

Schedule R: Guideline for stepdown allocations

Proposed Natural Resources Plan:

Submitter:

Susannah and Mark Guscott

Submitter Number:

S317

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Susannah & Mark Guscott
Farm Name	Glen Eden Farms Ltd
Physical Address	1087 Ponatahi Road, RD.2, Carterton 5792
Phone Number	063068566
Email Address	susannah.guscott@gmail.com

Communication from GWRC: I prefer email

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	Sheep, Beef & Arable
Farm size (area)	830 hectares
Main Waterways	Ruamahanga River
GW Soil plan or Farm Plan	Yes
Environmental investments	3 ha Fenced wetland area
QE2 or Retirement Blocks	18ha Native Bush Block.
General Comments	

OBJECTIVES & POLICIES

Although we support the following objectives & policies within the Proposed Plan, we feel that these sections of the Plan are not clear and concise and will result in a lack of direction for decision makers.

We support the following objectives & policies:

Objective 3.1 – this objective recognizes the importance of land and water to the economic, social and cultural well-being of the community. It therefore recognizes the importance of water and land to farmers and their business.

Objective 3.2 08 – This objective recognizes the economic benefit of taking and using water. This is important for those businesses that use water for the irrigation of crops that are grown to feed both stock and our community.

Objective 3.5 023 – This objective allows for both the maintenance and improvement of water quality not solely the improvement of water quality.

Objective 3.9 042 – Healthy and productive soils are essential in ensuring the on-going growth of the agricultural industry which in turn supports the well-being of our economic and social environment.

Objective 3.12 052 – This objective recognizes and provides for the efficient use of water.

Policy 4.2 (h) – This policy recognizes the benefits of using water and land for irrigation and stock water.

We oppose the following objectives & policies:

Objective 3.6 025 – This objective is unclear. What does 'over time' mean? The objective requires improvement if the tables aren't met...how are you supposed to meet a subjective sentence with no figures?

Policy 8 – The phrase 'generally appropriate' is ambiguous.

Changes sought:

Re-write the objectives & policies section of the Plan so that it gives clear & concise guidance to decision makers. We do not want the direction of the Wellington Region to be decided on a case by case basis through the resource consent process.

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: support/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

Exclusion of stock from waterways is extremely costly and complete exclusion and fencing will result in flooding and a proliferation of weed species.

Wetlands clean water naturally by filtering the water – can we not emanate this on farms? Have streams unfenced until they run into a manmade wetland, which is fenced off and densely planted in wetland plants. The water is naturally filtered then flows out into the stream again. This process could be repeated at the farm boundary until the stream reaches the river. This system would allow the farmer to concentrate on the designated “wetland areas”, it would be less costly, easier to maintain and control weeds; it would improve the water quality and provide for biodiversity.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan



SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

Baleage is a wrapped fermented product which does not leach therefore should not be included under this rule.

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020



EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions



VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions



CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 6 of Schedule 1, Resource Management Act 1991



greater WELLINGTON
 REGIONAL COUNCIL
 Te Pane Matua Tāiao

To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Mark Clayton Guscott

Organisation name: Glen Eden Farms Ltd
 (If applicable)

Address for Service: 1087 Ponetchi Rd
R02
Carterton

Telephone no's: Work: _____ Home: _____ Cell: 027 6363539

Contact person: _____

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: _____

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): <u>Whole Plan</u>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I support the submission of the Wairarapa Water Users Society Inc as a member of that organisation.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	


If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

I/We do wish to be heard in support of my/our submission
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]

I/We do not wish to be heard in support of my/our submission
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

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

Signature:  **Date:** 13/10/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

#1530376

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142

688 Wellington
Regional Council

Your details

21 OCT 2015

Full name: Leo Vollebregt

RECEIVED

Organisation name (if applicable): Wairarapa Water User's Inc. Society

4:10 PM

Address for service: Leo Vollebregt

235 Pahautea Road, RD1,

Featherston

Telephone no's: Work: 063088405 Home: 063088405 Cell: 0272588405

Contact person: Leo Vollebregt

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: lvoll@xtra.co.nz

Trade competition

yes I/we could not gain an advantage in trade competition through this submission [If you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online www.gw.govt.nz/regional-plan-review

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	our submission is attached to this details form
	I seek the following decision from WRC (give precise details): →	

Attendance and wish to be heard at hearing(s)

- YES** I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date: 20/10/2015

[Person making submission or person authorised to sign
on behalf of person making submission. NB, Not required if making an
electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,
c/- Leo Vollebregt,
235 Pahautea Road,
RD1,
Featherston.
21st October 2015

Wellington Regional Council
Wellington

Dear Sir/Madam

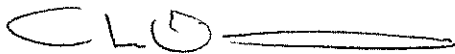
Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25th of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23rd of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

Wairarapa Water User's Inc. Society

Submission on the

Proposed Natural Resources Plan

<u>Provision</u>	<u>Text</u>	<u>Support/ Oppose/ Amend</u>	<u>Reasons</u>	<u>Relief sought</u>
<u>Definitions</u>	<p>Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.</p>	amend	<p>The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p>Groundwater will be categorised A or B or C once GW has field verified its connectivity with surface water and performed an empirical calibration of the model</p>
<p>Category A groundwater</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>		<p>The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A & B at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels.</p>	
<p>Category B groundwater (not directly connected)</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>		<p>In February 2015 work undertaken in the river bed by the Waihenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse</p>	
<p>Category C groundwater</p>	<p>Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7.</p>			

<p>Groundwater directly connected to surface water</p> <p>Regionally significant infrastructure*</p>	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p> <p>Category A groundwater and the component of category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> the local authority wastewater and stormwater networks, systems and wastewater treatment plants 	<p>amend</p> <p>amend</p>	<p>effects to this take at low flows indicating poor relation of the takes to the river.</p> <p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Groundwater in the bore is at the same level as the water in the river and moves up and down with the level of the river</p> <p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>
<p>Unused water</p>	<p>Where more than 25% of the maximum daily amount of water allocated to a person for use on a property they own or have an interest in, but not including water that is transferred for use at another location by means of a transfer permit, is demonstrated to not be used over a period of two consecutive years.</p>	<p>support</p>		<p>retain</p>
<p>Objective O8</p>	<p>The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.</p>	<p>amend</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>
<p>Objective O25 (c)</p>	<p>To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area:</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is</p>	<p>Oppose</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whaitua before current water quality levels are known</p>	<p>Remove</p>

<p>able 3.6 groundwater directly connected to surface water</p>	<p>improved over time to meet that objective.</p> <p>Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p><u>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</u></p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> (a) efficient infrastructure, and (b) good management practice, including irrigation, domestic municipal and industry practices, and (c) maximising reuse, recovery and recycling of water and contaminants, and (d) enabling water to be transferred between users, and (e) enabling water storage outside river beds. 	<p>amend</p>	<p>Increasing water allocation allows for growth.</p> <p>(a) to (e) are good means to the objective.</p> <p>There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised the amount is increased through time, including by means of: (a) to (e) are good means to the objective. Add (f) <u>enabling storage within the bed of a river</u></p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a <u>whatua</u> or <u>sub-catchment</u>, if:</p> <ul style="list-style-type: none"> (a) the affected resource is fully allocated or over-allocated, or 	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain Add (c) <u>consents will run for a period of 25 years</u></p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that whaitua or sub-catchment.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</p>	<p>(b) recognises the use of water for diluting wastewater and stormwater. Diffuse contaminants need to be included.</p> <p>We are pleased to see irrigation get a special mention.</p> <p>retain</p>	<p>Add <u>diffuse contaminants to</u> (b)</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>		<p>retain</p>

	<p>efficient allocation and use of water.</p>	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have significant part to play in establishing the evidence</u> <u>Insert (d) when schedule P changes; -ve effect on consent holders – 10 year lead in time to reflect cost, +ve effect - the water availability should be released immediately."</u></p>
<p>Policy P107: framework for taking and using water</p>	<p>The framework for the take and use of water recognises: (a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and (b) the take and use of water does not exceed allocation amounts provided for in the Plan, and (c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	<p>support</p>	<p>We support the use of water</p>	<p>Category A groundwater which shall be required to reduce take by 50% of the amount consented</p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>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.</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115 (authorising</p>	<p></p>
<p>Policy P111: Water takes at minimum</p>	<p>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-</p>	<p>Amend</p>	<p></p>	<p></p>

<p>flows and water levels</p> <p>)</p>	<p>11), with the exception that water is available below minimum flows:</p> <p>(c) as authorised by resource consents in accordance with Policy P108.</p> <p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p> <p>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</p> <p>(i) the water shall only be available five days (120 hours) after minimum flow cessation restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>	<p>takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.</p> <p>As above</p> <p>The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.</p> <p>Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p> <p>As above</p> <p>Delete (c) (i)</p>
<p>Policy P115: authorising takes below minimum flows and lake levels</p> <p>(d) and (c) i</p>	<p>Amend</p> <p>oppose</p>		

<p>Policy P116: re-allocating water</p>	<p>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 identified in Rules R.R1, WH.R1 and K.R1 in the whatua chapters of the Plan (chapters 7, 8 and 10) is exceeded.</p>	<p>Support</p>		<p>Retain</p>
<p>Policy P117: Supplementary allocation amounts at flows above the median flow</p>	<p>In addition to core allocation, water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.</p>	<p>support</p>		<p>retain</p>
<p>Policy P118: Reasonable and efficient use</p>	<p>The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of:</p> <p>(a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made</p>	<p>amend</p>	<p>The investment in infrastructure is considerable and time is required to implement changes</p>	<p>(a).while existing users replacing existing resource consents have a period of 4 years from the date of the plan-being-made-operative <u>renewal of consent to meet the criteria"</u></p>

	<p>operative to meet the criteria, and</p>			
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent 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:</p> <ul style="list-style-type: none"> (a) a capital expenditure programme linked to the purpose water is used for, and (b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use). 	<p>Support</p>		<p>Retain</p>
<p>Policy P120: Taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	<p>Support</p>		<p>Retain</p>
<p>Policy P128: Transfer of resource consents</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the adverse effects of the take and use of transferred water are the same or less, and 	<p>Support</p>		<p>retain</p>

	<p>(b) the transfer occurs within the same catchment management unit, and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(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).</p>			
<p>Rules</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p> <p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>	<p>amend</p>	<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p>	<p>Make this rule <u>restricted discretionary</u></p>
<p>Rule R137: Farm dairy washdown</p>		<p>amend</p>		

<p>id milk-cooling ater – permitted :ivity)</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:</p> <p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>		<p>(b) delete words after "...property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31-07-2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: emporary water ermit transfers – ontrolled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>amend</p>	<p>Rule 143 (temporary water permit transfers) – for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a permitted activity</p>
<p>Rule R144: ransferring water ermits – restricted iscretionary ctivity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>support</p>		<p>retain</p>
<p>Other methods</p>				

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and <u>economic values</u> of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and (c) provide, where available, accurate technical information to assist user groups. 	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<ul style="list-style-type: none"> (d) promoting alternatives to the use of water races, and 	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

	<p>implementation of policies which rely on good management practice to achieve desired environmental outcomes.</p>		<p>positive move which will have farmers moving forward in their practices with the reg. council??</p>	
<p><u>Ruamahanga Whaitua</u> Policy R.P3: Cumulative effects on river reaches of allocating water</p>	<p>When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects on aquatic ecosystems in downstream river reaches as a result of flow depletion from loss of river water to groundwater.</p>	<p>amend</p>	<p>Important that the effects are measured, not just modelled.</p>	<p>Insert after - adverse effects – <u>that are measured</u> on aquatic ...</p>
<p><u>Figures 7.3 – 7.8</u></p>	<p>Water allocation amounts</p>	<p>Oppose</p>	<p>Again the categories need <u>empirical</u> verifying. Too big an impact and too little evidence of benefit to the environment to ignore. As a community we need to verify categories and as this occurs the amounts in these tables may change significantly</p>	<p><u>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</u></p>
<p><u>Tables 7.3 – 7.5</u></p>	<p>Surface and groundwater allocation amounts</p>	<p>Oppose</p>	<p>The allocation amount should reflect the current consented allocation amount. Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.</p>	<p><u>Change the allocation amounts to what is currently allocated or more if spare water has been identified</u></p>

<p><u>Schedules</u></p> <p>Schedule P: assessing and managing groundwater and surface water connectivity</p>		oppose	<p>Needs <u>empirical calibration</u> by GW</p> <p>The connectivity between various ground water takes and surface water has not been verified and amongst the users there is significant doubt.</p> <p>Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p><u>Needs empirical calibration by GW</u></p>
<p>Schedule Q: reasonable and efficient use criteria</p>	<p>Irrigation</p> <p>A resource consent application to take water for irrigation purposes shall include an assessment using a field validated model that considers land use, crop water use requirements, on-site physical factors such as soil water holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration. The model must reliably predict annual irrigation volume within an accuracy of 15%. The annual volume calculated using the model shall meet with the following criteria:</p> <p>(a) an irrigation application efficiency of 80%, and</p> <p>(b) demand conditions that occur in nine out of 10 years.</p>	Amend	<p>Remove sentence "the model must reliably predict annual irrigation volume within an accuracy of 15%." Unreasonable for the Wairarapa because of dramatic seasonal weather variations.</p> <p>Wairarapa conditions differ from the rest of the country. This needs to be recognised.</p> <p>More consultation with affected parties is required.</p> <p>irrigators with lower efficiency may be more suitable for specific crops and farming situations. Case by case systems need to be assessed</p>	<p>Remove sentence the model must reliably predict annual irrigation volume within an accuracy of 15%</p> <p>Add after field validated model – for <u>Wairarapa conditions</u></p> <p>(a) add after 80% - <u>where practicable</u>.</p>

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach minimum flows. Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount. Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups However needs of stock drinking water and rootstock protection needs acknowledged However more and more appropriate management points e.g. further south of Waihenga are required. GW to establish in consultation with water users. As water is cleaned up the minimum flow requirement for dilution is lower. The effects of low flows needs to demonstrated as are the effects of restrictions There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u> Table R1 is interim GW to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Mikimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

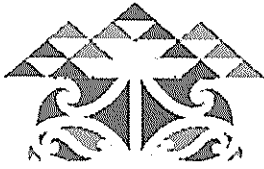
Proposed Natural Resources Plan:

Submitter:

**Te Hika o Papauma Mandated Iwi
Authority**

Submitter Number:

S318



Te Hika o Pāpāuma

Mandated Iwi Authority

Te Hika o Pāpāuma Mandated Iwi Authority

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Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: _____

Organisation name:
 (If applicable) Te Hika o Pāpāuma Mandated Iwi Authority

Address for Service: PO Box 895, Masterton 5840

Telephone no's: Work: 06 378 9023 Home: 06 378 9023 Cell: 027 2166 883

Contact person: Anita Broughton, Acting General Manager

Address and telephone no (if different from above): 133 Renall Street, Masterton, 5810

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: anita@tehikaopapauma.nz

Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Objective O15: Katiaki is recognised and mana whenua actively participate in planning and decision making. Objective O16: The relationship of mana whenua with Ngā Taonga Nui a Kiwi is recognised and provided for.	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>1. SUMMARY</p> <p>Te Hika o Pāpāuma Mandated Iwi Authority support and acknowledge an interest in the specific provisions, objectives policies and maps identified.</p> <p>Our experience to date with the Proposed Natural Resources Plan for the Wellington Region ("Natural Resources Plan") has been a lack of, and a lost opportunity to:</p> <p>1.1 Recognise Te Hika o Pāpāuma as mana whenua</p>

<p>Objective O33: Sites with significant mana whenua values are protected and restored.</p> <p>Policy P9: Public access to and along the coastal marine area and the beds of lakes and rivers.</p> <p>Policy P17: Mauri.</p> <p>Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa.</p> <p>Policy P19: Māori values.</p> <p>Policy P20: Exercise of kaitiakitanga.</p> <p>Policy P21: Statutory Acknowledgements.</p> <p>Policy P44: Protection and restoration of sites with significant mana whenua values.</p> <p>Policy P45: Managing adverse effects on sites with significant man whenua values.</p> <p>Method M2: Kaitiaki information and monitoring strategy.</p> <p>Method M22: Integrated management of the coast.</p> <p>Method M25: Understanding and providing for mana whenua values and relationships.</p> <p>Method M26: Encouraging the involvement of kaitiaki.</p> <p>Schedule C5: Sites of significance to Ngāti Kahungunu ki Wairarapa and Rangitāne o Wairarapa.</p> <p>Schedule D: Statutory Acknowledgements.</p> <p>Schedule E: Archaeological sites.</p> <p>Schedule F1: Rivers and lakes with significant indigenous ecosystems.</p> <p>Schedule F1b: Known rivers and parts of the coastal marine area with inanga spawning habitat.</p> <p>Schedule F2c: Habitats for indigenous birds in the coastal marine area.</p> <p>Schedule F3: Identified significant natural wetlands.</p> <p>Schedule F4: Sites with significant indigenous biodiversity values in the coastal marine area.</p> <p>Schedule J: Significant geological features in the coastal marine area.</p> <p>Schedule K: Significant surf breaks.</p> <p>Maps 47 and 48: Coastal marine area and river mouth boundaries.</p>		<p>1.2 Consult effectively with Te Hika o Pāpāuma</p> <p>1.3 Represent Te Hika o Pāpāuma</p> <p>1.4 Contribute to and be contributed to by Te Hika o Pāpāuma</p> <p>1.5 Acknowledge the relevance and role of traditional relationships/alliances.</p> <hr/> <p>2. REASONS FOR SUBMISSION:</p> <p>2.1 OPPORTUNITY TO RECOGNISE TE HIKA O PAPAUMA AS MANA WHENUA</p> <p>2.1.1 Background</p> <p>Te Hika o Pāpāuma can be translated to mean 'The descendants of Pāpāuma'. It is said that Te Hika o Pāpāuma began when Pāpāuma became a wife to Rakaihikuroa and they had children.</p> <p>Rakaihikuroa is a grandson to Kahungunu and it is from this union that Te Hika o Pāpāuma formed an intrinsic bond with Ngāti Kahungunu. The link to the traditional lands of Te Hika o Pāpāuma however comes from Pāpāuma and her link to Kupe.</p> <p>Te Hika o Pāpāuma are an ancient people that predate all European contact with Aotearoa. Our eponymous ancestor Pāpāuma is a direct descendant of Kupe and is regarded as Te Aitanga a Kupe (offspring of Kupe). Te Hika o Pāpāuma have maintained mana whenua (traditional authority over traditional lands) and mana moana (traditional authority over traditional sea and coastal area) in perpetuity since Kupe landed on the East Coast over a thousand years ago.</p> <p>Te Hika o Pāpāuma has a strong relationship with the iwi Rangitāne through generations of intermarriage, close proximity and a shared whakapapa through Te Aitanga a Kupe. In 2012 the Rangitāne Settlement Negotiations Trust, on behalf of Rangitāne looked to better reflect the relationship and acknowledged that:</p> <ul style="list-style-type: none"> - "the ancestor Pāpāuma is the eponymous ancestor of Te Hika o Pāpāuma" - "Te Hika o Pāpāuma has its own distinct identity and has exercised, and continues to exercise, mana whenua and mana moana in its traditional rohe. - As part of exercising mana whenua and mana moana, Te Hika o Pāpāuma has the right to directly engage with any and all parties as it deems appropriate" - "Te Hika o Pāpāuma Marae Committee, Pāpāuma Māori Committee, Te Hika o Pāpāuma Marae Trustees and Aohanga Incorporation are representative bodies for Te Hika o Pāpāuma interests". <p>Te Hika o Pāpāuma also has a strong and intrinsic bond with Ngāti Kahungunu through Rakaihikuroa and other Ngāti Kahungunu ancestors that intermarried into Te Hika o Pāpāuma as well. However Pāpāuma herself does not descend from either of the ancestors Rangitāne or Kahungunu. See APPENDIX A: Whakapapa of Rangitāne, Kahungunu and Pāpāuma which clearly show her direct descent from Kupe.</p> <p>Te Hika o Pāpāuma therefore has relationships with both Rangitāne and Ngāti Kahungunu but at no time have Te Hika o Pāpāuma relinquished or ceded their right to govern themselves and manage both their mana whenua and mana moana interests within our traditional lands.</p> <p>Over the centuries many external people and iwi have attempted to wrest the traditional lands of Te Hika o Pāpāuma from our grasp. Many external iwi representative bodies have also proposed to speak on behalf of Te Hika o Pāpāuma. Regardless of whether others have spoken on our behalf or not to date, Te Hika o Pāpāuma is now standing to state that they have a voice. One cannot blame however, external bodies for wanting to lay claim to Te Hika o Pāpāuma lands, for they include a coastline and lands abundant in kaimoana, arable farms and extensive Crown forestry blocks.</p> <p>With the above kōrero in mind, it seems by no accident therefore that the ōhakī (final wish) of Pāpāuma is:</p> <p>"Poua te whenua kia mau tonu" "Assert yourself upon the land and hold it forever"</p>
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2.1.2 Mana Whenua

It is evident that Te Hika o Pāpāuma meets the definition of "Mana whenua" contained in page 26 of the Natural Resources Plan. It is defined as "Māori with ancestral claims to a particular area of land and resources. Literally, translated as "authority over the land". Whanau, hapu and iwi are mana whenua of a particular rōhe, while Māori are tangata whenua of Aotearoa".

Te Hika o Pāpāuma traditionally inhabited and maintained the area commonly known as the Castlepoint Purchase Block of 1853 (Purchase Block). The coastline ranges from Poroporo in the north to Whareama River in the south. The inland area covers 485,000 acres of land, 18,000 of which is privately owned and managed as the Owāhanga Station by the Proprietors of Aohanga Incorporation.

The Purchase Block makes up a significant portion of the Wairarapa / Tamaki nui-a-Rua region. It spans the two regions and also spans both the Masterton and Tararua District Councils as well as both the WRC and Horizons Regional Councils.

This station is one of the original Native Reserves set aside as part of the Castlepoint Purchase. The size of the station makes it largest block of privately owned Māori land in the lower North Island.

Note that Aohanga Incorporation have lodged a separate submission to the Proposed Natural Resources Plan for the Wellington Region with a key focus on the impact to farming operations.

Attached is a copy of the Crown Forestry Rental Trust map in APPENDIX B: Land Blocks of Wairarapa ki Tararua Inquiry District (1850's to 1870's). There are two highlighted sections which represent the following:
(a) Castlepoint Purchase Block (blue) – the traditional lands of Te Hika o Pāpāuma;
(b) Owāhanga Station (red) – one of the native reserves set aside from the original Castlepoint Purchase 1853, owned and managed by Te Hika o Pāpāuma descendants through their shareholding in Aohanga Incorporation.

The Crown, through Ministry of Fisheries has acknowledged the inland customary food-gathering area of Te Hika o Pāpāuma. Customary food-gathering is an essential part of asserting mana whenua. The Crown's map (see APPENDIX C: Inland Customary Food-Gathering Area for Te Hika o Pāpāuma) clearly outlines the inland customary food-gathering area of Te Hika o Pāpāuma. Therefore, we declare that Te Hika o Pāpāuma has mana whenua interests and rights in this area.

As mana whenua we have done a number of positive initiatives that show we are fulfilling our role as mana whenua: This includes:

- Having the Mataikona River fenced off to the end of the tidal area for decades
- Putting a large block of Owāhanga Station land into a nga whenua rahui arrangement; and
- effective management of access to the land.

Lastly, a number of Te Hika o Pāpāuma descendants will use common maunga (mountains) such as Puketoi and Kupukokore and awa (rivers) such as Owāhanga and Mataikona in their pepeha (introductions). This illustrates the deep and enduring connection to traditional lands that the people of Te Hika o Pāpāuma have.

2.1.3 Mana Moana

The traditional coastline of Te Hika o Pāpāuma is "Poroporo ki raro – Whareama ki runga" (from Poroporo to Whareama). Te Hika o Pāpāuma has Customary Fishing Rights accepted by Ministry of Fisheries for this stretch of coastline. Te Hika o Pāpāuma also has status as a Notifying Authority for the appointment of Kaitiaki in this same area (see APPENDIX D: Area of Management Responsibility of Te Hika o Pāpāuma).

WAI. 420 includes the relationship of THoP with their traditional coastline. The WAI. 420 Statement of Claim was clear that it was a claim for the "tribal members of Te Hika o Pāpāuma".

The Waitangi Tribunal noted in the WAI. 863 Wairarapa ki Tararua Report, "Indeed we doubt that any tribal group would be able to adduce better

	<p>evidence of sustained and unbroken customary connection with a piece of coastline than Te-Hika-o Pāpāuma's in relation to the coastline adjoining Ōwahanga Station". This statement by the Waitangi Tribunal clearly supports the assertion that THoP has mana moana within its traditional coastline.</p> <p>Further to mana moana, Te Hika o Pāpāuma believes and maintains that it has 'Blue Water Title' for the coastline area adjoining the Ōwahanga Station. In 1980, Riddiford Smyth Johnston & Steven Barristers & Solicitors provided THoP with a legal opinion which states: "The Certificate of Title to the land of the Station shows the Pacific Ocean as one of the boundaries. Section 12 of the Land Transfer Act states that a Certificate of Title to land has the force and effect of a Crown Grant. Section 35 of the Crown Grants Act 1908 states that "where in any Grant the ocean ... is described as forming the whole or part of the boundary of the land granted, such boundary ... shall be deemed ... to be the line of high water mark at ordinary tides". The Station thus has a "Blue Water Title"."</p> <p>The Waitangi Tribunal referred to THoP 'Blue Water Title' and noted "The situation of Te-Hika-o Pāpāuma is particularly unusual. Ōwahanga / Aohanga Station, the largest tract of Māori land remaining in this district, lies along and behind 18 kilometres of coastline. The claimants have exercised continuous control over this coastal land since before 1840. While legal title to the land block ends at the high-water mark, the claimants say that they have always asserted a 'blue-water title'; that is, ownership of the foreshore and seabed bordering the block".</p> <p>2.1.4 Te Hika o Pāpāuma Representative Bodies</p> <p>Te Hika o Pāpāuma are governed and managed by five representative bodies. Bodies that maintain the interests of Te Hika o Pāpāuma culturally, socially, environmentally and economically. These include:</p> <ul style="list-style-type: none"> - Te Hika o Pāpāuma Marae Committee formed in 1974. The Committee meet bi-monthly and are responsible for the day-to-day running of the marae complex. - Aohanga Incorporation formed in 1974. The vision is to protect and enhance the mana of Aohanga. The Committee manage a working sheep and beef station on behalf of its shareholders. - Pāpāuma Māori Committee formed in 1975. They represent the people of Pāpāuma, Pongaroa, Ōwahanga on issues relating to customary fisheries and Māori wardens. This committee is responsible for - Te Hika o Pāpāuma Marae Trustees were appointed in 1978. They are responsible for the governance of the Marae Reservation which the more recent of the two physical marae – Te Aroha o Aohanga sits. - Te Hika o Pāpāuma Mandated Iwi Authority formed in 2015. Provides for inclusive representation for Te Hika o Pāpāuma. <p>2.1.5 Te Hika o Pāpāuma Mandated Iwi Authority</p> <p>On 8 August 2015 the above Trust was established after an extensive nationwide ratification process. APPENDIX E: Te Hika o Pāpāuma Notice of Establishment Letter provides details of the ratification process and voting results. APPENDIX F: Te Hika o Pāpāuma Mandated Iwi Authority Area of Interest Maps outlines the inland and coastal area of interest which aligns to the traditional lands of THoP from Whareama River to Poroporo and extends out to the 200 nautical mile limit.</p> <p>The objects of the Trust includes to:</p> <ul style="list-style-type: none"> - Protect, uphold and enhance the mana of Pāpāuma - Promote and revitalise the identity, educational, spiritual, economic, environmental, social and cultural advancement or well-being of Te Hika o Pāpāuma and its Members - fulfill the role of mana whenua and mana moana within the traditional lands of Te Hika o Pāpāuma; - establish, develop and maintain relationships with neighbouring iwi, hapū, whānau and Māori entities; - provide for the on-going maintenance and establishment of places of cultural or spiritual significance to Te Hika o Pāpāuma and its Members; - undertake commercial activities to support the object and purpose of the Trust; - represent Te Hika o Pāpāuma in any engagement or settlement with the Crown or any engagement with local authorities, public sector organisations or private entities; - any other purpose that is considered by the trustees from time to time to be beneficial to Te Hika o Pāpāuma.
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As a Treaty partner the Trust will continue engaging in the current Wairarapa/ Tāmaki Nui ā Rua Treaty settlements on behalf of Te Hika o Pāpāuma. Hon. Chris Finlayson's (Minister for Treaty of Waitangi Negotiations) letter dated 9 October 2015 states "To the extent that your Trust intends engaging in Treaty settlements I encourage you to meet with the Ngāti Kahungunu Ki Wairarapa Tāmaki Nui ā Rua Trust and Rangitāne Settlement Negotiation Trust to discuss working together where possible".

As part of the Trust's involvement in Treaty settlements it is our intention, amongst others, for the recently established Mataikona Recreation Reserve to be acknowledged as a river accretion of Owāhanga Station before being offered by to Iwi. The Trust also intends for there to be statutory acknowledgements specific to Te Hika o Pāpāuma. This will impact on the content of the Natural Resources Plan (Schedule D) once settlement legislation is passed.

Given the length and extent of the ancestral claim to their traditional lands, along with over 700 members we would like Te Hika o Pāpāuma recognised as mana whenua within their traditional lands in the Natural Resources Plan. In addition we request that Te Hika o Pāpāuma is represented by Te Hika o Pāpāuma Mandated Iwi Authority.

2.2 OPPORTUNITY TO CONSULT EFFECTIVELY WITH TE HIKA O PĀPAUMA

It is our understanding that both Kahungunu ki Wairarapa and Rangitane o Wairarapa were engaged to contribute to the Natural Resources Plan by writing schedules of sites of significance for the Wairarapa Region within The WRC boundary. We note that at no time prior to the completion of their work were any of the representative bodies of Te Hika o Pāpāuma consulted and asked for input into the identification of sites of significance. This is despite there being identified sites within and along the boundaries of both the traditional and contemporary owned lands of Te Hika o Pāpāuma.

We would like an opportunity work alongside WRC to contribute Te Hika o Pāpāuma specific content into the Natural Resources Plan for the Wellington Region. This would include content such as:

- identification of Sites of Significance to Te Hika o Pāpāuma
- identification of values assigned to Sites of Significance
- other.

In particular, with the establishment of Te Hika o Pāpāuma Mandated Iwi Authority we are organised to be able to effectively engage and contribute. We confirm that engagement at Regional Council level is a priority for the Trust.

2.3 OPPORTUNITY TO REPRESENT TE HIKA O PĀPAUMA

As noted above at no time has Te Hika o Pāpāuma relinquished or ceded our right to govern ourselves and manage both our mana whenua and mana moana interests in our traditional lands. We are taking a stand to represent ourselves and have a Te Hika o Pāpāuma specific voice.

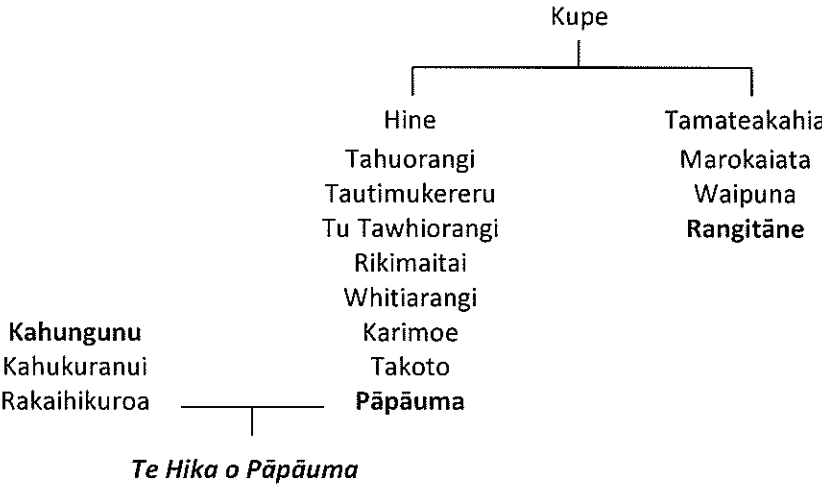
Forums where we would like to have representation include:

- Aratahi
- Te Upoko Taiao
- Wairarapa Coast Whaitua
- other as appropriate.

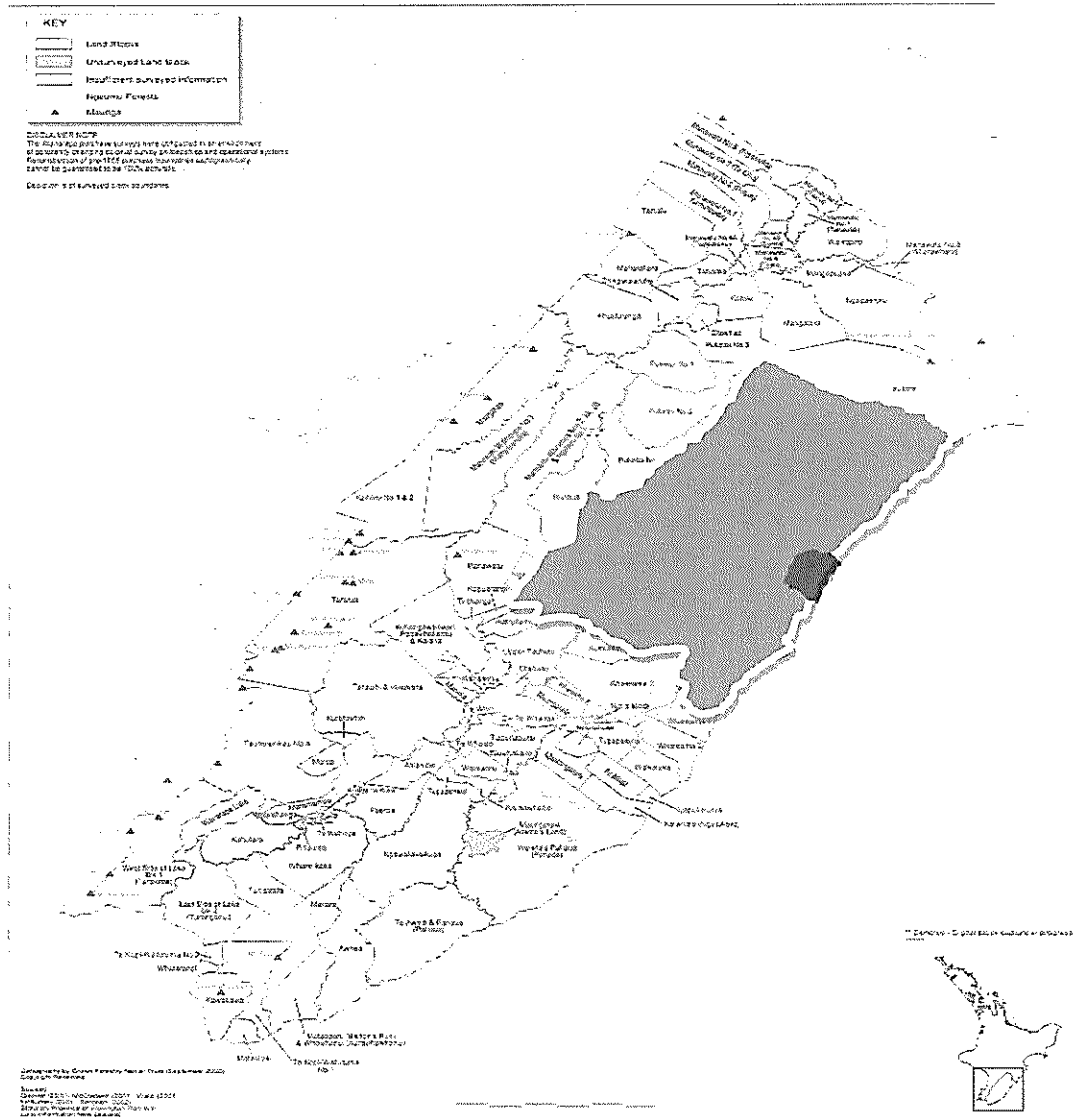
We note that the current Natural Resources Plan has very little specific policies in the Wairarapa Coast Whaitua. Te Hika o Pāpāuma would welcome an opportunity to represent Te Hika o Pāpāuma in this forum and to be more meaningfully involved in reviewing and developing specific policies for the Wairarapa Coastline where applicable.

		<p>2.4 OPPORTUNITY TO CONTRIBUTE TO AND BE CONTRIBUTED TO BY TE HIKA O PAPAUMA</p> <p>With the infrastructure being put into place we would welcome support from WRC for Te Hika o Pāpāuma Mandated Iwi Authority to undertake the following activities on behalf Te Hika o Pāpāuma and WRC:</p> <ul style="list-style-type: none"> - consultation and representation activities as noted above - ongoing participation in relevant consent processes - preparation of cultural impact assessments as required - preparation of Iwi management plan - other activities as required. <p>2.5 OPPORTUNITY TO ACKNOWLEDGE THE RELEVANCE AND ROLE OF TRADITIONAL RELATIONSHIPS/ALLIANCES</p> <p>Traditionally it is known that three key Wairarapa coastal groups comprising of Te Hika o Pāpāuma, Ngāi Tūmapūhia-ā-Rangi and Ngāti Hinewaka would support each other as required. This intrinsic bond continues through to today and there might be an opportunity in the future for such an arrangement to continue into the future for the benefit of all.</p> <hr/> <p>ACCOMPANYING APPENDICES IN SUPPORT OF SUBMISSION:</p> <p>APPENDIX A - Whakapapa of Rangitāne, Kahungunu and Pāpāuma APPENDIX B - Land Blocks of Wairarapa ki Tararua Inquiry District (1850's to 1870's) APPENDIX C - Inland Customary Food Gathering Area for Te Hika o Pāpāuma APPENDIX D - Area of Management Responsibility of Te Hika o Pāpāuma APPENDIX E - Te Hika o Pāpāuma Mandated Iwi Authority Notice of Establishment letter APPENDIX F - Te Hika o Pāpāuma Mandated Iwi Authority Area of Interest Maps</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>4. REQUESTS FOR DECISIONS:</p> <p>We are seeking the following decisions from WRC:</p> <p>4.1 Recognition of Te Hika o Pāpāuma as mana whenua within their traditional lands in the Natural Resources Plan and to be represented by Te Hika o Pāpāuma Mandated Iwi Authority.</p> <p>4.2 Consultation with Te Hika o Pāpāuma to collate Te Hika o Pāpāuma specific content to be incorporated into the Natural Resources Plan including:</p> <ul style="list-style-type: none"> - identification of Sites of Significance to Te Hika o Pāpāuma - identification of values assigned to Sites of Significance - other as required. <p>4.3 Representation of Te Hika o Pāpāuma on:</p> <ul style="list-style-type: none"> - Aratahi - Te Upoko Taiao - Wairarapa Coast Whaitua - other forums where appropriate. <p>4.4 Support for Te Hika o Pāpāuma Mandated Iwi Authority to undertake the following activities on behalf of WRC:</p> <ul style="list-style-type: none"> - consultation and representation activities as noted above - ongoing participation in relevant consent processes - preparation of cultural impact assessments as required - preparation of Iwi management plan - other activities as required. <p>4.5 Consideration of how traditional relationships/alliances can continue to play an active role today in sustaining and supporting the Wairarapa coastline and it's communities by including the following key coastal groups/notifying authorities:</p> <ul style="list-style-type: none"> - Te Hika o Pāpāuma - Ngāi Tūmapūhia-ā-Rangi - Ngāti Hinewaka. <p>We note that this would be dependent on each of the above groups' willingness and ability to participate in such an arrangement</p>

APPENDIX A: Whakapapa of Rangitāne, Kahungunu and Pāpāuma



APPENDIX B: Land Blocks of Wairarapa ki Tararua Inquiry District (1850's to 1870's)



Key:	
	Castlepoint Purchase Block – 485,000 acres
	Owāhanga Station (owned and managed by Aohanga Incorporation) – 18,000 acres

APPENDIX C: Inland Customary Food-Gathering Area for Te Hika o Pāpāuma



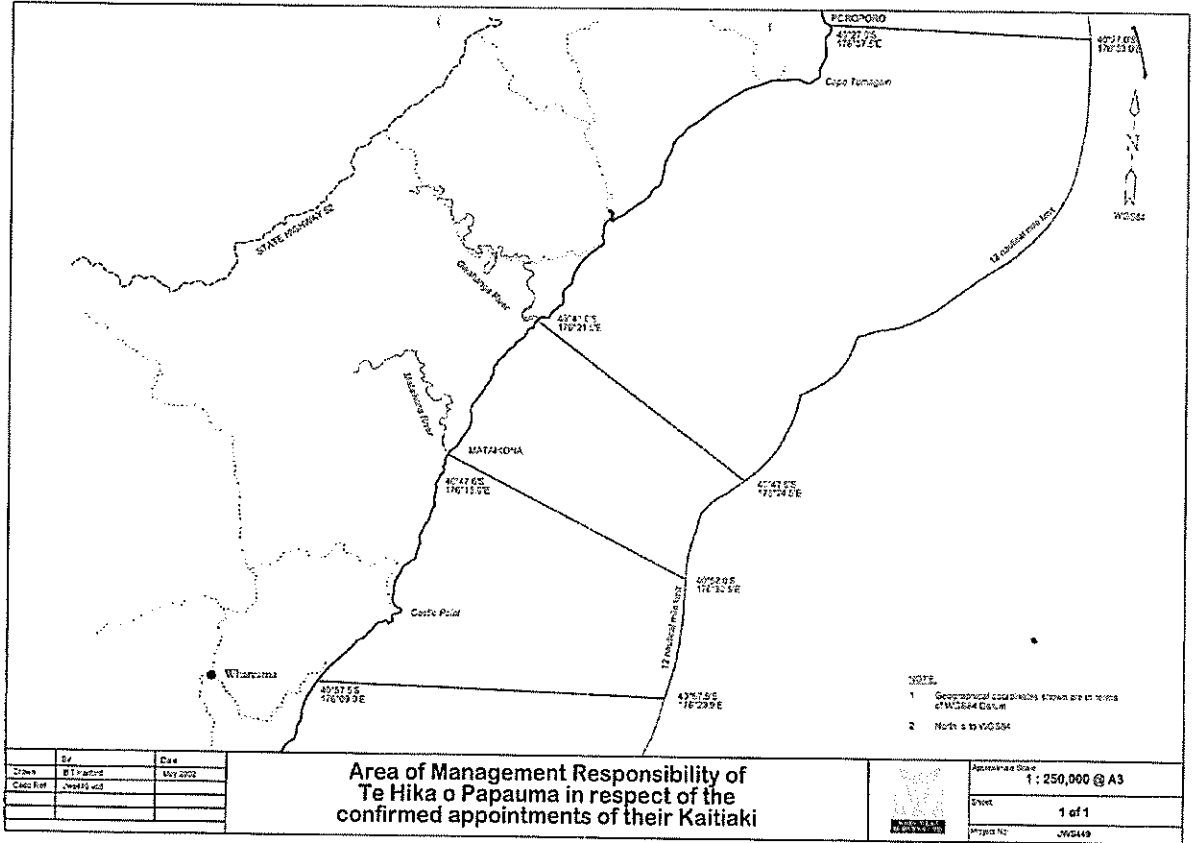
	By	Date
Drawn	RT Hildford	May 2012
Checked		
Copy Rep	Joshua.cad	
Status	NZHM 220	

**Inland Customary Food-Gathering Area for
Te Hika o Pāpāuma**



1 : 300,000 @A3	
Sheet:	1 of 1
Project No:	JM2015B

APPENDIX D: Area of Management Responsibility of Te Hika o Pāpāuma in respect of the confirmed appointments of their Kaitiaki





23 October 2015

Wellington Regional Council
PO Box 11646
Wellington 6142

Sent by email

Kia ora

TE HIKA O PĀPĀUMA MANDATED IWI AUTHORITY – NOTICE OF ESTABLISHMENT

The interim Trustees of Te Hika o Pāpāuma Mandated Iwi Authority (“the Trust”) are pleased to announce the establishment of the Trust as at 8 August 2015. The Trust Deed was signed after receipt of the attached voting results.

The confirmed interim Trustees are Warren Chase (Chairperson), Robert Karaitiana (Deputy Chairperson), Moana Woods, Dale Coles and Alex Webster.

