

## Appendix 1 – Submitters’ recommended amendments to provisions – Freshwater and Te Mana o te Wai

Table 1: Chapter 3.4 Introduction

Submitter	Chapter 3.4 Introduction
<p>S42A Recommendations (recommended changes in red)</p>	<p>Fresh water is integral to our health, wellbeing, livelihood and culture. Freshwater is essential for our economy and defines our landscape and sustains ecosystems. People value clean fresh water for many reasons – economic, recreational, aesthetic, ecological and cultural. It is a matter of national importance to protect wetlands, lakes, rivers and streams <u>and their margins</u> from inappropriate use and development.</p> <p>The region’s fresh water has to meet a range of uses valued by the community. There is a range of differing uses and values associated with fresh water. The resource needs to be available to meet the needs of both current and future generations. This range of uses and values leads to multiple pressures on the quantity and quality of the fresh water which can cumulatively impact on the availability and value of the resource for use. This is a complex issue that involves multiple resource users with differing values. A whole of catchment approach is particularly useful for understanding and managing these complexities. It is also important that the flow of water is managed appropriately.</p> <p><u>The concept of Te Mana o te Wai is central to freshwater management, as set out in the NPS-FM. Te Mana o te Wai includes a hierarchy of obligations, as follows:</u></p> <ul style="list-style-type: none"> <li>• <u>First, the health and wellbeing of water bodies and freshwater ecosystems as the first priority.</u></li> <li>• <u>Second, the health needs of people (such as drinking water)</u></li> <li>• <u>Third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.</u></li> </ul> <p><u>This hierarchy of obligations, and the broader concept of Te Mana o te Wai, demonstrates the primacy of water and that the health and wellbeing of water impacts the wider environment. Under the NPS-FM, freshwater management must be undertaken in accordance with this hierarchy and principles.</u></p> <p>Māori consider fresh water to be a significant taonga (valued resource) that plays a central role in <u>both spiritual and secular realms</u>. In the Māori world view, <u>w</u>Water represents the life blood of the land. The condition of water is a reflection of the state of the land, and this in turn is a reflection of the health of the people.</p> <p>[...]</p>

There are ~~eight~~ seven major discharges of treated sewage to fresh water in the region – one from the treatment plant at Paraparaumu, ~~one from Rathkeale College in Masterton~~, with the rest from the Wairarapa towns of Masterton, Castlepoint, Carterton, Greytown, Featherston and Martinborough. Treated sewage often contains high levels of disease-causing organisms that can make the rivers unsafe for recreational use, as well as nutrients, which can promote nuisance aquatic weed and algal growth. Discharges of wastes into water bodies are of particular concern to tangata whenua because waste, particularly sewage waste, degrades the mauri (life force) of the water body.

[...]

(a) Since 2018, the regional council has been progressing whitua processes with mana whenua/tangata whenua and community representatives across the Wellington Region to develop Whitua Implementation Programmes (WIPs) to improve the health of freshwater. There are five whitua (catchments) in total being Ruamāhanga, Te Awarua-o-Porirua, Whitua Te Whanganui-a-Tara, Kāpiti, and Wairarapa Coast. The following WIPs have been completed to date:

- Ruamāhanga Whitua (2018)
- Te Awarua-o-Porirua Whitua and the Statement of Ngāti Toa Rangatira (2019)
- Whitua Te Whanganui-a-Tara and Te Mahere Wai o Te Kāhui Taiao (2021)

(b) The WIPs include freshwater values, objectives, outcomes and recommendations which inform freshwater provisions of the RPS and the direction provided to regional and district plans.

The *Te Mana o Te Wai* objective is required by the NPS-FM (3.2(3)) - requires the RPS to include an objective that describes how the management of freshwater in the region will give effect to *Te Mana o te Wai*". Each iwi of the region ~~have~~ can express what *Te Mana o Te Wai* means to them in their own words and these expressions can be included in the RPS. These expressions of *Te Mana o Te Wai* form part of this objective.

The RPS includes several policies to give effect to *Te Mana o te Wai* including specific policy direction that the mana whenua/tangata whenua expressions of *Te Mana o te Wai* must be recognised and provided for. These expressions underpin the regional response to *Te Mana o te Wai*. The regional council "must include an objective in its regional policy statement that describes how the management of freshwater in the region will give effect to *Te Mana o te Wai*" (NPS-FM 3.2 (3)). The *Te Mana o Te Wai* objective in this RPS repeats the requirements of the NPS-FM, and then provides how each iwi of the region wishes to articulate their meaning of *Te Mana o Te Wai*.

Note: There are six iwi wishing to express their meaning of *Te Mana o Te Wai* as part of this objective. There are ~~two~~ three expressions of *Te Mana o Te Wai* in this RPS at this time from Rangitāne o Wairarapa, ~~and~~ Kahungunu ki Wairarapa, and Taranaki Whānui. Others will be added either through the Schedule 1 process or in future plan changes.