Ratification hui for the establishment of the Trust were held between 3 – 19 July 2015 in Whanganui, Wellington, Christchurch, Hastings, Auckland, Masterton and Pāpāuma Marae. Public notices were posted nationwide 21 days prior. In total there were over 150 people in attendance.

The Trust seeks to fulfil on its objects, thus ensuring that the ohakī (final wish) of Pāpāuma is realised, today and into the future:

*“Poua te whenua kia mau tonu”
“Assert yourself upon the land and hold onto it forever”.*

If you have any questions on the above please contact either myself and/or the Trust at admin@tehikaopapauma.nz.

Ngā mihi

A handwritten signature in black ink, appearing to be "Warren Chase".

Warren Chase
Chairperson

7 August 2015

The Trustees
Te Hika o Pāpāuma Mandated Iwi Authority

Sent via email

Deloitte House
10 Brandon Street
Wellington 6011

PO Box 1990
Wellington 6140
New Zealand

Tel: +64 4 470 3500
Fax: +64 4 470 3501
www.deloitteprivate.co.nz

Tēnā koutou

Further to our appointment as Returning Officer for receiving and processing votes related to the Te Hika o Pāpāuma Mandated Iwi Authority, below we outline the results of votes received.


Voting period	1 July 2015 to 31 July 2015
Te Hika o Pāpāuma members - all age groups	716
Te Hika o Pāpāuma members - registered (18 yrs +)	304
Total votes received	139
Votes for Resolution 1: I accept the Te Hika o Pāpāuma Mandated Iwi Authority as the entity to represent the interests of Te Hika o Pāpāuma in accordance with the provisions of the Trust Deed	135 (97%)
Votes for Resolution 2: I accept the appointment of Warren Chase, Moana Woods, Robert Karaitiana, Dale Coles and Alexander Webster as interim trustees for the Te Hika o Pāpāuma Mandated Iwi Authority in accordance with the provisions of the Trust Deed	133 (96%)
Votes against Resolution 1	4 (3%)
Votes against Resolution 2	6 (4%)

As per the Trust Deed we will place all voting forms and other voting records into a sealed envelope which will be endorsed with a description of the contents together with the final date for voting in this election. The envelope will then be endorsed and forwarded to the Trustees.

Subject to rule 14.1(b) of the Trust Deed the sealed envelope received from the Chief Returning Officer shall be safely kept unopened by the Trustees for a period of one (1) year from the closing date for making votes in the election to which the envelope relates. At the expiry of that one (1) year period the packets shall be destroyed unopened.

If you any queries with the above results please do not hesitate to contact Petra Melville on (04) 470 3582. Thank you for the opportunity to work with you on this assignment.

Nāku noa, nā

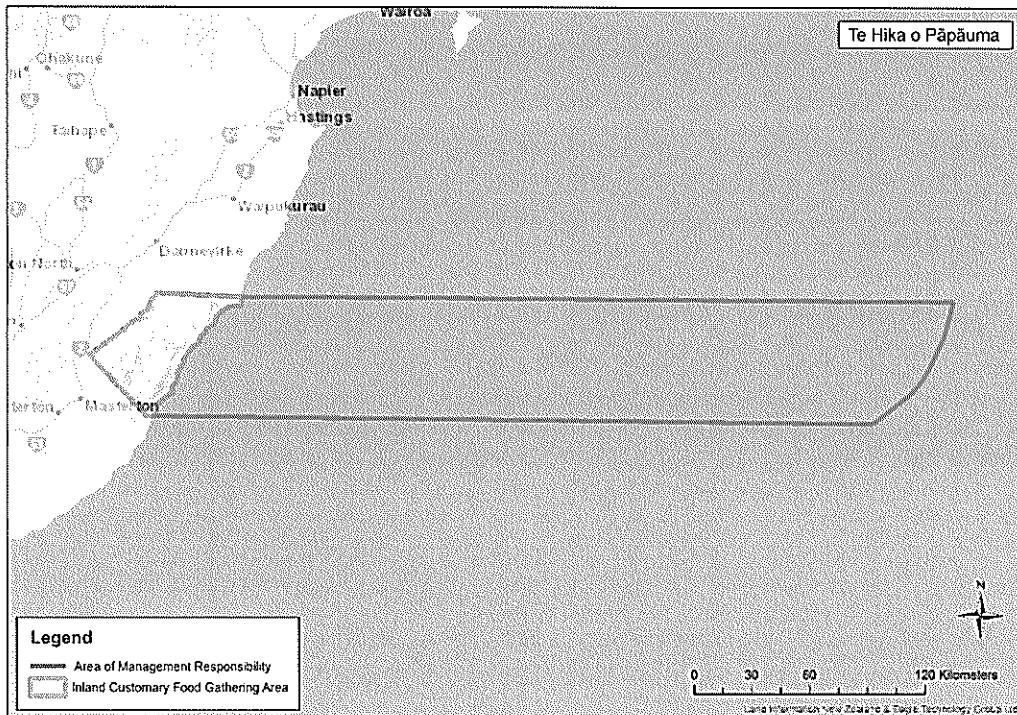


Andrew Gibbs
Partner

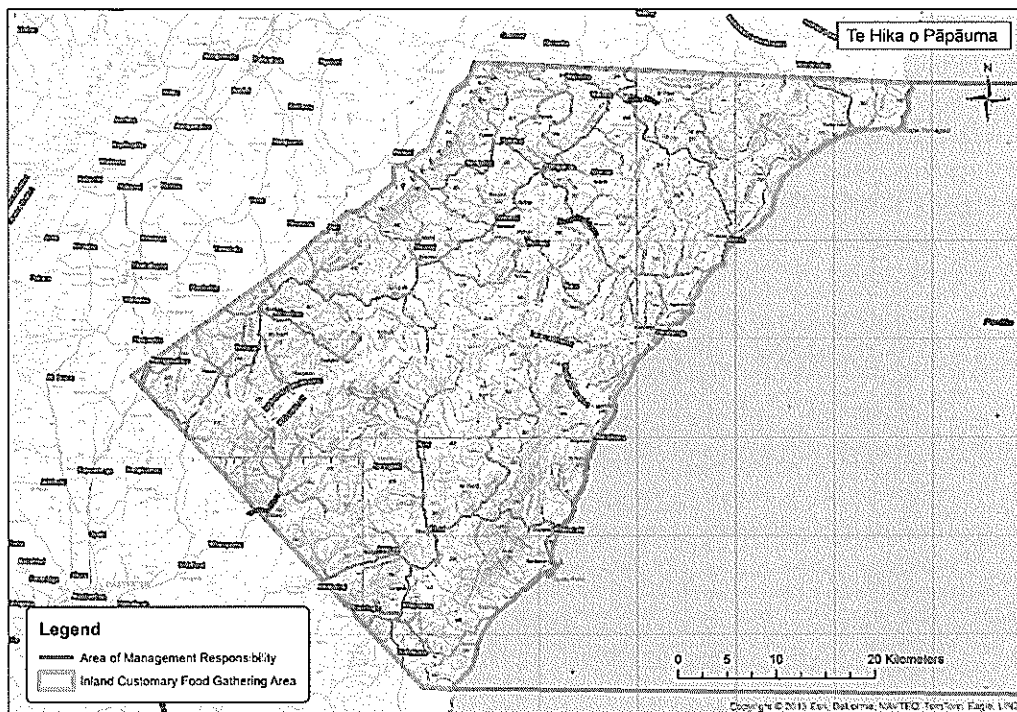
APPENDIX F: TE HIKA O PĀPĀUMA MANDATED IWI AUTHORITY AREA OF INTEREST

1. THESE MAPS TO APPLY

- 1.1 The high level map below is the identified Te Hika o Pāpāuma area of interest from Whareama River to Poroporo. This includes area of management responsibility of Te Hika o Pāpāuma in respect of the confirmed appointments of Kaitiaki to the 200 nautical mile limit.



- 1.2 The detailed map below is the identified inland customary food gathering area and coastline for Te Hika o Pāpāuma from Whareama River to Poroporo.



Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date:

23 Oct 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

Friends of the Otaki River Inc

Submitter Number:

S319

21 OCT 2015

1530082
S319

Monica Seevens

From: Regional Plan
Sent: Thursday, 22 October 2015 8:42 a.m.
To: Records
Subject: FW: Proposed Natural Resources Plan

Kind Regards,

Erin Campbell | Hearings Officer, Environmental Policy
GREATER WELLINGTON REGIONAL COUNCIL
Te Pane Matua Taiao
Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011

PO Box 11646, Manners St, Wellington 6142
T: 04 830 4318 | www.gw.govt.nz

From: Trevor Wylie [<mailto:geminiservices@xtra.co.nz>]
Sent: Wednesday, 21 October 2015 7:18 p.m.
To: Regional Plan
Subject: Proposed Natural Resources Plan

PROPOSED NATURAL RESOURCES PLAN
Greater Wellington Regional Council
WELLINGTON

Submission

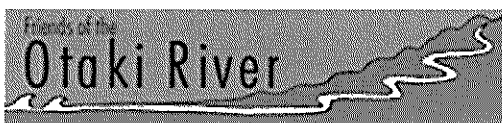
From
Friends of the Otaki River Inc
C/o 22 Ludlam Way
OTAKI 5512 Tel 06 364 8918 email: geminiservices@xtra.co.nz

Rule R121: Maintenance of Drains

We submit that this Rule and the conditions contained therein are impractical, extra time consuming and will add a substantial cost to drain maintenance.

We wish to reserve the right to be heard on this submission and further substantiate objections.

Trevor Wylie
Secretary



Proposed Natural Resources Plan:

Submitter:

Charlie Matthews

Submitter Number:

S320

Charlie Matthews

Waiorongomai Station
2170b Western Lake Rd
RD3 Featherston
c-k-matthews@xtra.co.nz

16 October 2015

GWRC
regional-plan@gw.govt.nz

To whom it may concern,

With the extension for submissions being extended a month for the proposed Natural Resources Plan I would like to add the below as a submission:

We farm between the Rimutaka ranges and lake Wairarapa with our farm contour running from steep to flat. We run a sheep and beef farm

I oppose the fencing of waterways on the flat land. It is un-realistic due to extensive requirement to sub-divide paddocks and install multiple new bridges and extremely expensive. I don't understand why the flat land must be fenced and not the hills. We run the same stock units per hectare on both.

On our flat land there is a large amount of open drains that have been put in over the last 100 years. These drains support a large number of native fish species and bird life. Unfortunately if the proposal of fencing all waterways goes ahead then we will probably look at filling these drains in and replacing them with tile drains. Clearly this is not an option that either the GWRC or us as farmers and conservationists want. Our drains and waterways aren't fenced and haven't been for the 165 years the farm has been in existence and yet despite this, as already stated there is an abundance of wildlife supported in the waterways.

I propose there should be a case by case scenario put into place to assess what is necessary to be done for different properties farmed under different circumstances and policies. A "one rule fits all" may be easy to implement but not ideal if your livelihood and that of others depends on how we can farm our own land.

Our nutrient budgets are well below any set standard I have seen.

I oppose the lining of silage pits/stacks. In my experience doing this will have the opposite of the desired affect of lessening runoff and smell. With concrete sides on a stack they can not be covered to be completely airtight. If not airtight then the airs reaction with the cut grass will cause it to deteriorate and eventually rot. It is this rotting that causes the silage to smell badly and creates a leaching runoff. A well

stacked silage bundle on the ground with no sides can be made airtight over it's entire area.

I oppose the limit on gravel extraction from Wairarapa rivers. This should also be on a case by case system. Many of the Wairarapa rivers are filling far too fast with gravel and hence causing flooding damage in adverse weather events. Gravel extraction should be encouraged not limited.

I oppose the method of only cleaning half a drain at a time. An explanation of the necessity of this would be great thanks. I don't understand how this is possible with a mud bottom and weed.

I also haven't seen anywhere what financial commitment the GWRC is proposing to assist/implement any of the proposed changes. In our situation alone it will be a six figure sum.

I look forward to your response

Yours sincerely

Charlie Matthews

#1530921

5320

Wellington Regional Council

27 OCT 2015

SUBMISSION on the proposed Natural Resources Plan for the Wellington RegionTo: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Charlie Matthews
Farm Name	Waiorongomai
Physical Address	2170 Western Lake Rd. Featherston
Phone Number	063077740 0274 728027
Email Address	c-k-matthews@extra.co.nz

Communication from GWRC: I prefer email ~~OR hard mail~~ – choose one**Trade competition:** I could not gain an advantage in trade competition through the submission**Hearing:** I wish to be heard and would consider jointly appearing with other submitters**Support:** I support Wairarapa Federated Farmers submission**INTRODUCTION – Key Points about farm/business**

Farm Type	e.g. <u>Sheep, Beef</u> Arable, Dairy, agricultural business
Farm size (area)	3000 hectares
Main Waterways	Waioorongomai & Burtings rivers
GW Soil plan or Farm Plan	<input checked="" type="radio"/> Yes <input type="radio"/> No
Environmental investments	
QE2 or Retirement Blocks	Yes approx 100ha
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so This plan should be implemented on a case by case basis

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: support/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will
make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: support/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

Edward Handyside

Submitter Number:

S321

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	<i>Edward Handyside Te Hopai Farm Ltd</i>
Farm Name	<i>Te Hopai</i>
Physical Address	<i>24 Te Hopai Road, RD2, Featherston, 5772.</i>
Phone Number	<i>063077616 Mobile 0274581867</i>
Email Address	<i>tehopai@xtra.co.nz</i>

Communication from GWRC: *I prefer email*

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: This is an individual submission but we also support Wairarapa Federated Farmers submission and Wairarapa Water Users submission.

INTRODUCTION – Key Points about farm/business

Farm Type	<i>Sheep, Beef, Dairy and Cropping.</i>
Farm size (area)	<ul style="list-style-type: none">• <i>313 hectares Dairy.</i>• <i>868 hectares Sheep, Beef and Cropping.</i>
Main Waterways	<i>Ruamahunga River, Ruamahunga cut off, Lake Wairarapa.</i>
GW Soil plan or Farm Plan	<i>Yes</i>
Environmental investments	<ul style="list-style-type: none">○ <i>Retirement and planting of 16 ha wetland.</i>○ <i>Retirement and planting of 1 ha wetland.</i>○ <i>Retirement of 2 native bush blocks into QE2 covenants – total 11.9 ha.</i>○ <i>Fencing of 7 km of Ruamahunga river frontage to stop cattle accessing waterway.</i>○ <i>Fencing 10.8 km of internal drains to stop cattle access to waterway.</i>○ <i>In partnership with GWRC and DOC to enhance/improve</i>

	<p><i>Ruamahunga cutoff - removal of willow and poplar trees, Fencing (1.6 km) and native riparian planting (project still in progress).</i></p> <ul style="list-style-type: none"> ○ <i>Fencing off and enhancement of 3 smaller native bush areas.</i> ○ <i>Currently in partnership with GWRC (Wairarapa Moana Project) fencing 2.5 km of internal drains on Dairy unit.</i>
QE2 or Retirement Blocks	<i>See above.</i>
General Comments	<p><i>We believe it is very important that the Regional Plan has the balance between protection of the environment and encouraging good business. We believe that increased unnecessary regulation will reduce our profitability and competitiveness which will ultimately result in less funds available for environmental projects as per above. We believe that increased cooperation and education between GWRC and farmers results in far better outcomes than increased regulation. We believe that the objective of the Regional plan should be to achieve sustainable land management. Sustainable land management should incorporate 5 goals – production, economic, environmental, social and minimizing risk.</i></p>

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, eg, crossings

My submission is: support/oppose

I seek the following changes:

Extend the timeframes, eg, Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

- Impracticalities of fencing hill country streams and rivers.
- Capital cost.
- In relation to extensively farmed hill country limited environmental benefit – poor cost benefit.
- Weed build up along fenced areas in our experience is an issue where all stock are excluded but not an issue where only cattle and not sheep are excluded.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

- Impractical and costly to fence hill country wetlands/seeps.
- Most focus should be on wetlands of highest value.
- Cooperation and education between Farmers and GWRC will produce better results rather than unnecessary regulation.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (eg, 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

- The costs are far greater than the \$20000 - \$100000 that GWRC claim is the cost of an effluent pond due to the fact there is considerable supporting infrastructure required. The actual cost for our business is \$350000.
- We already have an existing unlined pond in clay soil so question the need and cost benefit of going to a lined storage pond.
- A recent project funded by Wairarapa Moana measured water quality on a neighboring farm from tile drains below an effluent block and compared that to water quality from tile drains below a non-effluent block. The results showed that there was greater Nitrogen and Phosphorus loss to water from the non-effluent block. Therefore it appears the science doesn't support the requirement for storage.
- Need to measure rather than just model nutrient loss.
- Believe effluent compliance should be based on a farm by farm basis.
- Believe that if we can prove a case for no storage then it should be considered if the environmental benefit of storage is negligible as per the project above.

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

- Low risk from wilted silage.
- Costs for impermeable lining.
- Limited environmental benefit.
- Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

- Given the large amount of drains on our property (approx. 15 km) this rule would be very detrimental and costly to the operation of our business.
- Good management techniques and education would create a much better environmental result than impractical setback areas.
- If breakfeeding a paddock that has a drain in it we make the break beside the drain the last break to ensure there is minimal sediment to water.

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

- Practicalities.
- The man made drains on our property serve an important purpose – to remove water from our property. Any limitation regarding the cleaning of drains impacts on that and may lead to increased flooding.
- Costly.
- Inefficient use of time.
- Better education rather than regulation would achieve a better environmental result.

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

- Practicalities.
- Additional costs related to having to do smaller areas over longer time frame or having to apply for consent for larger area.

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, eg, greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

- Some steeper hill country is not erosion prone, such as Limestone and Greywacke hill country.

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

- Fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

- These are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

(e) No discharge within a community drinking water supply protection area

(g) Spray plan must be prepared once pa

- identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)

- notify neighbors the spray plan is available on request

- get written agreement from adjoining neighbors that notification is not required

- supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

- Provide a level of protection that is not associated with the risk, demands undue notification requirements when neighbors might not be affected.

FERTILISER**Specific Provisions that my submission relates to are:**

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

- It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available.
- Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (eg, Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

- Impracticality
- Costs
- Low risk

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



greater WELLINGTON
 REGIONAL COUNCIL
 Te Pane Matua Takao

To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Edward Peter Miles Handyside

Organisation name: (If applicable) Te Hopai Farm Ltd

Address for Service: 24 Te Hopai Road
R02 Featherston

Telephone no's: Work: _____ Home: 06 3077616 Cell: 0274581867

Contact person: Ed Handyside

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: tehopai@xtra.co.nz

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission. If you could gain an advantage please complete one of the following:

- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): <u>Whole Plan</u>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I support the submission of the Wairarapa Water Users Society Inc as a member of that organisation.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	


The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:  Date: 13/10/15

[Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,
c/- Leo Vollebregt,
235 Pahautea Road,
RD1,
Featherston.

Wellington Regional Council
Wellington

21st October 2015

Dear Sir/Madam

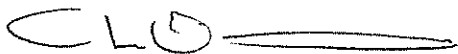
Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25th of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23rd of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

Wairarapa Water User's Inc. Society

Submission on the

Proposed Natural Resources Plan

<u>Provision</u>	<u>Text</u>	<u>Support/ Oppose/ Amend</u>	<u>Reasons</u>	<u>Relief sought</u>								
<u>Definitions</u>	<table border="1"> <tr> <td data-bbox="215 44 343 246">Category A groundwater</td> <td data-bbox="215 246 343 638">Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.</td> <td data-bbox="215 638 343 929" rowspan="4">amend</td> <td data-bbox="215 929 343 1332" rowspan="4"> <p>The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p> <p>The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A & B. at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels.</p> <p>In February 2015 work undertaken in the river bed by the Waihenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse</p> </td> <td data-bbox="215 1332 343 2161" rowspan="4">Ground water will be categorised A or B or C once GW has field verified its connectivity with surface water and performed an empirical calibration of the model</td> </tr> <tr> <td data-bbox="343 44 486 246">Category B groundwater (directly connected)</td> <td data-bbox="343 246 486 638">Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. 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Category C groundwater	Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7,											

<p>groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p>	<p>effects to this take at low flows indicating poor relation of the takes to the river.</p>	<p>Ground water in the bore is at the same level as the water in the river and moves up and down with the level of the river</p>
<p>used water</p>	<p>Category A groundwater and the component of category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> the local authority wastewater and stormwater networks, systems and wastewater treatment plants 	<p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>
<p>Objective O8</p>	<p>Where more than 25% of the maximum daily amount of water allocated to a person for use on a property they own or have an interest in, but not including water that is transferred for use at another location by means of a transfer permit, is demonstrated to not be used over a period of two consecutive years.</p> <p>The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>retain</p> <p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>
<p>Objective O25 (c)</p>	<p>To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area.</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whaitua before current water quality levels are known</p>	<p>Remove</p>

<p>able 3.6 roundwater irectly connected o surface water</p>	<p>improved over time to meet that objective.</p> <p>Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> (a) efficient infrastructure, and (b) good management practice, including irrigation, domestic municipal and industry practices, and (c) maximising reuse, recovery and recycling of water and contaminants, and (d) enabling water to be transferred between users, and (e) enabling water storage outside river beds. 	<p>amend</p>	<p>Increasing water allocation allows for growth.</p> <p>(a) to (e) are good means to the objective.</p> <p>There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised <u>the amount is increased</u> through time, including by means of:</p> <p>(a) to (e) are good means to the objective.</p> <p>Add (f) <u>enabling storage within the bed of a river</u></p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a <u>whatua</u> or <u>sub-catchment</u>, if:</p> <ul style="list-style-type: none"> (a) the affected resource is fully allocated or over-allocated, or 	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain</p> <p>Add (c) <u>consents will run for a period of 25 years</u></p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that <i>whaitua</i> or sub-catchment.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</p>	<p>(b) recognises the use of water for diluting wastewater and stormwater. Diffuse contaminants need to be included.</p> <p>We are pleased to see irrigation get a special mention.</p> <p>retain</p>	<p>Add <u>diffuse contaminants to</u> (b)</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>	<p>retain</p>	

	<p>efficient allocation and use of water.</p>			
<p>Policy P107: framework for taking and using water</p>	<p>The framework for the take and use of water recognises:</p> <p>(a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and</p> <p>(b) the take and use of water does not exceed allocation amounts provided for in the Plan, and</p> <p>(c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt.</p> <p>Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have significant part to play in establishing the evidence</u></p> <p>Insert (d) when schedule P changes: <u>-ve effect on consent holders – 10 year lead in time to reflect cost, +ve effect – the water availability should be released immediately.</u></p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>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.</p>	<p>support</p>	<p>We support the use of water</p>	
<p>Policy P111: Water takes at minimum</p>	<p>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-</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115 (authorising</p>	<p>Category A groundwater which shall be required to reduce take by 50% of the amount consented</p>

<p>flows and water levels</p> <p>(c) as authorised by resource consents in accordance with Policy P108.</p> <p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p> <p>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</p> <p>(i) the water shall only be available five days (120 hours) after minimum flow cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p> <p>(d) and (c) i</p>	<p>11), with the exception that water is available below minimum flows:</p>	<p>Amend</p> <p>oppose</p>	<p>takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.</p> <p>As above</p> <p>The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.</p> <p>Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p> <p>As above</p> <p>Delete (c) (i)</p>
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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 identified in Rules R.R1, WH.R1 and K.R1 in the whaitua chapters of the Plan (chapters 7, 8 and 10) is exceeded.	Support	Retain	
Policy P117: Supplementary allocation amounts at flows above the median flow	In addition to core allocation, water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.	support	retain	
Policy P118: Reasonable and efficient use	The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of: (a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made	amend	The investment in infrastructure is considerable and time is required to implement changes	(a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan being made-operative <u>renewal of consent to meet the criteria</u>

	<p>operative to meet the criteria, and</p>		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent 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:</p> <ul style="list-style-type: none"> (a) a capital expenditure programme linked to the purpose water is used for, and (b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use). 	<p>Support</p>	<p>Retain</p>
<p>Policy P120: taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P128: transfer of resource consents</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the adverse effects of the take and use of transferred water are the same or less, and 	<p>Support</p>	<p>retain</p>

	<p>(b) the transfer occurs within the same catchment management unit, and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(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).</p>		
<p><u>Rules</u></p>			
<p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p> <p>Rule R137: Farm dairy washdown</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p> <p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>	<p>amend</p> <p>amend</p>	<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p> <p>Make this rule <u>restricted discretionary</u></p>

<p>id milk-cooling ater – permitted :ivity)</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:</p> <p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>		<p>(b) delete words after "...property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: emporary water ermit transfers – ontrolled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>amend</p>	<p>Rule 143 (temporary water permit transfers) – for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a permitted activity</p>
<p>Rule R144: ransferring water ermits – restricted iscretionary ctivity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>support</p>		<p>retain</p>
<p>Other methods</p>				

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and economic values of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and (c) provide, where available, accurate technical information to assist user groups. 	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<p>(d) promoting alternatives to the use of water races, and</p>	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

<p><u>Ruamahanga</u> <u>Mhaitua</u></p> <p>Policy R.P3: Cumulative effects on river reaches of allocating water</p>	<p>implementation of policies which rely on good management practice to achieve desired environmental outcomes.</p>		<p>positive move which will have farmers moving forward in their practices with the reg. council??</p>	
<p>When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects on aquatic ecosystems in downstream river reaches as a result of flow depletion from loss of river water to groundwater.</p>	<p>amend</p>		<p>Important that the effects are measured, not just modelled.</p>	<p>Insert after - adverse effects -- that are measured on aquatic ...</p>
<p><u>Figures 7.3 – 7.8</u></p>	<p>Water allocation amounts</p>	<p>Oppose</p>	<p>Again the categories need empirical verifying. Too big an impact and too little evidence of benefit to the environment to ignore. As a community we need to verify categories and as this occurs the amounts in these tables may change significantly</p>	<p>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</p>
<p><u>Tables 7.3 – 7.5</u></p>	<p>Surface and groundwater allocation amounts</p>	<p>Oppose</p>	<p>The allocation amount should reflect the current consented allocation amount. Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.</p>	<p>Change the allocation amounts to what is currently allocated or more if spare water has been identified</p>

<p><u>Schedule P:</u> Reasonable and efficient use criteria</p>	<p><u>Schedule Q:</u> Reasonable and efficient use criteria</p>	<p>oppose</p>	<p>Needs empirical calibration by GW The connectivity between various ground water takes and surface water has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p><u>Needs empirical calibration by GW</u></p>
<p><u>Schedule P:</u> Reasonable and efficient use criteria</p>	<p>Irrigation A resource consent application to take water for irrigation purposes shall include an assessment using a field validated model that considers land use, crop water use requirements, on-site physical factors such as soil water holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration. The model must reliably predict annual irrigation volume within an accuracy of 15%. The annual volume calculated using the model shall meet with the following criteria: (a) an irrigation application efficiency of 80%, and (b) demand conditions that occur in nine out of 10 years.</p>	<p>Amend</p>	<p>Remove sentence "the model must reliably predict annual irrigation volume within an accuracy of 15%." Unreasonable for the Wairarapa because of dramatic seasonal weather variations. Wairarapa conditions differ from the rest of the country. This needs to be recognised. More consultation with affected parties is required.</p> <p>irrigators with lower efficiency may be more suitable for specific crops and farming situations. Case by case systems need to be assessed</p>	<p>Remove sentence the model must reliably predict annual irrigation volume within an accuracy of 15% Add after field validated model – for Wairarapa conditions (a) add after 80% - where practicable.</p>

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach minimum flows.</p> <p>Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount.</p> <p>Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups</p> <p>However needs of stock drinking water and rootstock protection needs acknowledged</p> <p>However more and more appropriate management points e.g. further south of Waihenga are required. GW to establish in consultation with water users.</p> <p>As water is cleaned up the minimum flow requirement for dilution is lower.</p> <p>The effects of low flows needs to demonstrated as are the effects of restrictions</p> <p>There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u></p> <p>Table R1 is interim GW to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Mikimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

Proposed Natural Resources Plan:

Submitter:

Rex McKay

Submitter Number:

S322

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Rex McKay
Farm Name	RD & BA McKay
Physical Address	1142 Longbush Rd, Masterton, 5884
Phone Number	06 3727870
Email Address	rdba@xtra.co.nz

Communication from GWRC: Hard mail

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	Sheep, beef, arable
Farm size (area)	176 hectares
Main Waterways	Whangaehu Stream
GW Soil plan or Farm Plan	No
Environmental investments	no
QE2 or Retirement Blocks	no

General Comments	I would prefer a consultative approach with GWRC ground staff.
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STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, eg, crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, eg, Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

I believe that stock exclusion should not apply to creeks and drains that do not carry water for 12 months of the year. Fencing waterways encourages grass and weed growth which leads to a greatly reduced effectiveness, leading to waterlogged soils and increased flooding. This impacts on the economic viability of our farm.

The cost of fencing meandering streams is high and quite difficult.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (eg, 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

We only use baleage, from which we have never had any discharge, therefore do not see the need for an expensive concrete pad. A concrete pad for baleage also restricts where you can store it, as having multiple sites reduces soil/pasture damage when feeding out. Fuel use is reduced also.

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

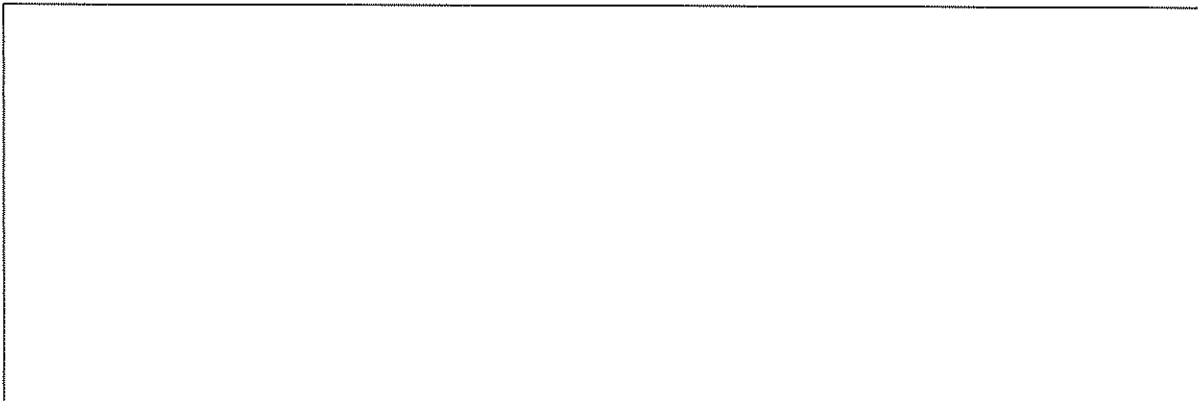
I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

As cropping occurs over the drier months, sediment/dirt getting into the waterways from run-off is unlikely. If an adverse event occurs, a 50 meter set-back would make little difference.

We cultivate to about 1 metre to reduce the weed problem and to utilize as much of the land as possible.



DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

Drains on our property are part of the Longbush Drainage Scheme, administered by GWRC , and from time to time need cleaning and spraying. Increased vegetation from fencing off would necessitate more cleaning and more chemical use, which surely is not a better outcome for the environment.

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, eg, greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

Methods of clearing which leave the root structure intact should be permitted.

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

20 M2 is far too small for a bridge. Considering most stock bridges are at least 4 M wide, most bridges would require a consent, and for what reason other than a money-making venture for GWRC. The same applies to culverts. Surely the diameter of the culvert is dependent on the amount of water it needs to carry in times of flooding, and it is in everyones interest not to create a restriction.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

These are an existing activity on farms in rural zoned land and do not cause adverse effects so do not need multiple conditions. Maybe a distinction needs to be made between rural and urban areas.

Burning of offal pits from time to time reduces smell, flies and the need to have more pit sites.

AGRI-CHEMICALS**Specific Provisions that my submission relates to are:**

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

(e) no discharge within a community drinking water supply protection area

(g) spray plan must be prepared once pa

- identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)

- notify neighbours the spray plan is available on request

- get written agreement from adjoining neighbours that notification is not required

- supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

GWRC should adopt the provisions in the Growsafe Manual which are already implemented, have been written by experts and already cover Chemical Operators and Approved Handlers. Two sets of rules are NOT needed.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER**Specific Provisions that my submission relates to are:**

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (eg, Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

How is it possible to control this on farmland in a flood event? The biggest offenders of this at present are urban areas, and they can't control it.

Any other areas of concern – just copy format above

I believe this document has been written by people who have little or no knowledge of the practicalities of farming in a rural area. GWRC has many good and knowledgeable people in its Masterton office who could have helped prepare this plan without most of the unworkable rules that have been produced.

Proposed Natural Resources Plan:

Submitter:

DW and PC McKay

Submitter Number:

S323

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	<i>Dw & PC Mckay</i>
Farm Name	
Physical Address	<i>1359 Te Whiti road Gladstone</i>
Phone Number	<i>0274395034</i>
Email Address	<i>dpcsmckay@wise.net.nz</i>

Communication from GWRC: *I prefer email*

Trade competition: I could not gain an advantage in trade competition through the submission

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	<i>e.g. Sheep, Beef , Arable, Dairy, agricultural business</i>
Farm size (area)	100 hectares
Main Waterways	Taueru
GW Soil plan or Farm Plan	No
Environmental investments	
QE2 or Retirement Blocks	
General Comments	<i>e.g. if you like the partnership approach with council staff on the ground, say so</i>

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?*

It is totally implacable to fence category two waterways, some of these waterways only run for about two months a year or when there is a flood, in some cases fencing a creek would leave the paddock with no shad, and whenever there is a flood the fence would get washed away, where creeks are fenced long grass would grow becoming a fire hazard and when it floods the long grass would get washed out and end up in flood gate and in some cases may end up causing erosion.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will
make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on “significance” of site

My submission is: oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

Tim Williams

Submitter Number:

S324

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Tim Williams
Farm Name	Fred LTD
Physical Address	1014 Te Pone Rd R.D. 10 Masterton
Phone Number	06 5722400
Email Address	tim@waihelicopters.com

Communication from GWRC: I prefer email OR hardmail – choose one *e.mail*

Trade competition: I could not gain an advantage in trade competition through the submission ✓

Hearing: I wish to be heard and would consider jointly appearing with other submitters ✓

Support: I support Wairarapa Federated Farmers submission ✓

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business <i>Sheep, Beef</i>
Farm size (area)	<i>200</i> hectares
Main Waterways	<i>NONE</i>
GW Soil plan or Farm Plan	Yes No Plan farm plan. <i>C</i>
Environmental investments	<i>Plantings, natives, willows, poplars, macs, Pines.</i>
QE2 or Retirement Blocks	<i>NO</i>
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for "important" trout spawning rivers; delete those that don't meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don't apply until they are.

Stock Exclusion Comments and Reasons

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between
landowner, council and iwi as part of Council funded management plan?*

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

*e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)
Mention if you have an interest in constructing or extending wetlands.*

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will
make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
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 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

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I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

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Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

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CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

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e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

Impossible to comply with ~~the~~ notification of boundary owners as we don't know where we will be spraying on the farm.
We already have in place under the management of agri chemicals NZS 840A-2004 Rules that we comply to and C.A.A and pilots and ground crew grow safe certificates. They are the governing body. ~~we~~ leave it as it is.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available.

Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

Impossible To control the Drift of Fine particulates of phosphate, Dicalcium and some other fert products if you want the whole of New Zealand to go organic then you should say so. Because without fert that is were it will go under this new proposed Ruling.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

Richard and Kim Massam

Submitter Number:

S325

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Richard and Kim Massam

Organisation name: (If applicable)

Address for Service: 57 Seaview Road, Paremata, Porirua City

Telephone no's: Work: _____ Home: _____ Cell: 027 470 1332

Contact person: Richard Massam

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: rmassam@xtra.co.nz

Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
Rule R198: Motor vehicles inside sites of significance – non-complying activity	Reasons for my submission: →	If the current provision is adopted, the ability to drive a vehicle between Trevor Terrace and our property will effectively be terminated. Making this a non-complying activity will present a hurdle (both financially and resource limited) that is simply too high to meet. The location of our property is down at water level and can only be

		<p>accessed by a steep narrow path and steps. The vertical drop is probably 80-100 metres. Whilst it is possible to operate normally and carry groceries and small items down these steps and path it is both dangerous and impractical to deliver larger or heavier items. Furthermore, the simple day to day requirements of maintaining and living at this address cannot be met by path access alone.</p> <p>Recently the house required a section of roof replaced and the contractor refused to carry large sheets of iron down the steps and path. It is a high wind zone and combined with the steep vertical drop and narrow path the only way to deliver was via the foreshore. Replacing a heavy large ranch slider could only be done via the same route which is to come down Trevor Terrace and then proceed for around 200-300 metres along the foreshore to our property.</p> <p>Other normal household requirements such as removing large amounts of rubbish or tree trimmings, delivering top soil or household appliances will not happen without access around the foreshore.</p> <p>I have lived on Seaview Road off and on since the late 1960's. Occasional access along the foreshore at low tide has been a normal activity since before that time and there have been no adverse effects that I am aware of. I acknowledge that the activity needs to be restricted and monitored to avoid unwanted traffic and to that end I have been prepared to pay a considerable sum (and on going fees) to obtain my existing rights of occasional access.</p> <p>The Pauatahanui inlet has areas of ecological significance that need to be protected. However the foreshore between Trevor Terrace and 57 Seaview Road consists of rocks, sand and mud, and there has been no justification given by GWRC to lump this strip of foreshore in with other sensitive areas with a "catch all" blanket ban. Seaview road is a rocky, sandy peninsula that of course needs to be looked after, but stopping residents leading a normal life in that area is not the answer to protecting the sensitive areas of the Inlet.</p> <p>Finally, one of the most disappointing results of the move to ban all vehicular movements is the fact that anyone with mobility issues (which includes my parents) will not be able to visit our property. It is only a matter of time before one or more of the existing residents will require vehicular assistance to get access to the rest of the world on at least an occasional basis, and if this becomes a non complying activity the resources and justification required to get that access will simply force people to move.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>I seek to amend Rule 198 of the proposed NRP to be a discretionary activity for Seaview Road residents. That would be to retain the existing provisions for this area.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Richard Massam

Date: 22-10-2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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Proposed Natural Resources Plan:

Submitter:

Te Runanga o Toa Rangatira Inc

Submitter Number:

S326



Te Runanga o Toa Rangātira
www.ngatitoa.iwi.nz

22 October 2015

Greater Wellington Regional Council
Proposed Natural Resources Plan for the Wellington Region

Submission by: Te Runanga o Toa Rangātira Inc
Address: 26 Ngati Toa Street
Takapuwahia
Porirua

Introduction

This submission is made by Te Runanga o Toa Rangātira Inc (the Runanga) the mandated iwi organisation for Ngati Toa Rangātira (Ngati Toa). Ngati Toa is one of six recognised mana whenua groups within the Greater Wellington Regional Council boundaries. A formal relationship through a Memorandum of Partnership exists which has been in place for many years.

We would like to acknowledge the collaborative and innovative way that the proposed plan has been written. This document represents a partnership approach between mana whenua and council through the establishment of Te Upoko Taiao. The Runanga would like to acknowledge the contribution made on behalf of Ngati Toa by our representatives Rawiri Faulkner and Naomi Solomon. This has been a transparent process for our iwi members that have been regularly updated throughout this process by our representatives. Mana whenua values are acknowledged and seen throughout this document.

We would like to acknowledge and thank the staff and councillors that have worked alongside our iwi to produce this plan.

Plan Provision	Support/Oppose/Amend	Rationale
1. Introduction	Support	We support the comments outlined within the introduction.
Policy P74 (b) (i) & (ii) and additional sections	Support	We support the monitoring to identify the adverse quantity and quality effects of discharges to stormwater with particular emphasis on mahinga kai and for Maori customary use. We are fully supportive of the remaining conditions of the plan regarding the

		stormwater network and stormwater management strategy.
Policy P77	Support	We support this policy particularly clause (c) with mana whenua involvement in preparation of plans as per policy 76.
4.9 Taking, using, damming and diverting water		Water rights for Maori may at some time need to be acknowledged. This plan should allow for any changes that may result from water allocation right negotiations.
4.10.1 Primary Coastal Policies	Amend	Add clause that could say: <i>And does not contradict historical treaty settlement redress conditions</i>
Policy P149 Protection of the Titahi Bay fossil forest	Amend	We believe that this policy should be amended and the area reduced. Access to sections of the Titahi Bay beach by vehicle access is part of the character of this community. Vehicles are currently cordoned off by flags at the north and south end and we would be supportive of this area falling within the protection area.
Rule R47	Support	We support clause 3 – effects on mahinga kai.
Rule R50	Amend	<i>Notification-the iwi authority should be part of the notification process.</i>
Rule R51 & R52	Support	
6.4.1 Implementing the National Policy Statement for Freshwater Management	Support	We support the establishment of the whitua implementation plans.
6.4.2	Support	
6.10, 6.11, 6.12, 6.13, 6.14 & 6.15	Support	
Schedule B	Support	Ngati Toa are supportive of the sites listed under schedule B: Nga Taonga Nui a Kiwa which are consistent with the Ngati Toa Deed of Settlement and the Ngati Toa Rangatira Claims Settlement Act 2014.
Schedule C	Support with comment	Ngati Toa are supportive of the first set of sites listed within our relevant schedule and note that this is the first tranche of sites to be listed within these schedules. We also acknowledge the shared sites with other mana whenua iwi. We would like to state that for some shared sites these have been agreed or agreement has been achieved through the

		settlement negotiations process and are within the Ngati Toa Rangatira Claims Settlement Act 2014.
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Additional comments:

Maori customary use and mahinga kai are referred to within the document. Measurements for these kaupapa will need to be established along with ongoing monitoring plans and assessment tools.

We would like to be heard.

Contact: Jennie Smeaton Manager Resource Management Te Runanga o Toa Rangatira Inc P O Box 50355 Porirua
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Proposed Natural Resources Plan:

Submitter:

A.J Barton and Ongaha Farms Limited

Submitter Number:

S327

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of the Greater Wellington Regional
Council's Proposed Natural
Resources Plan pursuant to
section 66 & 67 of the Act

SUBMISSION ON BEHALF OF A.J. BARTON
AND ONGAHA FARMS LIMITED

Dated 23 October 2015

Counsel: I.M. Gordon
Stout Street Chambers
P.O. Box 117
Wellington 6140
P: 04 472 9026
Email: ian.gordon@stoutstreet.co.nz

Administrative details

Communication from GWRC: All communication from GWRC should be via email (ian.gordon@stoutstreet.co.nz).

Trade competition: I will not gain any advantage in trade competition through this submission.

Hearing: I wish to be heard in support of this submission.

Overview

Recent efforts by the Submitter to 're-consent' the abstraction of groundwater from a confined aquifer in the lower Ruamāhanga valley have highlighted a number of issues relating to the *Proposed Natural Resources Plan for the Wellington Region*.

These issues relate to:

- The use of a regional scale groundwater model when applied at the level of individual consents for specific activities, at particular locations;
- The nature of the boundaries between different groundwater zones and units, and the issues arising for consent applications;
- The lack of a precise, simple and workable definition for the level of connection between surface water and groundwater i.e. what is the measure for direct hydraulic connection, and therefore the basis for classifying a groundwater resource as either Category A, B or C?; and
- The lack of rigorous economic analysis of the effects of various proposed Policies and Rules relating to groundwater connectivity and use on existing lawful practices and existing rural businesses.

For example, when renewing water permits to continue to abstract groundwater for irrigation the assumption has been made (on the basis of information in the Proposed NRP) that the water supply, even though it is from a confined aquifer at least 18m deep and below a 13m aquitard, is from a Category A aquifer i.e. having a direct hydraulic connection to the Ruamāhanga River.

This assumption has led to a number of conditions linked to the minimum flow of the Ruamāhanga River. In particular, abstraction will be restricted whenever the mean daily flow in the Ruamāhanga River, measured at Waihenga Bridge, is less than 8.5m³/s.

The effect of this new condition is that the abstraction of water for irrigation in the future will be restricted regularly, and for considerable periods of time (Figure 1). Since periods of irrigation demand and low river flow tend to coincide, this condition will restrict access to groundwater when it is most needed.

The restriction on abstraction when flow in the Ruamāhanga River at Waihenga Bridge drops below 8.5m³/s (i.e. the recommended minimum flow) will constrain irrigation severely; for up to 45 days a year, and for periods of up to 30 days duration (Figure 1). Such a severe restriction will likely make any meaningful irrigation ineffective and impractical, and counteract the social, economic and cultural benefits of taking and using groundwater.

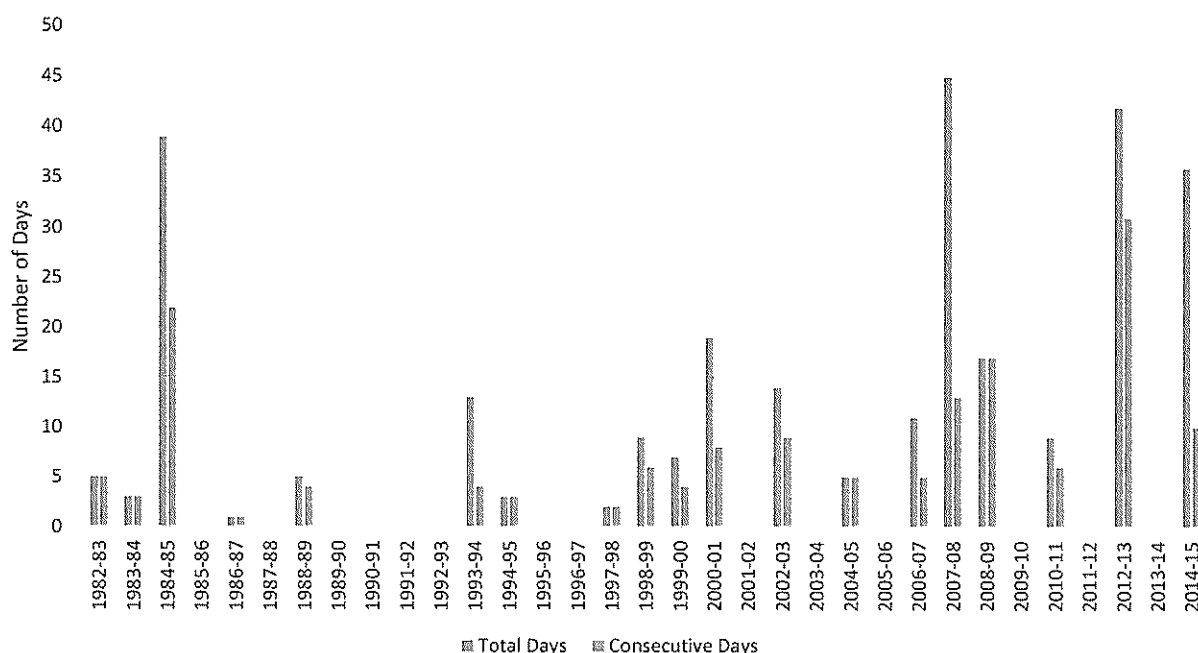


Figure 1: Total number of days, and longest period of contiguous days, each irrigation season when groundwater abstraction would be restricted.

The draft Natural Resource Plan proposes the integrated management of groundwater and surface water (i.e. conjunctive management). Fundamental to the conjunctive management of the groundwater resource, however, is the nature of any linkage between the surface water and groundwater. Unless there is a direct, immediate, and quantifiable link between surface water and groundwater any attempt to manage daily groundwater abstraction on the basis of minimum river flows is inappropriate, and will be ineffective.

The proposed restriction of abstraction from this confined aquifer when flow in the Ruamāhanga River at Waihenga Bridge drops below 8.5m³/s will mean that less than half the area currently irrigated will be able to receive water. Given the lack of any reasonable and viable alternative to groundwater abstraction from this confined aquifer, this new condition will result in a significant change in land use, loss of income, and reduced economic activity within the region.

Context

The draft Natural Resources Plan proposes that both the surface water and groundwater resources of the Wairarapa, and particularly the *Ruamāhanga Whaitua*, be managed under a single *conjunctive water management framework*.

Policy P108 identifies two sources of water and reflects the management units that are identified and mapped in various tables and figures within the *whaitua* chapters. The first source of water is from rivers and lakes, and areas of groundwater directly connected to rivers and lakes. The second source of water is groundwater which is not directly connected to the surface water resource.

The *conjunctive water management framework*, however, classifies all groundwater into three classes depending on the degree of inferred connection with the surface water resource. Both Category A & B groundwater is considered to have a hydraulic connection with the surface water. Consequently it is proposed that the abstraction of water from Category A & B aquifers be managed with respect to minimum river flows. Groundwater characterised as Category C, with no connection to the surface water, will be managed through allocation limits rather than surface flows.

The *conjunctive water management framework*, and the NRP through its definition of groundwater zones and associated maps, establishes a default position when considering resource consents for water permits. This position is based largely on the results of regional-scale hydrogeologic modelling, with limited if any empirical investigation. The degree of groundwater connectivity in particular is based on theoretical pumping behaviour and assumed conductance (i.e. leakage) rates through river beds. No direct measurements of conductance have been used, and such measurements do not exist for any confined aquifer in the Wairarapa.

If the NRP was operative in its current form, achieving a Category C classification would require that an applicant for a water permit satisfy Council that the proposed zoning is incorrect, and that groundwater pumping will have no effect on the surface water resource.

There are two major issues with the *conjunctive water management framework*, derived at a regional scale, when applied to the local or specific farm scale:

1. While the availability of hydrogeologic data may be appropriate to support a regional scale model, considerable local variation exists. Consequently, at specific locations there are significant differences between the assumed/modelled conditions and the actual situation. The initial baseline and default classification therefore must not be overly prescriptive and restrictive. It must allow for reasonable refinement, and improved definition and resolution over time. To achieve sustainable management of resources at a local level, the planning framework needs to recognise this local variation; and

2. While the *conjunctive water management framework* characterises aquifers on their inferred degree of hydraulic connection to surface water, no simple, workable definitions or measures for the level of connection are provided in the NRP. The present definitions in the NRP, and *conjunctive water management framework*, are an artefact of the regional scale hydrogeologic modelling and hypothetical pumping regimes with assumed parameters rather than direct measurement.

At some temporal scale there will always be a pattern apparent in the responses of the surface water and groundwater of an area. This is because both the surface water and groundwater are recharged by rainfall, and both respond to a range of climatic and other environmental variables. The responses of the surface water and groundwater apparent at any location may therefore be caused by external influences a significant distance away. The responses may not reflect any local interaction. For the minimum flow to be an effective groundwater management tool any connection must be both direct and local. The groundwater must respond to daily changes in river level if a minimum river flow is to be used as the trigger for particular consent conditions.

A longer lag between the surface water and groundwater responses indicates that management on a daily basis is not appropriate. A longer lag time also indicates that daily monitoring and reporting is unnecessary, since daily abstraction has no direct effect on the surface water resource.

For an existing consent holder, and even a new applicant, it is likely that the information and level of detail required to challenge the default position within the NRP would not be available, or even able to be obtained at a reasonable cost. Providing this information will be even more problematic given the lack of any guidance as to how to assess, or quantify, the degree of any hydraulic connection between the surface water and groundwater. The setting of an inappropriate default position within the NRP places an unreasonable onus on the applicant to prove the level of hydraulic connection.

Groundwater System

The policy for groundwater allocation is based on a regional scale conceptual hydrogeological model, and then an associated calibrated transient numerical groundwater flow model. However, the geologically complex groundwater system of the 'Lower Ruamāhanga Valley' consists of Late Quaternary alluvium and glacial outwash deposits to depths of up to 150m. These sediments host a highly heterogeneous groundwater system containing a sequence of discontinuous water-bearing strata. Major faulting and folding, both historical and contemporary, add considerable complexity to the hydrogeology of the basin. This complexity is not able to be captured precisely within any regional scale model. Consequently, there can be significant differences at the local scale between the assumed/modelled conditions and the actual situation.

AQUIFERS

Aquifers may be visualised as underground storage reservoirs where the groundwater fills the pore spaces within the subsurface materials. The behaviour of an aquifer depends largely on its degree of connection to the ground surface. An unconfined aquifer, such as the Q1 aquifer of the lower Ruamāhanga valley, is one in which the water table (i.e. the top of the saturated zone) varies in form and slope depending on areas of recharge and discharge, pumping from wells, and permeability. Rises and falls in the water table correspond to changes in the volume of water in storage. When shallow wells are installed into such an aquifer the water levels in the wells approximately define the position of the water table. In general, unconfined aquifers are directly connected, via the pore spaces, to the ground surface above. Unconfined aquifers may therefore have a direct hydraulic connection to surface water bodies including rivers, streams and wetlands (i.e. Category A).

Groundwater separated from atmospheric pressure by relatively impermeable material is 'confined'. Layers of impermeable material above and below the aquifer cause it to be under pressure. Therefore, when a confined aquifer is penetrated by a well, the water will rise above the top of the aquifer. Another major difference from an unconfined aquifer is that when a confined aquifer is pumped there is no de-watering of the saturated zone. Because of the confining layers (i.e. the aquitards) a confined aquifer does not have a direct connection to the ground above. Any connection to surface water bodies can therefore not be direct.

The degree of any interaction with surface water features depends on: the depth, extent, thickness and permeability of the aquitard; and the permeability and transmissivity of the aquifer. While there is likely to always be some interaction with the ground surface, which will be the source of recharge, this interaction can be a considerable distance away from any groundwater abstraction. This provides a significant buffer, and any interaction between the surface water and groundwater may take considerable time to move through the hydrological system.

Irrespective of these variables, however, a confined aquifer cannot have a direct hydraulic connection to the surface water bodies in the same manner as an unconfined aquifer. Management of confined groundwater in the lower Ruamāhanga Valley should therefore not be related to low flow conditions in the river. Management should be on the basis of the sustainable yield from the Groundwater Zone.

IMPLICATIONS FOR THE PROPOSED NATURAL RESOURCES PLAN

3.0 Objectives

3.2 Beneficial use and development

Objective O8: The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.

This Objective is supported; however, there is no guidance provided as to the relative weighting of the different attributes. The full economic impact of the application of the *conjunctive water management framework* in the Wairarapa does not appear to have been considered. Harris (2015) provides only a very general and limited economic evaluation focused largely on the effect of minimum flow restrictions on the abstraction of surface water.

No analysis is provided of the potential effect of re-classifying existing groundwater abstractions as surface water abstractions (i.e. Category A). With respect to some water permits, the application of the framework in its current form will lead to at least a 50% reduction in irrigation from some confined aquifers. This will result in a significant reduction in economic return from the farming operation, and a substantial loss to the regional economy.

The economic analysis also assumes that irrigation has the same 'value' at any time of the season. This ignores the fact that the availability of water is most critical at certain times during the growing season. The loss of water at particular times can result in the complete failure of the crop, and the total loss of production; not just a percentage of the production as has been assumed in Harris (2015).

A detailed economic analysis of the potential effect of the application of the conjunctive water management framework on existing consent holders must be undertaken. Particular emphasis needs to be given to those consent holders currently abstracting groundwater that will be deemed a surface water take (i.e. Category A) under the NRP. Before implementing the conjunctive water management framework it must be demonstrated that any potential environmental benefits outweigh the obvious economic cost.

3.12 Water allocation

Objective 52: The efficiency of allocation and use of water is improved and maximised through time, including by means of:

- a) efficient infrastructure, and*
- b) good management practice, including irrigation, domestic municipal and industry practices, and*
- c) maximising re-use, recovery and recycling of water and contaminants, and*
- d) enabling water to be transferred between users, and*
- e) enabling water storage outside river beds.*

This Objective is supported, however, the submitter would like to see the addition of "the application of most appropriate practice".

4.0 Policies

P107: Framework for taking and using water

Fundamental to the application of P107 is the accurate, realistic and practical understanding of groundwater connectivity to surface water. While in some situations this connectivity is obvious and demonstrable, in other cases it is not. The default position should not be the assumption of connectivity which is inherent currently in the NRP.

The management of hydraulically connected Category A and B groundwater is to avoid adverse effects on the surface water resource. Therefore, before abstraction is linked to the minimum flow in a river it must be shown that pumping has a direct and quantifiable effect on the surface water resource.

P108: Integrating groundwater and surface water

The integrated management of groundwater and surface water is appropriate where there is a direct and measurable link i.e. both the surface and groundwater are two components of a single water resource. Since P108 will limit groundwater abstraction when the mean daily flow in the associated river drops below the minimum flow, direct connection should be defined by the daily level of response of both the surface water and groundwater. Consequently the definition of 'connectivity' should be with reference to fluctuations in groundwater and river levels, and not the results of generalised regional groundwater modelling.

P115: Authorising takes below minimum flows and lake levels

The definitions and designation of Category A, B & C groundwater are critical to the interpretation and application of this policy. In particular, how are 'directly connected' aquifers to be defined and measured? Since all groundwater is likely to have some connection, somewhere in the catchment, 'directly connected' takes on particular significance in the proposed conjunctive management framework.

The present definitions in the NRP and *conjunctive water management framework* are an artefact of the regional scale hydrogeologic modelling, and hypothetical pumping regimes with assumed parameters, rather than direct measurement. As discussed, such definitions are inappropriate and overly restrictive when used to establish a default position.

The degree of any hydraulic connection must be defined in terms of travel time, permeability, distance, thickness and depth of both the aquifer and the confining aquitards. A direct connection only exists where there is a measurable response in the surface water resource to a change in pumping. A clear, sharp and unambiguous definition is essential to ensure consistent decision making, resource allocation, and resource management.

The definitions provided in the NRP are too general. For example, Category B: High hydraulic connectivity says "... may potentially result in significant impacts on surface water

.....” GWRC (2011). The definition includes at least two qualitative terms ‘*may*’ and ‘*significant*’ and yet no guidance is provided as to how either of these is to be assessed.

Given the default position given to the categorisation of groundwater in the *whaitua* chapters, this policy places the onus on an applicant to prove a level of connection different to that in the NRP. This may be impossible when only a general definition is provided.

The application of this policy appears to largely ignore the potential economic effect of implementing the policy, particularly to those who have existing and consented groundwater permits. The default and arbitrary classification of many confined aquifers as Category A will see existing practices, which have had no apparent adverse environmental effects, restricted severely. This will lead to lost production, changes in land use, lost income, and a reduction in the regional economy.

P118: Reasonable and efficient use

This policy is supported generally but the submitter believes that a four year term from the date the plan becomes operative is unreasonable; particularly for those who have only recently obtained their consents. Reasonable and efficient use criteria are likely to have already been applied to many water permits. Therefore, any potential benefits of re-consenting would be greatly outweighed by the cost to the applicant.

The period for renewal should be extended to a minimum of 10-years.

7.0 Ruamāhanga Whaitua

This submitter is concerned that “*the minimum flows, minimum water levels and core allocation referred to in the Plan are interim to the extent that they will be reviewed by whaitua committees and may be amended by plan changes or variations following recommendations of whaitua committees.*”

This implies both uncertainty and the potential influence of the *whaitua committees* to the detriment of other elements of the community, economy and environment. Such an approach is inconsistent with Objective 08.

Policy R.P3: Cumulative effects on river reaches of allocation water

While the consideration of cumulative effects is supported, the policy relates to “*When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects*”

See the previous discussion relating to the need for a definition of ‘directly connected’ under Section 4.0 Policies.

Maps

Chapter 7 provides a number of maps identifying the default position in the NRP with regard to the classification of groundwater (Figure 2). These maps provide a ‘statement’ of the

inferred degree of connection between the surface water and groundwater. The use of sharp discrete boundaries between the zones implies a greater level of understanding than currently exists. As such they misrepresent the inherent nature of these various boundaries and transition zones. They also ignore the acknowledged variability and heterogeneity of the Lower Ruamāhanga Valley groundwater system.

Figure 7.8: Lower Ruamāhanga - rivers and groundwater (0-20 metres deep) in Tables 7.3, 7.4 and 7.5

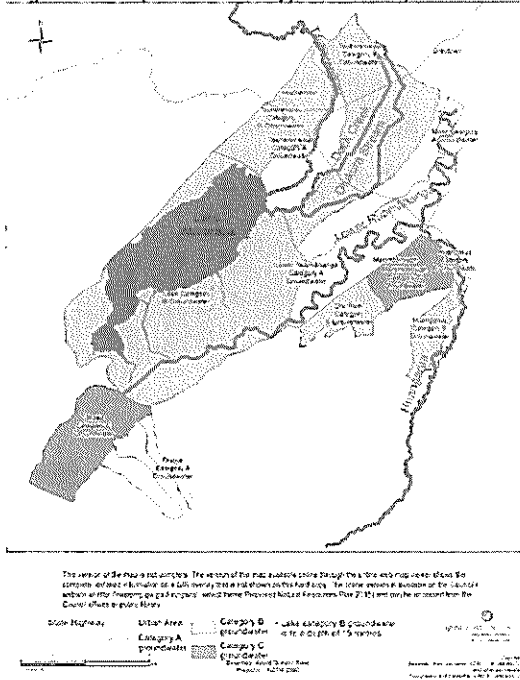


Figure 7.9: Lower Ruamāhanga catchment - groundwater (greater than 20 metres deep) in Tables 7.3, 7.4 and 7.5

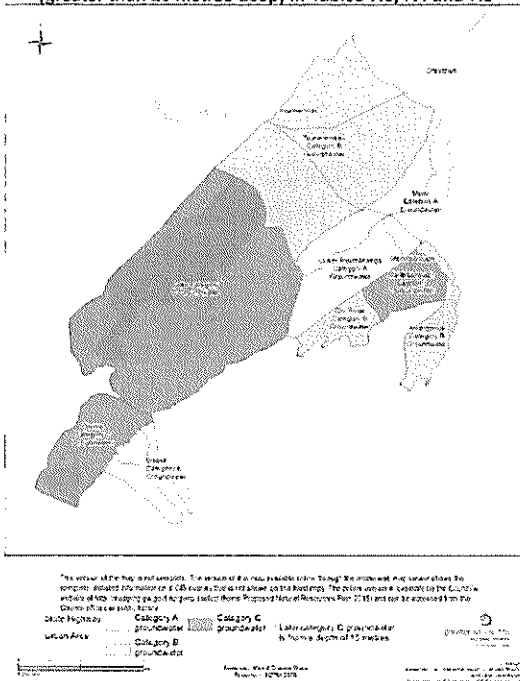


Figure 2: Groundwater classification in the Lower Ruamāhanga Valley (NRP, 2015).

The maps also represent the groundwater system as two-dimensional with a focus on the surficial hydrogeology. However, it is known that the groundwater system is three-dimensional with considerable heterogeneity and local variation.

Given the significance likely to be placed on these maps, the information they present must be robust. As illustrated already, this is currently not the case. While the maps may be appropriate for providing guidance at the regional scale, they do not reflect accurately local conditions or the high degree of heterogeneity recognised throughout the groundwater system. Local conditions can be, and often are, distinctly different to the general regional patterns and trends shown on the maps.

The inclusion of these maps places the onus on an applicant to provide evidence that the boundaries and groundwater classification is incorrect. For example, classifying the entire Lower Ruamāhanga Valley as Category A ignores the presence of a thick aquitard, and the existence of both unconfined and confined aquifers at different depths beneath most locations. Depth is used as the sole criterion for the designation of hydraulic connection. This ignores all the other factors which are known to affect the degree of hydraulic connection between the groundwater and the surface water.

Considerable evidence exists that the Lake Category C groundwater zone actually extends up into the lower Ruamāhanga valley towards the Huangarua confluence. The boundaries shown on the maps in Chapter 7, are actually the inferred "*hydrostratigraphic sub areas of the Lower Valley catchment (GWRC, 2010 Figure 6.3).*" These boundaries were carried through to the Super Element Mesh (SEM) used for generating the finite element mesh for the lower valley catchment FEFLOW groundwater model (GWRC, 2010 Figure 10.2). That is, the boundaries reflect the underlying assumptions used in the hydrogeologic modelling rather than the actual groundwater system.

Relief sought

To achieve the purpose and the relevant principles of the Resource Management Act 1991(the Act), the following relief should be granted:

1. That the limitations of the regional scale modelling be recognised when considering resource consents. There is significant local variation, vertical differentiation, and aquifer heterogeneity which is not incorporated in the regional modelling. These factors have a significant effect on local groundwater conditions and the interaction of surface water and groundwater;
2. That a mechanism be provided for recognising and accommodating local variations in a robust, workable, and transparent manner;
3. That while the onus for assessing the potential effects of new resource consents might justifiably lie with the applicant, the onus and costs for changing existing consents should lie with the Council, unless there are demonstrable adverse environmental effects which must be mitigated;

4. That the definitions for Category A, B and C groundwater be amended to better explain the degree of hydraulic connectivity in a way that is clear, unambiguous, measurable, and workable. These definitions should assist in both clarifying the classification of a particular aquifer, and setting appropriate consent conditions to mitigate any potential adverse effects. The definitions and designation applied to 'zones' must recognise local variations, and the potential for such variations to cause significant differences in the 'expected' behaviour of the groundwater system;
5. That in the designation of various groundwater zones a distinction is made between the shallow unconfined and hydraulically-connected aquifers, and confined aquifers with limited hydraulic connection to surface water bodies including rivers, streams and wetland. A single zone may contain different aquifers at different depths and locations, each with specific attributes. Not all aquifers within a specific zone should be considered to be from a single 'Category' i.e. Category A;
6. The arbitrary use of the depth of an aquifer when assessing the degree of hydraulic connection should be removed. Such a single criterion measure is overly simplistic and misleading, and ignores the recognised heterogeneity and behaviour of the groundwater system;
7. That a robust economic analysis be undertaken of the potential effect of the minimum flow restrictions on the abstraction of water from Category A & B aquifers where such a restriction has not previously existed;
8. Any economic analysis must recognise that the value of water for irrigation varies throughout the season, and is a function of the particular land use activity. The analysis presented in Harris (2015) should be revised to take account of the critical nature of water during certain periods;
9. That the economic cost of the minimum flow restrictions on groundwater consents be weighed against any measurable environmental benefits;
10. That *Sub-area 4: Lake basin* be extended up the lower Ruamāhanga valley to the vicinity of the Huangarua confluence to recognise the similar depositional environment and groundwater conditions within this larger zone;
11. That the maps shown in Figures 7.8 & 7.9 of the NRP be removed. These are derived from regional scale mapping which ignores local variation in groundwater conditions. The maps are inaccurate. Presenting the maps in the NRP is misleading and will lead to pre-determination when considering resource consent applications;
12. That the southern boundary of the Lower Ruamāhanga Category A groundwater be moved upstream to the vicinity of the Huangarua confluence. This will recognise the thick aquitard that exists above the Q2 aquifer downstream of confluence;

13. That the four-year 'grandparenting' provision in Policy 118 be extended to 10-years;
and
14. Such further, other, additional or amended relief as might better give effect to the issues raised or touched on in this submission, and better give effect to the purpose and principles of the Act.

#1530928

S327

Wellington Regional Council

22 OCT 2015

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of the Greater Wellington Regional
Council's Proposed Natural
Resources Plan pursuant to
section 66 & 67 of the Act

SUBMISSION ON BEHALF OF A.J. BARTON
AND ONGAHA FARMS LIMITED

Dated 23 October 2015

Counsel: I.M. Gordon
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P.O. Box 117
Wellington 6140
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Email: ian.gordon@stoutstreet.co.nz

Administrative details

Communication from GWRC: All communication from GWRC should be via email (ian.gordon@stoutstreet.co.nz).

Trade competition: I will not gain any advantage in trade competition through this submission.

Hearing: I wish to be heard in support of this submission.

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- The lack of a precise, simple and workable definition for the level of connection between surface water and groundwater i.e. what is the measure for direct hydraulic connection, and therefore the basis for classifying a groundwater resource as either Category A, B or C?; and
- The lack of rigorous economic analysis of the effects of various proposed Policies and Rules relating to groundwater connectivity and use on existing lawful practices and existing rural businesses.

For example, when renewing water permits to continue to abstract groundwater for irrigation the assumption has been made (on the basis of information in the Proposed NRP) that the water supply, even though it is from a confined aquifer at least 18m deep and below a 13m aquitard, is from a Category A aquifer i.e. having a direct hydraulic connection to the Ruamāhanga River.

This assumption has led to a number of conditions linked to the minimum flow of the Ruamāhanga River. In particular, abstraction will be restricted whenever the mean daily flow in the Ruamāhanga River, measured at Waihenga Bridge, is less than 8.5m³/s.

The effect of this new condition is that the abstraction of water for irrigation in the future will be restricted regularly, and for considerable periods of time (Figure 1). Since periods of irrigation demand and low river flow tend to coincide, this condition will restrict access to groundwater when it is most needed.

The restriction on abstraction when flow in the Ruamāhanga River at Waihenga Bridge drops below 8.5m³/s (i.e. the recommended minimum flow) will constrain irrigation severely; for up to 45 days a year, and for periods of up to 30 days duration (Figure 1). Such a severe restriction will likely make any meaningful irrigation ineffective and impractical, and counteract the social, economic and cultural benefits of taking and using groundwater.

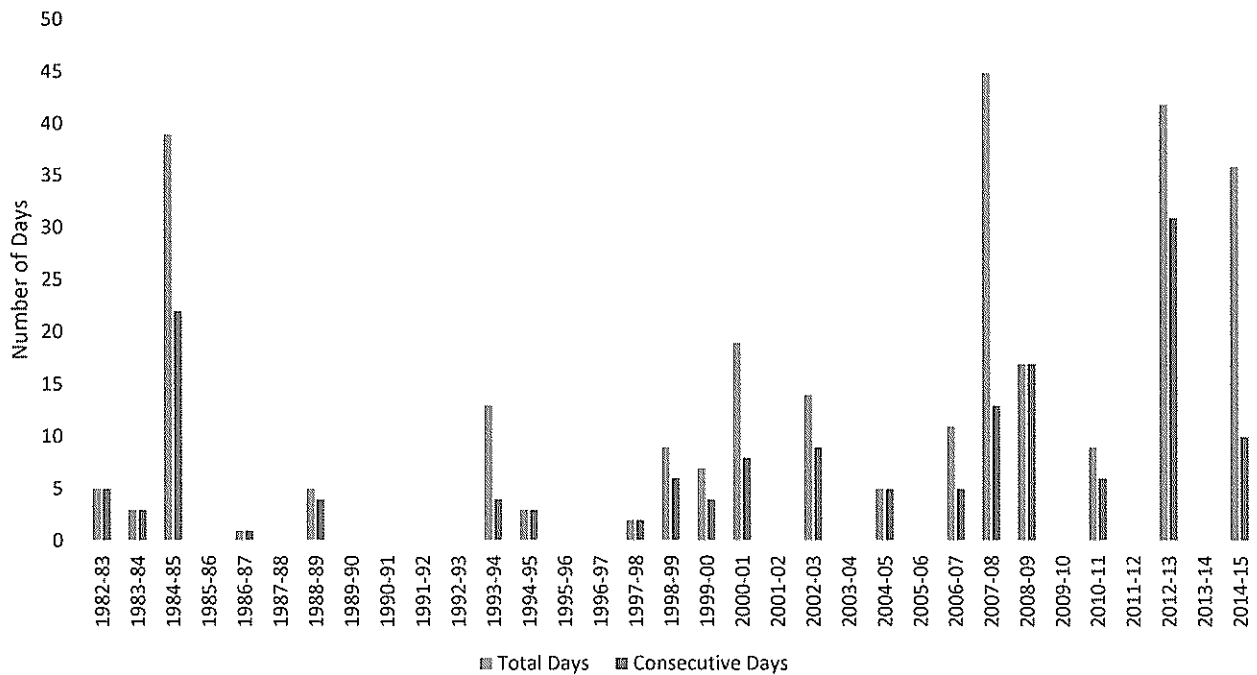


Figure 1: Total number of days, and longest period of contiguous days, each irrigation season when groundwater abstraction would be restricted.

The draft Natural Resource Plan proposes the integrated management of groundwater and surface water (i.e. conjunctive management). Fundamental to the conjunctive management of the groundwater resource, however, is the nature of any linkage between the surface water and groundwater. Unless there is a direct, immediate, and quantifiable link between surface water and groundwater any attempt to manage daily groundwater abstraction on the basis of minimum river flows is inappropriate, and will be ineffective.

The proposed restriction of abstraction from this confined aquifer when flow in the Ruamāhanga River at Waihenga Bridge drops below 8.5m³/s will mean that less than half the area currently irrigated will be able to receive water. Given the lack of any reasonable and viable alternative to groundwater abstraction from this confined aquifer, this new condition will result in a significant change in land use, loss of income, and reduced economic activity within the region.

Context

The draft Natural Resources Plan proposes that both the surface water and groundwater resources of the Wairarapa, and particularly the *Ruamāhanga Whaitua*, be managed under a single *conjunctive water management framework*.

Policy P108 identifies two sources of water and reflects the management units that are identified and mapped in various tables and figures within the *whaitua* chapters. The first source of water is from rivers and lakes, and areas of groundwater directly connected to rivers and lakes. The second source of water is groundwater which is not directly connected to the surface water resource.

The *conjunctive water management framework*, however, classifies all groundwater into three classes depending on the degree of inferred connection with the surface water resource. Both Category A & B groundwater is considered to have a hydraulic connection with the surface water. Consequently it is proposed that the abstraction of water from Category A & B aquifers be managed with respect to minimum river flows. Groundwater characterised as Category C, with no connection to the surface water, will be managed through allocation limits rather than surface flows.

The *conjunctive water management framework*, and the NRP through its definition of groundwater zones and associated maps, establishes a default position when considering resource consents for water permits. This position is based largely on the results of regional-scale hydrogeologic modelling, with limited if any empirical investigation. The degree of groundwater connectivity in particular is based on theoretical pumping behaviour and assumed conductance (i.e. leakage) rates through river beds. No direct measurements of conductance have been used, and such measurements do not exist for any confined aquifer in the Wairarapa.

If the NRP was operative in its current form, achieving a Category C classification would require that an applicant for a water permit satisfy Council that the proposed zoning is incorrect, and that groundwater pumping will have no effect on the surface water resource.

There are two major issues with the *conjunctive water management framework*, derived at a regional scale, when applied to the local or specific farm scale:

1. While the availability of hydrogeologic data may be appropriate to support a regional scale model, considerable local variation exists. Consequently, at specific locations there are significant differences between the assumed/modelled conditions and the actual situation. The initial baseline and default classification therefore must not be overly prescriptive and restrictive. It must allow for reasonable refinement, and improved definition and resolution over time. To achieve sustainable management of resources at a local level, the planning framework needs to recognise this local variation; and

2. While the *conjunctive water management framework* characterises aquifers on their inferred degree of hydraulic connection to surface water, no simple, workable definitions or measures for the level of connection are provided in the NRP. The present definitions in the NRP, and *conjunctive water management framework*, are an artefact of the regional scale hydrogeologic modelling and hypothetical pumping regimes with assumed parameters rather than direct measurement.

At some temporal scale there will always be a pattern apparent in the responses of the surface water and groundwater of an area. This is because both the surface water and groundwater are recharged by rainfall, and both respond to a range of climatic and other environmental variables. The responses of the surface water and groundwater apparent at any location may therefore be caused by external influences a significant distance away. The responses may not reflect any local interaction. For the minimum flow to be an effective groundwater management tool any connection must be both direct and local. The groundwater must respond to daily changes in river level if a minimum river flow is to be used as the trigger for particular consent conditions.

A longer lag between the surface water and groundwater responses indicates that management on a daily basis is not appropriate. A longer lag time also indicates that daily monitoring and reporting is unnecessary, since daily abstraction has no direct effect on the surface water resource.

For an existing consent holder, and even a new applicant, it is likely that the information and level of detail required to challenge the default position within the NRP would not be available, or even able to be obtained at a reasonable cost. Providing this information will be even more problematic given the lack of any guidance as to how to assess, or quantify, the degree of any hydraulic connection between the surface water and groundwater. The setting of an inappropriate default position within the NRP places an unreasonable onus on the applicant to prove the level of hydraulic connection.

Groundwater System

The policy for groundwater allocation is based on a regional scale conceptual hydrogeological model, and then an associated calibrated transient numerical groundwater flow model. However, the geologically complex groundwater system of the 'Lower Ruamāhanga Valley' consists of Late Quaternary alluvium and glacial outwash deposits to depths of up to 150m. These sediments host a highly heterogeneous groundwater system containing a sequence of discontinuous water-bearing strata. Major faulting and folding, both historical and contemporary, add considerable complexity to the hydrogeology of the basin. This complexity is not able to be captured precisely within any regional scale model. Consequently, there can be significant differences at the local scale between the assumed/modelled conditions and the actual situation.

AQUIFERS

Aquifers may be visualised as underground storage reservoirs where the groundwater fills the pore spaces within the subsurface materials. The behaviour of an aquifer depends largely on its degree of connection to the ground surface. An unconfined aquifer, such as the Q1 aquifer of the lower Ruamāhanga valley, is one in which the water table (i.e. the top of the saturated zone) varies in form and slope depending on areas of recharge and discharge, pumping from wells, and permeability. Rises and falls in the water table correspond to changes in the volume of water in storage. When shallow wells are installed into such an aquifer the water levels in the wells approximately define the position of the water table. In general, unconfined aquifers are directly connected, via the pore spaces, to the ground surface above. Unconfined aquifers may therefore have a direct hydraulic connection to surface water bodies including rivers, streams and wetlands (i.e. Category A).

Groundwater separated from atmospheric pressure by relatively impermeable material is 'confined'. Layers of impermeable material above and below the aquifer cause it to be under pressure. Therefore, when a confined aquifer is penetrated by a well, the water will rise above the top of the aquifer. Another major difference from an unconfined aquifer is that when a confined aquifer is pumped there is no de-watering of the saturated zone. Because of the confining layers (i.e. the aquitards) a confined aquifer does not have a direct connection to the ground above. Any connection to surface water bodies can therefore not be direct.

The degree of any interaction with surface water features depends on: the depth, extent, thickness and permeability of the aquitard; and the permeability and transmissivity of the aquifer. While there is likely to always be some interaction with the ground surface, which will be the source of recharge, this interaction can be a considerable distance away from any groundwater abstraction. This provides a significant buffer, and any interaction between the surface water and groundwater may take considerable time to move through the hydrological system.

Irrespective of these variables, however, a confined aquifer cannot have a direct hydraulic connection to the surface water bodies in the same manner as an unconfined aquifer. Management of confined groundwater in the lower Ruamāhanga Valley should therefore not be related to low flow conditions in the river. Management should be on the basis of the sustainable yield from the Groundwater Zone.

IMPLICATIONS FOR THE PROPOSED NATURAL RESOURCES PLAN

3.0 Objectives

3.2 Beneficial use and development

Objective O8: The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.

This Objective is supported; however, there is no guidance provided as to the relative weighting of the different attributes. The full economic impact of the application of the *conjunctive water management framework* in the Wairarapa does not appear to have been considered. Harris (2015) provides only a very general and limited economic evaluation focused largely on the effect of minimum flow restrictions on the abstraction of surface water.

No analysis is provided of the potential effect of re-classifying existing groundwater abstractions as surface water abstractions (i.e. Category A). With respect to some water permits, the application of the framework in its current form will lead to at least a 50% reduction in irrigation from some confined aquifers. This will result in a significant reduction in economic return from the farming operation, and a substantial loss to the regional economy.

The economic analysis also assumes that irrigation has the same 'value' at any time of the season. This ignores the fact that the availability of water is most critical at certain times during the growing season. The loss of water at particular times can result in the complete failure of the crop, and the total loss of production; not just a percentage of the production as has been assumed in Harris (2015).

A detailed economic analysis of the potential effect of the application of the conjunctive water management framework on existing consent holders must be undertaken. Particular emphasis needs to be given to those consent holders currently abstracting groundwater that will be deemed a surface water take (i.e. Category A) under the NRP. Before implementing the conjunctive water management framework it must be demonstrated that any potential environmental benefits outweigh the obvious economic cost.

3.12 Water allocation

Objective 52: The efficiency of allocation and use of water is improved and maximised through time, including by means of:

- a) efficient infrastructure, and*
- b) good management practice, including irrigation, domestic municipal and industry practices, and*
- c) maximising re-use, recovery and recycling of water and contaminants, and*
- d) enabling water to be transferred between users, and*
- e) enabling water storage outside river beds.*

This Objective is supported, however, the submitter would like to see the addition of "the application of most appropriate practice".

4.0 Policies

P107: Framework for taking and using water

Fundamental to the application of P107 is the accurate, realistic and practical understanding of groundwater connectivity to surface water. While in some situations this connectivity is obvious and demonstrable, in other cases it is not. The default position should not be the assumption of connectivity which is inherent currently in the NRP.

The management of hydraulically connected Category A and B groundwater is to avoid adverse effects on the surface water resource. Therefore, before abstraction is linked to the minimum flow in a river it must be shown that pumping has a direct and quantifiable effect on the surface water resource.

P108: Integrating groundwater and surface water

The integrated management of groundwater and surface water is appropriate where there is a direct and measurable link i.e. both the surface and groundwater are two components of a single water resource. Since P108 will limit groundwater abstraction when the mean daily flow in the associated river drops below the minimum flow, direct connection should be defined by the daily level of response of both the surface water and groundwater. Consequently the definition of 'connectivity' should be with reference to fluctuations in groundwater and river levels, and not the results of generalised regional groundwater modelling.

P115: Authorising takes below minimum flows and lake levels

The definitions and designation of Category A, B & C groundwater are critical to the interpretation and application of this policy. In particular, how are 'directly connected' aquifers to be defined and measured? Since all groundwater is likely to have some connection, somewhere in the catchment, 'directly connected' takes on particular significance in the proposed conjunctive management framework.

The present definitions in the NRP and *conjunctive water management framework* are an artefact of the regional scale hydrogeologic modelling, and hypothetical pumping regimes with assumed parameters, rather than direct measurement. As discussed, such definitions are inappropriate and overly restrictive when used to establish a default position.

The degree of any hydraulic connection must be defined in terms of travel time, permeability, distance, thickness and depth of both the aquifer and the confining aquitards. A direct connection only exists where there is a measurable response in the surface water resource to a change in pumping. A clear, sharp and unambiguous definition is essential to ensure consistent decision making, resource allocation, and resource management.

The definitions provided in the NRP are too general. For example, Category B: High hydraulic connectivity says "... may potentially result in significant impacts on surface water

.....” GWRC (2011). The definition includes at least two qualitative terms ‘*may*’ and ‘*significant*’ and yet no guidance is provided as to how either of these is to be assessed.

Given the default position given to the categorisation of groundwater in the *whaitua* chapters, this policy places the onus on an applicant to prove a level of connection different to that in the NRP. This may be impossible when only a general definition is provided.

The application of this policy appears to largely ignore the potential economic effect of implementing the policy, particularly to those who have existing and consented groundwater permits. The default and arbitrary classification of many confined aquifers as Category A will see existing practices, which have had no apparent adverse environmental effects, restricted severely. This will lead to lost production, changes in land use, lost income, and a reduction in the regional economy.

P118: Reasonable and efficient use

This policy is supported generally but the submitter believes that a four year term from the date the plan becomes operative is unreasonable; particularly for those who have only recently obtained their consents. Reasonable and efficient use criteria are likely to have already been applied to many water permits. Therefore, any potential benefits of re-consenting would be greatly outweighed by the cost to the applicant.

The period for renewal should be extended to a minimum of 10-years.

7.0 Ruamāhanga Whaitua

This submitter is concerned that *“the minimum flows, minimum water levels and core allocation referred to in the Plan are interim to the extent that they will be reviewed by whaitua committees and may be amended by plan changes or variations following recommendations of whaitua committees.”*

This implies both uncertainty and the potential influence of the *whaitua committees* to the detriment of other elements of the community, economy and environment. Such an approach is inconsistent with Objective 08.

Policy R.P3: Cumulative effects on river reaches of allocation water

While the consideration of cumulative effects is supported, the policy relates to *“When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects*”

See the previous discussion relating to the need for a definition of ‘directly connected’ under Section 4.0 Policies.

Maps

Chapter 7 provides a number of maps identifying the default position in the NRP with regard to the classification of groundwater (Figure 2). These maps provide a ‘statement’ of the

inferred degree of connection between the surface water and groundwater. The use of sharp discrete boundaries between the zones implies a greater level of understanding than currently exists. As such they misrepresent the inherent nature of these various boundaries and transition zones. They also ignore the acknowledged variability and heterogeneity of the Lower Ruamāhanga Valley groundwater system.

Figure 7.8: Lower Ruamāhanga - rivers and groundwater (0-20 metres deep) in Tables 7.3, 7.4 and 7.5

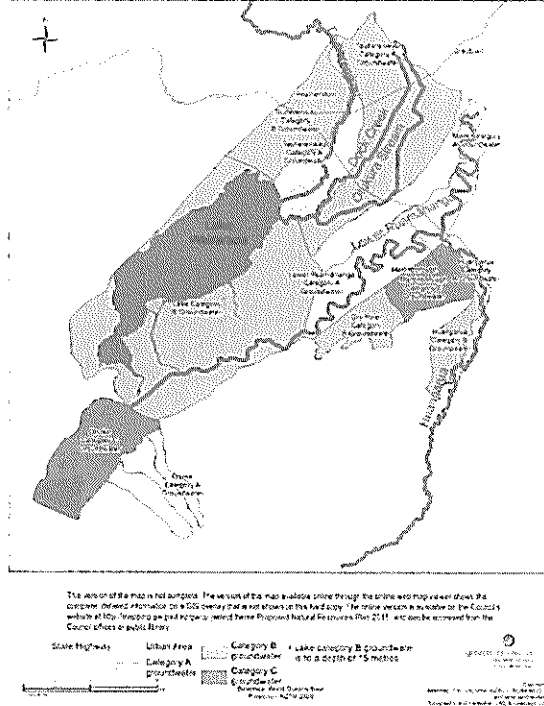


Figure 7.9: Lower Ruamāhanga catchment - groundwater (greater than 20 metres deep) in Tables 7.3, 7.4 and 7.5

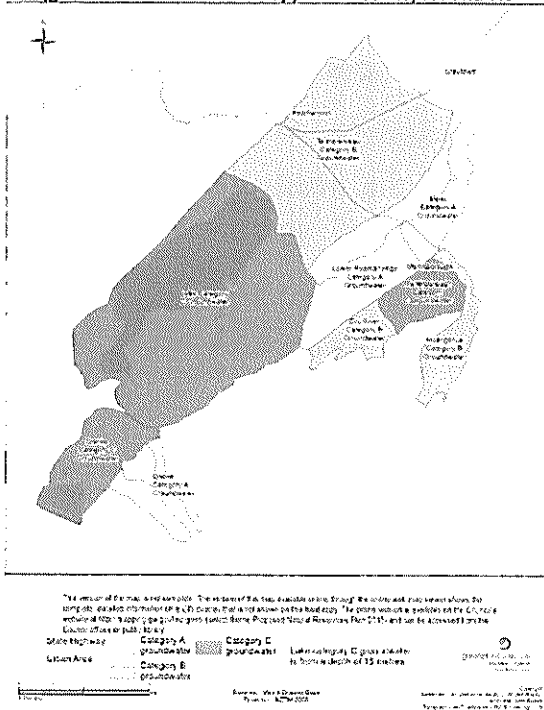


Figure 2: Groundwater classification in the Lower Ruamāhanga Valley (NRP, 2015).

The maps also represent the groundwater system as two-dimensional with a focus on the surficial hydrogeology. However, it is known that the groundwater system is three-dimensional with considerable heterogeneity and local variation.

Given the significance likely to be placed on these maps, the information they present must be robust. As illustrated already, this is currently not the case. While the maps may be appropriate for providing guidance at the regional scale, they do not reflect accurately local conditions or the high degree of heterogeneity recognised throughout the groundwater system. Local conditions can be, and often are, distinctly different to the general regional patterns and trends shown on the maps.

The inclusion of these maps places the onus on an applicant to provide evidence that the boundaries and groundwater classification is incorrect. For example, classifying the entire Lower Ruamāhanga Valley as Category A ignores the presence of a thick aquitard, and the existence of both unconfined and confined aquifers at different depths beneath most locations. Depth is used as the sole criterion for the designation of hydraulic connection. This ignores all the other factors which are known to affect the degree of hydraulic connection between the groundwater and the surface water.

Considerable evidence exists that the Lake Category C groundwater zone actually extends up into the lower Ruamāhanga valley towards the Huangarua confluence. The boundaries shown on the maps in Chapter 7, are actually the inferred *“hydrostratigraphic sub areas of the Lower Valley catchment (GWRC, 2010 Figure 6.3).”* These boundaries were carried through to the Super Element Mesh (SEM) used for generating the finite element mesh for the lower valley catchment FEFLOW groundwater model (GWRC, 2010 Figure 10.2). That is, the boundaries reflect the underlying assumptions used in the hydrogeologic modelling rather than the actual groundwater system.