	All policies and methods in this RPS relating to freshwater must contribute to achieving this objective.
Rangitāne o Wairarapa (s42A report recommendations in red; submitter's proposed changes in blue)	Add: <u>The management of freshwater requires an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment.</u>

Table 2: Objective 12 changes

Submitter	Objective 12
S42A Recommendations (recommended changes in red)	<p><b>Objective 12</b></p> <p><del><b>Objective 12</b></del></p> <p><del>Natural and physical resources of the region are managed in a way that prioritises:</del></p> <p><del>(a) first, the health and well-being of water bodies and freshwater ecosystems</del></p> <p><del>(b) second, the health needs of people (such as drinking water)</del></p> <p><del>(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future; and</del></p> <p><del>Te Mana o te Wai encompasses six principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater, and these principles inform this RPS and its implementation. The six principles are:</del></p> <p><del>(a) Mana whakahaere: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater</del></p> <p><del>(b) Kaitiakitanga: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations</del></p> <p><del>(c) Manaakitanga: the process by which tangata whenua show respect, generosity, and care for freshwater and for others</del></p>

	<p><del>(d) <u>Governance: the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future</u></del></p> <p><del>(e) <u>Stewardship: the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations, and</u></del></p> <p><del>(f) <u>Care and respect: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.</u></del></p> <p><del><u>And the Statements of Kahungunu ki Wairarapa and Rangitāne o Wairarapa</u></del></p> <p><b><u>Objective 12 – Te Mana o te Wai in the Wellington Region</u></b></p> <p><del><u>The Region’s waterbodies and freshwater ecosystems are returned to a healthy state and the ongoing management of land and water:</u></del></p> <ul style="list-style-type: none"> <li><del>a) <u>Restores the mana of water and its fundamental role in providing for the current and future health and wellbeing of the environment and the community</u></del></li> <li><del>b) <u>Protects waterbodies and freshwater ecosystems from further degradation</u></del></li> <li><del>c) <u>Incorporates and protects mātauranga Māori, in partnership with mana whenua/tangata whenua</u></del></li> <li><del>d) <u>Recognises the individual natural characteristics and processes of waterbodies</u></del></li> <li><del>e) <u>Re-establishes mana whenua/tangata whenua connections with freshwater</u></del></li> <li><del>f) <u>Provides for the ability of mana whenua/tangata whenua to safely undertake their cultural and spiritual practices associated with freshwater, including mahinga kai</u></del></li> <li><del>g) <u>Includes mana whenua/tangata whenua in decision-making in relation to the Region’s waterbodies</u></del></li> <li><del>h) <u>Applies the Te Mana o te Wai hierarchy of obligations by prioritising:</u></del> <ul style="list-style-type: none"> <li><del>i. <u>First, the health and wellbeing of waterbodies and freshwater ecosystems,</u></del></li> <li><del>ii. <u>Second, the health needs of people</u></del></li> <li><del>iii. <u>Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</u></del></li> </ul> </li> </ul>
<p>Rangitāne o Wairarapa (s42A report recommendations in red; submitter’s</p>	<p><b><u>Objective 12 – Te Mana o te Wai in the Wellington Region</u></b></p> <p><del><u>The Region’s waterbodies and freshwater ecosystems are returned to a healthy state and the ongoing management of land and water:</u></del></p>

<p>proposed changes in blue)</p>	<p><u>The mana of the region’s water bodies, and freshwater ecosystems is restored and protected by ongoing management of land and water that:</u></p> <ul style="list-style-type: none"> <li>a) <del>Restores the mana of water and its fundamental role in providing for the current and future health and wellbeing of the environment and the community</del></li> <li>(ab) <u>As the first priority, returns water bodies and freshwater ecosystems to, and thereafter maintains them in, a state of tūhauora/good health</u></li> <li>b) <u>Protects waterbodies and freshwater ecosystems that are in good health from further degradation</u></li> <li>c) <u>Incorporates and protects mātauranga Māori, in partnership with mana whenua/tangata whenua</u></li> <li>d) <u>Recognises and provides for the individual natural characteristics and processes of waterbodies and their associated ecosystems</u></li> <li>e) <u>Acknowledges and provides for the connections and relationships of</u> <del>Re-establishes</del> <u>mana whenua/tangata whenua connections with freshwater</u></li> <li>f) <u>Provides for the ability of mana whenua/tangata whenua to safely undertake their cultural and spiritual practices associated with freshwater, including mahinga kai</u></li> <li>g) <del>includes</del> <u>Actively involves</u> mana whenua/tangata whenua in decision-making in relation to the Region’s waterbodies</li> <li>h) <u>Applies the Te Mana o te Wai hierarchy of obligations by prioritising:</u> <ul style="list-style-type: none"> <li>i. <u>First, the health and wellbeing of waterbodies and freshwater ecosystems,</u></li> <li>ii. <u>Second, the health needs of people</u></li> <li>iii. <u>Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</u></li> </ul> </li> </ul>
<p>Fish and Game (s42A report recommendations in red; submitter’s proposed changes in blue)</p>	<p><b><u>Objective 12 – Te Mana o te Wai in the Wellington Region</u></b></p> <p><u>The Region’s waterbodies and freshwater ecosystems are returned to a healthy state and the ongoing management of land and water:</u></p> <p><u>[...]</u></p> <ul style="list-style-type: none"> <li>i) <u>Supports the wellbeing and safety of the community, by providing for the ability of people to carry out recreational activities, in and around fresh water environments.</u></li> <li>j) <u>Provides for an abundance and diversity of freshwater habitats that supports a healthy population of trout, where that is consistent with protecting the habitat of indigenous species.</u></li> <li>k) <u>Preserves the natural character and form of waterbodies.</u></li> </ul>

<p>Winstone Aggregates (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b><u>Objective 12 – Te Mana o te Wai in the Wellington Region</u></b></p> <p><u>The Region's waterbodies and freshwater ecosystems are returned to a healthy state and the ongoing management of land and water:</u></p> <ul style="list-style-type: none"> <li>a) <u>Restores the mana of water and its fundamental role in providing for the current and future health and wellbeing of the environment and the community.</u></li> <li>b) <u>Protects Maintain waterbodies and freshwater ecosystems from further degradation and improve waterbodies and freshwater ecosystems where degraded.</u></li> </ul> <p>[...]</p>
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Table 3: Recommended new Policy FW.XXA (Mana whenua/tangata whenua and Te Mana o te Wai – regional and district plans) and recommended new Policy FW.XXB (Mana whenua/tangata whenua and Te Mana o te Wai – consideration)