Relief sought

To achieve the purpose and the relevant principles of the Resource Management Act 1991(the Act), the following relief should be granted:

1. That the limitations of the regional scale modelling be recognised when considering resource consents. There is significant local variation, vertical differentiation, and aquifer heterogeneity which is not incorporated in the regional modelling. These factors have a significant effect on local groundwater conditions and the interaction of surface water and groundwater;
2. That a mechanism be provided for recognising and accommodating local variations in a robust, workable, and transparent manner;
3. That while the onus for assessing the potential effects of new resource consents might justifiably lie with the applicant, the onus and costs for changing existing consents should lie with the Council, unless there are demonstrable adverse environmental effects which must be mitigated;

4. That the definitions for Category A, B and C groundwater be amended to better explain the degree of hydraulic connectivity in a way that is clear, unambiguous, measurable, and workable. These definitions should assist in both clarifying the classification of a particular aquifer, and setting appropriate consent conditions to mitigate any potential adverse effects. The definitions and designation applied to 'zones' must recognise local variations, and the potential for such variations to cause significant differences in the 'expected' behaviour of the groundwater system;
5. That in the designation of various groundwater zones a distinction is made between the shallow unconfined and hydraulically-connected aquifers, and confined aquifers with limited hydraulic connection to surface water bodies including rivers, streams and wetland. A single zone may contain different aquifers at different depths and locations, each with specific attributes. Not all aquifers within a specific zone should be considered to be from a single 'Category' i.e. Category A;
6. The arbitrary use of the depth of an aquifer when assessing the degree of hydraulic connection should be removed. Such a single criterion measure is overly simplistic and misleading, and ignores the recognised heterogeneity and behaviour of the groundwater system;
7. That a robust economic analysis be undertaken of the potential effect of the minimum flow restrictions on the abstraction of water from Category A & B aquifers where such a restriction has not previously existed;
8. Any economic analysis must recognise that the value of water for irrigation varies throughout the season, and is a function of the particular land use activity. The analysis presented in Harris (2015) should be revised to take account of the critical nature of water during certain periods;
9. That the economic cost of the minimum flow restrictions on groundwater consents be weighed against any measurable environmental benefits;
10. That *Sub-area 4: Lake basin* be extended up the lower Ruamāhanga valley to the vicinity of the Huangarua confluence to recognise the similar depositional environment and groundwater conditions within this larger zone;
11. That the maps shown in Figures 7.8 & 7.9 of the NRP be removed. These are derived from regional scale mapping which ignores local variation in groundwater conditions. The maps are inaccurate. Presenting the maps in the NRP is misleading and will lead to pre-determination when considering resource consent applications;
12. That the southern boundary of the Lower Ruamāhanga Category A groundwater be moved upstream to the vicinity of the Huangarua confluence. This will recognise the thick aquitard that exists above the Q2 aquifer downstream of confluence;

13. That the four-year 'grandparenting' provision in Policy 118 be extended to 10-years;
and
14. Such further, other, additional or amended relief as might better give effect to the issues raised or touched on in this submission, and better give effect to the purpose and principles of the Act.

Proposed Natural Resources Plan:

Submitter:

Golden Gate Peninsula Beach Residents

Submitter Number:

S328

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Golden Gate Peninsula Beach Residents
 Organisation name: Golden Gate Peninsula Beach Residents (List below)
 (If applicable)
 Address for Service: c/o; K-J Dillon
15B Seaview Road, Paremata, Porirua City

Telephone no's: Work: Home: Cell: 021-513744

Contact person: K-J Dillon

Address and telephone no (if different from above): 15B Seaview Road

Refer also attached schedule of beach residents, who have confirmed their support of the contents of this submission, including:
 6, 10, 15B, 21, 27, 41A, 47, 51, 57-59, 69A, 85 Seaview Road
 10, 10A, 14, 14A, 16, 18 Trevor Terrace
 55, 61, 81 Paremata Road

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: Kjdillon.nz@gmail.com

Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.
 If you **could** gain an advantage please complete one of the following:

- I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R198: Motor vehicles inside sites of significance – non-complying activity	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input checked="" type="checkbox"/> wish to have the specific provision amended
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	<p>Reasons for my submission: →</p>	<p>Our understanding is that if the Proposed Natural Resources Plan (PNRP) is adopted in its present form the use of vehicles to access our properties will change from a restricted discretionary activity to a non-complying/ prohibited activity.</p> <p>We seek to retain the existing restricted discretionary activity status with regard to vehicle access to beach front properties in our area for the activities described below, as we have no suitable/safe access from the street for this purpose.</p> <p>The cost of a consent under the existing restricted discretionary activity is typically \$850 to \$1200. The consent includes specific conditions designed to protect the beach environment and minimise disturbance to residents.</p> <p>We are advised that under the PNRP it will be much more difficult to obtain a consent and will likely require the use of expert witnesses, the presentation of evidence and will cost over \$10,000.</p> <p>The unreasonably onerous requirements of the proposed change, along with the uncertainty associated with being granted a consent at all, will effectively deny access to the relatively few properties that currently rely on the existing vehicle access provisions. For these properties there is no alternative safe vehicle access from the street.</p> <p>This in turn will have a significant and unnecessary impact on the ability of beach front residents to carry out accepted (infrequent) residential activities such as the delivery of firewood, heavy furniture, appliances etc, the ability to carry out building maintenance and improvements and the ability to remove waste material. In some cases the change will take away the ability of people to continue living in their homes.</p> <p>For most of us the only way to gain vehicle access to the lower levels of our properties is via the beach. The alternative is generally via steep stairs and bush paths.</p> <p>For at least 75 years the Golden Gate beach front has been a residential area made possible by vehicle access along the beach. The maintenance of existing buildings relies on continued vehicle access. To effectively remove the ability for residents to maintain their homes, boatsheds and other buildings will have a significant impact on insurance premiums, insurability and the value of our properties.</p> <p>The existing requirement to obtain a consent for vehicle access to beach front properties as a restricted discretionary activity limits the number of vehicle trips that can be made within a given period. This means that only essential trips are made and are bound by conditions such as the area of the beach that can be used, the state of the tide, the time of day, keeping of vehicle trip logs etc. The existing consent provisions also allow for monitoring of effects of the activity by Council staff.</p> <p>The existing requirements provide a reasonable balance between safeguarding the environment and allowing residents to continue to live in the area and maintain their properties.</p>
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	I seek the following decision from WRC (give precise details): →	We seek to amend Rule 198 of the Proposed NRP to be a discretionary activity for the Golden Gate Peninsula including Browns Bay and Ivey Bay. That is, retain the existing provisions for this area.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]

I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

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

Signature: _____ Date: _____

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

details): →

Beachfront properties in support of submission for Golden Gate Peninsula Beach Residents

Seaview road

#	Address	Owner
1	85 Seaview Rd	Graham & Carolyn Wallace
2	69A Seaview Rd	Denise & Tenny Gray
3	57-59 Seaview Rd	Richard and Kim Massam
4	51 Seaview Rd	Milo van de Werken & Linda Dale
5	47 Seaview Rd	Nigel & Angel Johns
6	41A Seaview Rd	Becky Lasenby & John Bulleyment
7	27 Seaview Rd	Tom Kerr & Gabrielle Harris
8	21 Seaview Rd	Craig & Eleanor Booth
9	15B Seaview Rd	K-J & Matt Dillon
10	10 Seaview Rd	Reid Macdonald
11	6 Seaview Rd	Jason & Kelly Clark

Trevor Terrace

12	10 Trevor Tce	Graham Rydding & Paula Cromby
13	10A Trevor Tce	Paul & Carolyn Cranney
14	14 Trevor Tce	Doug & Karen Sheppard
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Paremata rd

18	81 Paremata Rd	Linsay Butler & Jeff Whale
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Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Golden Gate Peninsula Beach Residents

Organisation name: Golden Gate Peninsula Beach Residents (List below)

(If applicable)

c/o; K-J Dillon

Address for Service: 15B Seaview Road, Paremata, Porirua City

Telephone no's: Work: Home: Cell: 021-513744

Contact person: K-J Dillon

Address and telephone no (if different from above): 15B Seaview Road

Refer also attached schedule of beach residents, who have confirmed their support of the contents of this submission, including:
 6, 10, 15B, 21, 27, 41A, 47, 51, 57-59, 69A, 85 Seaview Road
 10, 10A, 14, 14A, 16, 18 Trevor Terrace

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: Kj Dillon, nz@gmail.com

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R198: Motor vehicles inside sites of significance – non-complying activity	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
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	<p>Reasons for my submission: →</p>	<p>Our understanding is that if the Proposed Natural Resources Plan (PNRP) is adopted in its present form the use of vehicles to access our properties will change from a restricted discretionary activity to a non-complying/ prohibited activity.</p> <p>We seek to retain the existing restricted discretionary activity status with regard to vehicle access to beach front properties in our area for the activities described below, as we have no suitable/safe access from the street for this purpose.</p> <p>The cost of a consent under the existing restricted discretionary activity is typically \$850 to \$1200. The consent includes specific conditions designed to protect the beach environment and minimise disturbance to residents.</p> <p>We are advised that under the PNRP it will be much more difficult to obtain a consent and will likely require the use of expert witnesses, the presentation of evidence and will cost over \$10,000.</p> <p>The unreasonably onerous requirements of the proposed change, along with the uncertainty associated with being granted a consent at all, will effectively deny access to the relatively few properties that currently rely on the existing vehicle access provisions. For these properties there is no alternative safe vehicle access from the street.</p> <p>This in turn will have a significant and unnecessary impact on the ability of beach front residents to carry out accepted (infrequent) residential activities such as the delivery of firewood, heavy furniture, appliances etc, the ability to carry out building maintenance and improvements and the ability to remove waste material. In some cases the change will take away the ability of people to continue living in their homes.</p> <p>For most of us the only way to gain vehicle access to the lower levels of our properties is via the beach. The alternative is generally via steep stairs and bush paths.</p> <p>For at least 75 years the Golden Gate beach front has been a residential area made possible by vehicle access along the beach. The maintenance of existing buildings relies on continued vehicle access. To effectively remove the ability for residents to maintain their homes, boatsheds and other buildings will have a significant impact on insurance premiums, insurability and the value of our properties.</p> <p>The existing requirement to obtain a consent for vehicle access to beach front properties as a restricted discretionary activity limits the number of vehicle trips that can be made within a given period. This means that only essential trips are made and are bound by conditions such as the area of the beach that can be used, the state of the tide, the time of day, keeping of vehicle trip logs etc. The existing consent provisions also allow for monitoring of effects of the activity by Council staff.</p> <p>The existing requirements provide a reasonable balance between safeguarding the environment and allowing residents to continue to live in the area and maintain their properties.</p>
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	I seek the following decision from WRC (give precise details): →	We seek to amend Rule 198 of the Proposed NRP to be a discretionary activity for the Golden Gate Peninsula including Browns Bay and Ivey Bay. That is, retain the existing provisions for this area.
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- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____

Date: _____

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Beachfront properties in support of submission for Golden Gate Peninsula Beach Residents**Seaview road**

#	Address	Owner
1	85 Seaview Rd	Graham & Carolyn Wallace
2	69A Seaview Rd	Denise & Tenny Gray
3	57-59 Seaview Rd	Richard and Kim Massam
4	51 Seaview Rd	Milo van de Werken & Linda Dale
5	47 Seaview Rd	Nigel & Angel Johns
6	41A Seaview Rd	Becky Lasenby & John Bulleyment
7	27 Seaview Rd	Tom Kerr & Gabrielle Harris
8	21 Seaview Rd	Craig & Eleanor Booth
9	15B Seaview Rd	K-J & Matt Dillon
10	10 Seaview Rd	Reid Macdonald
11	6 Seaview Rd	Jason & Kelly Clark

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Proposed Natural Resources Plan:

Submitter:

Tom Kerr and Gabrielle Harris

Submitter Number:

S330

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
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 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Tom Kerr and Gabrielle Harris

Organisation name: (If applicable)

Address for Service: 27 Seaview Road

Paremata

Porirua

Telephone no's: Work: 3816716 Home: 2338711 Cell: 012798996

Contact person: Tom Kerr

Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: tom.kerr@mwhglobal.com

Trade competition

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.
 If you **could** gain an advantage please complete one of the following:
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	<p>I seek the following decision from WRC (give precise details): →</p>	<p>We seek to amend Rule 198 of the Proposed NRP to be a discretionary activity for the Golden Gate Peninsula including Browns Bay and Ivey Bay. That is, retain the existing provisions for this area.</p>

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Signature:

Date:

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

Pip Tocker

Submitter Number:

S331

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Pip Tocker
Farm Name	Pakohe West
Physical Address	Te Hopai Road, R.D.2 Featherston, 5772
Phone Number	0273279877
Email Address	piptocker@hotmail.com

Communication from GWRC: *I prefer email OR hardmail – choose one*

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	Sheep, Beef
Farm size (area)	230 Hectares
Main Waterways	Dry River
GW Soil plan or Farm Plan	Yes No
Environmental investments	
QE2 or Retirement Blocks	
General Comments	<i>Eg, if you like the partnership approach with council staff on the ground, say so</i>

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, eg, crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, eg, Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

*Specific to your farm, eg, discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement
between landowner, council and iwi as part of Council funded management plan?*

Stock crossings are not always practical to have directly opposite each other. Having the locations on each side of the surface water body as close to opposite as practically possible is far more realistic.

Alternative water supplies can be costly e.g. building dams, pumps, pipes etc. Where natural springs are not present the catchment of rain water can be the only option to supply stock with water. This can be a costly and time consuming process with infrastructure needing to be put in place to store water.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

Eg, If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (eg, 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager’s control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

Eg, are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*Eg, low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will
make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

Eg, costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channelled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

Eg, costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

Eg, operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

Construction and maintenance of farm tracks is vital for access to various locations therefore increasing on farm safety.

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, eg, greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

Eg, confusion with different slope triggers.

Add a statement in about what you normally do, eg, leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

Where subgrade is not prone to erosion vegetation clearance can only improve land production and therefore land value.

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

Eg, fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

Increasing the size of the ford reduces the need for bigger structures that can restrict water ways. If crossings are not frequently used putting a structure in place can become uneconomic and very costly for farmers.

Restricting culvert diameter can limit the ability for large water volumes to pass through therefore there is the possibility of sediment issues arising.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

Eg, these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

(e) no discharge within a community drinking water supply protection area

(g) spray plan must be prepared once pa

- identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)

- notify neighbours the spray plan is available on request

- get written agreement from adjoining neighbours that notification is not required

- supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

Eg, provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

When spraying, chemical should only be applied to land specified therefore it should not directly affect neighboring properties.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

Eg, It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter.

Technology is being developed to allow this but it is not commercially available.

Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

Following condition a) is near impossible. Environmental factors cannot always be eliminated. If pilots take safe and practical steps to ensure best practice is used minimal effects to water bodies and boundary properties should be seen.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (eg, Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on “significance” of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

Eg, impracticality, costs, low risk. Would it require a consultants report to get consent?

In some cases the only practical solution is to discharge large amounts of storm water into waterbodies such as Lake Wairarapa.

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

Hiwi Trust

Submitter Number:

S332

Schedule F2 - Indigenous Bird Habitat at Stoney Bay



Legend

- ① COMMERCIAL RAMP
- ② PUBLIC RAMP
- ③ → PROPOSED SCHEDULE F2

□ Schedule F2 - Indigenous Bird Habitat

Ⓐ & Ⓑ THE 2 NESTING AREAS WITHIN OVERALL SITE.



SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	<i>Hiwi Trust c/o S Murphy & D Harris</i>
Farm Name	<i>Hiwikirikiri</i>
Physical Address	<i>313 Te Awaiti Road, RD2 Martinborough 5782</i>
Phone Number	<i>06 3078864</i>
Email Address	<i>murphyharris@icloud.com</i>

Communication from GWRC: *We prefer email*

Trade competition: We could not gain an advantage in trade competition through the submission

Hearing: We wish to be heard and would consider jointly appearing with other submitters

Support: We support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	<i>Sheep and beef</i>
Farm size (area)	670 hectares
Main Waterways	
GW Soil plan or Farm Plan	Soil plan has been completed 4-5 years ago but no Farm plan is in place despite trying to organise this for over 2 years. c/o Dave Cameron
Environmental investments	
QE2 or Retirement Blocks	15HA
General Comments	We wonder about GW's commitment to assist ref the comments above about the soil and farm plan. This suggest to us that GW is more interested in information gathering, particularly on marginal hill country, than actively assisting farmers to manage this environment.

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

Our submission is: ~~support~~/oppose

We seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

It is appreciated that GW has amended its classification of all hill country in relation to stock exclusion rules.

General management of stock, along with an isolated stock crossing point is impractical to say the least for most hill country famers. More so, because of the topography of this property, and the nature of mustering from hill to coastal flats, it would be impossible to muster without going through a stream bed of some sort, given that water follows the same course -top/down- as mustering does.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

Our submission is: ~~support~~/oppose

We seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Support Federated Farmers position in relation to other types of farms.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

Our submission is: ~~support~~/oppose

We seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Support Federated Farmers position in relation to other types of farms.

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

Our submission is: ~~support~~/oppose

We seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Support Federated Farmers position in relation to other types of farms.

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

Our submission is: ~~support~~/oppose

We seek the following changes:

Delete the conditions requiring 5m setbacks

Support Federated Farmers position.

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

Our submission is: ~~support~~/oppose

We seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

This is so impractical as to make the mind boggle. Only someone behind a desk could come up with this type of solution.

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

Our submission is: ~~support~~/oppose

We seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

as above

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

Our submission is: ~~support~~/oppose

We seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

as above. Like all these rules they're a sledge hammer approach and don't recognise the particular soil type, sub strata, method of vegetation control, etc etc

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

Our submission is: ~~support~~/oppose

We seek the following changes:

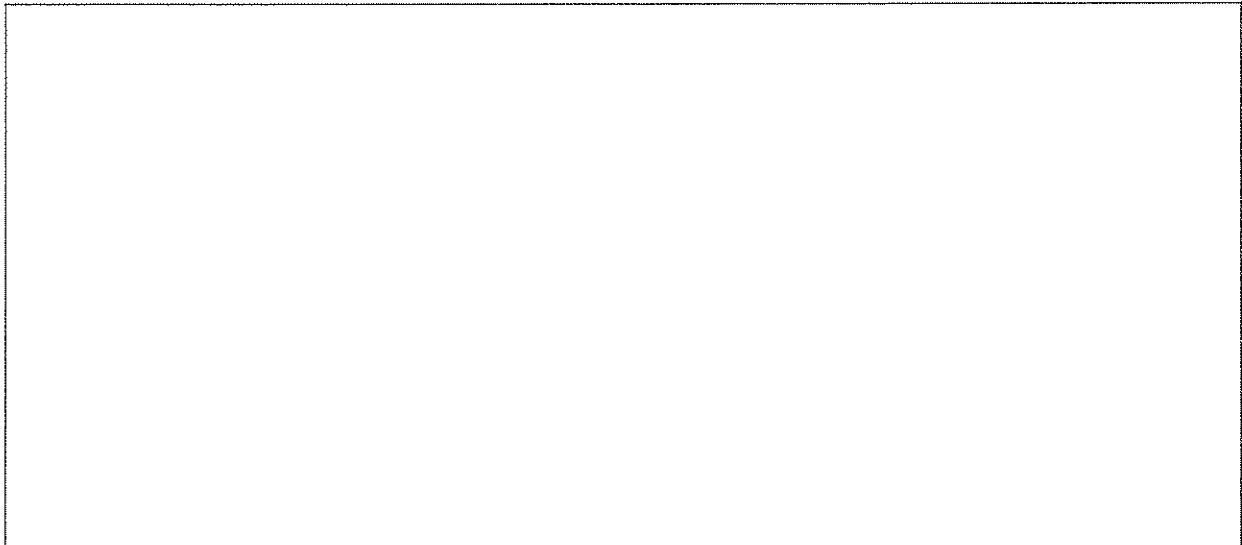
Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost



OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

Our submission is: ~~support~~/oppose

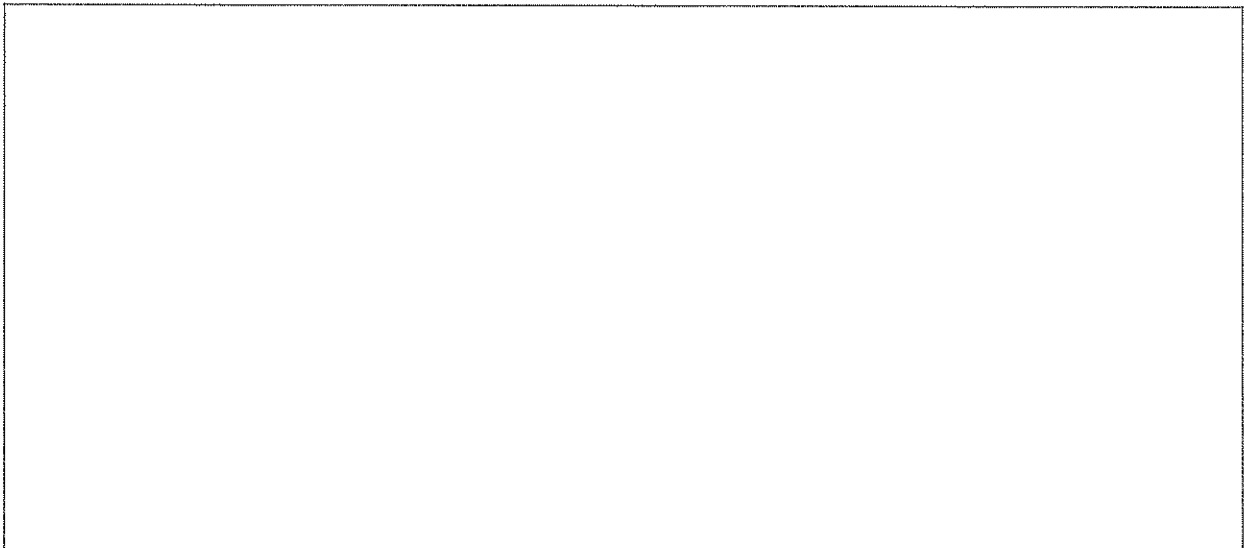
We seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects



AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/ occupier of sensitive areas or likely to be directly affected, or requests a copy

Our submission is: ~~support~~/oppose

We seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

FERTILISER

Specific Provisions that my submission relates to are:

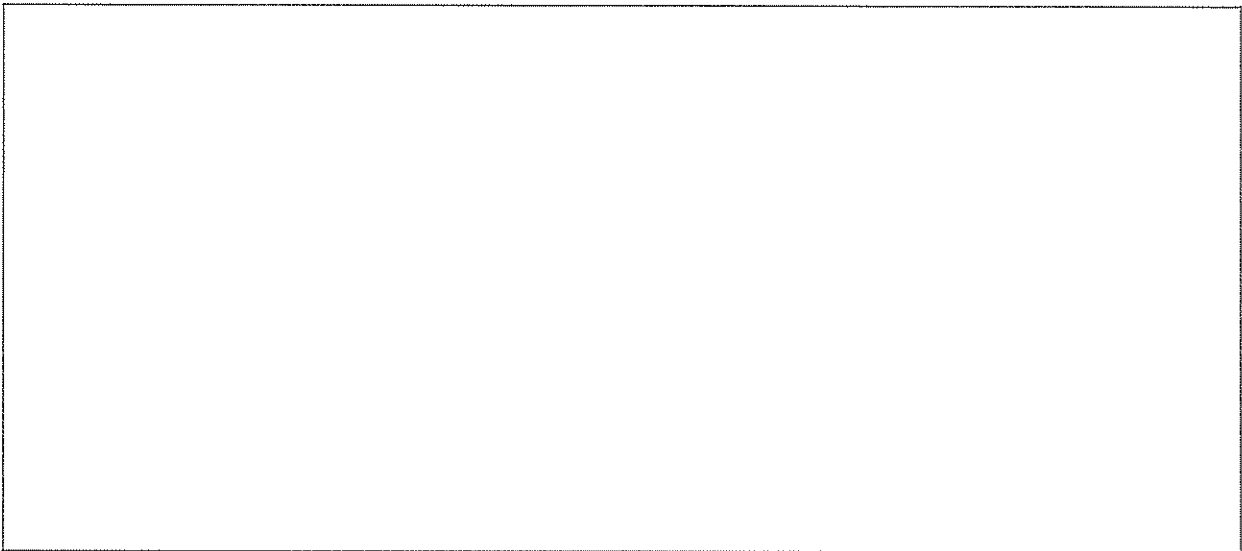
Rule 82: Application of fertiliser – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

Our submission is: ~~support~~/oppose

We seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application



STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

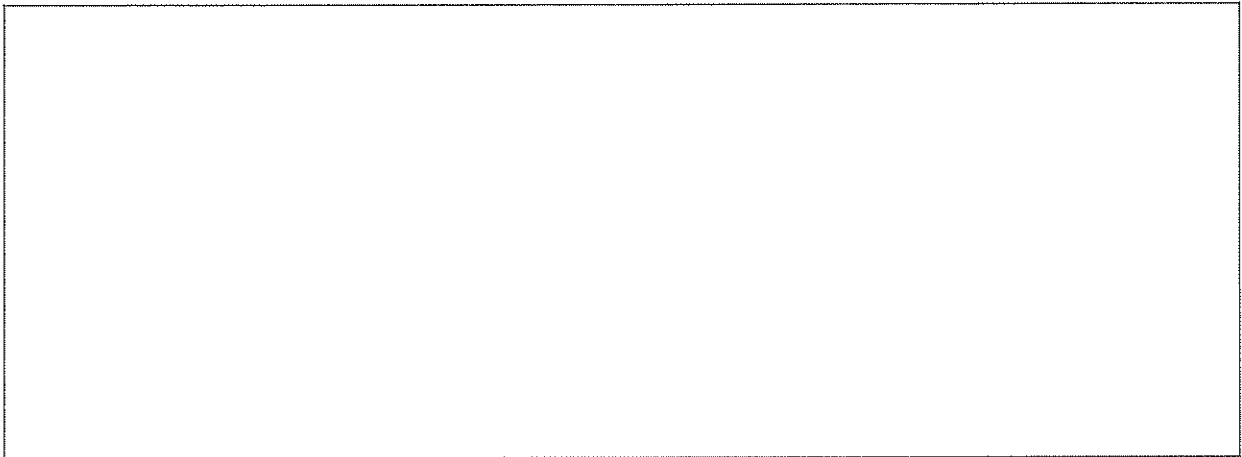
- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on “significance” of site

Our submission is: ~~support~~/oppose

We seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc



Schedule F2 Indigenous Bird Habitat at Stony Bay

Specific Provisions that my submission relates to are:

Rule R198: ‘Motor Vehicles inside sites of significance - non-complying’

Our submission is: ~~support~~/oppose

We seek the following changes:

limit the area of habitat to that indicated on the attached map: area enclosed marked ‘C’

3 points.

Firstly: _____ Total area of Schedule F2.

Ref: Markings on modified F2c map (attached).

Concern:

We question why the Site has been drawn to span 2-3km of foreshore with no reason provided to evidence that the site should be so extensive, particularly when other factors are at play.

Reasons:

As defined in the Coastal and Freshwater sites of significance for indigenous birds in the wellington region. GW 2013, the only present threats to this site are "Disturbance or vandalism of gull and tern nesting colonies by people" P33.

It is noted that areas (A) & (B) are the only nesting areas within the overall site. (A) is awash for 2/3 of the time and (B) is awash 1/2 the time, significantly limiting access. The access to the sites themselves is, to a major degree, controlled by the surrounding private property and SWDC controlled access at Sandy Bay.

Our submission is: ~~support~~/oppose

We seek the following changes:

The site should be reduced to that indicated by (C).

A further advantage of this lesser site size (C) is that the site will not then cause the issues with motor vehicles - see below.

Secondly: Motor Vehicles.

Concern:

Rule 190 currently provides for the the launching and retrieving of recreational and commercial boats on the foreshore area as a permitted activity. Jo Beaglehole states that this not affected by the proposed plan until it is made operative.

The proposed F2c classification suggested for the Stony bay - Sandy Bay foreshore undermines this intent.

Rule 198 'Motor Vehicles inside sites of significance - non-complying', as proposed, will exclude launching within this site and/or will require a full resource consent to do so (along with the associated cost of time and money).

Reasons:

There are currently 2 sites where launching/retrieving occurs (1) & (2) on the modified map, both of which have been in existence for over 60 years. The closure of these 2 launch ramps will stop the public launching in the safest area on the Tora/Te Awaiti coast at Sandy Bay, and stop the operation of 3 commercial fishermen at Stony Bay, along with the lessees of these ramps, from going about their lawful business.

As an adjunct, it is argued that the surrounding private property, and lease agreement with SWDC, contributes significantly to the better management of the 2 notable nesting sites within the overall site, by controlling the degree of public activity within the nesting areas.

It is argued that the current situation is a symbiotic one, with the current land use contributing to the health and longevity of the nesting sites.

Our submission is: ~~support~~/oppose

We seek the following changes:

It is requested that either (i) the site is reduced to the area (C) as discussed above or; (ii) a small area encompassing each of the 2 ramps be excluded from the F2c classification; or (iii) that Rules 190 and/or 198 be amended to allow the current motor vehicle activity -solely for the purpose of launching and retrieving boats- to continue as a permitted activity.

Our preference is the total reduced area (C) because of the other considerations mentioned.

Thirdly: Mana whenua values.

Concern:

The gis viewer detail refers to this site as coming under the umbrella of Policy 44 i.e. a 'site with significant mana whenua values' .

Argument:

There is no corresponding information/evidence anywhere in the proposed plan to argument this categorization. Jo Beaglehole suggests this classification is a mistake.

Our submission is: ~~support~~/oppose

We seek the following changes:

That the 'mana whenua values' classification be removed.

Proposed Natural Resources Plan:

Submitter:

James Cates

Submitter Number:

S333

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	James Cates
Farm Name	Kumu Kumu Str
Physical Address	506 Westmire Road
Phone Number	06 3722827
Email Address	jamesandannie @ farmside . co . nz

Communication from GWRC: I prefer email OR hardmail – choose one

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business
Farm size (area)	1070 hectares
Main Waterways	
GW Soil plan or Farm Plan	<input checked="" type="radio"/> Yes <input type="radio"/> No
Environmental investments	
QE2 or Retirement Blocks	
General Comments	e.g. if you like the partnership approach with council staff on the ground, say ^{so} I would like to see fed farmers Ok any proposed new rules as the changes I've seen are not well thought out and costly to the rate payer

J Cates

W:

Proposed Natural Resources Plan:

Submitter:

Alan Westbury

Submitter Number:

S334

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	<i>Alan Westbury</i>
Farm Name	<i>Limehurst</i>
Physical Address	<i>567 Westmere road masterton</i>
Phone Number	<i>063722483</i>
Email Address	<i>alanwestbury@farmside.co.nz</i>

Communication from GWRC: *I prefer email OR hardmail – choose one*

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	<i>e.g. Sheep, Beef ,</i>
Farm size (area)	<i>77</i> hectares
Main Waterways	
GW Soil plan or Farm Plan	No
Environmental investments	
QE2 or Retirement Blocks	
General Comments	<i>Would like the partnership approach with council staff on the ground,</i>

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

Cost prohibitive for fencing all waterways

For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

Willing to be involved in constructing or extending wetlands on my property

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: support/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on “significance” of site

My submission is: support/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

NDR and BA Davies

Submitter Number:

S335

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	NDR • BA DAVIES
Farm Name	NUIHAU
Physical Address	151 PAPATAHI ROAD, RD3 FEATHERSTON
Phone Number	(06) 3077718
Email Address	davies.n.a@farmside.co.nz

Communication from GWRC: I prefer email ~~OR hardmail~~ — choose one

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	<i>Eg, Sheep, Beef, Arable, Dairy, agricultural business</i>
Farm size (area)	250 hectares
Main Waterways	
GW Soil plan or Farm Plan	Yes No
Environmental investments	Fenced riparian areas, waterways and wetlands - Planted Shelter Belts
QE2 or Retirement Blocks	
General Comments	<i>Eg, if you like the partnership approach with council staff on the ground, say so</i>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that this submission relates to is please specify the provision and section number.	My submission of this provision is →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission →		
seeking to change conditions from ARO please provide details →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that this submission relates to is please specify the provision and section number.	My submission of this provision is →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission →		
seeking to change conditions from ARO please provide details →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that this submission relates to is please specify the provision and section number.	My submission of this provision is →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission →		
seeking to change conditions from ARO please provide details →		

If you have more submissions you wish to make, please find indicate boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I wish to be heard in support of my/our submission
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I do not wish to be heard in support of my/our submission
 [Note: This means that you cannot speak at the hearing, however, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: M. Dawes Date: 19/10/2015
 [Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission.]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

2

#1530376

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142

GREATER WELLINGTON REGIONAL COUNCIL

Your details

21 OCT 2015

Full name: Leo Vollebregt

RECEIVED

Organisation name (if applicable): Wairarapa Water User's Inc. Society

4.10 PM

Address for service: Leo Vollebregt

235 Pahautea Road, RD1,

Featherston

Telephone no's: Work: 063088405 Home: 063088405 Cell: 0272588405

Contact person: Leo Vollebregt

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: lrvoll@xtra.co.nz

Trade competition

^{yes} I/we could not gain an advantage in trade competition through this submission *(if you ticked this box, delete the rest of this section and go straight to 'Your submission')*

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

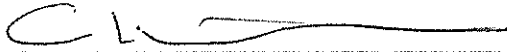
Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online www.gw.govt.nz/regional-plan-review

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: : →	our submission is attached to this details form
	I seek the following decision from WRC (give precise details): →	

Attendance and wish to be heard at hearing(s)

- YES** I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____



Date: 20/10/2015

[Person making submission or person authorised to sign
on behalf of person making submission. NB. Not required if making an
electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,
c/- Leo Vollebregt,
235 Pahautea Road,
RD1,
Featherston.

Wellington Regional Council
Wellington

21st October 2015

Dear Sir/Madam

Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25th of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23rd of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

Wairarapa Water User's Inc. Society

Submission on the

Proposed Natural Resources Plan

<u>Provision</u>	<u>Text</u>	<u>Support/ Oppose/ Amend</u>	<u>Reasons</u>	<u>Relief sought</u>
<u>Definitions</u>	<p>Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.</p>	amend	<p>The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p>Ground water will be categorised A or B or C once GW has field verified its connectivity with surface water and performed an empirical calibration of the model</p>
<p>Category A groundwater</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>			
<p>Category B groundwater (not directly connected)</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>			
<p>Category C groundwater</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being not directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (not directly connected) is at the locations generally described in Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10. Taking water from category B groundwater (not directly connected) is considered to be groundwater allocation.</p>			
	<p>Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7.</p>			

<p>groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p>	<p>effects to this take at low flows indicating poor relation of the takes to the river.</p>	<p>Ground water in the bore is at the same level as the water in the river and moves up and down with the level of the river</p> <p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>
<p>Category A groundwater and the component of Category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> the local authority wastewater and stormwater networks, systems and wastewater treatment plants 	<p>amend</p>	<p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>retain</p>
<p>Unused water</p>	<p>support</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>
<p>Objective O8</p>	<p>amend</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whaitua before current water quality levels are known</p>	<p>Remove</p>
<p>Objective O25 (c)</p>	<p>Oppose</p>	<p>To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area:</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is</p>	<p>Remove</p>

<p>able 3.6 roundwater irectly connected o surface water</p>	<p>improved over time to meet that objective.</p> <p>Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> (a) efficient infrastructure, and (b) good management practice, including irrigation, domestic municipal and industry practices, and (c) maximising reuse, recovery and recycling of water and contaminants, and (d) enabling water to be transferred between users, and (e) enabling water storage outside river beds. 	<p>amend</p>	<p>Increasing water allocation allows for growth.</p> <p>(a) to (e) are good means to the objective. There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised the amount is increased through time, including by means of: (a) to (e) are good means to the objective. Add (f) enabling storage within the bed of a river</p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a whaitua or sub-catchment, if:</p> <ul style="list-style-type: none"> (a) the affected resource is fully allocated or over-allocated, or 	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain Add (c) consents will run for a period of 25 years</p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that <i>whaitua</i> or sub-catchment.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p>	<p>(b) recognises the use of water for diluting wastewater and stormwater. Diffuse contaminants need to be included.</p> <p>We are pleased to see irrigation get a special mention.</p>	<p>Add <u>diffuse contaminants to</u> (b)</p> <p>retain</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>		<p>retain</p>

<p>Policy P107: Framework for taking and using water</p>	<p>efficient allocation and use of water.</p>	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have a significant part to play in establishing the evidence</u> Insert (d) when schedule P changes: <u>-ve effect on consent holders – 10 year lead in time to reflect cost, +ve effect – the water availability should be released immediately.</u></p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>The framework for the take and use of water recognises: (a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and (b) the take and use of water does not exceed allocation amounts provided for in the Plan, and (c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	<p>support</p>	<p>We support the use of water</p>	
<p>Policy P111: Water takes at minimum</p>	<p>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-</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115 (authorising</p>	<p>Category A groundwater which shall be required to reduce take by 50% of the amount consented</p>

<p>flows and water levels</p> <p>Policy P115: authorising takes below minimum flows and lake levels</p> <p>(d) and (c) i</p>	<p>11), with the exception that water is available below minimum flows:</p> <p>(c) as authorised by resource consents in accordance with Policy P108.</p> <p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p> <p>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</p> <p>(i) the water shall only be available five days (120 hours) after minimum flow cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>	<p>takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.</p> <p>As above</p> <p>The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.</p> <p>Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p> <p>As above</p> <p>Delete (c) (i)</p>
	<p>Amend</p>	<p>oppose</p>	

<p>Policy P116: re-allocating water</p>	<p>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 identified in Rules R.R1, WH.R1 and K.R1 in the whaitua chapters of the Plan (chapters 7, 8 and 10) is exceeded.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P117: Supplementary allocation amounts at flows above the median flow</p>	<p>In addition to core allocation, water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.</p>	<p>support</p>	<p>retain</p>
<p>Policy P118: Reasonable and efficient use</p>	<p>The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of: (a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made</p>	<p>amend</p>	<p>The investment in infrastructure is considerable and time is required to implement changes (a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan being made-operative <u>renewal of consent to meet the criteria</u>"</p>

	<p>operative to meet the criteria, and</p>		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent 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:</p> <ul style="list-style-type: none"> (a) a capital expenditure programme linked to the purpose water is used for, and (b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use). 	<p>Support</p>	<p>Retain</p>
<p>Policy P120: Taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P128: Transfer of resource consents</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the adverse effects of the take and use of transferred water are the same or less, and 	<p>Support</p>	<p>retain</p>

	<p>(b) the transfer occurs within the same catchment management unit; and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(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).</p>		
<p><u>Rules</u></p>			
<p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p>	<p>amend</p>	<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p>
<p>Rule R137: Farm dairy washdown</p>	<p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>	<p>amend</p>	<p>Make this rule <u>restricted discretionary</u></p>

<p>id milk-cooling water – permitted activity)</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met: (b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136. In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>	<p>(b) delete words after "...property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136. In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: Temporary water permit transfers – controlled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>Rule 143 (temporary water permit transfers) – for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a permitted activity</p>
<p>Rule R144: Transferring water permits – restricted discretionary activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>support</p>	<p>retain</p>
<p>Other methods</p>			

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and <u>economic values</u> of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and (c) provide, where available, accurate technical information to assist user groups. 	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<ul style="list-style-type: none"> (d) promoting alternatives to the use of water races, and 	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

	<p>implementation of policies which rely on good management practice to achieve desired environmental outcomes.</p>		<p>positive move which will have farmers moving forward in their practices with the reg. council??</p>	
<p><u>Ruamahanga</u> <u>Mhaitua</u> Policy R.P3: Cumulative effects on river reaches of allocating water</p>	<p>When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects on aquatic ecosystems in downstream river reaches as a result of flow depletion from loss of river water to groundwater.</p>	<p>amend</p>	<p>Important that the effects are measured, not just modelled.</p>	<p>Insert after - adverse effects – that are measured on aquatic ...</p>
<p><u>Figures 7.3 – 7.8</u></p>	<p>Water allocation amounts</p>	<p>Oppose</p>	<p>Again the categories need empirical verifying. Too big an impact and too little evidence of benefit to the environment to ignore. As a community we need to verify categories and as this occurs the amounts in these tables may change significantly</p>	<p>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</p>
<p><u>Tables 7.3 – 7.5</u></p>	<p>Surface and groundwater allocation amounts</p>	<p>Oppose</p>	<p>The allocation amount should reflect the current consented allocation amount. Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.</p>	<p>Change the allocation amounts to what is currently allocated or more if spare water has been identified</p>

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach minimum flows. Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount. Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups However needs of stock drinking water and rootstock protection needs acknowledged However more and more appropriate management points e.g. further south of Waihenga are required. GW to establish in consultation with water users. As water is cleaned up the minimum flow requirement for dilution is lower. The effects of low flows needs to demonstrated as are the effects of restrictions There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u> Table R1 is interim GW to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Milkimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

Proposed Natural Resources Plan:

Submitter:

Andrew Thomson

Submitter Number:

S336

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Andrew Thomson (Ruapapa Limited)
Farm Name	
Physical Address	315 Wood Street, Greytown
Phone Number	0274 449788
Email Address	andythomson@ruapapa.com

Communication from GWRC: I prefer email

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I may wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	Beef
Farm size (area)	42.7341 hectares
Main Waterways	Adjoins Waiohine River (fully fenced off along entire boundary) and includes part of Moroa water race
GW Soil plan or Farm Plan	No
Environmental investments	Many existing trees and many new trees planted
QE2 or Retirement Blocks	No
General Comments	The main purpose of this submission is to support the submission of Federated Farmers. In large part, this submission is based on that of Federated Farmers.

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, eg, crossings

My submission is: oppose

I seek the following changes:

Extend the timeframes, eg, Category One by 2020, Category Two by 2025

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don't apply until they are.

Stock Exclusion Comments and Reasons

The objectives of better water quality etc are supported. However, I suggest that more consideration be given to the historical (and still current) reasons for water races ie to provide a water source to large areas of productive land, but which is in areas where summer water may be difficult to access. The water races have performed this function well for many years.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: oppose

I seek the following changes:

Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land -- controlled

Rule 93: effluent to land in supply protection area -- discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (eg, 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

In our operation break feeding is a low intensity operation with stock moved on rapidly. Once pasture is eaten in a strip stock are moved and not left there for feed/out purposes only.

Cultivation is not regular or often.

Therefore the adverse impact from deleting these provisions would be very low, whereas the cost is the waste from removal from many types of production of significant areas of land in total.

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: **oppose**

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, eg, greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

(e) no discharge within a community drinking water supply protection area

(g) spray plan must be prepared once pa

- identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
- notify neighbours the spray plan is available on request
- get written agreement from adjoining neighbours that notification is not required
- supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (eg, Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on “significance” of site

My submission is: oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

For Ruapapa Ltd

A C Thomson

22 October 2015

Proposed Natural Resources Plan:

Submitter:

Bob Tosswill

Submitter Number:

S337

#1531102 5337

a-osam

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

GREAT SOUTH ISLANDS
REGIONAL COUNCIL

23 OCT 2015

RECEIVED

Name	Bob Tosswill
Farm Name	Allandale
Physical Address	277 Woodside Rd., GREYTOWN
Phone Number	06 304 9433 027 22 88105
Email Address	tosswill@wise.net.nz

Communication from GWRC: I prefer email OR hardmail – choose one

Trade competition: I could not gain an advantage in trade competition through the submission *Agree.*

Hearing: I wish to be heard and would consider jointly appearing with other submitters *Agree.*

Support: I support Wairarapa Federated Farmers submission *Agree.*

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business <i>Dairy support.</i>
Farm size (area)	430 hectares
Main Waterways	<i>Monga water race. (Head race & laterals). Station stream</i>
GW Soil plan or Farm Plan	Yes <u>No</u> <i>(intermittent)</i>
Environmental investments	<i>Water races fenced off (approx 4km) Station stream fenced off and planted</i>
QE2 or Retirement Blocks	<i>Stream areas retained.</i>
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so <i>Absolutely support working with GWRC and Manurewa staff to address & understand the complexities of rules/regulations, especially around stream maintenance, consents etc.</i>

I believe Environmental plans should be available on request (we are not in such a zone).

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: support/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025 ✓

Exclude sheep from Category One

Exclude water races and drains from Category Two ✓

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre ✓

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season. ✓

Specify criteria for "important" trout spawning rivers; delete those that don't meet the criteria ✓

Amend the definitions of stock crossing to match hill country practicalities and effects ✓

Allow for stock drinking points ✓

Ensure that alternative stock water supplies are available and rules don't apply until they are. ✓

Stock Exclusion Comments and Reasons

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between
landowner, council and iwi as part of Council funded management plan?*

*o I have no natural water (surface or ground) for stock hence the water race
is critical.*

o Clearing rules are impractical.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: support/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

I have family interests in two hill country farms.

These issues are very real and whilst the principles are correct the implementation & interpretation will require considerable goodwill and collaboration in the field.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners. ✓

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions. ✓

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made ✓✓

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water Agree.

My submission is: **support/oppose**

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water ✓✓

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above) ✓✓

Change the definition to specify this does not include baleage ✓

Silage Comments and Reasons

e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.

- Out of date terminology. - ~~wilted~~ no high moisture silage made these days.
Wilted silage/baleage has minimal runoff/leaching.
- Key aim must be to ensure 'no discharge to water'
- We will have at least three silage stacks this year located adjacent to where stock will be grazed. Sites are determined by logistic and vary from year to year. Lining is totally impractical and expensive for no demonstrable benefit!

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

- Water races are ^{often} constructed to run across the natural fall of the land hence one side tends to be away from the natural fall i.e. (below) and the other side is above.
- Forced water races have minor riparian protection (grass, weeds etc) anyway.
- This should be an 'effects' based rule, rather than absolute!

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

~~X~~ Provide direction to landowners about the type of waterways on their land. *VIP.*

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

Individual properties require definitions by agreement.

Must have an understood and agreed Environmental Plan with land Management staff.

Rule 122: impractical and expensive. Mechanical cleaning has occurred over 100 years and fish/feet populations are probably increasing!

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

Constructed farm tracks are essential for operations.

They prevent over compaction by heavy machinery in winter and are constantly being added/improved.

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

*Not relevant to my farming operation but important in hill
country situations*

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition ✓✓

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

I found I was required to have a consent to replace a 300mm broken culvert (30 years old) with a larger size (450mm) that would significantly improve the water flow in my fenced off stream - Consent more expensive than the actual culvert.

Environmental plan could have covered this!

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³ ✓✓
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: support/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

Condition (g) : I have over 20 boundary neighbours. No houses within 50m of my boundary. Most are dairy run off properties. I use professional contractors who manage all spraying operations to their professional standards.

Should be discussed and assessed as part of the individual property Environmental plan if deemed necessary at all. Huge administrative impact!

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application ✓

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.



STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent? Agree !!

Any other areas of concern – just copy format above

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Bob Tosswill
 Organisation name: Woodside Trust
 (If applicable)
 Address for Service: 277 Woodside Rd,
Greytown.
 Telephone no's: Work: _____ Home: 06 304 9433 Cell: 027-22 88 105
 Contact person: Bob Tosswill
 Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: tosswill@wise.net.nz

Trade competition

- I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]
- I/we could gain an advantage in trade competition through this submission.
 If you could gain an advantage please complete one of the following:
- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
 - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <u>Whole Plan</u>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I support the submission of the Wairarapa Water Users Society Inc as a member of that organisation.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

I/We do wish to be heard in support of my/our submission.
[Note: This means that you wish to speak in support of your submission at the hearing(s).]

I/We do not wish to be heard in support of my/our submission.
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

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

Signature: _____ **Date:** _____

[Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

#1530376

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142

GREATER WELLINGTON REGIONAL COUNCIL

Your details

27 OCT 2015

Full name: Leo Vollebregt

RECEIVED

Organisation name (if applicable): Wairarapa Water User's Inc. Society

4:10 PM

Address for service: Leo Vollebregt

235 Pahautea Road, RD1,

Featherston

Telephone no's: Work: 063088405 Home: 063088405 Cell: 0272588405

Contact person: Leo Vollebregt

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: lvoll@xtra.co.nz

Trade competition

^{yes} I/we could not gain an advantage in trade competition through this submission [if you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

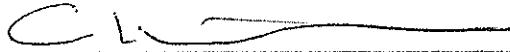
Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online www.gw.govt.nz/regional-plan-review

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	our submission is attached to this details form
	I seek the following decision from WRC (give precise details): →	

Attendance and wish to be heard at hearing(s)

- YES** I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____



Date: 20/10/2015

[Person making submission or person authorised to sign
on behalf of person making submission. NB. Not required if making an
electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,
c/- Leo Vollebregt,
235 Pahautea Road,
RD1,
Featherston.

Wellington Regional Council
Wellington

21st October 2015

Dear Sir/Madam

Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25th of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23rd of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

Wairarapa Water User's Inc. Society

Submission on the

Proposed Natural Resources Plan

<u>Provision</u>	<u>Text</u>	<u>Support/ Oppose/ Amend</u>	<u>Reasons</u>	<u>Relief sought</u>
<u>Definitions</u>	<p>Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.</p>	amend	<p>The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p>Ground water will be categorised A or B or C once GW has field verified its connectivity with surface water and performed an empirical calibration of the model</p>
<p>Category A groundwater</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>		<p>The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A & B. at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels.</p>	
<p>Category B groundwater (not directly connected)</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>		<p>In February 2015 work undertaken in the river bed by the Waihenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse</p>	
<p>Category C groundwater</p>	<p>Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7.</p>			

<p>groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p>	<p>amend</p>	<p>effects to this take at low flows indicating poor relation of the takes to the river.</p>	<p>Ground water in the bore is at the same level as the water in the river and moves up and down with the level of the river</p>
<p>groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Category A groundwater and the component of Category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> the local authority wastewater and stormwater networks, systems and wastewater treatment plants 	<p>amend</p>	<p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>
<p>groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Where more than 25% of the maximum daily amount of water allocated to a person for use on a property they own or have an interest in, but not including water that is transferred for use at another location by means of a transfer permit, is demonstrated to not be used over a period of two consecutive years.</p>	<p>support</p>	<p>retain</p>	<p>retain</p>
<p>Objective O8</p>	<p>The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.</p>	<p>amend</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>
<p>Objective O25 (c)</p>	<p>To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area.</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is</p>	<p>Oppose</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whaitua before current water quality levels are known</p>	<p>Remove</p>

<p>able 3.6 roundwater irectly connected o surface water</p>	<p>improved over time to meet that objective. Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p><u>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</u></p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> (a) efficient infrastructure, and (b) good management practice, including irrigation, domestic municipal and industry practices, and (c) maximising reuse, recovery and recycling of water and contaminants, and (d) enabling water to be transferred between users, and (e) enabling water storage outside river beds. 	<p>amend</p>	<p>Increasing water allocation allows for growth. (a) to (e) are good means to the objective. There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised <u>the amount is increased</u> through time, including by means of: (a) to (e) are good means to the objective. Add (f) <u>enabling storage within the bed of a river</u></p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a whaitua or sub-catchment, if:</p> <ul style="list-style-type: none"> (a) the affected resource is fully allocated or over-allocated, or 	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain Add (c) <u>consents will run for a period of 25 years</u></p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that <i>whaitua</i> or sub-catchment.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</p>	<p>(b) recognises the use of water for diluting wastewater and stormwater. Diffuse contaminants need to be included.</p> <p>We are pleased to see irrigation get a special mention.</p> <p>retain</p>	<p>Add <u>diffuse contaminants to</u> (b)</p> <p>retain</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>		<p>retain</p>

<p>Policy P107: Framework for taking and using water</p>	<p>efficient allocation and use of water.</p>	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have significant part to play in establishing the evidence</u> <u>Insert (d) when schedule P changes: -ve effect on consent holders – 10 year lead in time to reflect cost, +ve effect - the water availability should be released immediately.</u></p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>The framework for the take and use of water recognises: (a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and (b) the take and use of water does not exceed allocation amounts provided for in the Plan, and (c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	<p>support</p>	<p>We support the use of water</p>	
<p>Policy P111: Water takes at minimum</p>	<p>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-</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115 (authorising</p>	<p>Category A groundwater which shall be required to reduce take by 50% of the amount consented</p>

<p>flows and water levels</p> <p>(d)</p>	<p>11), with the exception that water is available below minimum flows:</p> <p>(c) as authorised by resource consents in accordance with Policy P108.</p>	<p>takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p>
<p>Policy P115: authorising takes below minimum flows and lake levels</p>	<p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p>	<p>As above</p> <p>The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.</p>	<p>As above</p>
<p>(d) and (c) i</p>	<p>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</p> <p>(i) the water shall only be available five days (120 hours) after minimum flow take cessation restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>	<p>Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>Delete (c) (i)</p>
	<p>Amend</p>		
	<p>oppose</p>		

<p>Policy P116: re-allocating water</p>	<p>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 identified in Rules R.R1, WH.R1 and K.R1 in the whaitua chapters of the Plan (chapters 7, 8 and 10) is exceeded.</p>	Support		Retain
<p>Policy P117: Supplementary allocation amounts at flows above the median flow</p>	<p>In addition to core allocation, water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.</p>	support		retain
<p>Policy P118: Reasonable and efficient use</p>	<p>The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of:</p> <p>(a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made</p>	amend	The investment in infrastructure is considerable and time is required to implement changes	(a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan being made-operative <u>renewal of consent to meet the criteria</u>

	<p>operative to meet the criteria, and</p>		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent 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:</p> <ul style="list-style-type: none"> (a) capital expenditure programme linked to the purpose water is used for, and (b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use). 	<p>Support</p>	<p>Retain</p>
<p>Policy P120: taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P128: transfer of resource consents</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the adverse effects of the take and use of transferred water are the same or less, and 	<p>Support</p>	<p>retain</p>

	<p>(b) the transfer occurs within the same catchment management unit, and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(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).</p>		
<p>Rules</p>			
<p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p>	<p>amend</p>	<p>Make this rule <u>restricted discretionary</u></p>
<p>Rule R137: Farm dairy washdown</p>	<p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>	<p>amend</p>	<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p>

<p>id milk-cooling ater -- permitted stivity)</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:</p> <p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>		<p>(b) delete words after "...property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31-07-2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: emporary water ermit transfers -- controlled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>amend</p>	<p>Rule 143 (temporary water permit transfers) -- for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a permitted activity</p>
<p>Rule R144: ransferring water ermits -- restricted iscretionary ctivity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>support</p>		<p>retain</p>
<p>Other methods</p>				

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and <u>economic values</u> of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and (c) provide, where available, accurate technical information to assist user groups. 	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<ul style="list-style-type: none"> (d) promoting alternatives to the use of water races, and 	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

	<p>implementation of policies which rely on good management practice to achieve desired environmental outcomes.</p>		<p>positive move which will have farmers moving forward in their practices with the reg. council??</p>
<p><u>Ruamahanga Whaitua</u></p> <p>Policy R.P3: Cumulative effects on river reaches of allocating water</p>	<p>When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects on aquatic ecosystems in downstream river reaches as a result of flow depletion from loss of river water to groundwater.</p>	<p>amend</p>	<p>Important that the effects are measured, not just modelled.</p> <p>Insert after - adverse effects – <u>that are measured on aquatic ...</u></p>
<p><u>Figures 7.3 – 7.8</u></p>	<p>Water allocation amounts</p>	<p>Oppose</p>	<p>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</p>
<p><u>Tables 7.3 – 7.5</u></p>	<p>Surface and groundwater allocation amounts</p>	<p>Oppose</p>	<p>Change the allocation amounts to what is currently allocated or more if spare water has been identified</p>

Again the categories need empirical verifying. Too big an impact and too little evidence of benefit to the environment to ignore.

As a community we need to verify categories and as this occurs the amounts in these tables may change significantly

The allocation amount should reflect the current consented allocation amount.

Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable.

Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.

<p><u>Schedules</u></p> <p>Schedule P: Reasonable and efficient use of groundwater and surface water connectivity</p>		oppose	<p>Needs empirical calibration by GW</p> <p>The connectivity between various ground water takes and surface water has not been verified and amongst the users there is significant doubt.</p> <p>Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p><u>Needs empirical calibration by GW</u></p>
<p>Schedule Q: Reasonable and efficient use criteria</p>	<p>Irrigation</p> <p>A resource consent application to take water for irrigation purposes shall include an assessment using a field validated model that considers land use, crop water use requirements, on-site physical factors such as soil water holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration. The model must reliably predict annual irrigation volume within an accuracy of 15%. The annual volume calculated using the model shall meet with the following criteria:</p> <p>(a) an irrigation application efficiency of 80%, and</p> <p>(b) demand conditions that occur in nine out of 10 years.</p>	Amend	<p>Remove sentence "the model must reliably predict annual irrigation volume within an accuracy of 15%." Unreasonable for the Wairarapa because of dramatic seasonal weather variations.</p> <p>Wairarapa conditions differ from the rest of the country. This needs to be recognised.</p> <p>More consultation with affected parties is required.</p> <p>irrigators with lower efficiency may be more suitable for specific crops and farming situations. Case by case systems need to be assessed</p>	<p>Remove sentence the model must reliably predict annual irrigation volume within an accuracy of 15%</p> <p>Add after field validated model – for Wairarapa conditions</p> <p>(a) add after 80% - where practicable.</p>

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach minimum flows. Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount. Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups However needs of stock drinking water and rootstock protection needs acknowledged However more and more appropriate management points e.g. further south of Waihenga are required. GW to establish in consultation with water users. As water is cleaned up the minimum flow requirement for dilution is lower. The effects of low flows needs to demonstrated as are the effects of restrictions There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u> Table R1 is interim GW to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Mikimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

Proposed Natural Resources Plan:

Submitter:

Kate Reedy

Submitter Number:

S338

FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

KATE REEDY PAHAOA STM

NUMBER

STREET NAME

1469 PAHAOA RD

SUBURB/TOWN

POSTCODE

RD4 MARTINBOROUGH 5784

PHONE

EMAIL

063088839 KATE.JASONE@XTRA.CO.NZ

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email

**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:
Please specify the provision/section number:**

My submission on this provision is:

- I support the provision
- I oppose the provision
- I wish to have the specific provision amended

Reasons for my submission: I do not support livestock exclusion
rules of earthworks and vegetation clearance.
The fencing of waterways will be too costly for farmers.
Vegetation clearance is vital in farm productivity.

I seek the following decision from WRC (give precise details):

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

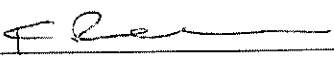
- I/We do wish to be heard in support of my/our submission at hearing(s)
Note: This means that you wish to speak in support of your submission at the hearing(s)
- I/We do not wish to be heard in support of my/our submission. *Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court*
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]
 I/we could not gain an advantage in trade competition through this submission
 I/we could gain an advantage in trade competition through this submission
 I/we am/am not directly affected by an effect of the subject matter of my submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature:  Date: 23.10.15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Proposed Natural Resources Plan:

Submitter:

Chris and Steven Price

Submitter Number:

S339

#1531104

S339

Wellington Regional Council

23 OCT 2015

River Grove
138 Gordon Street
MASTERTON 5810

The Chairman
Greater Wellington Regional Council
Chapel Street
MASTERTON

October 23, 2015

Dear Sir,

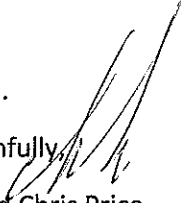
RE: Submission on the Proposed Natural Resources Plan for the Wellington Region

Attached please find our submission. We are well aware that the closing date for these was in late September, but we understand that the Council was to allow a late submission from a farmer in Carterton which will now also be on behalf of several landowners who, like us, were unaware of the Proposed Natural Resources Plan and its implications. It is very distressing to us that we only found out about the Plan two days ago through the thoughtfulness of a neighbour, who was also totally unaware of the Plan, along with the owner of their leased block. In the flurry of communications since, I have heard of at least ten others similarly affected. What is even more upsetting is that our business stands to be severely affected by Rule 36 and possibly Rule 82. We apparently live in a "groundwater community drinking water supply protection area". This was news to us, after living here eleven years.

I have been assured by Council staff that huge efforts were made to communicate the Plan to landowners, but, equally, I can assure you that nothing referring to the Plan, the protection area or the proposed rules has been communicated to us in any way – and we are clearly not alone in this. In recent times I have seen Council ruminations on floodways and on learning about our river but that is all. And it occurs to me that even if I had seen information about the Plan I would be little the wiser because until I was forwarded a copy of the map we were, as I have already said, completely unaware that we lived in a protection zone. I would have thought that landowners within these zones, who stand to be so very greatly affected by the proposed rules, should have had, at the very least, a personal letter or even a visit by Council staff.

Accordingly, I would plead that our submission, late as it is, still be placed before those considering the Plan, along with the late submission already allowed. And I sincerely hope that we will be better informed regarding such crucial issues in the future.

Thank you.

Yours faithfully,

Steven and Chris Price

River Grove Limited

2:05 PM

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

GPS WELLINGTON REGIONAL COUNCIL

23 OCT 2015

Name	Chris and Steve PRICE
Farm Name	River Grove Limited
Physical Address	138 Gordon Street, MASTERTON
Phone Number	(06) 370 3799
Email Address	info@river-grove.co.nz

RECEIVED

Communication from GWRC: I prefer email OR hardmail – choose one

Trade competition: I could not gain an advantage in trade competition through the submission

~~Hearing: I wish to be heard and would consider jointly appearing with other submitters~~

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business horticulture
Farm size (area)	36 hectares
Main Waterways	Rumakanga River
GW Soil plan or Farm Plan	Yes No
Environmental investments	
QE2 or Retirement Blocks	
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so Until now we have had a very good relationship with council staff and hope we are able to continue that.

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?*

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas –

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word 'contiguous' is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: support/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

eliminate condition (e)

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

Is a blanket rule that does not acknowledge that there has been no analysis or study of contamination already evident and does not accept mitigation already undertaken by landowners under current HASNO legislation.

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

Jim Hedley

Submitter Number:

S340

#1531100

5340

2 SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

To: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142

William James Caldwell Hedley (Caldwell Trust)
153 Hikunui Road RD1 Featherston 5771
06 3088449 0275088449
Email jim.paulhedley@xtra.co.nz

WELLINGTON
REGIONAL COUNCIL

1-15.

23 OCT 2015

RECEIVED

TAKE & USE OF WATER

2.2 Definitions

Category of ground water is confusing as there are two categories of B groundwater. There should be

Category A, Category B (directly connected to surfacewater..)

Category c (not directly connected to surface water...)

Category C would become Category D.

Category A each take needs to be verified by Council to show they are directly connected to surface water, not as it is in the plan taking a blanket approach if it is within an area then it is Category A and therefore classed as directly connected to surface water as shown page 262 Figure 7.8 The same for Category B directly connected to surfacewater.

Add to definitions of:

Category A and B (that is classified as directly connected to surface water) ground water have been verified by Council that they are directly connected to surface water.

There needs to be a simple definition to show that ground water is directly connected to surface water. That should be the water level in the bore is the same level as in the river and rises and fall with the river.

Minimum flows for Waihenga recorder is set too high as in Table 7.1 page 251 should be lowered from 8500 l/s to 7500 l/s There needs to be a recording site lower down the river as there is a different environment down stream compared to Waihenga. Eg deep channels and the affects when the lake closes. The economic losses outweigh any benefit by having it at the higher level.

Rule R 97 STOCK EXCLUSION

The exclusion rule should not be by width only. It's the volume of water that counts not the width it happens to spread over so should have a depth.

The water should be a meter wide and 300mm deep. Both have to be met before stock are excluded. Water races should be excluded from the stock exclusion rules. Stock exclusion timeframes need to be extended by 5 years for each category to take in the capital investment needed.

Category 2 surface water body (b) amend to read ...rivers that have an active bed width of 1m or wider and water greater than 30mm deep. Delete water races and drains.

Rule R 89 FARM REFUSE

Delete Condition (A)(b) Delete "not exceed 50m³" Some owners have several properties so makes no sense to have refuse dump for each property.

Rule 91 Offal Pits delete condition (A)(f) Some owners have several properties so makes no sense to have an offal pit for each property.

RULE R90 SILAGE

Delete Condition (d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion. This is impracticable does not allow small amounts to be made where it is grown and will be fed out. The modern way of making silage is to first wilt the grass before it is harvested. Council does not give example of impermeable linings.

RULE R94 CULTIVATION - 95 BREAKFEEDING

Delete the condition (a) requiring 5 meter set back.
This condition covers a very large area of productive land that will become non productive for no benefit.

DRAIN CLEANING

Definition of highly modified water course.
Council should name all water courses that are not modified water courses so if not name then they are highly modified water courses.
Highly modified water courses would include all streams that have been modified by human activity.

RULE R121 Maintenance of Drains – permitted activity

(e) delete the words "artificial farm drainage canal"

Delete conditions (j) Impracticable. We are talking about drains with as little as a meter bottom so impossible to do such a clean or are we meant to use tonka toys.

(k) impracticable and will achieve nothing. Any fish or eels will be driven downstream into the weed so they can be lifted out of the drain with the next bucket full.

Delete condition (l)

RULE R122 Delete K and L and M

Rule R 70 CLEAN FILL MATERIAL

The whole rule needs to be deleted because there is no adverse affect on the environment. Otherwise :-

Condition (a) Delete the words "of a surface water body" or delete 20m and replace with 2m

Delete condition (e) will stop the improvement of the land

Delete condition (f) will stop the improvement of the land

Delete condition (g) just more red tape for no benefit to stop the improvement of the land

RULE R36 AGRICHEMICALS

Delete (g) how do you prepare a spray plan before you know what problems you are going to have to spray for.

Add to (h) or approved handler certificate

RULE 37 AGRICHEMICALS INTO WATER

Add to © or approved handler certificate

Approved handler certificate is a requirement to be able to buy and apply a large number of Agrichemicals

RULE R1

Outdoor burning

Delete (b) there is no burning of specified materials

Need to be consistent all products derived from the same source need to be treated the same way, not pick and choose.

I wish to be heard to my submission.



Jim Hedley
21 October 2015

100

100

100

100

SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

To: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142

William James Caldwell Hedley (Caldwell Trust)

153 Hikunui Road RD1 Featherston 5771

06 3088449 0275088449

Email jim.paulhedley@xtra.co.nz

I support the submission of the Wairarapa Water Users Society Inc. I am a member of that organisation.

Signed by

A handwritten signature in black ink, appearing to read 'Jim Hedley', with a long, sweeping underline.

Jim Hedley for and behalf of Caldwell Trust

20 October 2015

I wish to be heard

#1530376

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142

GREATER WELLINGTON REGIONAL COUNCIL

Your details

21 OCT 2015

Full name: Leo Vollebregt

RECEIVED

Organisation name (if applicable): Wairarapa Water User's Inc. Society

4.10 PM

Address for service: Leo Vollebregt

235 Pahautea Road, RD1,

Featherston

Telephone no's: Work: 063088405 Home: 063088405 Cell: 0272588405

Contact person: Leo Vollebregt

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: lrvoll@xtra.co.nz

Trade competition

yes I/we could not gain an advantage in trade competition through this submission [if you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

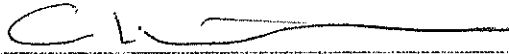
Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online www.ew.govt.nz/regional-plan-review

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	our submission is attached to this details form
	I seek the following decision from WRC (give precise details): →	

Attendance and wish to be heard at hearing(s)

- YES** I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____



Date: _____

20/10/2015

[Person making submission or person authorised to sign
on behalf of person making submission. NB. Not required if making an
electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,
c/- Leo Vollebregt,
235 Pahautea Road,
RD1,
Featherston.
21st October 2015

Wellington Regional Council
Wellington

Dear Sir/Madam

Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25th of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23rd of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

Wairarapa Water User's Inc. Society

Submission on the

Proposed Natural Resources Plan

Provision	Text	Support/ Oppose/ Amend	Reasons	Relief sought
<u>Definitions</u>	<p>Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.</p> <p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p> <p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (not directly connected) is at the locations generally described in Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10. Taking water from category B groundwater (not directly connected) is considered to be groundwater allocation.</p> <p>Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7.</p>	<p>amend</p>	<p>The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p> <p>The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A & B. at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels.</p> <p>In February 2015 work undertaken in the river bed by the Waiherenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse</p>	<p>Ground water will be categorised A or B or C once GW has field verified its connectivity with surface water and performed an empirical calibration of the model</p>

<p>Groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p>	<p>amend</p>	<p>effects to this take at low flows indicating poor relation of the takes to the river.</p>	<p>Ground water in the bore is at the same level as the water in the river and moves up and down with the level of the river</p>
<p>Groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Category A groundwater and the component of Category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> the local authority wastewater and stormwater networks, systems and wastewater treatment plants 	<p>amend</p>	<p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>
<p>Unused water</p>	<p>Where more than 25% of the maximum daily amount of water allocated to a person for use on a property they own or have an interest in, but not including water that is transferred for use at another location by means of a transfer permit, is demonstrated to not be used over a period of two consecutive years.</p>	<p>support</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>retain</p>
<p>Objective O8</p>	<p>The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.</p>	<p>amend</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whatua before current water quality levels are known</p>	<p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>
<p>Objective O25 (c)</p>	<p>To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area:</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is</p>	<p>Oppose</p>	<p>Remove</p>	<p>Remove</p>

<p>able 3.6 roundwater irectly connected o surface water</p>	<p>improved over time to meet that objective.</p> <p>Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> (a) efficient infrastructure, and (b) good management practice, including irrigation, domestic municipal and industry practices, and (c) maximising reuse, recovery and recycling of water and contaminants, and (d) enabling water to be transferred between users, and (e) enabling water storage outside river beds. 	<p>amend</p>	<p>Increasing water allocation allows for growth.</p> <p>(a) to (e) are good means to the objective. There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised the amount is increased through time, including by means of: (a) to (e) are good means to the objective. Add (f) enabling storage within the bed of a river</p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a whaitua or sub-catchment, if:</p> <ul style="list-style-type: none"> (a) the affected resource is fully allocated or over-allocated, or 	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain Add (c) consents will run for a period of 25 years</p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that <i>whaitua</i> or sub-catchment.</p>		
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</p>	<p>Add <u>diffuse contaminants to</u> (b)</p> <p>retain</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>	<p>retain</p>

<p>Policy P107: Framework for taking and using water</p>	<p>efficient allocation and use of water.</p>	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have significant part to play in establishing the evidence</u> Insert (d) when schedule P changes: -ve effect on consent holders - 10 year lead in time to reflect cost, +ve effect - the water availability should be released immediately."</p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>The framework for the take and use of water recognises: (a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and (b) the take and use of water does not exceed allocation amounts provided for in the Plan, and (c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	<p>support</p>	<p>We support the use of water</p>	
<p>Policy P111: Water takes at minimum</p>	<p>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.</p> <p>The take and use of water shall not occur when flows or water levels fall below minimum flows or water levels in the whatitua chapters (chapters 7-</p>	<p>Amend</p>	<p>Policy 111(water takes at minimum flows and water levels)(c) and 115(authorising</p>	<p>Category A groundwater which shall be required to reduce take by 50% of the amount consented</p>

<p>flows and water levels</p> <p>i)</p> <p>Policy P115: Authorising takes below minimum flows and lake levels</p> <p>d) and (c) i</p>	<p>11), with the exception that water is available below minimum flows:</p> <p>(c) as authorised by resource consents in accordance with Policy P108.</p> <p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p> <p>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</p> <p>(i) the water shall only be available five days (120 hours) after minimum flow cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>	<p>takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.</p> <p>As above</p> <p>The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.</p> <p>Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p> <p>As above</p> <p>Delete (c) (i)</p>
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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 identified in Rules R.R1, WH.R1 and K.R1 in the whaitua chapters of the Plan (chapters 7, 8 and 10) is exceeded.	Support	Retain
Policy P117: Supplementary allocation amounts at flows above the median flow	In addition to core allocation, water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.	support	retain
Policy P118: Reasonable and efficient use	The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of: (a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made	amend	The investment in infrastructure is considerable and time is required to implement changes (a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan-being-made-operative <u>renewal of consent</u> to meet the criteria"

	operative to meet the criteria, and		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent 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:</p> <ul style="list-style-type: none"> (a) a capital expenditure programme linked to the purpose water is used for, and (b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use). 	Support	Retain
<p>Policy P120: taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	Support	Retain
<p>Policy P128: transfer of resource consents</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the adverse effects of the take and use of transferred water are the same or less, and 	Support	retain

	<p>(b) the transfer occurs within the same catchment management unit, and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(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).</p>		
<p>Rules</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p> <p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>	<p>amend</p>	<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p>
<p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p> <p>Rule R137: Farm dairy washdown</p>		<p>amend</p>	<p>Make this rule <u>restricted discretionary</u></p>

<p>id milk-cooling ater – permitted ivity)</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:</p> <p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>		<p>(b) delete words after " ... property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: emporary water ermit transfers – ontrolled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>amend</p>	<p>Rule 143 (temporary water permit transfers) – for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a <u>permitted</u> activity</p>
<p>Rule R144: ransferring water ermits – restricted iscretionary ivity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>support</p>		<p>retain</p>
<p><u>Other methods</u></p>				

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and <u>economic values</u> of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and (c) provide, where available, accurate technical information to assist user groups. 	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<ul style="list-style-type: none"> (d) promoting alternatives to the use of water races, and 	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

	implementation of policies which rely on good management practice to achieve desired environmental outcomes.		positive move which will have farmers moving forward in their practices with the reg. council??	
<p><u>tuamahanga</u> <u>Whaitua</u></p> <p>Policy R.P3: Cumulative effects on river reaches of allocating water</p>		amend	Important that the effects are measured, not just modelled.	Insert after - adverse effects – that are measured on aquatic ...
<p>Figures 7.3 – 7.8</p>	Water allocation amounts	Oppose	Again the categories need empirical verifying. Too big an impact and too little evidence of benefit to the environment to ignore. As a community we need to verify categories and as this occurs the amounts in these tables may change significantly	Do not include figures 7.3 – 7.8 in the plan until categories have been verified
<p>Tables 7.3 – 7.5</p>	Surface and groundwater allocation amounts	Oppose	The allocation amount should reflect the current consented allocation amount. Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.	Change the allocation amounts to what is currently allocated or more if spare water has been identified

<p><u>Schedule P:</u> assessing and managing groundwater and surface water connectivity</p>		<p>oppose</p>	<p>Needs <u>empirical calibration</u> by GW The connectivity between various ground water takes and surface water has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p><u>Needs empirical calibration by GW</u></p>
<p><u>Schedule Q:</u> reasonable and efficient use criteria</p>	<p><u>Irrigation</u> A resource consent application to take water for irrigation purposes shall include an assessment using a field validated model that considers land use, crop water use requirements, on-site physical factors such as soil water holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration. The model must reliably predict annual irrigation volume within an accuracy of 15%. The annual volume calculated using the model shall meet with the following criteria: (a) an irrigation application efficiency of 80%, and (b) demand conditions that occur in nine out of 10 years.</p>	<p>Amend</p>	<p>Remove sentence "the model must reliably predict annual irrigation volume within an accuracy of 15%." Unreasonable for the Wairarapa because of dramatic seasonal weather variations. Wairarapa conditions differ from the rest of the country. This needs to be recognised. More consultation with affected parties is required.</p> <p>irrigators with lower efficiency may be more suitable for specific crops and farming situations. Case by case systems need to be assessed</p>	<p>Remove sentence the model must reliably predict annual irrigation volume within an accuracy of 15% Add after field validated model – for <u>Wairarapa conditions</u> (a) add after 80% - where <u>practicable</u>.</p>

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach minimum flows.</p> <p>Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount.</p> <p>Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups</p> <p>However needs of stock drinking water and rootstock protection needs acknowledged</p> <p>However more and more appropriate management points e.g. further south of Waihenga are required. GW to establish in consultation with water users.</p> <p>As water is cleaned up the minimum flow requirement for dilution is lower.</p> <p>The effects of low flows needs to demonstrated as are the effects of restrictions</p> <p>There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u></p> <p>Table R1 is interim GW to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Mikimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

Proposed Natural Resources Plan:

Submitter:

David Hume

Submitter Number:

S341

#1530922 5341

Wellington Regional Council
27 OCT 2015



greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Takao

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3158
Wellington Regional Council
PO Box 11646
Wellington 8142

Or email: regionalplan@gw.govt.nz

Your details

Full name: DAVID HUME
Organisation name: (If applicable) GAENITI ROMNEYS
Address for Service: 2605 LAKE FERRY RD

Telephone no's: Work: Home: 063077895 Cell: 0276898934

Contact person: David Hume
Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: ~~sdhume@extra.co.nz~~ sonya-david@extra.co.nz

Trade competition

- I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]
- I/we could gain an advantage in trade competition through this submission.
If you could gain an advantage please complete one of the following:
 - I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
 - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision's section number): Whole Plan	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I support the submission of the Wairarapa Water Users Society Inc as a member of that organisation.
seek the following decision from ARC (give precise details): →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
I seek the following decision from WRC (give precise details): →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
I seek the following decision from WRC (give precise details): →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
I seek the following decision from WRC (give precise details): →		

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s)]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: David Hume Date: 21/10/15
 [Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	DAVID HUME
Farm Name	GLENITI
Physical Address	2605 LAKE FERRY ROAD PIRINOA
Phone Number	06 3077895
Email Address	sonya-david@xtra.co.nz

Communication from GWRC: I prefer email OR hardmail – choose one

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

✓ Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. <u>Sheep</u> , Beef, Arable, Dairy, agricultural business
Farm size (area)	300 hectares
Main Waterways	
GW Soil plan or Farm Plan	Yes <u>No</u>
Environmental investments	
QE2 or Retirement Blocks	
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?*

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: support/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

Restrictions on cultivation and Breakfeeding would be very disruptive of our operation and management

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

cleaning drains is essential for the maintenance of production on our farm. Fish etc have always been able to live with our existing system!

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: support/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: support/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

Gary James and Anne Marie Daysh

Submitter Number:

S342

#1530923 5342

Wellington Regional Council
27 OCT 2015

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Gary James Daysh + Anne Marie Daysh
Farm Names	Echobank . Kendall . Waihou (Pirinoa)
Physical Address	112 Hunua Rd. R01. Carterton
Phone Number	06 379 8571
Email Address	dayshies@extra.co.nz

Communication from GWRC: I prefer email OR hardmail – choose one

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business
Farm size (area)	240 hectares Kendall 153 ha Waihou - Pirinoa 87ha.
Main Waterways	No
GW Soil plan or Farm Plan	Yes No
Environmental investments	No
QE2 or Retirement Blocks	No
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so

Daysh
G.J. Daysh
22/10/15

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: support/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?*

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will
make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: support/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available.

Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

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Submission on the Proposed Natural Resources Plan for the Wellington R

INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz

Your details:

Full name: Gary James Daysh and Anne Marie Daysh
Company name: Echobank
Address1: 112 Hururua Rd,
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Address4:
Town: CARTERTON
Postcode: 5791
Telephone Work: 06 3798571
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Telephone Cell: Gary cell 021 0369 507 Anne 027 292 8981
Email address: dayshies@xtra.co.nz

Trade competition

Yes I/we could not gain an advantage in trade competition through this submission

No I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely and does not relate to trade competition or the effects of trade competition.

Attendance and wish to be heard at hearing(s)

Yes I/we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

No I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

Yes If other make a similar submission, I will consider presenting a joint case with them at a hearing

Date: 20/10/2015

Submission on Greater Wellington Proposed Natural Resources Plan

To: Chief Executive, Greater Wellington Regional Council

1. This is a submission from:

Submitter Details: Craig Dairy Farm Ltd

This submission is also supported by the following parties;

- Gary James Daysh and Anne Marie Daysh (112 Hururua Rd, Carterton RD 1)
- Lewis Herrich (1513 State Highway 53, Martinborough)
- Blair Percy (36 Masterton Stronvar Road, Masterton)
- Sandra Joy Shivas (28 Mangatarere Rd, Carterton RD 1)
- James and Jane Smallwood (19 Homestead Lane, Greytown)
- N & S Terry (Richmond Road, Carterton)
- Ali Scott & Dion Kilmister (1665 Te Ore Ore Bideford Road, Masterton RD11)
- AB & DE Smith (60 Chester Road, Carterton)
- Beryl Masters Stuart (107 Manuka Street, Masterton 5810)
- Garry Daniell (Te Ore Ore Road)

A contact address sheet is provided for each of these parties as attached to the submission.

Submitter Contact: Ray Craig

Submitter Postal Address: 144 Lincoln Road, Carterton 5713

Address for service: C/- Opus International Consultants Ltd
PO Box 12 003
Wellington 6144
Attention: Nicholas Cooper

Phone: 04-471-7120

Nicholas.Cooper@opus.co.nz

Trade Competition

I/we **could not** gain an advantage in trade competition through this submission *[If you ticked this box, delete the rest of this section and go straight to 'Your submission']*

Submission

2. This is a submission on the Proposed Natural Resource Plan for the Greater Wellington Regional Council

3. The specific provisions of the proposal that this submission relates to are:

The specific provisions of the proposed NRP that the submission relates to are in terms of;

A. Accuracy of nomenclature and identification of the Groundwater community drinking water supply protection areas – Wairarapa Map 27a.

With regard to the Groundwater community drinking water supply protection areas on Map 27a there are a number of concerns are identified:

- Map 27a is entitled “Groundwater community drinking water supply protection areas – Wairarapa (incorporates Schedule M2). Within Map 27a there are identified ‘Groundwater supply well’, and ‘Groundwater supply protection area’. Map 27a does not identify ‘community drinking water’ supply protection areas.
- The proposed defaulting of activities (currently permitted) such as the application of agrichemical (rule 36), the discharge of collected animal effluent (rule 83), or farm refuse dumps (rule 89) to discretionary or restricted discretionary activities where on land within an identified community drinking water supply protection area creates an uncertainty for the current landowner or operator in regard to future land use and management options.

Identifying that those uses are not permitted within the ‘groundwater community drink water supply protection area’ unduly penalises those landowners or operators within the protection area without identifying an actual environmental problem or adverse effect to avoided, remedied or mitigated.

- The Proposed NRP Section 32 Report for Discharges to Land in Section 5 “Efficiency and Effectiveness” discusses managing effects on drinking water supplies (5.1), rural waste (5.3), manufacture and storage of silage and compost (5.4), and collected animal effluent (5.5). The only specific data about groundwater for the Wairarapa cited is the region wide study relating to groundwater capture zones by GNS Science (Toews and Donath, 2015). Section 5.1 on page 17 states

Taking a precautionary approach (in accordance with Policy P3 of the proposed Plan) in protecting sources of community drinking water is generally more effective and less costly than trying to counteract the impacts of contamination after the occurrence. Uncertainty about how well the mapped zones reflect actual contaminant pathways and channel characteristics (and therefore risk), will always be present, and especially so in the vicinity of minor tributaries. However, the extent of the protection zones should be reviewed and refined over time as knowledge and methodologies improve. An external peer review has confirmed that the approach to identifying zones around the drinking water supplies as protections areas, was appropriate and defensible (Potts 2015).

This approach is based upon Policy 69 which states;

*Policy P69: Human drinking water supplies
The adverse effects from discharges to land and water on the quality of community drinking water supplies and group drinking water supplies shall be avoided to the extent practicable. Where adverse effects cannot be avoided, the adverse effects shall be managed having particular regard to:*

Further in section 5.1 it is referenced that Policy 69 directs the management of ‘adverse’ effects on human drinking water supplies by

‘...conditions have been included on rules for specific discharges to land activities including farm refuse dumps, offal pits...’ and,

A default protection zone as an ‘alert’ or ‘filtering’ mechanism has been identified. This can be seen in proposed Rules R71-R73 and Rule R89, which include a provision that

restricts otherwise permitted activities to occur within a community drinking water supply protection area as identified in Maps 26-27.

The justification for Policy 69 is in the second to last paragraph of 5.1 where it is stated at the bottom of page 17;

Proposed Policy P69 is followed by a note explaining that sections 7 and 8 of the NES-Drinking Water limit the ability of a regional council to grant consent to activities within community supply protection areas.

There are no specific problems regarding water quality, and a link between land use and water quality, has been identified in the area affected by Schedule M2.

Under the discussion relating to rural waste (Section 5.2.2 of the PNRP Section 32 report: Discharges to land) pages 22 it is stated;

Agriculture plays a role in the economic and social well-being in the Wellington Region, primarily in the Wairarapa but also in the rest of the region. Farming practices produce a variety of waste streams from construction waste (timber and metal) and hazardous wastes (agrichemicals and paints), to household organic food scrap waste and dead animals. It is important to ensure that waste management options are available to enable rural landowners not only to minimise their waste, but also to divert or dispose of it in a sustainable manner.

In terms of farm rural waste and assessing whether there are adverse environmental effects occurring within the Wairarapa, or the *community supply protection areas* specifically,

“The volume of waste ending up in farm dumps in the Wellington Region is not known...”,

However in the Section 32 Report it is discussed that using data from a study of farm dump disposal in the Waikato and Bay of Plenty regions suggests that a volume of 65,453 tonnes of rural waste annually (Section 5.3.1, page 24 of Section 32: Discharges to Land) is being disposed of within the region. But there is no quantification by the Section 32 report in terms of environmental problems resulting from farm refuse other than a statement (Section 5.3.1 page 24);

“WRC incident reporting shows that inappropriate contents and location of farm refuse dumps has led to environmental contamination in a number of cases.”

This doesn't indicate whether farm refuse dumps are an increasing environment problem or whether the dumps have a problem in relation to groundwater and potable water for a community supply.

This submission questions whether the *community supply protection areas* have been identified adequately to impose restriction upon land users where there is no record established of an adverse effect occurring.

- A report on water quality, the Ministry of Health *Annual Report on Drinking Water Quality* (2013-2014) indicate that there is no problem which requires management.
- The use of a regional-scale model, with inherent assumptions and generalisations, to predict the behaviour at specific bores and locations. While the availability of hydrogeological data may be appropriate to support a regional-scale model, considerable local variation exists. As stated in GNS (2015) *“The models were never calibrated as groundwater transport models”* and *“Because the groundwater models were not calibrated as transport models, the travel times of particle path lines may not be accurate; however, their flow pathways should remain the same.”* Consequently, at specific locations there will be significant differences

between the assumed/modelled conditions and the actual situation. Any default classification, such as schedule M2, therefore must not be overly restrictive.

- There is a lack of empirical calibration or validation of the model. The available data suggests that the model is either inappropriate or that there is no problem to be addressed. In addition: *“The mapped zones in this report (GNS, 2015) are conservative in the sense that their size and shape consider a wide range of uncertainties. The boundaries do not mark absolute boundaries of the CZs and PZs, and as such, may delineate zones that may not contribute groundwater to wells. Some of the uncertainty analysis runs, for instance, may not realistically portray groundwater flow, and as a result would map a zone larger than it should be.”*
- The adoption of conservative, and potentially non-validated capture zones. This is acknowledged within the report upon which the extents of the capture zones are based (GNS, 2015).
- The adoption of the default capture zones, with no empirical support or justification, will place the onus on the landowner to show that they are not causing a problem. The available evidence suggests that there is not actually a problem to be addressed.
- There is no economic assessment of the costs of imposing the proposed capture zones on existing and lawful land use activities. There may be potentially substantial direct and indirect costs and restrictions imposed on landowners. The Section 32 Report has not weighed these against any benefits from ‘managing’ a national issue, rather than quantifying and determining the extent of the potential scale at the issue within Greater Wellington.

B. Rules of the Proposed Natural Resources Plan being;

With regard to farming activities within the Groundwater Supply Protection Areas this submission comments on the following rules of the PNRP

- Rule 36: Agrichemicals – permitted activity
- Rule R83: Discharge of collected animal effluent onto or into land – controlled activity
- Rule R89: Farm refuse dumps – permitted activity
- Rule R90: Manufacture and storage of silage and compost – permitted activity
- Rule 92: All discharges to land within community drinking water supply protection areas – restricted discretionary activity
- Rule R94: Cultivation or tilling of land – permitted activity
- Rule R95: Break-feeding – permitted activity
- Rule R96: Cultivation and break-feeding – discretionary activity
- Rule R121: Maintenance of drains – permitted activity
- Rule R122: Removing vegetation – permitted activity

4. The submission is:

The submission is that the rules identified above are to be amended and or deleted as detailed within section 5 below.