Submitter	Chapter 4.1 - New Freshwater Policies						
<p>S42A Recommendations (recommended changes in red)</p>	<p><b><u>Policy FWXXA – Mana whenua/tangata whenua and Te Mana o te Wai – regional and district plans</u></b></p> <p><u>District and regional plans shall include objectives, policies, rules or other methods to give effect to Te Mana o te Wai, and in doing so:</u></p> <ul style="list-style-type: none"> <li>a) <u>Recognise and provide for the mana whenua/tangata whenua Statements of Te Mana o te Wai in Appendix 5, as applicable to the territorial authority area shown in Table X. Regional plans shall apply the mana whenua/tangata whenua statements as relevant to the scope and content of the plan change or review process.</u></li> <li>b) <u>Partner with mana whenua/tangata whenua in the development of the required district and regional plan objectives, policies, rules or other methods that give effect to Te Mana o te Wai.</u></li> </ul> <p><u>Table X: Mana whenua/tangata whenua statements and applicable territorial authority areas</u></p> <table border="1" data-bbox="470 1092 1709 1404"> <thead> <tr> <th data-bbox="470 1092 1094 1146"><u>Mana whenua/tangata whenua statement</u></th> <th data-bbox="1094 1092 1709 1146"><u>Territorial authority area(s)</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="470 1146 1094 1304"><u>Rangitāne o Wairarapa</u></td> <td data-bbox="1094 1146 1709 1304"><u>Masterton District</u> <u>Carterton District</u> <u>South Wairarapa District</u></td> </tr> <tr> <td data-bbox="470 1304 1094 1404"><u>Kahungunu ki Wairarapa</u></td> <td data-bbox="1094 1304 1709 1404"><u>Masterton District</u> <u>Carterton District</u></td> </tr> </tbody> </table>	<u>Mana whenua/tangata whenua statement</u>	<u>Territorial authority area(s)</u>	<u>Rangitāne o Wairarapa</u>	<u>Masterton District</u> <u>Carterton District</u> <u>South Wairarapa District</u>	<u>Kahungunu ki Wairarapa</u>	<u>Masterton District</u> <u>Carterton District</u>
<u>Mana whenua/tangata whenua statement</u>	<u>Territorial authority area(s)</u>						
<u>Rangitāne o Wairarapa</u>	<u>Masterton District</u> <u>Carterton District</u> <u>South Wairarapa District</u>						
<u>Kahungunu ki Wairarapa</u>	<u>Masterton District</u> <u>Carterton District</u>						

	<a href="#">South Wairarapa District</a>
<a href="#">Taranaki Whānui</a>	<a href="#">Wellington City</a> <a href="#">Hutt City</a> <a href="#">Upper Hutt City</a>

**New Freshwater policy in Chapter 4.2 – Regulatory Policies – Matters to be considered**  
**Policy FWXXB: Mana whenua/tangata whenua and Te Mana o te Wai – consideration**

When considering an application for resource consent, notice of requirement, or a change, variation or review of a regional or district plan that relates to freshwater, have regard to the mana whenua/tangata whenua Te Mana o te Wai Statements contained in Appendix 5, as applicable to the territorial authority area shown in Table X.

*Table X: Mana whenua/tangata whenua statements and applicable territorial authority areas*

<b><u>Mana whenua/tangata whenua statement</u></b>	<b><u>Territorial authority area(s)</u></b>
<a href="#">Rangitāne o Wairarapa</a>	<a href="#">Masterton District</a> <a href="#">Carterton District</a> <a href="#">South Wairarapa District</a>
<a href="#">Kahungunu ki Wairarapa</a>	<a href="#">Masterton District</a> <a href="#">Carterton District</a> <a href="#">South Wairarapa District</a>
<a href="#">Taranaki Whānui</a>	<a href="#">Wellington City</a> <a href="#">Hutt City</a> <a href="#">Upper Hutt City</a>

Rangitāne o Wairarapa (s42A) report recommendations

**New Freshwater policy in Chapter 4.1 – Regulatory Policies**  
**Policy FWXXA – Mana whenua/tangata whenua and Te Mana o te Wai – regional and district plans**  
District and regional plans shall include objectives, policies, rules ~~or~~ and, where appropriate, other methods to give effect to

<p>in red; submitter's proposed changes in blue)</p>	<p><u>Te Mana o te Wai, which, and in doing so:</u></p> <p>(a) <u>Recognise and provide for the mana whenua/tangata whenua Statements of Te Mana o te Wai in Appendix 5, as applicable to the territorial local authority area shown in Table X and to the fullest extent. Regional plans shall apply the mana whenua/tangata whenua statements as relevant to the scope and content of the plan change or review process.</u></p> <p>(b) <u>Partner with mana whenua/tangata whenua in the development of the required district and regional plan objectives, policies, rules or other methods that give effect to Te Mana o te Wai.</u></p> <p>[....]</p> <p><b>New Freshwater policy in Chapter 4.2 – Regulatory Policies – Matters to be considered</b>  <b><u>Policy FWXXB: Mana whenua/tangata whenua and Te Mana o te Wai – consideration</u></b></p> <p><u>When considering an application for resource consent, notice of requirement, or a change, variation or review of a regional or district plan that relates to freshwater, recognise and provide for <del>have regard to</del> the mana whenua/tangata whenua Te Mana o te Wai Statements contained in Appendix 5, as applicable to the territorial local authority area shown in Table X.</u></p> <p>[....]</p>
<p>Porirua City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>New Freshwater policy in Chapter 4.1 – Regulatory Policies</b>  <b><u>Policy FWXX – Mana whenua/tangata whenua and Te Mana o te Wai – regional and district plans</u></b></p> <p><u>District and regional plans shall include objectives, policies, rules or other methods to give effect to Te Mana o te Wai in line with their respective functions under Section 30 and 31 of the RMA, and in doing so:</u></p> <p><u>Recognise and provide for the mana whenua/tangata whenua Statements of Te Mana o te Wai in Appendix 5, as applicable to the territorial authority area shown in Table X. Regional plans shall apply the mana whenua/tangata whenua statements as relevant to the scope and content of the plan change or review process.</u></p> <p><u>Partner with mana whenua/tangata whenua in the development of the required district and regional plan objectives, policies, rules or other methods that give effect to Te Mana o te Wai.</u></p> <p>[....]</p> <p><b>New Freshwater policy in Chapter 4.2 – Regulatory Policies – Matters to be considered</b>  <b><u>Policy FWXX: Mana whenua/tangata whenua and Te Mana o te Wai – consideration</u></b></p> <p><u>When considering an application for resource consent, notice of requirement, or a change, variation or review of a regional or district plan that relates to freshwater, have regard to the mana whenua/tangata whenua Te Mana o te Wai Statements contained in Appendix 5 in line with their respective functions under Section 30 and 31 of the RMA, as applicable to the territorial authority area shown in Table X.</u></p>