5. The submitter seeks the following decision from Greater Wellington Regional Council:

Table of Submitter Requested Changes

<i>Specific Provision</i>	<i>Request</i>	<i>Reason</i>
<i>Rule 36: Agrichemicals – permitted activity</i>	<p><u>Relief sought</u> Amend the rule. Remove criterion (e) requiring that there is no discharge within a community drinking water supply protection area.</p>	<p>The inclusion of criteria (e) does not address any known or identified problem. It does not reflect the available information and data on the water quality of Wairarapa potable water supplies (Ministry of Health, 2013-2014). There is no region specific evidence of a risk to community drinking water supply from the activity described by rule 36. The other criteria under the PNRP rule 36 aside from (e), being criteria (g) through to (o) can equally provide for the safe application of agrichemical in a manner that avoids adverse effects upon land within a community drinking water supply area.</p>
<i>Rule R83: Discharge of collected animal effluent onto or into land – controlled activity</i>	<p><u>Relief sought</u> Amend the rule by deleting condition (e)(iii).</p>	<p>Rule R83 is supported in principle as a sensible approach to managing the effects of dairy farm effluent. However, the submitter is concerned that the identification of the community drinking water supply protection area as shown on map 26 and 27a is faulty and therefore landowners are required by condition (e)(iii) to go through a resource consent process even if the activity is outside the protection area.</p>

Specific Provision	Request	Reason
<i>Rule R89: Farm refuse dumps – permitted activity</i>	<p><u>Relief sought</u></p> <p>Amend the rule by deleting condition (d)(iii).</p>	<p>The submitter seeks that rule 89 is amended to remove criterion (d)(iii). The PNRP Section 32 on Discharges to Land report does not have evidence at a regional level that this activity is creating a problem for the Groundwater community drinking water supply protection areas. Policy 69 is basing the implementation of Rule 89 on a precautionary approach but has not quantified the costs of doing so. There is also considerable uncertainty regarding the delineation of the groundwater capture zones based on work undertaken by GNS (Toews and Donarth 2015).</p>
<i>Rule R90: Manufacture and storage of silage and compost – permitted activity</i>	<p><u>Relief sought</u></p> <p>Amend condition (d) of the rule by inserting the word “permanent” in front of ‘silage storage area’ as follows;</p> <p>(d) the walls and floor of a <u>permanent silage</u> storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water, and</p> <p>Or any other equivalent change</p>	<p>Condition (d) requiring that all silage areas are lined is not justified. The submitter considers that lining is appropriate for permanent silage storage pits which are used on an ongoing basis. It is not appropriate for temporary silage storage which may only be in use when there is a sufficient additional material for silage that cannot be accommodated by the existing permanent pit. It is suggested that if required, temporary could be defined as being used only once per 4 years (48months). At that frequency of use any silage leachate emanating from a temporary pit would be broken down by biological and chemical soil/ground processes.</p>
<i>Rule 92: All discharges to land within community drinking water supply protection areas – restricted discretionary activity</i>	<p><u>Relief sought</u></p> <p>Request that the rule be deleted.</p> <p>Or any other equivalent</p>	<p>Based upon the information collected for GWRC by GNS Science (Toews and Donath, 2015) and the information collected by the Ministry of Health (Ministry of Health</p>

Specific Provision	Request	Reason
	change	2013-2014) it is not clear that the land discharge activity is a problem for the Groundwater supply wells or that or that the Groundwater community drinking water supply protection areas are defined appropriately. If these points are correct the rule is being unfairly applied without due recognition of the costs imposed on those parties who will have to comply with the rule. This is in terms of what level of evidence would be required for a consent application under rule 92 to determine that any effects on community drinking water supply water quality are not more than minor?
<i>Rule R94: Cultivation or tilling of land – permitted activity</i>	<p><u>Relief sought</u></p> <p>Amend the rule in relation to condition (a) as follows;</p> <p>(a) cultivation-shall not occur within 5m of a surface water body <u>for those surface water bodies with a wetted channel width of greater than 2m of wetted channel.</u></p> <p>Add new condition as follows;</p> <p><u>(xx) cultivation shall not occur within 2m of a surface water body with a wetted channel width of less than 2m.</u></p> <p>Or any other equivalent change</p>	<p>The intent of the rule is to avoid the contamination of surface water bodies by sediment laden run off occurring as a result of cultivation activity.</p> <p>The use of a 5m setback is just a default provision. The information contained in the PNRP Section 32 report discussing the efficiency and effectiveness for livestock access, break-feeding and cultivation highlights various research (Section 5.3, pages 35-36) on the movement of coarse or fine contaminant particle flows to water, various setback distances and the influence of vegetation.</p>

Specific Provision	Request	Reason
<p><i>Rule R95: Break-feeding – permitted activity</i></p>	<p><u>Relief sought</u></p> <p>Amend the rule in relation to condition (a) as follows;</p> <p>(a)-break-feeding shall not occur within 5m of a surface water body <u>for those surface water bodies with a wetted channel width of greater than 2m of wetted channel.</u></p> <p>Add new condition as follows;</p> <p><u>(xx) break-feeding shall not occur within 2m of a surface water body with a wetted channel width of less than 2m.</u></p> <p>Or any other equivalent change</p>	<p>The submitter considers it is impractical to apply 5m setback to break feeding around small surface water bodies such as farm drains which may completely enclose a farm paddock.</p>
<p><i>Rule R121: Maintenance of drains – permitted activity</i></p>	<p><u>Relief sought</u></p> <p>Amend the rule in terms of inserting a new condition;</p> <p><u>(XX) all tools and mechanical devices used for drain clearing must be inspected and cleaned to remove any pest plants or fragments of pest plants, or pest animals before and after use, to prevent the spread of pests.</u></p> <p>and amend to the following conditions;</p> <p>(g) if mechanically clearing aquatic vegetation, the machinery must use a weed bucket with a curved flat base, and a slatted back that permits the easy drainage of water and fish back into the drain <u>which reduces the likelihood of pest plant</u></p>	<p>Supports in principle Rule R121, which permits the removal of vegetation or bed material and associated sediment from any drain or highly modified river or stream, as this is an appropriate status for these activities.</p> <p>Good practice for managing the control of pest plant and animals species is for all machinery to be inspected and if needed, cleaned before machinery or equipment is used in any waterway, including drains. Cleaning should also take place after use and before moving to another location.</p> <p>Machinery should not allow the return of pest plants to a drain, particularly where maintenance activity results in fragments of pest plants being returned to a drain. Such an activity is likely to cause the spread of pest</p>

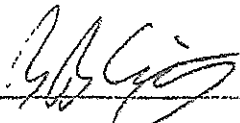
Specific Provision	Request	Reason
	<p><u>material being spread through the drain, and</u></p> <p>(j) floating debris and plant material shall be prevented from drifting away and causing obstructions to the river or lake bed, or spreading pest plants (as listed in the Greater Wellington Regional Pest Management Strategy 2002-2022 operative at the time, or listed as an Unwanted Organism under the Biosecurity Act 1993), and</p> <p>Or any other equivalent change</p>	<p>plants, and where the pest plants are Unwanted Organisms (UO's) under the Biosecurity Act 1993, this is a breach of the Act. Similarly any actions that cause the spread of pest animals, including pest fish that are UOs is a breach of the Act.</p>
<p><i>Rule R122: Removing vegetation – permitted activity</i></p>	<p><u>Relief sought</u></p> <p>Amend the rule in terms of the changes to the following conditions;</p> <p>(h) if mechanically clearing aquatic vegetation from an area of river or lake bed covered with water, the machinery must use a weed bucket with a curved flat base, and a slatted back that permits the easy drainage of water and fish back into the drain and which reduces the likelihood of pest plant material being spread through the river, and</p> <p>(j) floating debris and plant material shall be prevented from drifting away and causing obstructions to the river or lake bed, or spreading pest plants (as listed in the Greater Wellington Regional Pest Management Strategy 2002-2022 operative at the time, or listed as an Unwanted</p>	<p>Same reason as for Rule 121.</p>

<i>Specific Provision</i>	<i>Request</i>	<i>Reason</i>
	<u>Organism under the Biosecurity Act 1993</u>), and ... Or any other equivalent change	

6. The submitter wishes ~~/ does not wish~~ to be heard in support of its submission

7. If others make a similar submission the submitter does ~~/ does not~~ want to present a joint case at a hearing.

Craig Dairy Farm Ltd Submission on Proposed Natural Resources Plan

Signature of submitter  Date 22 OCTOBER 2015
RAYMOND BRIAN CRAIG

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 6 of Schedule 1, Resource Management Act 1991



greater WELLINGTON
 REGIONAL COUNCIL
 Te Pane Matua Takao

To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Gary James Daysh & Anne Marie Daysh.
 Organisation name: (If applicable) G. J. & A. M. Daysh
 Address for Service: Echobank
 112 Hunua Rd. RD1.
 Carterton 5791.
 Telephone no's: Work: 06379 8571 Home: 0272928981 Cell: 021 0369507 Gary.
 Contact person: Anne
 Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: dayshies@xtra.co.nz

Trade competition

- I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]
- I/we could gain an advantage in trade competition through this submission.
 If you could gain an advantage please complete one of the following:
 - I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
 - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Whole Plan	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I support the submission of the Wairarapa Water Users Society Inc as a member of that organisation.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission.
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission.
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Doanah S. Payne Date: 14/10/15
 [Person making submission or person authorised to sign on behalf of person making submission: NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

#1530376

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This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142

GRE Wellington Regional Council
RECEIVED

Your details

21 OCT 2015

Full name: Leo Vollebregt

RECEIVED

Organisation name (if applicable): Wairarapa Water User's Inc. Society

4.10 PM

Address for service: Leo Vollebregt

235 Pahautea Road, RD1,

Featherston

Telephone no's: Work: 063088405 Home: 063088405 Cell: 0272588405

Contact person: Leo Vollebregt

Address and telephone no (if different from above): _____

Electronic communication

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Email address: lvoll@xtra.co.nz

Trade competition

yes I/we could not gain an advantage in trade competition through this submission (If you ticked this box, delete the rest of this section and go straight to "Your submission")

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

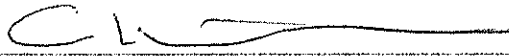
Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online www.govt.nz/regional-plan-review

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	our submission is attached to this details form
	I seek the following decision from WRC (give precise details): →	

Attendance and wish to be heard at hearing(s)

- ~~YES~~ I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: _____



Date: _____ 20/10/2015 _____

[Person making submission or person authorised to sign
on behalf of person making submission. NB. Not required if making an
electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,
c/- Leo Vollebregt,
235 Pahautea Road,
RD1,
Featherston.
21st October 2015

Wellington Regional Council
Wellington

Dear Sir/Madam

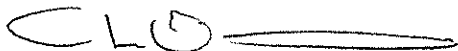
Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25th of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23rd of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

Wairarapa Water User's Inc. Society

Submission on the

Proposed Natural Resources Plan

Provision	Text	Support/ Oppose/ Amend	Reasons	Relief sought								
Definitions	<table border="1"> <tr> <td data-bbox="191 44 335 224">Category A groundwater</td> <td data-bbox="191 224 335 627">Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.</td> <td data-bbox="191 627 335 1008" rowspan="4">amend</td> <td data-bbox="191 1008 335 1456" rowspan="4">The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely. The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A & B. at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels. In February 2015 work undertaken in the river bed by the Waihenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse</td> <td data-bbox="191 1456 335 2161" rowspan="4">Ground water will be categorised A or B or C once GWV has field verified its connectivity with surface water and performed an empirical calibration of the model</td> </tr> <tr> <td data-bbox="335 44 478 224">Category B groundwater (directly connected)</td> <td data-bbox="335 224 478 627">Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</td> </tr> <tr> <td data-bbox="478 44 654 224">Category B groundwater (not directly connected)</td> <td data-bbox="478 224 654 627">Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being not directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (not directly connected) is at the locations generally described in Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10. Taking water from category B groundwater (not directly connected) is considered to be groundwater allocation.</td> </tr> <tr> <td data-bbox="654 44 782 224">Category C groundwater</td> <td data-bbox="654 224 782 627">Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7,</td> </tr> </table>	Category A groundwater	Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.	amend	The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. 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Category A groundwater	Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.	amend	The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely. The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A & B. at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels. In February 2015 work undertaken in the river bed by the Waihenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse				Ground water will be categorised A or B or C once GWV has field verified its connectivity with surface water and performed an empirical calibration of the model					
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Category C groundwater	Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7,											

<p>Groundwater</p> <p>irectly</p> <p>onected to</p> <p>urface water</p> <p>egionally</p> <p>ignificant</p> <p>nfrastructure*</p>	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p> <p>Category A groundwater and the component of category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> the local authority wastewater and stormwater networks, systems and wastewater treatment plants 	<p>amend</p> <p>amend</p>	<p>effects to this take at low flows indicating poor relation of the takes to the river.</p> <p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Ground water in the bore is at the same level as the water in the river and moves up and down with the level of the river</p> <p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>
<p>Used water</p>	<p>Where more than 25% of the maximum daily amount of water allocated to a person for use on a property they own or have an interest in, but not including water that is transferred for use at another location by means of a transfer permit, is demonstrated to not be used over a period of two consecutive years.</p>	<p>support</p>	<p>retain</p>	<p>retain</p>
<p>Objective O8</p>	<p>The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.</p>	<p>amend</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>
<p>Objective O25 (c)</p>	<p>To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area:</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is</p>	<p>Oppose</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whaitua before current water quality levels are known</p>	<p>Remove</p>

<p>able 3.6 groundwater directly connected to surface water</p>	<p>improved over time to meet that objective.</p> <p>Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p><u>nitrate in groundwater should not exceed human drinking water standards. i.e. 11.3</u></p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> (a) efficient infrastructure, and (b) good management practice, including irrigation, domestic municipal and industry practices, and (c) maximising reuse, recovery and recycling of water and contaminants, and (d) enabling water to be transferred between users, and (e) enabling water storage outside river beds. 	<p>amend</p>	<p>Increasing water allocation allows for growth.</p> <p>(a) to (e) are good means to the objective.</p> <p>There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised the amount is increased through time, including by means of:</p> <p>(a) to (e) are good means to the objective.</p> <p>Add (f) <u>enabling storage within the bed of a river</u></p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a whatua or sub-catchment, if:</p> <ul style="list-style-type: none"> (a) the affected resource is fully allocated or over-allocated, or 	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain</p> <p>Add (c) <u>consents will run for a period of 25 years</u></p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that <i>whaitua</i> or sub-catchment.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</p>	<p>(b) recognises the use of water for diluting wastewater and stormwater. Diffuse contaminants need to be included.</p> <p>We are pleased to see irrigation get a special mention.</p>	<p>Add <u>diffuse contaminants to</u> (b)</p> <p>retain</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>		<p>retain</p>

	<p>efficient allocation and use of water.</p>		
<p>Policy P107: Framework for taking and using water</p>	<p>The framework for the take and use of water recognises:</p> <ul style="list-style-type: none"> (a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and (b) the take and use of water does not exceed allocation amounts provided for in the Plan, and (c) minimum flows or water levels are managed in accordance with the Plan provisions. 	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>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.</p>	<p>support</p>	<p>We support the use of water</p>
<p>Policy P111: Water takes at minimum</p>	<p>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-</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115(authorising</p>
<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have a significant part to play in establishing the evidence</u></p> <p>Insert (d) when schedule P changes: -ve effect on consent holders – 10 year lead in time to reflect cost, +ve effect – the water availability should be released immediately.⁹</p>		<p><u>Category A groundwater which shall be required to reduce take by 50% of the amount consented</u></p>	

<p>flows and water levels)</p>	<p>11), with the exception that water is available below minimum flows: (c) as authorised by resource consents in accordance with Policy P108.</p>	<p>takes below minimum flows and take levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p>
<p>Policy P115: authorising takes below minimum flows and lake levels</p>	<p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p>	<p>As above The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.</p>	<p><u>As above</u></p>
<p>(d) and (c) i</p>	<p>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</p>	<p>Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>Delete (c) (i)</p>
	<p>(i) the water shall only be available five days (120 hours) after minimum flow cessation restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>		

								Retain
Policy P116: re-allocating 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 identified in Rules R.R1, WH.R1 and K.R1 in the whatua chapters of the Plan (chapters 7, 8 and 10) is exceeded.	Support					
Policy P117: Supplementary allocation amounts at flows above the median flow		In addition to core allocation , water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.	support					retain
Policy P118: Reasonable and efficient use		The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of: (a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made	amend			The investment in infrastructure is considerable and time is required to implement changes		(a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan-being-made-operative <u>renewal of consent to meet the criteria</u> "

	<p>operative to meet the criteria, and</p>		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent 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:</p> <ul style="list-style-type: none"> (a) capital expenditure programme linked to the purpose water is used for, and (b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use). 	<p>Support</p>	<p>Retain</p>
<p>Policy P120: taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P128: transfer of resource consents</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the adverse effects of the take and use of transferred water are the same or less, and 	<p>Support</p>	<p>retain</p>

	<p>(b) the transfer occurs within the same catchment management unit, and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(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).</p>		
<p>Rules</p>			
<p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p>	<p>amend</p>	<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p> <p>Make this rule <u>restricted discretionary</u></p>
<p>Rule R137: Farm fairy washdown</p>	<p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>	<p>amend</p>	

<p>id milk-cooling ater – permitted :ivity)</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:</p> <p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>		<p>(b) delete words after "...property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: emporary water ermit transfers – ontrolled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>amend</p>	<p>Rule 143 (temporary water permit transfers) – for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a permitted activity</p>
<p>Rule R144: ransferring water ermits – restricted iscretionary ctivity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>support</p>		<p>retain</p>
<p>Other methods</p>				

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and economic values of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and (c) provide, where available, accurate technical information to assist user groups. 	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<ul style="list-style-type: none"> (d) promoting alternatives to the use of water races, and 	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

	implementation of policies which rely on good management practice to achieve desired environmental outcomes.		positive move which will have farmers moving forward in their practices with the reg. council??	
<u>tuamahanga</u> <u>Whaitua</u>	When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects on aquatic ecosystems in downstream river reaches as a result of flow depletion from loss of river water to groundwater.	amend	Important that the effects are measured, not just modelled.	Insert after - adverse effects – <u>that are measured on aquatic ...</u>
<u>Figures 7.3 – 7.8</u>	Water allocation amounts	Oppose	Again the categories need <u>empirical</u> verifying. Too big an impact and too little evidence of benefit to the environment to ignore. As a community we need to verify categories and as this occurs the amounts in these tables may change significantly	<u>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</u>
<u>Tables 7.3 – 7.5</u>	Surface and groundwater allocation amounts	Oppose	The allocation amount should reflect the current consented allocation amount. Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.	<u>Change the allocation amounts to what is currently allocated or more if spare water has been identified</u>

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach minimum flows. Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount. Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups However needs of stock drinking water and rootstock protection needs acknowledged However more and more appropriate management points e.g. further south of Waihenga are required. GWV to establish in consultation with water users. As water is cleaned up the minimum flow requirement for dilution is lower. The effects of low flows needs to demonstrated as are the effects of restrictions There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u> Table R1 is interim GWV to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Mikimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

Proposed Natural Resources Plan:

Submitter:

Andy Phillips

Submitter Number:

S343

#1530929

5343

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	ANDY PHILLIPS	Wellington Regional Council 23 OCT 2015
Farm Name	MOTUMATAI	
Physical Address	490 NGAUMU RD RD 10 MASTERTON	
Phone Number	06 3722866	
Email Address	motumatai@farmside.co.nz	

Communication from GWRC: I prefer email OR hardmail - choose one

Trade competition: I could not gain an advantage in trade competition through the submission ✓

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION - Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business
Farm size (area)	565 hectares
Main Waterways	Upokongaruru Stream and tributaries
GW Soil plan or Farm Plan	<u>Yes</u> No
Environmental investments	Investment in native planting and silt dams at end of open drains before entering river catchments
QE2 or Retirement Blocks	One retirement block within the gorge.
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so Regional Council have a wealth of experience staff ie land management officers, they should be used more to establish rulings within the plan.

Each farm is different and with different levels of mitigating environmental affects
 On farm approach rather than one strict resource plan will be more workable.

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?*

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will
make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Wairarapa rivers have been found to be of good water quality. And have been found to be improving over a number of years. To add stricter and unworkable rules will not add any value economically and ecologically to the Wairarapa.

Proposed Natural Resources Plan:

Submitter:

Hutt Valley Angling Club, Inc

Submitter Number:

S344

#1530932 5344

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Wellington Regional Council
 23 OCT 2015

Your details

Full name: DANNY LEE WAECHTER
 Organisation name (if applicable): HUTT VALLEY ANGLING CLUB INC.
 Address for service: 4 BURNS GROVE
TRENTHAM
UPPER HUTT 5018
 Telephone no's: Work: _____ Home: 5277236 Cell: 0274 469665
 Contact person: DAN
 Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: dlee@waechter@yahoo.com

Trade competition

I/we could not gain an advantage in trade competition through this submission [if you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Please continue on separate sheet(s) – an excel spreadsheet of all of the proposed plan provisions is available online www.gvt.govt.nz/regional-plan-review

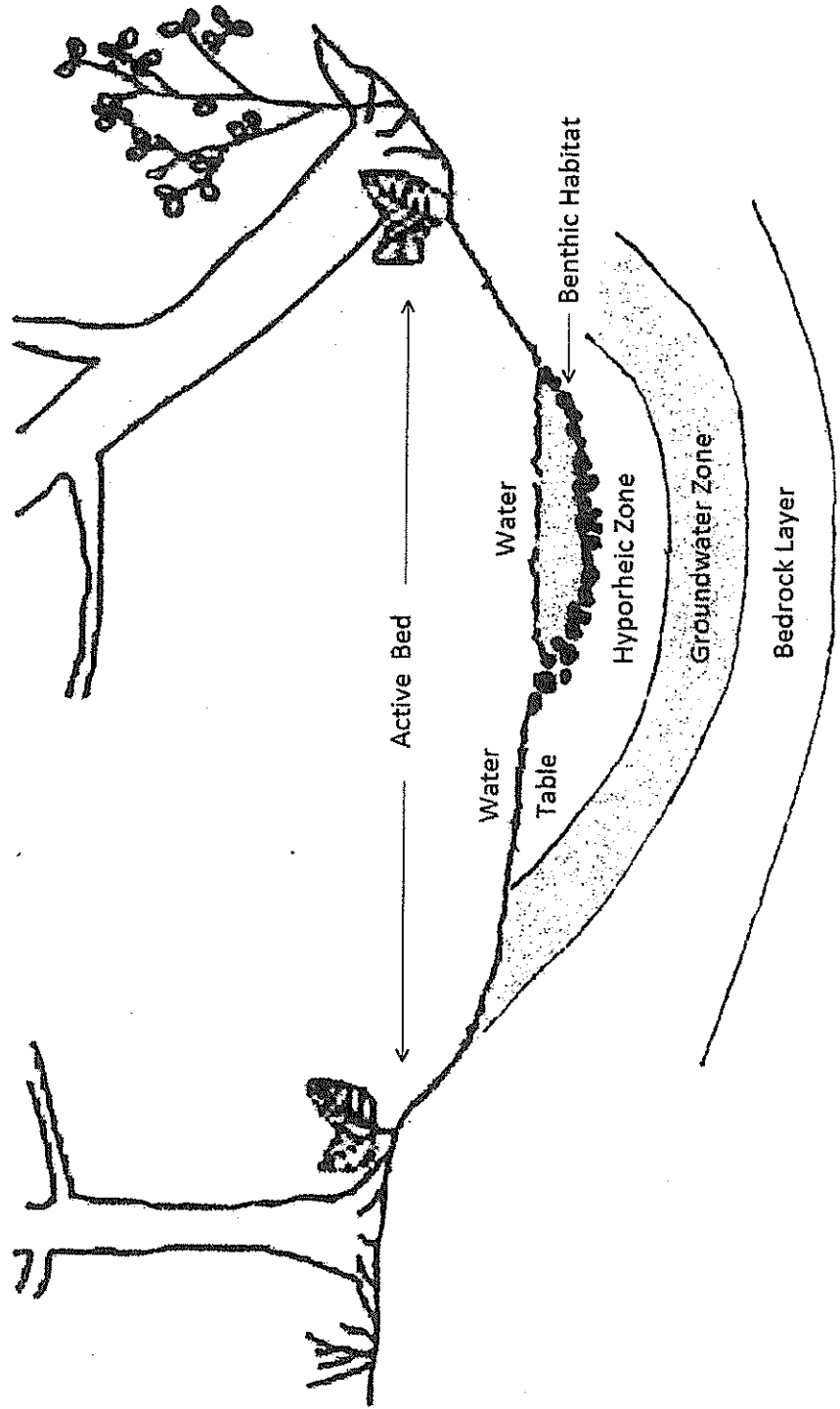
The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p><u>3.6 Objective 25</u></p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>Recognize the requirements of water quality in trout spawning and trout fishery rivers</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Include the enclosed table, as submitted by Hutt Valley Angling Club, in Objective 25</p>
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p><u>Schedule E5 Historic Heritage Freshwater Sites</u></p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>Horokiwi Stream is the site of K. R. Allens classic study of trout population dynamics. The study is still widely cited internationally in scientific literature on trout and remains a hallmark publication on the relationship between trout production and food.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Recognize the significant historic, scientific and cultural value of Horokiwi Stream by including it in Schedule E 5.</p>

025
Appendix 1 Recommended inclusion to Freshwater Objective RP 020

Water Type	Rivers																																																						
Value	Trout spawning and trout fishery rivers identified in Schedule I																																																						
Freshwater Objective	<table border="1"> <thead> <tr> <th>Biological</th> <th colspan="4">Water quality</th> <th>Nutrients</th> <th>Ammonia (g/m3)</th> <th>Habitat</th> <th>Natural Character</th> </tr> <tr> <th>MCI</th> <th>In stream plants</th> <th>Temp</th> <th>pH</th> <th>DO (% sat)</th> <th>Water Clarity</th> <th></th> <th>% Sediment cover</th> <th></th> </tr> </thead> <tbody> <tr> <td></td> <td>Chlor α</td> <td>PeriWCC</td> <td>range</td> <td></td> <td>< 50th % ile</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Regionally significant</td> <td>120</td> <td>20</td> <td>19</td> <td>7 – 8.2</td> <td>80</td> <td>10</td> <td></td> <td>river form (including pool, run, riffle, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish through their life phases and protect, and where degraded restore, ecosystem health</td> </tr> <tr> <td>Locally Significant</td> <td>100</td> <td>30</td> <td>22</td> <td>7 – 8.5</td> <td>70</td> <td>3</td> <td>20</td> <td></td> </tr> <tr> <td>Trout Spawning</td> <td>120</td> <td>20</td> <td>11</td> <td>7 – 8.2</td> <td>80</td> <td>10</td> <td>10</td> <td></td> </tr> </tbody> </table>	Biological	Water quality				Nutrients	Ammonia (g/m3)	Habitat	Natural Character	MCI	In stream plants	Temp	pH	DO (% sat)	Water Clarity		% Sediment cover			Chlor α	PeriWCC	range		< 50 th % ile				Regionally significant	120	20	19	7 – 8.2	80	10		river form (including pool, run, riffle, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish through their life phases and protect, and where degraded restore, ecosystem health	Locally Significant	100	30	22	7 – 8.5	70	3	20		Trout Spawning	120	20	11	7 – 8.2	80	10	10	
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<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p>Schedule E 5 Historic Heritage Freshwater Site</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: : →</p>	<p>The Mangaroa, Akatarawa, Akatarawa West, Pakuartahi and Whakatikei Rivers are all rivers of significant historical value. Fishing contributed to, and continues to contribute to the cultural fabric of our community.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Recognize the historic and cultural value of the Mangaroa, Akatarawa, Akatarawa West, Pakuartahi and Whakatikei Rivers by including them in Schedule E 5.</p>
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p>Definitions.</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: : →</p>	<p>The illustration explaining the active bed of a river is lacking in information on the components that contribute to a river bed.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Replace illustration on page 17 of the Proposed Natural Resources Plan with the illustration as submitted by the Hutt Valley Angling Club.</p>



Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date:

17/10/2015

[Person making submission or person authorised to sign
on behalf of person making submission. NB. Not required if making an
electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including **your name and address for service** as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

Alex Kyle

Submitter Number:

S345

#1530930

S345

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Wellington Regional Council
23 OCT 2015

Name	Alex Kyle
Farm Name	Mikorangi
Physical Address	1644 Te Wharau Road. RD3 Masterton
Phone Number	063727633
Email Address	alex.sarah@farmside.co.nz

Communication from GWRC: I prefer email ~~OR hardmail~~ - choose one

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business
Farm size (area)	2220 hectares
Main Waterways	Wairarapa River
GW Soil plan or Farm Plan	<input checked="" type="radio"/> Yes <input type="radio"/> No
Environmental investments	Fenced off Wairarapa River large areas of erosion control planting for generations, large areas of fenced off native bush, willow planted in River by predators
QE2 or Retirement Blocks	large areas of native bush, + forestry blocks
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so - long association with Wairarapa catchment board over years, do not need bureaucrats from Wellington to be telling me what I can + can't do in my business, As at heart I am very much a conservationist.

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for "important" trout spawning rivers; delete those that don't meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don't apply until they are.

Stock Exclusion Comments and Reasons

Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos

For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?

The plan is totally impractical for the class of land we farm, stock rely on creeks for water, we have a very low stocking rate, sheep do not like standing in water away, & the practicality for fencing of creeks that are in mini gorge areas would not be possible.

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: ~~support~~/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

Agree with the changes being asked for

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

Agree with changes being asked for.

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

Agree with proposed changes

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

Amend Rule 99 - to allow farm tracking as a permitted activity. - as has been for the last how many years? Stop limbing us dry east coast hill country farmers in with the subdivision developers of Wellington when it comes to policy making - not one rule for all.

- lessor cost for obtaining a consent.
- 3000 m² not much of a track.

Agree with changes being ~~to~~ asked for.

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

We farm on dry east coast hill country greywacke based so not so erosion prone to some west coast situations - again - horses for courses - not one rule for all. -

- needs to be - types of vegetation clearance*
- class of land to be cleared*
- method of land clearance*
- lesser cost of obtaining a consent.*
- consent obtained in a more timely manner.*

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

re rule R115 - where is the science behind these figures

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

Your rule's apply to a 5-10ha property - so again - not one rule for all - dumps + offal pits can effect neighbours - so the larger the property the less effect on neighbours - so rules accordingly.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

Again these rules apply to smaller holdings
more effect on neighbours - larger properties less
effect on neighbours - not one rule for all -

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: support/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

Get some practical rules for applying aerial fertilizer

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

*you need to target urban stormwater systems
First - before you target rural.*

Any other areas of concern – just copy format above

Proposed Natural Resources Plan:

Submitter:

**Waikanae Christian Holiday Park (El
Rancho)**

Submitter Number:

S346



Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation
Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council

This submission has been prepared on behalf of Waikanae Christian Holiday Park (El Rancho) of Kauri Road/Weggery Drive, Waikanae Beach

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

The submitters could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that this submission relates to are set out in Parts 2 through to 10 of this submission.

The submission opposing or supporting provisions is set out in Parts 2 through to 10 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission. The ~~provisions in strike-through font~~ highlight the areas in the Proposed Regional Plan the submitters wants deleted. The provisions in underline font highlight the areas the s wants included.

The submitters wishes to be heard in support of their submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, consisting of several loops and a trailing line, positioned above a horizontal line.

Signature of person authorised to sign
on behalf of submitters

Date 27 October 2015

Address for service of submittor: c/- Land Matters Ltd, 20 Addington Road, RD1, Otaki
Telephone: 06 364 9147 (DDI)
Email: anna@landmattersnz.com
Contact person: Anna Carter – Senior Resource Management Consultant
Land Matters Ltd

1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and is based on the Kapiti Coast.
- 1.2 This submission addresses specific concerns Waikanae Christian Holiday Park also known as “El Rancho” (the submitters) have in respect of their properties as well as general comments in respect of the policy direction and process adopted by the PROPOSED Regional Plan.

2.0 SUBMITTER’S PROPERTY

- 2.1 Waikanae Christian Holiday Park is located at the end of Kauri Road in Waikanae Beach and adjoins the Waikanae River. Part of the property is located within the river corridor while the larger balance area is contained with secondary sand dunes. To the north, the property borders the El Rancho wetland.

The Holiday Park have operated since 1963 and operates a conference, school camp and holiday camp facility. The park has its own water supply which is serviced via a 30m deep bore. Stormwater from the park currently discharges into a pond on the property and then into the Waikanae River via an unnamed stream.

- 2.2 The Proposed Regional Plan identify a number of natural features located either within or adjoining the El Rancho, including:
- The Waikanae Estuary is an Outstanding Waterbody being a Schedule A Site. It is also a Schedule C Mana Whenua Site; a Schedule F site (ecosystems and habitats with threatened species); and a Category 1 Waterbody;
 - Waikanae River where it adjoins the Holiday Camp is a Schedule B – Nga Taonga Nui a Kiwa site; a Schedule H Site being a recreational river; a Schedule I site being a trout fishery river;
 - The Holiday Park contains Schedule M2 sites being community drinking water groundwater supply sites.
- 2.3 The submitters wish to make a submission so that the Regional Council are aware of the Holiday Parks use of its site and its future intentions. Currently the Regional Council has a resource consent (currently on hold) for a recharge proposal for the camp’s recreational pond. The project is seeking to rehabilitate the aquatic environment of this pond while at the same time find a solution for the camp’s stormwater.

As part of that consent, discharge of stormwater (and/or contaminants) via the unnamed stream on the site to the Waikanae River would be required. The outlet of the stream would be located within Schedule C and Schedule F sites noted above and the Waikanae River at that point would be considered a Category 1 waterbody. The outlet of this stream would not be far from the estuary which is defined as an outstanding waterbody.

2.4 The submitters submissions and the relief they seek are noted in the paragraphs below.

GENERAL SUBMISSIONS

3.0 WATER QUALITY

3.1 The submitters are concerned that onerous conditions may be imposed on any consent applications which may involve the discharge of stormwater or discharge of contaminants given the proximity of the Holiday Park to the Estuary despite the current environment which is that stormwater from the camp discharges into the Waikanae River and has done since 1963.

The Holiday Park is looking to develop the camp, including better manage its stormwater in a sustainable way. The Park is looking to undertake restoration of the riparian margins of both the Waikanae River and the unnamed stream; redirect stormwater into swales before discharging into streams or the river; and fence off waterbodies from stock.

However if the benchmark is set too high the cost of such projects can become cost-prohibitive.

While the Holiday Park doesn't object to the identification of the Waikanae River as a special and significant resource in terms of mana whenua values, mahinga kai values, ecological values and recreational values, it is looking to the Regional Council to understand the long-term relationship it has had with the River and not force restoration or enhancement opportunities.

The Holiday Park is seeking that the Regional Council engage with landowners and the community over sites where restoration and enhancement could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable).

As such the Holiday Park seeks the following relief: That the provisions be amended below as follows:

Objective O3

Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters"

Objective O9

"The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time."

Objective O11

"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time."

Objective O23

"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time."

Objective O28

"The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time."

Objective O29

"use and development provides for the passage of fish and koura and where possible/identified the passage of indigenous fish and koura is restored over time."

Objective O30

"The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time."

Objective O33

~~"Sites with Significant Values"~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time." Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the 'values' of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.

Objective O35

"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."

Objective O38

"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."

Policy P17: Mauri

"The mauri of fresh and coastal waters shall be recognised as being important to Maori by:
(a) managing the individual and cumulative 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 where possible/identified enhance mauri over time
(c) recognising the role of kaitiaki in sustaining mauri"

Policy P38: Restoration of wetlands

"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."

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

"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." ~~Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored.~~"

- 3.2 The Holiday Park notes that the Proposed Regional Plan is seeking to extend habitats by requiring either buffers to those habitats or connections between two or more similar habitats.

The Holiday Park has limited land within which to develop its site and where it can it will plant riparian species or wetland species but generally there is limited areas to do this without compromising the operation of the Park. As such the Holiday Park do not support any provisions which impose additional restrictions on adjoining land on the basis that they are “buffers” or provide “connections” between habitats either for the purpose of managing biodiversity, water quality or natural hazards. Protected sites should be easily identified within a Regional Plan and natural hazards should only require buffers where appropriate.

The Holiday Park seeks the following relief:

That the provisions set out below be amended as follows:

Objective O28

The extent of natural wetlands is maintained ~~or increased~~ and where possible their extent and condition is restored over time.

Policy P30: Natural buffers

~~The adverse effects of Use and development on natural features such as beaches, dunes, or wetlands that buffer development from natural hazards shall be minimised, if that use or development reduces the ability of that feature to operate as a buffer.~~

- 3.3 The Holiday Park does not support a “mitigation hierarchy” being the references in Schedule G of the defining of “minimisation of adverse effects” under Policy P4 which require applicants to consider alternative locations and locating activities away from Scheduled sites. For the Holiday Park there are not many other alternatives to siting of activities or the management of infrastructure etc within the site. The best that can be done is to either design projects to avoid effects, or provide remedies that off-set those adverse effects, or provide some sort of mitigation.

The Holiday Park requests the following relief:

Objective O19

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

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 practical 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) *where possible, 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 small as practicable."*

Policy P26: Natural processes

"Use and development will be managed to ~~minimise~~ limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes."* The submitter opposes the use of the word "minimises" with the current definition as set out in Policy 4 above but would support an amended Policy P4.

4.1 WATER QUALITY

- 4.1 The Holiday Park is concerned about the the provisions relating to **stormwater run-off from properties** as set out in Rule 48 on the basis that it does not address any particular activity and that other rules address discharge of contaminants or sediments. As noted already, the Holiday Park have been discharging stormwater into the Waikanae River since 1963 and they are concerned that Rule 67 will make this practice a non-complying activity. While work is underway to manage how the stormwater is treated before it is discharged into the Waikanae River, there are very little cost-effective alternatives for the Holiday park.

On this basis the Holiday Park seeks the following relief:

- 4.2.1 That rule 48 be deleted. Should it be retained the Holiday Park seek that the the subclause Rule 48(a) be deleted relating to discharges to Schedule A sites. Should the Regional Council look to retain Rule 48 in its current wording, the Holiday Park ask that any resource consents required under this rule become a restricted discretionary activity with the Council's discretion being restricted to the effects on the Scheduled Site.

5.0 WATER QUANTITY & WATER ALLOCATION

- 5.1 The Holiday Park supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that "have been degraded by human activities to the point of being over-allocated". The submitters do not support the region-wide limits on water takes.
- 5.2 The submitters oppose the **water allocation limits** set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.

5.3 The submittor's oppose the restrictions to prevent water takes where the water is within 50m of a natural wetland (noting that the submittor reserves their right to withdraw this objection should the criteria for natural wetlands be amended).

5.4 The Holiday Park seeks the following relief:

5.4.1 The submitters oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. The submittor supports returning to the limits set under the Operative Regional Plans until such time that the Whaitua process identifies which waterbodies have been over-allocated.

6.0 BIODIVERSITY

6.1 The Holiday Park are concerned about the requirements to 'restore' ecosystems and habitats with significant indigeneous biodiversity as noted in the paragraphs above. The Holiday Park are looking to wider community and local authorities to assist them in their restoration effort.

6.2 The Holiday Park is also concerned about all provisions which require connections be created between two or more habitats. It provides clarity if the Regional Plan can identify a significant habitat and the extent of that habitat. It appears that Policy P42 is seeking to extend boundaries of a significant habitats by requiring additional buffer areas not shown on the maps as part of the area within the site. The Holiday Park does not support this approach.

6.3 Relief Sought

6.3.1 The submitor does not support provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner and seeks the following relief:

Policy P40: Ecosystems and habitats with significant indigenous biodiversity values

"Protect, and where possible restore over time, 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);

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

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

(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)."

6.3.2 The Holiday Park opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site and instead asks that provisions requiring buffers and connections be deleted and that this work be done on a "non-regulatory" basis with landowners as required. The Holiday Park seeks the following relief:

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 those 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 those ecosystems and habitats.”*

7.0 TIMEFRAMES

- 7.1 In giving effect to the provisions of the Proposed Regional Plan, the Holiday Park ask that the Regional Council give consideration to implementing costly methods slowly over an agreed time period.

The Holiday Park seeks the following relief:

Objective O9

“The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time.”

Objective O11

“Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time.”

Objective O23

“The quality of water in the region’s rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained, or where possible, improved, over time.”

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 risk of adverse effects the activity may have on this environment may be both high and likely to occur.

Objective 047

"The amount of sediment-laden runoff entering water is reduced over time."

Policy P20: Exercise of Kaitiakitanga

"Kaitiakitanga shall be recognised and provided for by:

- (a) managing natural and physical resources in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

Policy P35 Restoring fish passage

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

Policy P38: Restoration of wetlands

"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government."

8.0 LANDSCAPES

- 8.1 The Holiday Park support providing for Special Amenity Landscapes where the wider community have identified the values associated with those landscapes as worthy of inclusion and as such supports criteria in the Regional Plan to assist communities to identify Special Amenity Landscapes.

As such, the Holiday Park seeks the following relief in respect of Special Amenity Landscapes:

~~Objective 038~~

~~"Identified special amenity landscape values are maintained or enhanced."~~

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

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

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

Proposed Natural Resources Plan:

Submitter:

Brian Bosch

Submitter Number:

S347

#1580935 S347 Arrived after 3:30 Friday

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

GREATER WELLINGTON
REGIONAL COUNCIL
23 OCT 2015

RECEIVED

Name	Brian Bosch
Farm Name	B F + J Bosch Farming Co Ltd
Physical Address	1145 Kahutara Road
Phone Number	0275308849
Email Address	brian.jo@extra.co.nz

Communication from GWRC: I prefer email OR hardmail – choose one

Trade competition: I could not gain an advantage in trade competition through the submission

Hearing: I wish to be heard and would consider jointly appearing with other submitters

Support: I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, <u>Dairy</u> , agricultural business
Farm size (area)	480 hectares
Main Waterways	
GW Soil plan or Farm Plan	Yes No
Environmental investments	
QE2 or Retirement Blocks	
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: ~~support~~/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

Stock Exclusion Comments and Reasons

Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: support/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)

Mention if you have an interest in constructing or extending wetlands.