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Table 4: New Policy FW.XX Hydrological Control for Urban Development Amendments

Submitter	New Policy FW.XX Hydrological Control for Urban Development
S42A Recommendations (recommended changes in red)	<p><u>Policy FW.X Hydrological Control for urban development – regional plans</u></p> <p><u>Regional plans shall include policies, rules and/or methods for urban development that require hydrological control to avoid adverse effects of runoff quality and quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows. Hydrological control standards must be set for greenfield, brownfield, and infill development as follows:</u></p> <p>(a) <u>For greenfield development:</u></p> <ul style="list-style-type: none"> <li>i. <u>the modelled mean annual runoff volume generated by the fully developed area must not exceed the mean annual runoff volume modelled from the site in an undeveloped state</u></li> <li>ii. <u>the modelled mean annual exceedance frequency of the 2-year Average Recurrence Interval (ARI) so-called ‘channel forming’ (or ‘bankfull’) flow for the point where the fully developed area discharges to a stream must not exceed the mean annual exceedance frequency modelled for the same site and flow event arising from the area in an undeveloped state.</u></li> </ul> <p>(b) <u>For brownfield and infill development:</u></p> <ul style="list-style-type: none"> <li>i. <u>the modelled mean annual runoff volume generated by the fully developed area must minimise any increase from the mean annual runoff volume modelled for the site in an undeveloped state, as far as practicable</u></li> <li>ii. <u>the modelled mean annual exceedance frequency of the 2-year ARI so-called ‘channel forming’ (or</u></li> </ul>

	<p><u>'bankfull') flow for the point where the fully developed area discharges to a stream, or stormwater network, shall be reduced to <i>minimise</i> any increase from the mean annual exceedance frequency modelled for the same site and flow event in an <i>undeveloped state</i>, as far as practicable.</u></p> <p><b>Explanation</b></p> <p><u>Policy XX requires regional plans to require hydrological control of urban development in order to manage water quantity and water quality as a result of stormwater runoff from impervious surfaces on a site. Hydrological control provides multiple benefits in terms of managing the frequency of small frequent runoff events that impact on stream resilience and freshwater ecosystem health, maintaining and improving water quality through diverting stormwater from streams as well as supporting resilience during and after intense rainfall events. Different requirements apply to greenfield and brownfield developments. Policy XX provides guidance about the outcomes that should be achieved from hydrological control, rather than the specific solutions that should be used. This approach enables solutions to be developed that are appropriate based on the characteristics of a particular area or site and supports flexibility and innovation.</u></p>
<p>Wellington City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><u>Policy FW.X Hydrological Control for urban development –<del>regional plans</del></u></p> <p><u><del>Regional District</del> plans shall include policies, rules and/or methods for urban development that require <i>hydrological control</i> to avoid adverse effects of runoff quality and quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows in relation to the management of a stormwater network.</u></p> <p><u>Regional plans shall include policies, rules and/or methods for urban development that require hydrological control to avoid adverse effects of runoff quality and quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows for development directly discharging into sensitive receiving environments.</u></p> <p><u><del>Hydrological control</del> standards must be set for greenfield, brownfield, and infill development as follows:</u></p>

(a) For greenfield development:

- i. the modelled mean annual runoff volume generated by the fully developed area must not exceed the mean annual runoff volume modelled from the site in an undeveloped state
- ii. the modelled mean annual exceedance frequency of the 2-year Average Recurrence Interval (ARI) so-called 'channel forming' (or 'bankfull') flow for the point where the fully developed area discharges to a stream must not exceed the mean annual exceedance frequency modelled for the same site and flow event arising from the area in an undeveloped state.

(b) For brownfield and infill development:

- i. the modelled mean annual runoff volume generated by the fully developed area must *minimise* any increase from the mean annual runoff volume modelled for the site in an undeveloped state, as far as practicable
- ii. the modelled mean annual exceedance frequency of the 2-year ARI so-called 'channel forming' (or 'bankfull') flow for the point where the fully developed area discharges to a stream, or stormwater network, shall be reduced to *minimise* any increase from the mean annual exceedance frequency modelled for the same site and flow event in an undeveloped state, as far as practicable.

**Explanation**

Policy XX requires regional plans to require hydrological control of urban development in order to manage water quantity and water quality as a result of stormwater runoff from impervious surfaces on a site. Hydrological control provides multiple benefits in terms of managing the frequency of small frequent runoff events that impact on stream resilience and freshwater ecosystem health, maintaining and improving water quality through diverting stormwater from streams as well as supporting resilience during and after intense rainfall events. Different requirements apply to greenfield and

	<p><u>brownfield developments. Policy XX provides guidance about the outcomes that should be achieved from hydrological control, rather than the specific solutions that should be used. This approach enables solutions to be developed that are appropriate based on the characteristics of a particular area or site and supports flexibility and innovation.</u></p>
<p>Peka Peka Farms Ltd (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><u>Policy FW.X Hydrological Control for urban development – regional plans</u></p> <p><u>Regional plans shall include policies, rules and/or methods for urban development that require <i>hydrological control</i> to avoid adverse effects of runoff quality and quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows. <i>Hydrological control</i> standards must be set for greenfield, brownfield, and infill development as follows:</u></p> <p>(a) <u>For greenfield development:</u></p> <ul style="list-style-type: none"> <li>i. <u>the modelled mean annual runoff volume generated by the fully developed area must not exceed the mean annual runoff volume modelled from the site <del>in an undeveloped state</del> prior to development</u></li> <li>ii. <u>the modelled mean annual exceedance frequency of the 2-year Average Recurrence Interval (ARI) so-called 'channel forming' (or 'bankfull') flow for the point where the fully developed area discharges to a stream must not exceed the mean annual exceedance frequency modelled for the same site and flow event arising from the area <del>in an undeveloped state</del> prior to development.</u></li> </ul> <p>(b) <u>For brownfield and infill development:</u></p> <ul style="list-style-type: none"> <li>i. <u>the modelled mean annual runoff volume generated by the fully developed area must <i>minimise any</i> increase from the mean annual runoff volume modelled for the site <del>in an undeveloped state</del> prior to development, as far as practicable</u></li> <li>ii. <u>the modelled mean annual exceedance frequency of the 2-year ARI so-called 'channel forming' (or 'bankfull') flow for the point where the fully developed area discharges to a stream, or stormwater network, shall be reduced to <i>minimise any</i> increase from the mean annual exceedance frequency modelled for the</u></li> </ul>

same site and flow event in an undeveloped state prior to development, as far as practicable.

Table 5: Policy 12 amendments

Submitter	Policy 12
S42A Recommendations (recommended changes in red)	<p><b>Policy 12: Management purposes for of surface water bodies – regional plans</b></p> <p>Regional plans shall give effect to <i>Te Mana o te Wai</i> and include objectives, policies, rules and/or methods that:</p> <p>(a) <del>require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and</del></p> <p>(b) <del>manage water bodies for other purposes identified in regional plans.</del></p> <p><u>(a) are prepared in partnership with mana whenua / tangata whenua and enable the application of mātauranga Māori ;</u></p> <p><u>(aa) adopt an integrated approach, ki uta ki tai</u></p> <p><u>(b) contribute to achieving the any relevant long-term visions for freshwater ;</u></p> <p><u>(c) identify freshwater management units (FMUs);</u></p> <p><u>(c) manage freshwater through the following freshwater management units (FMUs) which are shown on Map X:</u></p> <p><u>(i) Kāpiti Whaitua</u></p> <p><u>(ii) Ruamahanga Whaitua</u></p> <p><u>(iii) Te Awarua-o-Porirua Whaitua</u></p> <p><u>(iv) Te Whanganui-a-Tara Whaitua</u></p> <p><u>(v) Wairarapa Coast Whaitua</u></p>

	<p><u>(ca) identify part FMUs that require specific management within the FMUs identified in clause (c), in partnership with mana whenua/tangata whenua</u></p> <p><u>(d) identify values for every FMU and part FMU, and environmental outcomes for each value as objectives;</u></p> <p><u>(da) For each value identified in clause (d), identify attributes and the baseline states for those attributes</u></p> <p><u>(e) For each attribute identified in clause (da), identify target attribute states that achieve environmental outcomes, and record their baseline state;</u></p> <p><u>(f) set environmental flows and levels that will achieve environmental outcomes and long-term visions for freshwater;</u></p> <p><u>(g) identify limits on resource use, including take limits that will achieve the target attribute states, flows and levels and include these as rules;</u></p> <p><u>(h) identify non-regulatory actions that will be included in Action Plans that will assist in achieving target attribute states (in addition to limits); and</u></p> <p><u>(i) identify non-regulatory and regulatory actions in Actions Plans required by the NPS-FM</u></p> <p><b>Explanation</b>  Policy 12 gives sets out the key elements of giving effect to the national direction set by the National Policy Statement for Freshwater Management 2020, including sections 2.2, 3.2 and 3.8-3.17.</p>
Porirua City Council (s42A report recommendations in red; submitter's proposed changes in blue)	<p><b>Policy 12: Management purposes for of surface water bodies – regional plans</b></p> <p>Regional plans shall give effect to <i>Te Mana o te Wai</i> and include objectives, policies, rules and/or methods that:</p> <p>(a) — require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and</p> <p>(b) — manage water bodies for other purposes identified in regional plans.</p>

(a) are prepared in partnership with mana whenua / tangata whenua and enable the application of mātauranga Māori ;

(aa) adopt an integrated approach, ki uta ki tai

(b) contribute to achieving ~~the any relevant~~ long-term visions for freshwater;

(c) identify freshwater management units (FMUs);

(c) manage freshwater through the following ~~Whaitua freshwater management units (FMUs)~~ which are shown on Map X:

(i) Kāpiti Whaitua

(ii) Ruamahanga Whaitua

(iii) Te Awarua-o-Porirua Whaitua

(iv) Te Whanganui-a-Tara Whaitua

(v) Wairarapa Coast Whaitua

(ca) identify FMUs or part FMUs that require specific management within the ~~Whaitua FMUs~~ identified in clause (c), in partnership with mana whenua/tangata whenua