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: support/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: support/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: ~~support~~/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: support/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: support/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 8 of Schedule 1, Resource Management Act 1991



To: Freepost 3185
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name: Brian Bosch
 Organisation name: _____
 (if applicable)
 Address for Service: 1145 Kaitera Road
RD2 Featherston
 Telephone no's: Work: 0275308849 Home: 063088492 Cell: 0275308849
 Contact person: _____
 Address and telephone no. (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: Brian.jo@xtra.co.nz

Trade competition

I/we could not gain an advantage in trade competition through this submission. (Go straight to Your Submission)

I/we could gain an advantage in trade competition through this submission.
 If you could gain an advantage please complete one of the following:

- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision section number of the Plan)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission →	I support the submission of the Wairarapa Water Users Society Inc as a member of that organisation
	seeking to bring action from ARC give details below →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is: please specify the provision section number	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
seek the following decision from WRC give precise details →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is: please specify the provision section number	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
seek the following decision from WRC give precise details →		

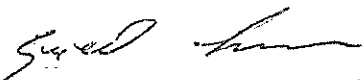
The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is: please specify the provision section number	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
seek the following decision from WRC give precise details →		

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
 [Note: This means that you wish to speak in support of your submission at the hearing(s)]
- I/We do not wish to be heard in support of my/our submission
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature: 

Date: 18/10/15

[Person making submission or person authorised to sign on behalf of person making submission. NZ. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision's section number):	My submission on this provision is →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
I seek the following decision from WRC (please describe details): →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision's section number):	My submission on this provision is →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
I seek the following decision from WRC (please describe details): →		

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision's section number):	My submission on this provision is →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission: →		
I seek the following decision from WRC (please describe details): →		

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s)]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

B. Hoshal

Date: 19-10-15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to
 Clause 8 of Schedule 1, Resource Management Act 1981



To: Freepost 3158
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Your details

Full name:

Neville Davies

Organisation name
 (if applicable)

Address for Service:

151 Papatahi Road
 RD-3, Fstr.

Telephone no's

Work: 063077718

Home: 063077718

Cell: 0274534925

Contact person:

Neville Davies

Address and telephone no. (if different from above)

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address

davies.n.a@farmside.co.nz

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission. If you could gain an advantage please complete one of the following:

- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision section number) <u>Whole Plan</u>	My submission in this case is to →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
Reasons for my submission →	support the submission of the Wairarapa Water Users Society Inc as a member of that organisation	
I seek the following decision from WRC (please see details) ↓		

#1530376

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142

GREATER WELLINGTON REGIONAL COUNCIL
REGISTRATION NUMBER

Your details

27 OCT 2015

Full name: Leo Vollebregt

PROCESSED

Organisation name (if applicable): Wairarapa Water User's Inc. Society

4.10 PM

Address for service: Leo Vollebregt

235 Pahautea Road, RD1,

Featherston

Telephone no's: Work: 063088405 Home: 063088405 Cell: 0272588405

Contact person: Leo Vollebregt

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: lvoll@xtra.co.nz

Trade competition

^{yes} I/we could not gain an advantage in trade competition through this submission (If you ticked this box, delete the rest of this section and go straight to 'Your submission')

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online www.gw.govt.nz/regional-plan-review

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 	My submission on this provision is →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	our submission is attached to this details form
	I seek the following decision from WRC (give precise details): →	

Attendance and wish to be heard at hearing(s)

- YES** I/We do wish to be heard in support of my/our submission
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date:

20/10/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,
c/- Leo Vollebregt,
235 Pahautea Road,
RD1,
Featherston.
21st October 2015

Wellington Regional Council
Wellington

Dear Sir/Madam

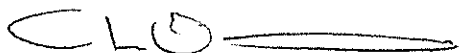
Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25th of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23rd of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

Wairarapa Water User's Inc. Society

Submission on the

Proposed Natural Resources Plan

<u>Provision</u>	<u>Text</u>	<u>Support/ Oppose/ Amend</u>	<u>Reasons</u>	<u>Relief sought</u>
<u>Definitions</u>	<p>Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from Category A groundwater is considered to be surface water allocation.</p>	amend	<p>The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p><u>Ground water will be categorised A or B or C once GW has field verified its connectivity with surface water and performed an empirical calibration of the model</u></p>
<p>Category A groundwater</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>		<p>The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A & B. at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels.</p>	
<p>Category B groundwater (not directly connected)</p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). Category B groundwater (directly connected) is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from category B groundwater (directly connected) is considered to be surface water allocation.</p>		<p>In February 2015 work undertaken in the river bed by the Waihenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse</p>	
<p>Category C groundwater</p>	<p>Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7.</p>			

<p>groundwater irectly onected to urface water egionally ignificant nfrastructure*</p>	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p>		<p>effects to this take at low flows indicating poor relation of the takes to the river.</p>	
<p>Category A groundwater and the component of category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> • the local authority wastewater and stormwater networks, systems and wastewater treatment plants 	<p>amend</p>	<p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Ground water in the bore is at the same level as the water in the river and moves up and down with the level of the river</p> <p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>	
<p>Unused water</p>	<p>support</p>		<p>retain</p>	
<p>Objective O8</p>	<p>amend</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>	
<p>Objective O25 (c)</p>	<p>Oppose</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whatitua before current water quality levels are known</p>	<p>Remove</p>	

<p>able 3.6 groundwater directly connected to surface water</p>	<p>improved over time to meet that objective.</p> <p>Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> (a) efficient infrastructure, and (b) good management practice, including irrigation, domestic municipal and industry practices, and (c) maximising reuse, recovery and recycling of water and contaminants, and (d) enabling water to be transferred between users, and (e) enabling water storage outside river beds. 	<p>amend</p>	<p>Increasing water allocation allows for growth.</p> <p>(a) to (e) are good means to the objective.</p> <p>There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised the amount is increased through time, including by means of: (a) to (e) are good means to the objective. Add (f) enabling storage within the bed of a river</p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a whaitua or sub-catchment, if:</p> <ul style="list-style-type: none"> (a) the affected resource is fully allocated or over-allocated, or 	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain Add (c) consents will run for a period of 25 years</p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that whatitua or sub-catchment.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</p>	<p>(b) recognises the use of water for diluting wastewater and stormwater. Diffuse contaminants need to be included.</p> <p>We are pleased to see irrigation get a special mention.</p> <p>retain</p>	<p>Add <u>diffuse contaminants to</u> (b)</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>		<p>retain</p>

<p>Policy P107: framework for taking and using water</p>	<p>efficient allocation and use of water.</p>	<p>The framework for the take and use of water recognises:</p> <ul style="list-style-type: none"> (a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and (b) the take and use of water does not exceed allocation amounts provided for in the Plan, and (c) minimum flows or water levels are managed in accordance with the Plan provisions. 	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have a significant part to play in establishing the evidence</u> <u>Insert (d) when schedule P changes: -ve effect on consent holders – 10 year lead in time to reflect cost, +ve effect – the water availability should be released immediately."</u></p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>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.</p>	<p>support</p>	<p>We support the use of water</p>		
<p>Policy P111: Water takes at minimum</p>	<p>The take and use of water shall not occur when flows or water levels fall below minimum flows or water levels in the <u>whaitua</u> chapters (chapters 7-</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115(authorising</p>	<p><u>Category A groundwater which shall be required to reduce take by 50% of the amount consented</u></p>	

<p>flows and water levels)</p>	<p>11), with the exception that water is available below minimum flows: (c) as authorised by resource consents in accordance with Policy P108. (d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and (e) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided: (i) the water shall only be available five days (120 hours) after minimum flow cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>		<p>takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%. As above The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes. Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow As above Delete (c) (i)</p>
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flows and water levels
)

11), with the exception that water is available below **minimum flows**:

(c) as authorised by resource consents in accordance with Policy P108.

(d) **category A groundwater** which shall be required to reduce the take by 50% of the amount consented above **minimum flows**, and

(e) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:

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

takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.

As above
The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.

Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels

above minimum flows following a period of 10 days of continuous river levels at minimum flow

As above

Delete (c) (i)

			Support	Retain	
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 identified in Rules R.R1, WH.R1 and K.R1 in the whaitua chapters of the Plan (chapters 7, 8 and 10) is exceeded.		Support	Retain	
Policy P117: Supplementary allocation amounts at flows above the median flow	In addition to core allocation, water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.		support	retain	
Policy P118: Reasonable and efficient use	The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of: (a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made		amend	The investment in infrastructure is considerable and time is required to implement changes	(a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan being made-operative <u>renewal of consent to meet the criteria</u> "

	<p>operative to meet the criteria, and</p>		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent 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:</p> <ul style="list-style-type: none"> (a) a capital expenditure programme linked to the purpose water is used for, and (b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use). 	<p>Support</p>	<p>Retain</p>
<p>Policy P120: Taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P17 is satisfied.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P128: Transfer of resource consents</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the adverse effects of the take and use of transferred water are the same or less, and 	<p>Support</p>	<p>retain</p>

	<p>(b) the transfer occurs within the same catchment management unit, and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(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).</p>			
<p><u>Rules</u></p>			<p>amend</p>	<p>amend</p>
<p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p>	<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p>	<p>Make this rule <u>restricted discretionary</u></p>	
<p>Rule R137: Farm dairy washdown</p>	<p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>			

<p>id milk-cooling ater – permitted :ivity)</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:</p> <p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p>	<p>(b) delete words after "... property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p>
<p>Note</p>	<p>Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p>	<p>Note</p> <p>Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p>	<p>Note</p> <p>Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p>
<p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>	<p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>	<p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>	<p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: emporary water ermit transfers – ontrolled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>Rule 143 (temporary water permit transfers) – for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a permitted activity</p>
<p>Rule R144: ransferring water ermits – restricted iscretionary activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>retain</p>	<p>retain</p>
<p>Other methods</p>			

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and <u>economic values</u> of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and (c) provide, where available, accurate technical information to assist user groups. 	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<ul style="list-style-type: none"> (d) promoting alternatives to the use of water races, and 	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

	<p>implementation of policies which rely on good management practice to achieve desired environmental outcomes.</p>		<p>positive move which will have farmers moving forward in their practices with the reg. council??</p>	
<p><u>tuamahanga</u> <u>Whaitua</u> Policy R.P3: Cumulative effects on river reaches of allocating water</p>	<p>When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects on aquatic ecosystems in downstream river reaches as a result of flow depletion from loss of river water to groundwater.</p>	<p>amend</p>	<p>Important that the effects are measured, not just modelled.</p>	<p>Insert after - adverse effects – that are measured on aquatic ...</p>
<p>Figures 7.3 – 7.8</p>	<p>Water allocation amounts</p>	<p>Oppose</p>	<p>Again the categories need empirical verifying. Too big an impact and too little evidence of benefit to the environment to ignore. As a community we need to verify categories and as this occurs the amounts in these tables may change significantly</p>	<p>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</p>
<p>Tables 7.3 – 7.5</p>	<p>Surface and groundwater allocation amounts</p>	<p>Oppose</p>	<p>The allocation amount should reflect the current consented allocation amount. Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.</p>	<p>Change the allocation amounts to what is currently allocated or more if spare water has been identified</p>

<p><u>schedule P:</u> assessing and managing groundwater and surface water connectivity</p>	<p>oppose</p>	<p>Needs <u>empirical calibration by GW</u></p> <p>The connectivity between various ground water takes and surface water has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p><u>Needs empirical calibration by GW</u></p>
<p><u>schedule Q:</u> reasonable and efficient use criteria</p>	<p>Amend</p>	<p>Irrigation</p> <p>A resource consent application to take water for irrigation purposes shall include an assessment using a field validated model that considers land use, crop water use requirements, on-site physical factors such as soil water holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration. The model must reliably predict annual irrigation volume within an accuracy of 15%. The annual volume calculated using the model shall meet with the following criteria:</p> <p>(a) an irrigation application efficiency of 80%, and</p> <p>(b) demand conditions that occur in nine out of 10 years.</p>	<p>Remove sentence "the model must reliably predict annual irrigation volume within an accuracy of 15%." Unreasonable for the Wairarapa because of dramatic seasonal weather variations. Wairarapa conditions differ from the rest of the country. This needs to be recognised. More consultation with affected parties is required.</p> <p>Remove sentence "the model must reliably predict annual irrigation volume within an accuracy of 15%". Add after field validated model -- <u>for Wairarapa conditions</u></p> <p>(a) add after 80% - <u>where practicable.</u></p>
	<p>amend</p>	<p>irrigators with lower efficiency may be more suitable for specific crops and farming situations. Case by case systems need to be assessed</p>	

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach minimum flows. Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount. Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups However needs of stock drinking water and rootstock protection needs acknowledging However more and more appropriate management points e.g. further south of Waihenga are required. GW to establish in consultation with water users. As water is cleaned up the minimum flow requirement for dilution is lower. The effects of low flows needs to demonstrated as are the effects of restrictions There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u> Table R1 is interim GW to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Milkimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

Proposed Natural Resources Plan:

Submitter:

Max Lutz

Submitter Number:

S348



Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation
Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council

This submission has been prepared on behalf of the Lutz Brothers Ltd in relation to properties at 476-490 and 535 Rahui Road, Otaki

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

The submitters could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that this submission relates to are set out in Parts 2 through to 10 of this submission.

The submission opposing or supporting provisions is set out in Parts 2 through to 10 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission.

The submitters wish to be heard in support of their submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, appearing to be "A. Carter", written over a horizontal line.

Signature of person authorised to sign
on behalf of submitters

Date 27 October 2015

Address for service of submitter:	c/- Land Matters Ltd, 20 Addington Road, RD1, Otaki
Telephone:	06 364 9147 (DDI)
Email:	anna@landmattersnz.com
Contact person:	Anna Carter – Senior Resource Management Consultant Land Matters Ltd

1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and is based on the Kapiti Coast.
- 1.2 This submission addresses specific concerns the submitters have in respect of their property as well as general comments in respect of the policy direction and process adopted by the PROPOSED Regional Plan.

2.0 SUBMITTER'S PROPERTY

- 2.1 The property at 476 – 490 and 535 Rahui Road, Otaki as shown on the attached aerial and is contained in approximately 376 hectares of land. One of the land parcels extends across into the middle of the Otaki River and is an accretion title (i.e. the boundaries move with the accretion or erosion of the river). The property owners manage the property as a dairy farm.
- 2.2 The property is generally flat alluvial plains adjoining the Otaki River with some in rolling hills. The Otaki River is to the south/south-west of the property; Rahui Stream flows through part of the property; and three unnamed streams flow down from the hills into the the Rahui Stream. As a result the submitter's property contains a number of scheduled sites including:
- Schedule B– Nga Taonga Nui a Kiwa being the Otaki River which has special mana whenua status for Ngati Raukawa;
 - Schedule F 1 site being the Otaki River, the Rahui Stream and the unnamed tributaries, as having significant indigenous and biodiversity values including a high macroinvertebrate community health index; and the Otaki River being a habitat for threatened bird species.
 - A Schedule M1 site being the Otaki River which is identified as a surface water drinking source;
 - Category 2 Surface Waterbodies being all waterbodies on the property which have an active bed wider than 1m and drains greater than 1m wide and water races; and all streams that are important to trout spawning (being the Rahui Stream)
 - A Schedule I Trout Fishery Rivers and Spawning Habitat – as thhe Rahui Stream flowing through the property is identified as being a 'trout spawning stream' and the three unnamed streams that discharge into the Rahui Stream are trout fishery rivers; and
 - On the alluvial plains the property is covered by the Category A Groundwater zone and up on the rolling hills it is identified as a Category B Groundwater zone.
- 2.3 The submitters have specific concerns about how the PROPOSED Regional Plan provisions will affect the day-to-day operations on their property; future use of the property and the practicality and/or necessity of imposing certain provisions.
- 2.4 The submitters concerns and the relief they seek is addressed in the submissions contained in paragraphs 3 through to 10 below.

GENERAL SUBMISSIONS

3.0 COMPULSORY AND NON-COMPULSORY VALUES OF THE NPS-FW, MAHINGA KAI PROVISIONS AND CUSTOMARY RIGHTS, MITIGATION HEIRARCHY AND MINIMISATION OF EFFECTS, IMPROVING OR ENHANCING THE ENVIRONMENT

- 3.1 The submitters oppose the methodology adopted by the Proposed Regional Plan which provides for the Whaitua process to only consider some water quantity provisions and not consider water quality provisions and in particular the non-compulsory values (as provided for under the National Policy Statement for Freshwater).

The methodology adopted by Greater Wellington Regional Council in notifying the Proposed Regional Plan was that it would be undertaken in two stages. The first stage involved development of region wide provisions giving effect to the Regional Council's obligations under the Resource Management Act (the "Act"), the Regional Policy Statement (the "RPS") and the National Policy Statement on Freshwater (the "NPS-FW"). The second stage was to follow the Whaitua process which would look at water quantity provisions on a catchment basis.

The submitters do not oppose the two stage process but rather seeks to have all provisions in the Proposed Regional Plan relating to the water quantity, and those water quality provisions relating to non-compulsory values set out in the NPS-FW to also be considered during the Whaitua process so that individual community values can be taken into account more clearly. The submitters also oppose all new provisions under chapter 5.6 'Water Allocation' and ask that the current operative provisions remain in place until the Whaitua Process has run its course.

- 3.2 The submitters oppose those provisions in the Regional Plan that incorporate the non-compulsory values set out under the National Policy Statement for Freshwater (NPS-FW). The NPS-FW requires Councils to identify "values for each waterbody in each region and in the first instance apply the compulsory values of:

- Te Hauora o te Wai/The health and mauri of water – that the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer); and
- Te Hauora o te Tangata/The health and mauri of people – that as a minimum, the freshwater management unit will present no more than a moderate risk of infection to people when they are wading or boating or involved in similar activities that involve only occasional immersion in the water.

Then the NPS-FW states that a Regional Council may choose to include other additional values which are not compulsory being:

- Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater;
- Mahinga kai/food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;

- Mahinga kai – kei te ora te mauri/the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);
- Mahinga kai – fishing – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.

The submitters are opposed to all those provisions in the proposed Regional Plan that give effect to non-compulsory values of protecting the quality of water resources. The submitters support a process for considering whether non-complying values be included in the Regional Plan through the Whaitua process and then if necessary/appropriate through a variation to the Regional Plan.

The Whaitua process has yet to commence on the Kapiti Coast and it should be through that process that determines whether the Regional Plan contains provisions that give effect to the non-compulsory values. Those values relate to whether resource users within a particular freshwater management unit (which under the Regional Plan propose to be catchments) protect and/or enhance water quality for mahinga kai values and primary contact recreational values.

3.3 When including provisions requiring management of adverse effects on aquatic ecosystems (i.e. the compulsory values), the submitters oppose any adherence to a mitigation hierarchy (i.e. first seek to avoid, then to remedy and then to mitigate) through provisions in the Proposed Regional Plan. The Plan is not the best place to make this decision as all decisions on whether to avoid, remedy or mitigate adverse effects need to be undertaken on a case by case basis depending on the receiving environment, the proposal at hand, the construction technology/methodology used etc. Likewise the submitters oppose any attempt to define “minimisation of effects” as the Proposed Regional Plan’s attempt to do this places undue restrictions on the assessment of effects before an application has even been lodged.

3.4 The submitters oppose all provisions that require in the first instance, with reflection on the wider priorities, the environment to be “restored” or “enhanced” where those provisions are located outside the coastal environment. The submitters question the Section 32 analysis in requiring restoration and/or enhancement across the entire region. The costs of doing this work in the manner proposed by the Proposed Regional Plan will be excessive and mainly fall on the resource user when the benefits of restoration and enhancement will extend to the wider community, iwi and local government.

Restoration and enhancement should only be included in a regional plan as required under the NPS-FS and that is where waterbodies have been over-allocated to the point of exhaustion and as required under the New Zealand Coastal Policy Statement. For all other habitats, restoration and enhancement should only be considered on a site by site, catchment by catchment basis (possibly through the Whaitua process) and then through a variation to the Regional Plan.

Costs for undertaking restoration and enhancement should not solely fall on the resource user or landowner. Likewise the submitters oppose any requirement to extend protected sites by the inclusion of buffers or through ‘connections’ etc. Sites suitable for restoration and/or enhancement must be able to be identified in a regional plan, costs should be fairly distributed amongst the beneficiaries, and timeframes should be reasonable (Objective O25 and Policy P63 are examples of how such provisions should work). In all other areas/locations the regional plan should be looking to manage effects to maintain those environments.

Furthermore, the submitters are concerned that the provisions of the Proposed Regional Plan are adopting a region-wide planning approach targetting the worst case scenario waterbodies (typically on the east coast) when the waterbodies on the Kapiti Coast are generally identified as being of good quality and stable and do not require the same sort of treatment. According to the State of the Environment Report, the waterbodies on the Kapiti Coast are:

- *Largely remained stable*
- *Larger rivers are in good health where they flow out of forested ranges*
- *Water Quality and ecological health are degraded in small lowland coastal streams such as the Mangapouri, Mangaone & Whareroa Streams (noting it is not the entire stream that is degraded and the coastal inlet at Mangapouri is noted as having 'Fair' water quality and the Mangaone Estuary as having 'Fair' recreational grade)*
- *Waitohu Stream hill country has 'Excellent' water quality*
- *Otaki River mid section has 'Excellent' water quality and 'Very Good' recreational grade*
- *Inland Waikanae River has 'Good' water quality and 'Excellent' water quality in the lower reaches with 'Good' recreational grade*

According to Section 32 Report '*Ki Uta ki Tai*,' information on water quality will only be available for the *Whaitua* Committees under Stage II of the plan process - "*GW does not have sufficient information to establish water quality limits across the region as required by the NPS – FW ...*" (Paragraph 3.2.6).

3.5 The submitters oppose all provisions relating to *mahinga kai* as currently worded and also oppose the definition of *mahinga kai* in the Proposed Regional Plan. Firstly, the submitters consider that the reference to *mahinga kai* and gathering of food in general is not a compulsory value as defined by the NPS-FW and therefore does not automatically need to be included in the Proposed Regional Plan for all rivers, streams and waterbodies.

Secondly the submitters note that the NPS-FW provides for a wider application of *mahinga kai* to be considered in a regional plan not just for the purpose of the cultural harvesting of food (refer paragraph 3.1 above).

Thirdly, the submitters consider the protection of *mahinga kai* across the entire region (defined in the Proposed Regional Plan as the the "customary" gathering of food) is too broad in that it goes beyond what is required under Section 6 of the Resource Management Act ("the Act") in respect of protecting "protected" customary rights and/or providing for Maori's relationship to their ancestral lands, water, sites, wahi tapu and other taonga. Section 6 reads:

S.6 Matters of National Importance

"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) *the protection of protected customary rights.”*

Section 6(g) of the Act states that protection of customary rights (i.e. Mahinga kai as defined in the Proposed Regional Plan meets the definition of customary rights) is only compulsory in relation to “protected customary rights.” The Marine and Coastal Area (Takutai Moana) Act 2011 defines ‘protected customary right’ as an activity, use or practice established under the Act and recognised by a protected customary rights order or an agreement. Protected customary rights orders can be granted over a specified part of the common marine and coastal area. Such orders recognise a particular activity, use or practice which has been exercised since 1840¹.

- 3.6 The submitters seeks that Proposed Regional Plan define protected customary rights (including mahinga kai) and protect those protected customary rights as set out in section 6(g) of the Act.
- 3.7 The submitters supports those provisions (e.g. O14, O15 and O16) in the Proposed Regional Plan that recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga including providing for the customary gathering of food within mana whenua sites. The submitters oppose the significant restrictions placed on mana whenua sites and in particular the potential prohibition of an activity within those sites. If the Regional Plan is to prohibit an activity it must list that activity in its plan and not rely on a third party advisor (i.e. a cultural impact assessment provided by an iwi authority) as that is likely to be ultra vires. A Regional Plan can not require as a policy or rule that a resource user obtain the written approval of a third party – provisions for requiring affected party approvals are set out in the Act. The submitters opposes any provisions in the Proposed Regional Plan that requires third party approvals.
- 3.8 The submitters opposes any provisions in the Proposed Regional Plan that seek to protect, maintain or enhance sites that would come under the NPS-FW definition of, “Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* –

¹ Source: <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>

where people value particular natural qualities of the freshwater” as this is a non-compulsory value and the inclusion of provisions providing for it in the Regional Plan should be determined through the Whaitua process and if appropriate provisions only included as a variation to the Regional Plan.

3.9 Relief Sought

3.9.1 The submittor’s oppose all new provisions in chapter 5.6 under ‘Water Allocation’ and seek that the current operative water allocation rules apply.

3.9.2 The submitters oppose all provisions in the Proposed Regional Plan that seek to adopt plan changes and/or variations from the whaitua committee process. All notes relating to the Whaitua process should be removed from the Proposed Regional Plan as they are not relevant and will only become relevant if and when a variation/plan change is approved and at that time any planning provision would become apparent. The provisions that should be deleted include, but are not limited to:

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

...

~~*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 65: Minimising effects of nutrient discharges

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

~~*(a) good management practices; and*~~

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

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

~~*(d) regulatory and non-regulatory methods, and*~~

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

3.9.3 That any provisions in the Proposed Regional Plan giving effect to the non-compulsory values of the NPS-FW relating to mahinga kai and ‘Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character*’ (i.e. people value particular natural qualities of the freshwater) be either deleted, or amended to remove references to the non-compulsory values for water quality and water quantity. These provisions include, but are not limited to the following:

Schedule H1 and Rivers shown on Map 20: In line with the principle that the Whaitua process should determine the non-compulsory values, the submitters also opposes all provisions identifying regionally significant primary contact recreation water bodies

listed in Schedule H1 and shown on Map 20 and in particular the Otaki and Waikanae Rivers. Not all parts of these rivers are used for primary contact recreation purposes and it may not be appropriate to identify those reaches as regionally significant for primary contact recreation .

Objective 05

"Fresh water bodies and the coastal marine area, as a minimum, are managed to:

- (a) safeguard aquatic ecosystem health ~~and mahinga kai;~~*
- (b) provide for ~~contact recreation~~ secondary recreational contact and/or provision of potable water and Maori customary use, and*
- (c) in the case of fresh water, provide for ~~the health needs of people~~ secondary recreational contact and/or provision of potable water* (* would require a new definition for 'secondary recreational contact')"*

Objective 24

"Rivers, lakes, natural wetlands, and coastal water are suitable for secondary recreational contact and/or provision of potable water, and significant contact recreation ~~fresh water bodies are suitable for contact recreation~~ ~~contact recreation~~ ~~and Maori customary use,~~ including by:

- (a) maintaining water quality; or*
- (b) improving water quality in*
 - i. Significant contact recreation fresh water bodies to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and*
 - ii. all other rivers and lakes and natural wetlands to meet, as a minimum the secondary contract recreation objectives in Table 3.2."*

Schedule H: Contact recreation and Maori customary use (and as shown on Map 20)

Schedule H1: Regionally significant primary contact recreation water bodies (shown on Map 20"

Objective O25

"To safeguard aquatic ecosystem health ~~mahinga kai~~ in fresh water bodies and coastal marine area:

- (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health ~~and mahinga kai,~~ and*
- (b) restoration of aquatic ecosystem health ~~and mahinga kai~~ is encouraged over time* (* refer paragraph 8.0 of this submission), and*
- (c) where an objective in Tables 3.4, 3.5, 3.6, 3.7, or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective"*

Policy P10: Contact recreation and Maori customary use

"The management of natural resources shall have particular regard to the actual and potential adverse effects on ~~contact recreation~~ the health and mauri of people involved in secondary contact recreation and Maori customary use sites, 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 Maori customary use~~
- ~~(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 P31: Aquatic ecosystem health ~~and mahinga kai~~

"Aquatic ecosystem health ~~and mahinga kai~~ shall be maintained, or where possible/identified restored over time, by managing the effects of use and development on physical, chemical and biological processes to:

- (a) minimise limit adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern where they exist, and natural range of water level fluctuations in rivers, lakes and natural wetlands, and
- (b) minimise limit adverse effects on aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and
- (c) minimise limit adverse effects on habitats that are important to the life cycle and survival of aquatic species, and
- (d) minimise limit adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and
- (e) avoid creating barriers to the migration or movement of indigenous aquatic species, ~~and restore the connections between fragmented aquatic habitats where appropriate, and~~
- (f) minimise limit adverse effects on established riparian habitats and restore them where practicable, and
- (g) avoid the introduction, and restrict the spread of, aquatic pest plants and animals."

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

"Significant adverse effects on aquatic ecosystem health ~~and mahinga kai~~ shall be managed. by:

- ~~(a) avoiding significant adverse effects; (see comments in next section under 'Water Quality')~~
- ~~(b) where significant adverse effects cannot be avoided, remedying them, and~~
- ~~(c) where significant adverse effects cannot be remedied, mitigating them, and~~
- (d) where significant adverse effects cannot be avoided, remedied or mitigated and/or residual significant adverse effects remain, it is appropriate to consider the use of biodiversity offsets.

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

Policy P62: Promoting discharges to land

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

- (a) aquatic ecosystem health ~~and mahinga kai~~, or

(b) secondary recreational contact and/or provision of potable water* ~~contact recreation and Maori customary use.~~"

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

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

*Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to be amended so criteria is only assessing aquatic ecosystem health not mahinga kai.

3.9.4 The submitters opposes generic application of provisions controlling use and development without reference to managing potential adverse effects. The submitters opposes any "mitigation hierarchy" including the reference in Schedule G. The submitters opposes the attempt to define "minimisation of adverse effects" under Policy P4 by requiring applicants to consider alternative locations and locating activities away from Scheduled sites. There is a reason why an applicant has sought a consent for the specific location and unless the activity on that site is prohibited then they have every right to apply for a consent in that location. The Regional Plan should instead look at managing effects from activities on locations. These provisions the submitters oppose include, but are not limited to the following:

Objective O19

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

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 practical 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) where possible, 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 small as practicable."

Policy P26: Natural processes

"Use and development will be managed to ~~minimise*~~ limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes." The submitters opposes the use of the word "minimises with the current definition as set out in Policy 4 above but would support an amended Policy P4.

3.9.5 The submitters oppose any provisions which require 'restoration' and/or 'enhancement'. Submitters are seeking the Regional Council engage with landowners and the community over

sites where this could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable). These provisions include, but are not limited to, the following:

Objective O3

Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters"

Objective O9

"The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time."

Objective O11

"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time."

Objective O23

"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time."

Objective O28

"The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time."

Objective O29

"use and development provides for the passage of fish and koura and where possible/identified the passage of indigenous fish and koura is restored over time."

Objective O30

"The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time."

Objective O33

~~"Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time." Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the 'values' of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.

Objective O35

"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."

Objective O38

"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."

Policy P17: Mauri

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

- (a) managing the individual and cumulative 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 where possible/identified enhance mauri over time*
- (c) recognising the role of kaitiaki in sustaining mauri"*

Policy P38: Restoration of wetlands

"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."

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

"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." ~~Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored.~~"

- 3.9.6 The submitters support the Proposed Regional Plan identifying 'protected customary rights'. The submitters oppose all other provisions protecting or managing waterbodies for the purpose of mahinga kai (unless as part of a mana whenua site) and request that such provisions be removed from the Proposed Regional Plan unless the provisions specifically refer to mana whenua sites.
- 3.9.7 That the definition for *Mahinga kai* be amended to align itself with the definitions under the NPS-FW as follows:
- *"Mahinga kai" - food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;*
 - *"Mahinga kai – kei te ora te mauri" - the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);*
 - *"Mahinga kai fishing" – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption."*
- 3.9.9 That the Whaitua process consider whether to provide within the Regional Plan on a catchment by catchment basis (or site by site basis) for the non-compulsory values and that those be included as a variation to the Regional Plan. That the Whaitua process include not just the customary gathering of food (i.e. *Mahinga kai*) but the gathering of food for all people as set out in the three definitions under the NPS-FW when considering whether to include those values in the Regional Plan on a catchment by catchment basis.

4.1 WATER QUALITY

- 4.1 Max Brothers Ltd recognise that the National Policy Statement on Freshwater Management (NPS-FW) requires Regional Councils in reviewing their policy statements and plans to safeguard water quality to protect its life-supporting capacity; and safeguard water quantity to avoid

over-allocation and to maximise efficient use of water; and to protect significant values of wetlands and outstanding freshwater bodies.

As noted already, the submitters oppose the inclusion of any provision within the Proposed Regional Plan that gives effect to the non-compulsory values (i.e. the protection of water bodies for the purpose of collecting food and for primary contact/swimming recreation).

- 4.2 The submitters oppose any provision within the Proposed Regional Plan that seeks to improve water quality with the exception of those water-bodies that have already been over-allocated. The submitters consider such provisions should only be included on a catchment by catchment basis once having considered whether improvement is appropriate and this is best done under the Whaitua process. The submitters recognise that the Whaitua process, having reviewed the data on the relevant water catchments and considered the varied water values stakeholders have for a catchment, is more appropriate to determine whether a catchment's water quality should be improved or not.

The wording of the NPS-FW is to "to maintain or improve the overall quality of freshwater within a region." The Land and Water Forum working on the wording on the NPS-FW recommended that "maintain" means staying within the same band and "improve" means moving to a higher band². To determine whether a waterbody does require improvement or enhancement each regional council must first classify its water bodies into a set of freshwater management units (FMUs). In the Wellington Region this is being done through the Whaitua process.

- 4.3 The submitters oppose Rule 82 clause (a) being the application of fertiliser from ground-based or aerial applications onto or into surface water bodies and any other relevant provisions. The submitters support an amended provision which provides for best practice when undertaking aerial top-dressing as opposed to a blanket no discharge rule as with the best will in the world it is not always possible when undertaking aerial topdressing to avoid surface waterbodies.
- 4.4 The submitters oppose Rule 83 being the discharge of collected animal effluent onto or into land as a controlled activity. The submitters oppose that there is no extended timeframe within which to comply with clause (g) being the requirement to provide permanent sealed animal effluent collection, storage and treatment facilities. The regional plan must apply fair methodology when requiring high-cost mitigation. The submitters support a variation to Rule 83(g) and any other relevant provisions which allows an extended period of time, in line with the timeframe granted to local authorities for to upgrade their stormwater systems (refer Rule 50).
- 4.5 The submitters oppose Rule 89 being the discharge of contaminants onto or into land and the associated discharge of odour from a new farm refuse dump. The submitters consider that the area of 50m³ is insufficient to meet their daily needs; and that there appears to be no basis for the other provisions relating to requirements that they are located in silty or clary soils or that they not be located within an area prone to flooding or ponding; that they not be located 0.6m

² Land and Water Forum, 2012. *Second Report of the Land and Water Forum: Setting Limits for Water Quality and Quantity, and Freshwater Policy and Plan-Making Through Collaboration.* p.22,

above the seasonally highest water table. The submitters consider that it would be more appropriate and simpler if the rule just referred to a set-back distance from water supplies which are used for potable water.

- 4.6 The submitters oppose Rules 94, 95 and 96 and any other provisions relating to break-feeding and cultivation. The submitters oppose the requirement for a 5 metre set-back from any surface water-body for break-feeding and/or cultivation. The submitters considers that the provision in Rule 94(c) that "*sediment laden surface water resulting from cultivation does not flow to a surface water body*" is sufficient for ensuring adverse effects from break-feeding do not impact on those water bodies. The submitters would support an amendment to Rule 94(b) to encourage best-practice of starting break-feeding at the far side of the paddock to the waterbody (this means that stock will only be at a close proximity to the waterbody for the shortest period of time). The provisions for cultivation are effectively requiring riparian vegetation to develop within the 5m to the waterbody edge when this may not be necessary for all water-bodies.

- 4.7 The submitters are concerned that the provisions relating to earthworks do not exclude the construction of new farm tracks. The submitters are seeking the definition of earthworks in chapter 2 of the Proposed Regional Plan excludes the construction of new farm tracks in accordance with the provisions in District Plans in the region. The submitters state that provided new farm tracks comply with the same permitted activity conditions as set out in Rule 99 (a) – (d) that all effects will be appropriately managed.

Similarly, the submitters oppose the provisions relating to stormwater run-off from properties as set out in Rule 48 on the basis that it does not address any particular activity; and on the basis that Rule 99 already addresses run-off from earthworks. Natural rainfall falling on a property should not subject to rules in a Regional Plan – this is unreasonable. The way Rule 48 is written is that landowners could be liable for effects on watercourses as a result of a landslide occurring on their property. This is unfair and has no basis in the Resource Management Act which refers to "people" not discharging contaminants or water into water (refer section 15 of the Act).

- 4.8 The submitters oppose the provisions relating to vegetation clearance that trigger Rule 100 and Rule 101. Specifically the submitters seek that the definition of vegetation clearance as set out in Chapter 2 of the Proposed Regional Plan be amended to only refer to vegetation clearance which involves the removal of roots or stumps (e.g. root racking or stump clearance). The submitters would like the Regional Plan to focus on effects based rules and in this instance look to manage those effects that look to destroy the roots of plants but allow measures such as roller crushing, burning, harvesting of pine plantations etc where the roots will not be disturbed. Root die-off takes some time and unless the landowner is cultivating the ground the landowner will be replacing that vegetation with either grass or replanting as a production forest.

The submitters also oppose the definition of *erosion prone land* being slopes of 20 degrees or less. Submitters seek that the current definition of erosion prone land applies which are for slopes of 28 degrees or more.

- 4.9 The submitters oppose the provisions relating to maintenance of drains. The submitters support the ability to clear a section of a drain (including both sides) at one time. It is not practical to leave one side or the middle of a drain particularly if the drain is narrow and the digger can reach the entire width of the drain. The submitters oppose the rule that requires all fish and koura that may have been removed from the drain to be returned to the drain. Instead the submitters would support a 'best practice provision' which states, 'where possible, all fish and koura should be returned to the drain.' The submitters oppose the rule that would prevent the removal of woody debris with a diameter greater than 0.2m from the drain.

4.10 Relief Sought

- 4.10.1 The submitter seeks that the policy approach to maintain OR maintain and improve water quality is determined through more discussion with the community based on a catchment basis through the Whaitua process for those provisions as noted in paragraph 3.9.4 above.
- 4.10.2 The submitters oppose Rule 82 and any associated provisions which require that aerial topdressing avoids any discharges to surface water bodies. The submitter supports changes to the provisions that provide instead for "best practice" and "to avoid wherever practicable discharges to surface water bodies" by aerial topdressing pilots.
- 4.10.3 The submitters oppose Rule 83 and any other relevant provisions requiring immediate compliance and installation of permanent sealed collection and treatment facilities for animal effluent. The submitter's support a phased regime similar to that proposed for territorial authorities for the treatment of stormwater.
- 4.10.4 The submitters opposes rule 89 and seeks for it to be amended to allow for a refuse up to 100m³ in size. The submitter seeks that Rule 89 (c)(ii) be deleted; that rule 89(d)(i) be deleted; that rule 89(e) be deleted; that Rule 89(h) be deleted; and that Rule 49(i) be deleted.
- 4.10.5 The submitters oppose Rules 94, 95 and 96 in relation to break-feeding and cultivation. The submitters oppose the activity status of 'discretionary' for any non-compliance and state that at the most any activity not complying should be 'controlled.' The submitter would support amendments to Rule 94(a) and Rule 95(a) to remove the requirement for a 5m setback from a waterbody and to amend Rule 94(b) and 95(b) to require best-practice to be applied.
- 4.10.6 The submitters opposes all provisions relating to drain clearance. The submitter supports more practical provisions that allow a machine to clear both sides and the middle of a drain at one point in time; the Submitters support provisions that provide for best practice when returning fish and koura to drains if they have been removed during the clearance process; the submitters support the removal of woody debris from drains.

- 4.10.7 The submitters opposes all provisions relating to earthworks and control of stormwater where it comes from an area of earthworks. The submitters opposes Rule 48 and seeks that it be deleted.
- 4.10.8 The submitters opposes the definition of earthworks in Chapter 2 of the Regional Plan and seeks that it be amended to “exclude” the construction of “new” farm tracks.

The submitters supports a new permitted activity rule for new farm and forestry tracks as follows:

“New Rule Earthworks – New or Existing Farm and Forestry Tracks are permitted, provided the following conditions are met –

- (a) soil or debris is not placed where it can enter a surface water body or the coastal marine area;
- (b) earth disturbance will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the track is being constructed or maintained
- (c) work areas are stabilised within six months after the completion of the works
- (d) any earth disturbance shall not, after the zone or reasonable mixing, result in any of the following effects in receiving waters –
 - a. the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or
 - b. any conspicuous change in colour or visual clarity, or
 - c. any emission or objectionable odour, or
 - d. the rendering of fresh water unsuitable for consumption by animals, or
 - e. any significant adverse effect on aquatic life.”

- 4.10.9 The submitters oppose Rule 99 and seek that it be amended so that it is reflective of property sizes and based on catchments. Amend Rule 99 to either increase the minimum area of earthworks permitted per property based on it as a percentage area of the total property (so that larger properties can undertake more earthworks); and/or so that the rule are applied to catchments affected (i.e. so that a earthworks up to a certain square metre can be undertaken within each catchment within each property).

- 4.10.10 The submitters opposes the definition of ‘erosion prone land’ as set out in Chapter 2 of the Proposed Regional Plan and seeks for it to be amended as follows:

Erosion Prone Land

The pre-existing slope of the land exceeds ~~20~~ 28 degrees

- 4.10.11 The submitters opposes the activity status of Rule 101 so that activities not complying with Rule 99 or Rule 100 are a discretionary activity. The submitters supports Rule 101 being a *restricted discretionary activity* where Council’s discretion is limited to management of sediment from construction and long term effects from the earthworks.

5.0 WATER QUANTITY & WATER ALLOCATION

5.1 The submitters recognise that the policy direction for Water Quantity is set by the National Policy Statement on Freshwater Management which sets out three objectives a Regional Plan must meet. The three objectives of the NPS-FW to safeguard water quantity require Regional Council's in their Plans to:

1. avoid any further over-allocation of fresh water and phase out existing over-allocation (Objective B2 NPS-FW);
2. improve and maximise the efficient allocation and efficient use of water (Objective B3 NPS-FW); and
3. To protect significant values of wetlands and of outstanding freshwater bodies (Objective B4 NPS-FW)

The submitters supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that "have been degraded by human activities to the point of being over-allocated". The submitters oppose the region-wide limits on water takes.

5.2 The submitters oppose the limits set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.

5.3 Relief Sought

5.4.1 The submitters oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. The submitter supports returning to the limits set under the Operative Regional Plans until such time that the Whaitua process identifies which waterbodies have been over-allocated.

6.0 AIR QUALITY

6.1 The submitters opposes the application of agrichemical provisions in respect of air quality. Specifically, the submitters opposes the provisions around notification of neighbours and the requirement for non-commercial applicators to hold a GOWSAFE (trademarked) qualification.

The submitters oppose the requirement in Rule 36(g)(iii) that requires that they supply a copy of a spray plan to the owners and occupiers of properties who are "likely to be directly affected by the discharge" or owners and occupiers of properties who "request a copy." The latter provision could mean that people not even affected could request a copy of a spray plan. Futhermore, what does it mean to be 'directly affected?' Where there are multiple adjoining landowners they could all consider themselves directly affected simply because they are a

neighbour when in fact they are not directly affected. The rule should be limited to a specific distance from the area which is being sprayed.

There should be no requirement to provide a copy of the spray plan 24 hours before a discharge of agrichemicals because there may not be sufficient time to do this particularly if there are a number of neighbours affected; and secondly because those neighbours have the opportunity at the start of the spray season to obtain a copy.

The submitters oppose the requirement that requires compulsory certification to a particular qualification without consideration of other qualifications such as the ‘approved chemical handler’ certificate. The submitters note that under the Hazardous Substances and Noxious Organisms Act (HSNO) certain chemicals can not be sold in large quantities without the buyer holding in their name a suitable qualification. On this basis the submitters question whether Rule 36 (i) is relevant at all.

6.2 Relief Sought

6.2.1 That Rule 36 be amended and that provision 36(g) and 36(i) be deleted and replaced with the following:

- (g) *the applicator, manager or owner of the property shall prepare a spray plan at least once per annum, and*
 - (i) identify sensitive areas adjacent to where discharges of agrichemical shall occur in accordance with NZS 8409:2004 management of Agrichemicals: Seciton 5.3 and appendix M4, and*
 - (ii) notify adjacent neighbours that a spray plan is available on request at start of a spray season, and*
 - (iii) gain written agreement from adjoining neighbours that notification is not required, and*
 - (iv) ~~supply a copy of the spray plan at least 24 hours prior to the discharge of agrichemicals~~ verbally notify at least 24 hours prior to the discharge of agrichemicals the owner/occupier of a property which is either identified as a sensitive area; or is within 50 metres of the area which will be affected by the discharge or likely to be directly affected by the discharge, or requests a copy, and*
- (h) ...
- ~~(i) for ground based applications where the applicgtor is not a commercial applicator the applicator shall~~
 - ~~(i) hold a GROWSAFE Introductory Certificate, or~~
 - ~~(ii) be supervised by a person holding a current GROWSAFE Advanced Certificate, and~~

7.0 BIODIVERSITY

- 7.1 The submitters opposes requirements to 'restore' ecosystems and habitats with significant indigenous biodiversity. The requirement to 'restore' goes beyond that set by section 6 of the Act which simply requires Regional Plans protect areas of significant indigenous biodiversity and habitats with significant indigenous fauna. Restoration should be a joint effort between the landowner, the wider community, iwi and local government and should not be the sole responsibility of a resource user unless it is part of an off-setting requirement.
- 7.2 The submitters oppose all provisions which require connections be created between two or more habitats. A significant habitat must be considered such on its own merits and the boundaries drawn on maps in the Regional Plan must contain that habitat so that they are easily defined. Policy P42 is seeking to extend boundaries of a significant habitat outside the processes set by Schedule 10 of the Act (the plan change process). This policy is inherently unfair as it tries to achieve an outcome by stealth. Buffers and other connections must be identified within the boundaries of a significant site at the time the Proposed plan is publicly notified.

7.3 Relief Sought

- 7.3.1 The submitters opposes provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner. These provisions include, but are not limited to the following:

Policy P40: Ecosystems and habitats with significant indigenous biodiversity values

"Protect, and where possible restore over time, 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);*
- (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and*
- (c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands);*
- (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)."*

- 7.3.2 The submitters opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site. Such provisions in the plan include, but are not limited to the following:

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 those 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 significant adverse effects on, and the incremental loss of the values of those ecosystems and habitats."*

8.0 TIMEFRAMES

8.1 The NPS-FW gives Regional Council's a timeframe within which to meet its requirements but does not specifically state that in the interim it shall adopt a precautionary approach. As such the submitters oppose the adoption of a precautionary approach in the Regional Plan. The submitters oppose all provisions which require that immediate attention is required to improve or enhance a waterbody. The Proposed Regional Plan appears to have double-standards when dealing with territorial authorities or larger entities allowing longer timeframes within which to comply when compared to individual resource users (see objectives O48, O52). These larger organisations are more likely, financially, to be able to comply within a shorter timeframe than an individual. The framework set out in the Proposed Regional Plan is inherently unfair and biased.