(d) identify values for every FMU and part FMU, and environmental outcomes for each value as objectives;

(da) For each value identified in clause (d), identify attributes and the baseline states for those attributes

(e) For each attribute identified in clause (da), identify target attribute states that achieve environmental outcomes, and record their baseline state;

(f) set environmental flows and levels that will achieve environmental outcomes and long-term visions for freshwater;

(g) identify limits on resource use, including take limits that will achieve the target attribute states, flows and levels and include these as rules;

(h) identify non-regulatory actions that will be included in Action Plans that will assist in achieving target attribute states (in

	<p><a href="#">addition to limits); and</a></p> <p><a href="#">(i) identify non-regulatory and regulatory actions in Actions Plans required by the NPS-FM</a></p> <p><b>Explanation</b></p> <p>Policy 12 <del>gives</del> <a href="#">sets out the key elements of giving</a> effect to the national direction set by the National Policy Statement for Freshwater Management 2020, including sections <a href="#">2.2</a>, 3.2 and 3.8-3.17.</p>
<p>Wairarapa Federated Farmers (s42A report recommendations in <a href="#">red</a>; submitter's proposed changes in <a href="#">blue</a>)</p>	<p><b>Policy 12: Management <del>purposes for</del> <a href="#">of surface-water bodies</a> – regional plans</b></p> <p>Regional plans shall <a href="#">give</a> effect to <i>Te Mana o te Wai</i> and include <a href="#">objectives</a>, policies, rules and/or methods that:</p> <p>(a) <del>require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and</del></p> <p>(b) <del>manage water bodies for other purposes identified in regional plans.</del></p> <p><a href="#">(a) are prepared in partnership with mana whenua / tangata whenua <a href="#">and engagement with the wider community and enable the application of mātauranga Māori</a>;</a></p> <p><a href="#">(aa) adopt an integrated approach, ki uta ki tai</a></p> <p><a href="#">(ab) enable the application of matauranga Māori</a></p> <p><a href="#">(b) contribute to achieving <del>the any relevant</del> long-term visions for freshwater ;</a></p> <p><a href="#">(c) identify freshwater management units (FMUs);</a></p> <p><a href="#">(c) manage freshwater through the following freshwater management units (FMUs) which are shown on Map X:</a></p> <p><a href="#">(i) Kāpiti Whaitua</a></p> <p><a href="#">(ii) Ruamahanga Whaitua</a></p> <p><a href="#">(iii) Te Awarua-o-Porirua Whaitua</a></p>

	<p><u>(iv) Te Whanganui-a-Tara Whaitua</u></p> <p><u>(v) Wairarapa Coast Whaitua</u></p> <p><u>(ca) identify part FMUs that require specific management within the FMUs identified in clause (c), in partnership with mana whenua/tangata whenua and engagement with the wider community.</u></p> <p>[....]</p>
<p>Fish and Game (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 12: Management <del>purposes for</del> of surface water bodies – regional plans</b></p> <p>Regional plans shall give effect to <i>Te Mana o te Wai</i> and include objectives, policies, rules and/or methods that:</p> <p><del>(a) require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and</del></p> <p><del>(b) manage water bodies for other purposes identified in regional plans.</del></p> <p><u>(a) are prepared in partnership with mana whenua / tangata whenua and through engagement with communities, stakeholders and territorial authorities, and enable the application of mātauranga Māori ;</u></p> <p><u>(aa) adopt an integrated approach, ki uta ki tai</u></p> <p>[....]</p>

Table 6: Policy 14 amendments

Submitter	Policy 14
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Policy 14: Urban development effects on freshwater <del>and the coastal marine area receiving environments</del> Minimising contamination in stormwater from new development – regional plans</b></p>

Regional plans shall give effect to Te Mana o te Wai and include objectives, policies, rules and methods for urban development including rules, must that give effect to Te Mana o te Wai and in doing so must:

(a) Enable the active involvement of mana whenua / tangata whenua in freshwater management (including decision-making processes); and

~~(ab) Identify and provide for Māori freshwater values are identified and provided for;~~

(b) Adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development;

(c) ~~Require the control of both land use and discharge effects from the use and development of land~~ urban development on freshwater and the coastal marine area receiving environments;

(d) Identify how to Achieve the target attribute states and environmental flows and levels set for the catchment;

(e) Require the urban development, including stormwater discharges, earthworks and vegetation clearance to meet any limits set in a regional plan;

(f) Require that urban development to incorporate water sensitive urban design techniques to avoid adverse effects of contaminants on waterbodies from the use and development of the land is designed and constructed using the principles of Water Sensitive Urban Design;

~~(g) Require that urban development located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;~~

(h) Require that urban development lot boundaries and new roads for are is appropriately located and designed to protect and enhance the health and wellbeing of adjacent gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries including the natural form and flow of the waterbody;

(i) Require urban development adjacent to natural waterbodies to include riparian buffers; for all waterbodies and avoid piping of rivers;

~~(ia) avoid the piping of rivers for urban development unless:~~

~~(i) there is a functional need for the activity in that location; and~~

~~(ii) the effects of the activity are managed by applying the effects management hierarchy;~~

~~(j) Require hydrological controls in urban development to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;~~

(k) Require urban development to adopt stormwater quality management measures that will minimise the

	<p>generation of contaminants, and <i>maximise</i>, to the extent practicable, the removal of contaminants from stormwater; <del>and</del></p> <p>(l) <u>Identify and map rivers and wetlands within the area proposed for urban development in partnership with mana whenua/tangata whenua and affected landowners;</u></p> <p>(m) <u>require that urban development avoids the loss of extent or values of natural inland wetlands; and</u></p> <p>(n) <u>promoting the daylighting of streams.</u></p> <p>Regional plans shall include policies, rules and/or methods that protect aquatic ecosystem health by minimising ecotoxic and other contaminants in stormwater that discharges into water, or onto or into land that may enter water, from new subdivision and development.</p> <p><b>Explanation</b></p> <p>Policy 14 manages the effects of urban development, including the effects of contamination in stormwater, earthworks and vegetation clearance from new and existing subdivision and development to halt and reverse the degradation of freshwater and <del>coastal water</del> <u>in receiving environments.</u></p>
<p>Porirua City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 14: Urban development effects on freshwater <del>and the coastal marine area</del> <u>receiving environments</u> Minimising contamination in stormwater from new development – regional plans</b></p> <p>[...]</p> <p>(h) <u>Require that <del>urban development lot boundaries and new roads for</del> <u>are is appropriately</u> located <u>and designed</u> to protect and enhance <u>the health and wellbeing of adjacent gully heads,</u> rivers, lakes, wetlands, springs, riparian margins and <u>estuaries including the natural form and flow of the waterbody;</u></u></p> <p>[...]</p> <p>(m) <u>require that urban development avoids the loss of extent or values of natural inland wetlands; unless:</u></p> <p>(i) <u>there is a functional need for the activity in that location; and</u></p> <p>(ii) <u>the effects of the activity are managed by applying the effects management hierarchy;</u></p>

	<p><u>and</u></p> <p><u>(n) promoting the daylighting of streams.</u></p> <p>[...]</p>
<p>Wellington City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 14: Urban development effects on freshwater <del>and the coastal marine area</del> <u>receiving environments</u> Minimising <del>contamination in stormwater from new development</del> – regional plans</b></p> <p>[...]</p> <p>(f) <del>Require that urban development to incorporate water sensitive urban design techniques to avoid adverse effects of contaminants on waterbodies from the use and development of the land is designed and constructed using the principles of Water Sensitive Urban Design;</del></p> <p>[...]</p>
<p>BP Oil NZ Ltd, Mobil Oil Ltd and Z Energy Ltd (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 14: Urban development effects on freshwater <del>and the coastal marine area</del> <u>receiving environments</u> Minimising <del>contamination in stormwater from new development</del> – regional plans</b></p> <p>[...]</p> <p>(f) <del>Require that urban development to incorporate water sensitive urban design techniques to avoid where practicable, or otherwise remedy or minimize the adverse effects of contaminants on waterbodies from the use and development of the land is designed and constructed using the principles of Water Sensitive Urban Design;</del></p> <p>[...]</p>
<p>Peka Peka Farms Limited (s42A report)</p>	<p><b>Policy 14: Urban development effects on freshwater <del>and the coastal marine area</del> <u>receiving environments</u> Minimising <del>contamination in stormwater from new development</del> – regional plans</b></p>

recommendations in red; submitter's proposed changes in blue)

Regional plans shall give effect to Te Mana o te Wai and include objectives, policies, rules and methods for urban development including rules, must that give effect to Te Mana o te Wai and in doing so must:

- (a) Enable the active involvement of mana whenua / tangata whenua in freshwater management (including decision-making processes); ~~and~~
- ~~(ab) Identify and provide for Māori freshwater values are identified and provided for;~~
- (b) Adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development;
- (c) ~~Require the control of both land use and discharge effects from the use and development of land urban development on freshwater and the coastal marine area receiving environments;~~
- (d) Identify how to achieve the target attribute states and environmental flows and levels set for the catchment;
- (e) Require the urban development, including stormwater discharges, earthworks and vegetation clearance to meet any limits set in a regional plan;
- ~~(f) Require that urban development to incorporate water sensitive urban design techniques to avoid adverse effects of contaminants on waterbodies from the use and development of the land is designed and constructed using the principles of Water Sensitive Urban Design;~~
- ~~(g) Require that urban development located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;~~
- ~~(h) Require that urban development lot boundaries and new roads for are is appropriately located and designed to protect and enhance the health and wellbeing of adjacent gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries including the natural form and flow of the waterbody;~~
- (i) Require urban development adjacent to natural waterbodies to include riparian buffers; for all waterbodies and avoid piping of rivers;
- (ia) avoid the piping of rivers for urban development unless:
  - (i) there is a functional need for the activity in that location; and
  - (ii) the effects of the activity are managed by applying the effects management hierarchy;
- ~~(j) Require hydrological controls in urban development to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;~~
- (k) Require urban development to adopt stormwater quality management measures that will minimise the

	<p>generation of contaminants, and <i>maximise</i>, to the extent practicable, the removal of contaminants from stormwater;<del>and</del></p> <p>(l) <u>Identify and map rivers and wetlands within the area proposed for urban development in partnership with mana whenua/tangata whenua and affected landowners;</u></p> <p>(m) <u>require that urban development avoids the loss of extent or values of natural inland wetlands, unless:</u></p> <ul style="list-style-type: none"> <li>i. <u>there is a functional need for the activity in that location, or the activity is otherwise identified in the National Policy Statement for Freshwater Management; and</u></li> <li>ii. <u>the effects of the activity are managed by applying the effects management hierarchy.</u></li> </ul> <p>(n) <u>promoting the daylighting of streams.</u></p> <p>[...]</p>
<p>Royal Forest &amp; Bird (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 14: Urban development effects on freshwater <del>and the coastal marine area receiving environments</del> Minimising contamination in stormwater from new development – regional plans</b></p> <p>[...]</p> <p>(h) <u>Require that urban development lot boundaries and new roads for are is urban development is appropriately located and designed and designed to protect and enhance the health and wellbeing of adjacent gully heads, gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries and other receiving environments, including the natural form and flow of the waterbody;</u></p> <p>[...]</p>
<p>Director General of Conservation (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 14: Urban development effects on freshwater <del>and the coastal marine area receiving environments</del> Minimising contamination in stormwater from new development – regional plans</b></p> <p>[...]</p> <p>(h) <u>Require that urban development lot boundaries and new roads for are is appropriately located and designed to protect and enhance the health and wellbeing of adjacent gully heads, rivers, lakes, wetlands, springs,</u></p>