8.2 Relieft Sought

8.2.1 That the provisions which require immediate attention to improve or enhance a waterbody are either deleted or amended. Suggested amendments are proposed to the provisions noted below but are not limited to those provisions:

Objective O9

"The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time."

Objective O11

"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time."

Objective O23

"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained, or where possible, improved, over time."

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 risk of adverse effects the activity may have on this environment may be both high and likely to occur.

Objective O47

"The amount of sediment-laden runoff entering water is reduced over time."

Policy P20: Exercise of Kaitiakitanga

"Kaitiakitanga shall be recognised and provided for by:

- (a) managing natural and physical resources in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

Policy P35 Restoring fish passage

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

Policy P38: Restoration of wetlands

"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government."

9.0 LANDSCAPES

- 9.1 The submitters oppose the blanket inclusion of special amenity landscapes in District Plans. The submitters support providing for Special Amenity Landscapes only where the wider community have identified the values associated with those landscapes as worthy of inclusion. The submitters supports criteria in the Regional Plan to assist communities identify Special Amenity

Landscapes. The submitters would support the consideration of special amenity landscape values, in relation to waterbodies, through the Whaitua process subject to consultation with landowners prior to any identification.

9.2 The submitters oppose the provisions that require Special Amenity Landscapes and Outstanding Landscapes to be restored and/or enhanced. The reasons are the same as set out earlier in this submission.

9.3 Relief Sought

9.3.1 The submitters opposes any provisions relating to special amenity landscapes. The submitters would support amendments to the Proposed Regional Plan that list criteria for sites to be included as a special amenity landscape and that this work be undertaken as part of the Whaitua process. In the interim, all provisions should be deleted as follows:

Objective O38

~~"Identified special amenity landscape values are maintained or enhanced."~~

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

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

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

(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape."

10. BEDS OF LAKES AND RIVERS

10.1 The submitters oppose the rules relating to river crossings and culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitters supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast; or deleting the maximum size of culverts. Specifically the submitters oppose Rule 114(f)(ii) which limits river crossings to catchments less than 50ha on the west coast (west of the Ruamahanga River). There is no rationale behind the large difference between the east coast and the west coast.

10.2 The submitters also oppose Rule 114(g) which limits formed crossings to 20m² as a permitted activity where the structure is in or on the bed of the river. This would significantly limit fords. Surely the focus of the Plan should be on addressing effects on habitat which would

mean limiting the width of a ford (i.e. the distance it measures between upstream and downstream) and not the length of the ford or overall size of the ford.

- 10.3 The submitters oppose Rule 115 (h)(ii) and (iii) which limits the overall size of the culvert to 1.2m. The rule already has a provision to ensure that it does not exceed 20m in length presumably to manage fish passage; the rule also contains a provision to ensure it allows flows from a 5% AEP (or 20 year event) to ensure passage of flood waters can be maintained. There does not appear to be any reasonable basis for including a maximum culvert size with these other provisions in place

10.4 Relief Sought

- 10.4.1 The submitters oppose Rule 114(f)(ii) and seek that the area be increased to 200ha as per the east coast.
- 10.4.2 The submitters oppose Rule 115(h)(ii) and Rule 115(h)(iii) and seek that it be amended to just refer to the minimum size limit of 0.3m diameter but remove any maximum size.



1:20000



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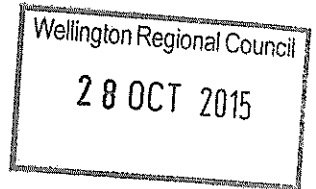


#1531073

S348

Mark Sutherland

From: Regional Plan
Sent: Wednesday, 28 October 2015 3:44 p.m.
To: Records
Subject: Fw: Lutz Brothers Ltd - Submission on Proposed Regional Plan
Attachments: Lutz - attachment to submission.pdf; ATT00001.htm; Land Matters Logo_RGB-for email-01.png; ATT00002.htm



From: Anna Carter <anna@landmattersnz.com>
Sent: 28 October 2015 13:20
To: Regional Plan
Subject: Lutz Brothers Ltd - Submission on Proposed Regional Plan

Hi Erin,

Max Lutz wrote a second submission on the Proposed Regional Plan that he submitted in to the Council last Friday. He has asked if it can be attached to the back of the submission I wrote for and for which I sent yesterday.

A copy of this earlier submission is attached.

SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

To: regionalplan@gw.govt.nz OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	MAX LUTZ
Farm Name	Lutz Farming Company
Physical Address	430 Rahui Road OTAKI
Phone Number	0273437249
Email Address	max.lutz@extra.co.nz

- ✓ **Communication from GWRC:** I prefer email OR hardmail – choose one
- ✓ **Trade competition:** I could not gain an advantage in trade competition through the submission
- ✓ **Hearing:** I wish to be heard and would consider jointly appearing with other submitters
- ✓ **Support:** I support Wairarapa Federated Farmers submission

INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, Beef, Arable, Dairy agricultural business
Farm size (area)	550 hectares
Main Waterways	STAWI RIVER WAIMANU Stream
GW Soil plan or Farm Plan	<input checked="" type="radio"/> Yes <input type="radio"/> No
Environmental investments	Ecological sites
QE2 or Retirement Blocks	N/A.
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so We support this submission Plus extra sheet attached. Max Lutz

STOCK EXCLUSION

Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

My submission is: support/oppose

I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for "important" trout spawning rivers; delete those that don't meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don't apply until they are.

Stock Exclusion Comments and Reasons

Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos

For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?

WETLANDS

Specific Provisions that my submission relates to are:

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

My submission is: support/oppose

I seek the following changes:

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

Wetlands Comments and Reasons

*e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)
Mention if you have an interest in constructing or extending wetlands.*

FARM EFFLUENT

Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

My submission is: ~~support~~/oppose

I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

Effluent Comment and Reasons

e.g. are they over-estimating the risks and under-estimating the costs?

If you already have ponds, is it reasonable to up the ante on storage and sealing?

SILAGE

Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body (stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

My submission is: support/oppose

I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

Silage Comments and Reasons

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will
make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

Cultivation/Breakfeeding Comments and Reasons

e.g. costs, practicalities, timing, lay of the land

Add a statement in about what you normally do when cultivating or breakfeeding

DRAIN CLEANING

Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
 - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

My submission is: ~~support~~/oppose

I seek the following changes:

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

Drain Cleaning Comments and Reasons

e.g. costs, practicalities, historical modification not recognized

EARTHWORKS

Specific Provisions that my submission relates to are:

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m² per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

My submission is: ~~support~~/oppose

I seek the following changes:

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Earthworks comments and reasons

e.g. operational and farm safety aspects

Note the word "contiguous" is important in thinking about impact

VEGETATION CLEARANCE on Erosion-Prone Land

Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

My submission is: support/oppose

I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

Vegetation Clearance comments and reasons

e.g. confusion with different slope triggers.

Add a statement in about what you normally do, e.g. leave an area unsprayed

Note the word "contiguous" is important in thinking about impact

CULVERTS & BRIDGES

Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m² in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

My submission is: support/oppose

I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m² too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

Culverts/Bridges comments and reasons

e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.

OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: support/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m³ to 100m³
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

Offal Pits/Refuse Dumps Comments and Reasons

e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

AGRI-CHEMICALS

Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
 - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
 - notify neighbours the spray plan is available on request
 - get written agreement from adjoining neighbours that notification is not required
 - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

My submission is: support/oppose

I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Agri-chemicals Comments and Reasons

e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected

FERTILISER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

My submission is: ~~support~~/oppose

I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

Fertiliser Application Comments and Reasons

e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available.

Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.

STORM WATER

Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
 - 50g - 100g/m³ or 20-33% change depending on "significance" of site

My submission is: ~~support~~/oppose

I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

Stormwater comments and reasons

e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?

Any other areas of concern – just copy format above

Proposed Natural Resources Plan for the Wellington Region

Submission from Lutz Farming Co

Schedule Q

Reasonable and efficient use criteria

My submission is: Oppose

Lutz Farming Company opposes this as it has a huge capital investment in infrastructure to operate three travelling irrigator guns. Furthermore the presence of streams throughout the dairy farm would make the operation of centre pivot applicators extremely difficult.

Kapiti Coast Whaitua Chapter

Otaki River allocation

My submission is: Oppose

Our submission opposes the proposed changes to minimum flows in the Otaki River. We wish to see the minimum flows remain the same as is current practice.

Proposed Natural Resources Plan:

Submitter:

USNZ

Submitter Number:

S349



Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation
Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council

This submission has been prepared on behalf of the USNZ the owner of the property at 127 Aston Road, Reikorangi, Kapiti Coast.

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

The submitters could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that this submission relates to are set out in Parts 2 through to 10 of this submission.

The submission opposing or supporting provisions is set out in Parts 2 through to 10 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission. The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission. The ~~provisions in strike-through font~~ highlight the areas in the Proposed Regional Plan the submitters wants deleted. The provisions in underline font highlight the areas the submitters wants included.

The submitters wishes to be heard in support of their submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, appearing to be "Anna Carter", written over a horizontal line.

Signature of person authorised to sign
on behalf of submitters)

Date 27 October 2015

Address for service of submitters: c/- Land Matters Ltd, 20 Addington Road, RD1, Otaki
Telephone: 06 364 9147 (DDI)
Email: anna@landmattersnz.com
Contact person: Anna Carter – Senior Resource Management Consultant
Land Matters Ltd

1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and is based on the Kapiti Coast.
- 1.2 This submission addresses specific concerns the submitters have in respect of their property as well as general comments in respect of the policy direction and process adopted by the PROPOSED Regional Plan.

2.0 SUBMITTER'S PROPERTY

- 2.1 USNZ owns the property which is located on the south side of the Waikanae River but accessed off Aston Road, Waikanae Downs just south of Waikanae. It is 106 ha in size and is covered in production forest being pinus radiata.
- 2.2 There are unnamed water courses flowing through and along the property boundary of these properties. The watercourses are part of the Waikanae River catchment and are also identified as surface water drinking water catchments. Waikanae River is identified as a Schedule C2 Site. Part of the Maungaokutukutuku Stream flows through the north-eastern corner of the site. This stream and the old historic Mauapoko pa site across the Waikanae River have been identified by Te Ati Awa as Schedule C Mana Whenua Sites
- 2.3 The submitters have specific concerns about how the PROPOSED Regional Plan provisions will affect the day-to-day operations on their property; future use of the property and the practicality and/or necessity of imposing certain provisions.
- 2.4 In particular the submitters are concerned about provisions relating to vegetation clearance; construction and maintenance of forestry tracks; and then onerous provisions should they need a resource consent to restore or enhance water quality for the purpose of non-compulsory water values that they have not been consulted over; and the requirements to obtain third party consents in respect of the mana whenua sites.

The submitters are concerned that there could be any provisions in the Proposed Regional Plan that would result in the harvesting of the trees on this property requiring a resource consent for anything more than a controlled activity. The submitters planted the trees in good faith understanding that in due time they would be able to harvest the trees and transport them off-site. The provisions of the Regional Plan should not prevent them from harvesting but rather should look to manage adverse effects where appropriate. Furthermore conditions on resource consents should not be such a financial burden that the exercise becomes cost-prohibitive.

The submitters encourage the Regional Council to look to the Draft National Environmental Standards for Production Forest when considering the final provisions to be included in their Regional Plan.

The submitters discuss these matters in more depth and identify the relief they seek in the paragraphs below.

GENERAL SUBMISSIONS

3.0 COMPULSORY AND NON-COMPULSORY VALUES OF THE NPS-FW, MAHINGA KAI PROVISIONS AND CUSTOMARY RIGHTS, MITIGATION HEIRARCHY AND MINIMISATION OF EFFECTS, IMPROVING OR ENHANCING THE ENVIRONMENT

3.1 The methodology adopted by Greater Wellington Regional Council in notifying the Proposed Regional Plan was that it would be undertaken in two stages. The first stage involved development of region wide provisions giving effect to the Regional Council's obligations under the Resource Management Act (the "Act"), the Regional Policy Statement (the "RPS") and the National Policy Statement on Freshwater (the "NPS-FW"). The second stage was to follow the Whaitua process which would look at water quantity provisions on a catchment basis.

The submitters oppose the methodology adopted by the Proposed Regional Plan which provides for the Whaitua process to only considering water quantity provisions and not consider water quality provisions and in particular the non-compulsory values that may be included as provided for under the NPS-FW. Instead, the Proposed Regional Plan includes catch-all objectives and policies, which are unlikely to have met the Section 32 tests of being efficient and effective having had regard to all alternatives. The submitters oppose this generic approach and the adoption of region-wide objectives and policies prior to undertaking the Whaitua process.

3.2 The submitters oppose those provisions in the Regional Plan that incorporate the non-compulsory values set out under the National Policy Statement for Freshwater (NPS-FW). The NPS-FW requires Councils to identify "values for each waterbody in each region and in the first instance apply the compulsory values of:

- Te Hauora o te Wai/The health and mauri of water – that the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer); and
- Te Hauora o te Tangata/The health and mauri of people – that as a minimum, the freshwater management unit will present no more than a moderate risk of infection to people when they are wading or boating or involved in similar activities that involve only occasional immersion in the water.

Then the NPS-FW states that a Regional Council may choose to include other additional values which are not compulsory being:

- Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater;
- Mahinga kai/food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;
- Mahinga kai – kei te ora te mauri/the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);

- Mahinga kai – fishing – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.

The submitters are opposed to all those provisions in the proposed Regional Plan that give effect to non-compulsory values of protecting the quality of water resources. The submitters support a process for considering whether non-complying values be included in the Regional Plan through the Whaitua process and then if necessary/appropriate through a variation to the Regional Plan.

The Whaitua process has yet to commence on the Kapiti Coast and it should be through that process that determines whether the Regional Plan contains provisions that give effect to the non-compulsory values. Those values relate to whether resource users within a particular freshwater management unit (which under the Regional Plan propose to be catchments) protect and/or enhance water quality for mahinga kai values and primary contact recreational values.

- 3.3 When including provisions requiring management of adverse effects on aquatic ecosystems (i.e. the compulsory values), the submitters oppose any adherence to a mitigation hierarchy (i.e. first seek to avoid, then to remedy and then to mitigate) through provisions in the Proposed Regional Plan. The Plan is not the best place to make this decision as all decisions on whether to avoid, remedy or mitigate adverse effects need to be undertaken on a case by case basis depending on the receiving environment, the proposal at hand, the construction technology/methodology used etc. Likewise the submitters oppose any attempt to define “minimisation of effects” as the Proposed Regional Plan’s attempt to do this places undue restrictions on the assessment of effects before an application has even been lodged.
- 3.4 The submitters oppose all provisions that require in the first instance, with reflection on the wider priorities, the environment to be “restored” or “enhanced” where those provisions are located outside the coastal environment. The submitters question the Section 32 analysis in requiring restoration and/or enhancement across the entire region. The costs of doing this work in the manner proposed by the Proposed Regional Plan will be excessive and mainly fall on the resource user when the benefits of restoration and enhancement will extend to the wider community, iwi and local government. Restoration and enhancement should only be included in a regional plan as required under the NPS-FS and that is where waterbodies have been over-allocated to the point of exhaustion and as required under the New Zealand Coastal Policy Statement. For all other habitats, restoration and enhancement should only be considered on a site by site, catchment by catchment basis (possibly through the Whaitua process) and then through a variation to the Regional Plan. Costs for undertaking restoration and enhancement should not solely fall on the resource user or landowner. Likewise the submitters oppose any requirement to extend protected sites by the inclusion of buffers or through ‘connections’ etc. Sites suitable for restoration and/or enhancement must be able to be identified in a regional plan, costs should be fairly distributed amongst the beneficiaries, and timeframes should be reasonable (Objective O25 and Policy P63 are examples of how such provisions should work). In all other areas/locations the regional plan should be looking to manage effects to maintain those environments.

Furthermore, the submitters are concerned that the provisions of the Proposed Regional Plan are adopting a region-wide planning approach targetting the worst case scenario waterbodies (typically on the east coast) when the waterbodies on the Kapiti Coast are generally identified as

being of good quality and stable and do not require the same sort of treatment. According to the State of the Environment Report, the waterbodies on the Kapiti Coast are:

- *Largely remained stable*
- *Larger rivers are in good health where they flow out of forested ranges*
- *Water Quality and ecological health are degraded in small lowland coastal streams such as the Mangapouri, Mangaone & Whareroa Streams (noting it is not the entire stream that is degraded and the coastal inlet at Mangapore is noted as having 'Fair' water quality and the Mangaone Estuary as having 'Fair' recreational grade)*
- *Waitohu Stream hill country has 'Excellent' water quality*
- *Otaki River mid section has 'Excellent' water quality and 'Very Good' recreational grade*
- *Inland Waikanae River has 'Good' water quality and 'Excellent' water quality in the lower reaches with 'Good' recreational grade*

According to Section 32 Report '*Ki Uta ki Tai*,' information on water quality will only be available for the *Whaitua* Committees under Stage II of the plan process - "*GW does not have sufficient information to establish water quality limits across the region as required by the NPS – FW ...*" (Paragraph 3.2.6).

3.5 The submitters oppose all provisions relating to *mahinga kai* as currently worded and also oppose the definition of *mahinga kai* in the Proposed Regional Plan. Firstly, the submitters consider that the reference to *mahinga kai* and gathering of food in general is not a compulsory value as defined by the NPS-FW and therefore does not automatically need to be included in the Regional Plan.

Secondly the submitters note that the NPS-FW provides for a wider application of *mahinga kai* to be considered in a regional plan not just for the purpose of the cultural harvesting of food (refer paragraph 3.1 above).

Thirdly, the submitters consider the protection of *mahinga kai* across the entire region (defined in the Proposed Regional Plan as the the "customary" gathering of food) is too broad in that it goes beyond what is required under Section 6 of the Resource Management Act ("the Act") in respect of protecting "protected" customary rights and/or providing for Maori's relationship to their ancestral lands, water, sites, wahi tapu and other taonga. Section 6 reads:

S.6 Matters of National Importance

"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*

- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights.*"

Section 6(g) of the Act states that protection of customary rights (i.e. Mahinga kai as defined in the Proposed Regional Plan meets the definition of customary rights) is only compulsory in relation to "protected customary rights." The Marine and Coastal Area (Takutai Moana) Act 2011 defines 'protected customary right' as an activity, use or practice established under the Act and recognised by a protected customary rights order or an agreement. Protected customary rights orders can be granted over a specified part of the common marine and coastal area. Such orders recognise a particular activity, use or practice which has been exercised since 1840¹.

- 3.6 The submitter seeks that Proposed Regional Plan define protected customary rights (including mahinga kai) and protect those protected customary rights as set out in section 6(g) of the Act.
- 3.7 The submitters supports those provisions (e.g. O14, O15 and O16) in the Proposed Regional Plan that recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga including providing for the customary gathering of food within mana whenua sites. The submitters oppose the significant restrictions placed on mana whenua sites and in particular the potential prohibition of an activity within those sites. If the Regional Plan is to prohibit an activity it must list that activity in its plan and not rely on a third party advisor (i.e. a cultural impact assessment provided by an iwi authority) as that is likely to be ultra vires. A Regional Plan can not require as a policy or rule that a resource user obtain the written approval of a third party – provisions for requiring affected party approvals are set out in the Act. The submitters opposes any provisions in the Proposed Regional Plan that requires third party approvals.
- 3.8 The submitters opposes any provisions in the Proposed Regional Plan that seek to protect, maintain or enhance sites that would come under the NPS-FW definition of, "Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater" as this is a non-compulsory value and the inclusion of provisions providing for it in the Regional Plan should be determined through the Whaitua process and if appropriate provisions only included as a variation to the Regional Plan.

¹ Source: <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>

3.9 Relief Sought

- 3.9.1 That any provisions in the Proposed Regional Plan giving effect to the non-compulsory values of the NPS-FW relating to mahinga kai and 'Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character*' (i.e. people value particular natural qualities of the freshwater) be either deleted, or amended to remove references to the non-compulsory values for water quality and water quantity. These provisions include, but are not limited to the following:

Schedule H1 and Rivers shown on Map 20: In line with the principle that the Waitua process should determine the non-compulsory values, the submitter also opposes all provisions identifying regionally significant primary contact recreation water bodies listed in Schedule H1 and shown on Map 20 and in particular the Otaki and Waikanae Rivers. Not all parts of these rivers are used for primary contact recreation purposes and it may not be appropriate to identify those reaches as regionally significant for primary contact recreation .

Objective 05

"Fresh water bodies and the coastal marine area, as a minimum, are managed to:

- (a) safeguard aquatic ecosystem health ~~and mahinga kai;~~*
- (b) provide for ~~contact recreation~~ secondary recreational contact and/or provision of potable water and Maori customary use, and*
- (c) in the case of fresh water, provide for ~~the health needs of people~~ secondary recreational contact and/or provision of potable water* (* would require a new definition for 'secondary recreational contact')"*

Objective 24

"Rivers, lakes, natural wetlands, and coastal water are suitable for secondary recreational contact and/or provision of potable water, and significant contact recreation fresh water bodies are suitable for contact recreation ~~contact recreation and Maori customary use,~~ including by:

- (a) maintaining water quality; or*
- (b) improving water quality in*
 - i. Significant contact recreation fresh water bodies to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and*
 - ii. all other rivers and lakes and natural wetlands to meet, as a minimum the secondary contract recreation objectives in Table 3.2."*

Schedule H: Contact recreation and Maori customary use (and as shown on Map 20)

Schedule H1: Regionally significant primary contact recreation water bodies (shown on Map 20"

Objective O25

"To safeguard aquatic ecosystem health ~~mahinga kai~~ in fresh water bodies and coastal marine area:

- (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health ~~and mahinga kai~~, and
- (b) restoration of aquatic ecosystem health ~~and mahinga kai~~ is encouraged over time* (* refer paragraph 8.0 of this submission), and
- (c) where an objective in Tables 3.4, 3.5, 3.6, 3.7, or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective”

Policy P10: Contact recreation and Maori customary use

“The management of natural resources shall have particular regard to the actual and potential adverse effects on ~~contact recreation~~ the health and mauri of people involved in secondary contact recreation and Maori customary use sites, 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 Maori customary use~~
- ~~(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 P31: Aquatic ecosystem health ~~and mahinga kai~~

“Aquatic ecosystem health ~~and mahinga kai~~ shall be maintained, or where possible/identified restored over time, by managing the effects of use and development on physical, chemical and biological processes to:

- (a) ~~minimise limit~~ adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern where they exist, and natural range of water level fluctuations in rivers, lakes and natural wetlands, and
- (b) ~~minimise limit~~ adverse effects on aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and
- (c) ~~minimise limit~~ adverse effects on habitats that are important to the life cycle and survival of aquatic species, and
- (d) ~~minimise limit~~ adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and
- (e) avoid creating barriers to the migration or movement of indigenous aquatic species, ~~and restore the connections between fragmented aquatic habitats where appropriate, and~~
- (f) ~~minimise limit~~ adverse effects on established riparian habitats and restore them where practicable, and
- (g) avoid the introduction, and restrict the spread of, aquatic pest plants and animals.”

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

“Significant adverse effects on aquatic ecosystem health ~~and mahinga kai~~ shall be managed. by:

- ~~(a) avoiding significant adverse effects; (see comments in next section under 'Water Quality')~~
~~(b) where significant adverse effects cannot be avoided, remedying them, and~~
~~(c) where significant adverse effects cannot be remedied, mitigating them, and~~
 (d) where significant adverse effects cannot be avoided, remedied or mitigated and/or residual significant adverse effects remain, it is appropriate to consider the use of biodiversity offsets.

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

Policy P62: Promoting discharges to land

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

- (a) aquatic ecosystem health ~~and mahinga kai~~, or*
(b) secondary recreational contact and/or provision of potable water ~~contact recreation and Maori customary use."~~*

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

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

**Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to be amended so criteria is only assessing aquatic ecosystem health not mahinga kai.*

3.9.3 The submitters opposes any "mitigation hierarchy" including the reference in Schedule G.

The submitters opposes the attempt to define "minimisation of adverse effects" under Policy P4 by requiring applicants to consider alternative locations and locating activities away from Scheduled sites. The minimisation of effects should only be applied to non-complying activities where the "no more than minor" assessment which is the threshold test for otherwise non-complying activities under a district or regional plan is provided for in section 104D of the Resource Management Act 1991. In all other categories of activities (controlled, restricted discretionary or discretionary) section 104(1)(a) applies which is that consent authorities must, "have regard to ... any actual of physical adverse effects"

The submitters oppose the all provisions relating to minimisation of effects including, but are not limited to the following:

Objective O19

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

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 practical 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) where possible, 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 small as practicable."

Policy P26: Natural processes

"Use and development will be managed to ~~minimise~~ limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes." The submitters opposes the use of the word "minimises with the current definition as set out in Policy 4 above but would support an amended Policy P4.

- 3.9.4 The submitters oppose any provisions which impose additional restrictions on adjoining land on the basis that they are "buffers" or provide "connections" between habitats either for the purpose of managing biodiversity, water quality or natural hazards. Protected sites should be easily identified within a Regional Plan and natural hazards should only require buffers where appropriate. These provisions include, but are not limited to the following:

Objective O28

The extent of natural wetlands is maintained ~~or increased~~ and where possible their extent and condition is restored over time.

Policy P30: Natural buffers

~~The adverse effects of~~ Use and development on natural features such as beaches, dunes, or wetlands that buffer development from natural hazards shall be minimised, if that use or development reduces the ability of that feature to operate as a buffer.

- 3.9.5 The submitters oppose any provisions which require 'restoration' and/or 'enhancement'. Submitters are seeking the Regional Council engage with landowners and the community over sites where this could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable). These provisions include, but are not limited to, the following:

Objective O3

Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters"

Objective O9

"The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time."

Objective O11

"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time."

Objective O23

"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time."

Objective O28

"The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time."

Objective O29

"use and development provides for the passage of fish and koura and where possible/identified the passage of indigenous fish and koura is restored over time."

Objective O30

"The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time."

Objective O33

~~"Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time." Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the 'values' of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.

Objective O35

"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."

Objective O38

"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."

Policy P17: Mauri

"The mauri of fresh and coastal waters shall be recognised as being important to Maori by:
(a) managing the individual and cumulative 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 where possible/identified enhance mauri over time
(c) recognising the role of kaitiaki in sustaining mauri"

Policy P38: Restoration of wetlands

"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."

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

"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." ~~Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored.~~"

- 3.9.6 The submitters support the Proposed Regional Plan identifying 'protected customary rights'. The submitters oppose all other provisions protecting or managing waterbodies for the purpose of mahinga kai (unless as part of a mana whenua site) and request that such provisions be removed from the Proposed Regional Plan unless the provisions specifically refer to mana whenua sites.
- 3.9.7 The submitters supports the Proposed Regional Plan giving effect to recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as set out in Objectives O14 – O16 as set out in section 6 of the Act. However, the submitters oppose the significant restrictions on activities within mana whenua sites. These provisions include, but are not limited to the following:

Objective O33

~~"Sites with Significant The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."~~

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

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

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

~~"in the first instance, Where possible alternative locations should be sought for activities in sites with significant mana whenua values identified in Schedule C (mana whenua) should 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. If alternative locations can not be found, the activities undertaken within these sites shall recognise and provide for the values mana whenua hold for that site as listed in Schedule C. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Maori, as recommended in the cultural impact assessment by:*~~

- ~~(a) avoiding more than minor adverse effects, and
(b) where more than minor adverse effects cannot be avoided, remedying them, and
(c) where more than minor adverse effects cannot be remedied, mitigating them, and
(d) receiving written consent of the iwi authority.~~

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

- 3.9.8 That the definition for *Mahinga kai* be amended to align itself with the definitions under the NPS-FW as follows:

- *“Mahinga kai” - food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;*
- *“Mahinga kai – kei te ora te mauri” - the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);*
- *“Mahinga kai fishing” – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.”*

3.9.9 That the Whaitua process consider whether to provide within the Regional Plan on a catchment by catchment basis (or site by site basis) for the non-compulsory values and that those be included as a variation to the Regional Plan. That the Whaitua process include not just the customary gathering of food (i.e. *Mahinga kai*) but the gathering of food for all people as set out in the three definitions under the NPS-FW when considering whether to include those values in the Regional Plan on a catchment by catchment basis.

4.1 WATER QUALITY

4.1 The submitters oppose the inclusion of any provision within the Proposed Regional Plan that gives effect to the non-compulsory values (i.e. the protection of water bodies for the purpose of collecting food and for primary contact/swimming recreation).

4.2 The submitters oppose any provision within the Proposed Regional Plan that seeks to improve water quality with the exception of those water-bodies that have already been over-allocated. The submitters consider such provisions should only be included on a catchment by catchment basis once having considered whether improvement is appropriate and this is best done under the Whaitua process. The submitters recognise that the Whaitua process, having reviewed the data on the relevant water catchments and considered the varied water values stakeholders have for a catchment, is more appropriate to determine whether a catchment’s water quality should be improved or not.

The wording of the NPS-FW is to *“to maintain or improve the overall quality of freshwater within a region.”* The Land and Water Forum working on the wording on the NPS-FW recommended that *“maintain”* means staying within the same band and *“improve”* means moving to a higher band². To determine whether a waterbody does require improvement or enhancement each regional council must first classify its water bodies into a set of freshwater management units (FMUs).

4.3 The submitters oppose the provisions which prevent existing lots located within a community drinking water supply protection area from constructing a dwelling with an on-site effluent disposal system (refer rule 92). In terms of the Waikanae River, there is no evidence that the existing on-site effluent disposal systems are having an adverse effect on the drinking water quality. Landowners who have gone through the planning and legal processes to create a lot

² Land and Water Forum, 2012. *Second Report of the Land and Water Forum: Setting Limits for Water Quality and Quantity, and Freshwater Policy and Plan-Making Through Collaboration*.p.22,

should not be prevented from doing so via a provision in a Regional Plan. Any provisions in a regional plan should relate to any future lots and not existing lots subject to evidence showing that such provisions are necessary to give effect to the NPS-FW. If those provisions are not necessary the provisions should be deleted.

- 4.4 The submitters are concerned that the provisions relating to earthworks do not exclude the construction of new farm and forestry tracks. The submitters are seeking the definition of earthworks in chapter 2 of the Proposed Regional Plan excludes the construction of new farm and forestry tracks in accordance with the provisions in District Plans in the region. The submitters state that provided new farm and forestry tracks comply with the same permitted activity conditions as set out in Rule 99 (a) – (d) that all effects will be appropriately managed.
- 4.5 The submitters oppose the provisions relating to stormwater run-off from properties as set out in Rule 48 on the basis that it does not address any particular activity; and on the basis that Rule 99 already addresses run-off from earthworks. Natural rainfall falling on a property should not subject to rules in a Regional Plan – this is unreasonable. The way Rule 48 is written is that landowners could be liable for effects on watercourses as a result of a landslide occurring on their property. This is unfair and has no basis in the Resource Management Act which refers to “people” not discharging contaminants or water into water (refer section 15 of the Act).
- 4.6 The submitters oppose the provisions relating to vegetation clearance that trigger Rule 100 and Rule 101. Specifically the submitters seek that the definition of vegetation clearance as set out in Chapter 2 of the Proposed Regional Plan be amended to only refer to vegetation clearance which involves the removal of roots or stumps (e.g. root racking or stump clearance). The submitters would like the Regional Plan to focus on effects based rules and in this instance look to manage those effects that look to destroy the roots of plants but allow measures such as roller crushing, burning, harvesting of pine plantations etc where the roots will not be disturbed. Root die-off takes some time and unless the landowner is cultivating the ground the landowner will be replacing that vegetation with either grass or replanting as a production forest.
- 4.7 The submitters also oppose the definition of *erosion prone land* being slopes of 20 degrees or less. Submitters seek that the current definition of erosion prone land applies which are for slopes of 28 degrees or more. This is consistent with the approach the Kapiti Coast District Council is taking in its Proposed District Plan.
- 4.8 The submitters oppose the provisions relating to culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitter supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast.
- 4.9 Relief Sought
- 4.9.1 The submitters seeks that the policy approach to maintain OR maintain and improve water quality is determined through more discussion with the community based on a catchment basis through the Whaitua process for those provisions as noted in paragraph 3.9.4 above.

- 4.9.2 The submitters opposes Rule 48 in respect of stormwater discharging from individual properties and seeks that it be deleted.
- 4.9.3 The submitters oppose Rule 92 and request that it be deleted and that Rule 75 be amended to provide for on-site effluent disposal systems within a community drinking water supply protection area as a permitted activity.
- 4.9.4 The submitters oppose Rule 100 and the definition of 'vegetation clearance.' The submitters support amending the definition of vegetation clearance to exclude production forest harvesting.
- 4.9.5 The submitters opposes the definition of earthworks in Chapter 2 of the Regional Plan and seeks that it be amended to "exclude" the construction of "new" farm and "forestry" tracks.

The submitters supports a new permitted activity rule for new farm and forestry tracks as follows:

"New Rule Earthworks – New or Existing Farm and Forestry Tracks are permitted, provided the following conditions are met –

- (a) soil or debris is not placed where it can enter a surface water body or the coastal marine area;*
- (b) earth disturbance will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the track is being constructed or maintained*
- (c) work areas are stabilised within six months after the completion of the works*
- (d) any earth disturbance shall not, after the zone or reasonable mixing, result in any of the following effects in receiving waters –*
 - a. the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or*
 - b. any conspicuous change in colour or visual clarity, or*
 - c. any emission or objectionable odour, or*
 - d. the rendering of fresh water unsuitable for consumption by animals, or*
 - e. any significant adverse effect on aquatic life."*

- 4.9.6 The submitters oppose Rule 99 and seek that it be amended so that it is reflective of property sizes and based on catchments. Amend Rule 99 to either increase the minimum area of earthworks permitted per property based on it as a percentage area of the total property (so that larger properties can undertake more earthworks); and/or so that the rule are applied to catchments affected (i.e. so that a earthworks up to a certain square metre can be undertaken within each catchment within each property).
- 4.9.7 The submitters opposes the definition of 'erosion prone land' as set out in Chapter 2 of the Proposed Regional Plan and seeks for it to be amended as follows:

Erosion Prone Land

The pre-existing slope of the land exceeds ~~20~~ 28 degrees

- 4.9.8 The submitters opposes the activity status of Rule 101 so that activities not complying with Rule 99 or Rule 100 are a discretionary activity. The submitters supports Rule 101 being a *restricted*

discretionary activity where Council's discretion is limited to management of sediment from construction and long term effects from the earthworks.

5.0 WATER QUANTITY & WATER ALLOCATION

5.1 The Submitters recognise that the policy direction for Water Quantity is set by the National Policy Statement on Freshwater Management which sets out three objectives a Regional Plan must meet. The three objectives of the NPS-FW to safeguard water quantity require Regional Council's in their Plans to:

1. avoid any further over-allocation of fresh water and phase out existing over-allocation (Objective B2 NPS-FW);
2. improve and maximise the efficient allocation and efficient use of water (Objective B3 NPS-FW); and
3. To protect significant values of wetlands and of outstanding freshwater bodies (Objective B4 NPS-FW)

The submitters supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that "have been degraded by human activities to the point of being over-allocated". The submitters oppose the region-wide limits on water takes.

The submitters supports protecting *significant* values of outstanding freshwater bodies and *significant* values of wetlands. For this reason the submitters opposes the inclusion in the all ephemeral and wet areas as natural wetlands as it is the responsibility of the Regional Council to identify those wetlands with *significant values* and protect them.

5.2 The submitters oppose the limits set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.

5.3 Relief Sought

5.3.1 The submitters oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. The submitter supports returning to the limits set under the Operative Regional Plans until such time that the Whaitua process identifies which waterbodies have been over-allocated.

6.0 BIODIVERSITY

6.1 The submitters opposes requirements to 'restore' ecosystems and habitats with significant indigenous biodiversity. The requirement to 'restore' goes beyond that set by section 6 of the Act which simply requires Regional Plans protect areas of significant indigenous biodiversity and habitats with significant indigenous fauna. Restoration should be a joint effort between the

landowner, the wider community, iwi and local government and should not be the sole responsibility of a resource user unless it is part of an off-setting requirement.

- 6.2 The submitters oppose all provisions which require connections be created between two or more habitats. A significant habitat must be considered such on its own merits and the boundaries drawn on maps in the Regional Plan must contain that habitat so that they are easily defined. Policy P42 is seeking to extend boundaries of a significant habitat outside the processes set by Schedule 10 of the Act (the plan change process). This policy is inherently unfair as it tries to achieve an outcome by stealth. Buffers and other connections must be identified within the boundaries of a significant site at the time the Proposed plan is publicly notified.

6.3 Relief Sought

- 6.3.1 The submitter opposes provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner. These provisions include, but are not limited to the following:

Policy P40: Ecosystems and habitats with significant indigenous biodiversity values

"Protect, and where possible restore over time, 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);*
- (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and*
- (c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands);*
- (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)."*

- 6.3.2 The submitter opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site. Such provisions in the plan include, but are not limited to the following:

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 those 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 those ecosystems and habitats.”

7.0 TIMEFRAMES

- 8.1 The NPS-FW gives Regional Council’s a timeframe within which to meet its requirements but does not specifically state that in the interim it shall adopt a precautionary approach. As such the submitters oppose the adoption of a precautionary approach in the Regional Plan. The submitters oppose all provisions which require that immediate attention is required to improve or enhance a waterbody. The Proposed Regional Plan appears to have double-standards when dealing with territorial authorities or larger entities allowing longer timeframes within which to comply when compared to individual resource users (see objectives O48, O52). These larger organisations are more likley, financially, to be able to comply within a shorter timeframe than an individual. The framework set out in the Proposed Regional Plan is inherently unfair and biased.

7.2 Relief Sought

- 7.2.1 That the provisions which require immediate attention to improve or enhance a waterbody are either deleted or amended. Suggested amendments are proposed to the provisions noted below but are not limited to those provisions:

Objective O9

“The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time.”

Objective O11

“Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time.”

Objective O23

“The quality of water in the region’s rivers, lakes, natural wetlands, groundwater and the coastal marine area is maturated, or where possible, improved, over time.”

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 risk of adverse effects the activity may have on this environment may be both high and likely to occur.

Objective 047

"The amount of sediment-laden runoff entering water is reduced over time."

Policy P20: Exercise of Kaitiakitanga

"Kaitiakitanga shall be recognised and provided for by:

- (a) managing natural and physical resources in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

Policy P35 Restoring fish passage

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

Policy P38: Restoration of wetlands

"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government."

8.0 LANDSCAPES

- 8.1 The submitters oppose the blanket inclusion of special amenity landscapes in District Plans. The submitters support providing for Special Amenity Landscapes only where the wider community have identified the values associated with those landscapes as worthy of inclusion. The submitters supports criteria in the Regional Plan to assist communities identify Special Amenity Landscapes. The submitters would support the consideration of special amenity landscape *values*, in relation to waterbodies, through the Whaitua process subject to consultation with landowners prior to any identification.
- 8.2 The submitters oppose the provisions that require Special Amenity Landscapes and Outstanding Landscapes to be restored and/or enhanced. The reasons are the same as set out earlier in this submission.
- 8.3 Relief Sought
- 8.3.1 The submitters opposes any provisions relating to special amenity landscapes. The submitters would support amendments to the Proposed Regional Plan that list criteria for sites to be

included as a special amenity landscape and that this work be undertaken as part of the Whaitua process. In the interim, all provisions should be deleted as follows:

~~Objective O38~~

~~"Identified special amenity landscape values are maintained or enhanced."~~

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

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

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

~~(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape."~~

9. BEDS OF LAKES AND RIVERS

9.1 The submitters oppose the rules relating to sizes of river crossings and culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitters supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast; or deleting the maximum size of culverts. Specifically the submitters oppose Rule 114(f)(ii) which limits river crossings to catchments less than 50ha on the west coast (west of the Ruamahanga River). There is no rationale behind the large difference between the east coast and the west coast.

The submitters also oppose Rule 114(g) which limits formed crossings to 20m² as a permitted activity where the structure is in or on the bed of the river. This would significantly limit fords. Surely the focus of the Plan should be on addressing effects on habitat which would mean limiting the width of a ford (i.e. the distance it measures between upstream and downstream) and not the length of the ford or overall size of the ford.

9.2 The submitters oppose Rule 115 (h)(ii) and (iii) which limits the overall size of the culvert to 1.2m. The rule already has a provision to ensure that it does not exceed 20m in length presumably to manage fish passage; the rule also contains a provision to ensure it allows flows from a 5% AEP (or 20 year event) to ensure passage of flood waters can be maintained. There does not appear to be any reasonable basis for including a maximum culvert size with these other provisions in place

9.3 The submitters oppose the provisions in the Proposed Regional Plan that prohibit culverts, new structures within Schedule C Mana Whenua sites. This includes provisions such as Rule 115 (f) and Rule 117(f); and Rule 125 which makes such activities a restricted discretionary activity. The submitters question why additional and more stringent controls are required for Schedule C

sites only when in other scheduled sites the controls are considered sufficient to address adverse effects.

9.4 Relief Sought

- 9.4.1 The submitters oppose Rule 114(f)(ii) and seek that the area be increased to 200ha as per the east coast.
- 9.4.2 The submitters oppose Rule 115(h)(ii) and Rule 115(h)(iii) and seek that it be amended to just refer to the minimum size limit of 0.3m diameter but remove any maximum size.
- 9.4.2 The submitters oppose Rule 115(f) and Rule 117(f) and the resulting restricted discretionary activity rule 125. The submitters request that these rules be deleted.



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Proposed Natural Resources Plan:

Submitter:

Dan Riddiford

Submitter Number:

S350

D T S Riddiford

The Manager
GW

Att Mr Nigel Corry

23 10 15

GW Regional Plan – Submission

50 Garden Road
Northland
Wellington
Tel & Fax 64 04 4759687
Email

dan.riddiford@paradise.net.nz

Dear Sir/Madam,

I farm Te Awaiti Station 6552 ha of steep hill country on the Coast east of Martinborough.

Please treat this as a summary submission on which I wish to be heard and or later base an appeal to the Environment Court. This afternoon you declined my request for an extension until Monday 26 10 15 at 5pm. However you agreed that my request might be reconsidered by others in the Council. The reason for my request is that GW appears always to call for submissions in Spring when Farmers are seasonally busy. In my case at Te Awaiti Station our drought strategy to prepare for the threatened El Nino includes radical destocking to core breeding stock and advanced shearing and weaning. This requires long hours of work. These pressures compound my seasonal workload as a commercial beekeeper.

For Te Awaiti Station s5 sustainable land use and the progressive change to Manuka and other native vegetation better suited to bees demand that I minimize regulatory distraction. GW and the Plan ignore Government Policy to revegetate for carbon under AGS policies.

Issues for this and future submissions include :

- 1 All matters raised by Federated Farmers, landowner and other submitters
- 2 Specific recognition of property rights in the plan to acknowledge and give effect to the decision of the Supreme Court in *Waitakere v Estate Homes*
- 3 All issues raised in my LLM paper Takings and in particular the conflict between the established Common Law reflecting Magna Carta and current practices of Greater Wellington.
- 4 An example is the present practice of Council Enforcement Officers to effectively roam at will on private land ignoring the established law of search and seizure as described by the Court of Appeal in *Baigent's* case requiring reasonableness. Reasonableness includes fixed appointment times with adequate advance notice and a genuine consideration of the needs of particular landowners. Reasonableness also requires a balanced consideration of the merits of anonymous information. Reasonableness is essential to achieve government by free consent rather than coercion
- 5 To achieve the purposes of the RMA and Regional Plan Greater Wellington should promote cooperative methods ahead of coercive methods. Soil conservators only please.

General objection to all earthwork and vegetation removal controls and rules including

- 5 P22 Definition of Earthworks
 - 6 P151/152 5.4.3 (d) and (e) are unenforceable takings to the extent that the cost of fencing is not compensated
 - 7 P153 5.4.4 should provide for permitted earthworks over two hectares
 - 8 Rule 100 opposing Vegetation Clearance is ultra vires unless compensation is paid
- The limit of 2 hectares is targeted taking and discriminatory for Te Awaiti Station of 6552ha

Yours faithfully DTS Riddiford