	<p>riparian margins, <del>and</del> <u>estuaries and other receiving environments including the natural form and flow of the waterbody;</u></p> <p>[....]</p>
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Table 7: Policy FW.3 Amendments

Submitter	Policy FW.3
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Policy FW.3 <u>Urban development effects on freshwater and <del>the coastal marine area receiving environments</del> – district plans</u></b></p> <p>District plans shall include objectives, policies, and methods including rules <u>for urban development</u>, that give effect to <u>Te Mana o te Wai</u> and section 3.5(4) of the NPS-FM, and in doing so must:</p> <ul style="list-style-type: none"> <li>(a) <u>Partner with mana whenua / tangata whenua in the preparation of district plans;</u></li> <li><del>(b) <u>Protect and enhance Māori freshwater values, including mahinga kai;</u></del></li> <li>(c) <u>Partner with <del>Provide for</del> mana whenua / tangata whenua and <del>recognise and provide for</del> their relationship with their culture, land, water, wāhi tapu and other taonga;</u></li> <li>(d) <u>Incorporate the use of mātauranga Māori to ensure the effects of urban development are considered appropriately;</u></li> <li>(e) <u>Adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development;</u></li> <li>(f) <u>Integrate planning and design of stormwater management to achieve multiple improved outcomes – <i>amenity values</i>, recreational, cultural, ecological, climate, vegetation retention;</u></li> <li>(g) <u>Consider the <del>location, layout and design of urban development in relation to effects on</del> freshwater and <del>the coastal marine area receiving environments of subdivision, use and development of land;</del></u></li> </ul>

- ~~(h) — Consider the use and development of land in relation to target attribute states and any limits set in a regional plan;~~
- (i) Require that Water Sensitive Urban Design principles and methods are applied during consideration of subdivision, including the extent of impervious surfaces and in the control of stormwater infrastructure;
- ~~(ia) — Require urban development to be designed, constructed and maintained to achieve hydraulic neutrality.~~
- ~~(j) — Require that urban development is located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;~~
- (k) Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;
- ~~(l) — Require riparian buffers for all waterbodies and avoid piping of rivers;~~
- ~~(m) — Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;~~
- ~~(n) — Require efficient use of water;~~
- (o) Manage land use and development in a way that will minimise the generation of contaminants, including in relation to the choice of building materials, and the extent of impervious surfaces;
- ~~(p) — Consider daylighting of streams, where practicable; and~~
- ~~(q) — Consider the effects of land use and development on drinking water sources.~~

**Explanation**

Policy FW.3 requires district plans to manage the effects of urban development on freshwater and ~~the coastal marine area receiving environments.~~

Porirua City Council (s42A report recommendations in red; submitter's proposed changes in blue)

**Policy FW.3 Urban development effects on freshwater and ~~the coastal marine area receiving environments~~ – district plans**

District plans shall include objectives, policies, and methods including rules *for urban development*, that *give effect to Te Mana o te Wai and section 3.5(4) of the NPS-FM, and in doing so must:*

- ~~(a) Partner with mana whenua / tangata whenua in the preparation of district plans;~~
- ~~(b) Protect and enhance Māori freshwater values, including mahinga kai;~~
- (c) *Partner with Provide for* mana whenua / tangata whenua and *recognise and provide for* their relationship with their culture, land, water, wāhi tapu and other taonga;
- (d) *Incorporate the use of mātauranga Māori to ensure the effects of urban development are considered appropriately;*
- (e) *Adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development;*
- (f) *Integrate planning and design of stormwater management to achieve multiple improved outcomes – amenity values, recreational, cultural, ecological, climate-resilience, vegetation retention;*
- ~~(g) Consider the location, layout and design of urban development in relation to effects on freshwater and the coastal marine area receiving environments of subdivision, use and development of land;~~
- ~~(h) Consider the use and development of land in relation to target attribute states and any limits set in a regional plan;~~
- ~~(i) Require that Water Sensitive Urban Design principles and methods are applied during consideration of subdivision, including the extent of impervious surfaces and in the control of stormwater infrastructure;~~
- ~~(ia) Require urban development to be designed, constructed and maintained to achieve hydraulic neutrality.~~
- ~~(j) Require that urban development is located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;~~

	<p>(k) <del>Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</del></p> <p>(l) <del>Require riparian buffers for all waterbodies and avoid piping of rivers;</del></p> <p>(m) <del>Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</del></p> <p>(n) <del>Require efficient use of water;</del></p> <p>(o) <del>Manage land use and development in a way that will minimise the generation of contaminants, including in relation to the choice of building materials, and the extent of impervious surfaces;</del></p> <p>(p) <del>Consider daylighting of streams, where practicable; and</del></p> <p>(q) <del>Consider the effects of land use and development on drinking water sources.</del></p> <p><b>Explanation</b></p> <p>Policy FW.3 requires district plans to manage the effects of urban development on freshwater and <del>the coastal marine area receiving environments</del>. This is to the extent that is relevant under a territorial authority's functions under section 31 of the RMA and in a manner that does not duplicate the functions of the Regional Council under section 30 of the RMA.</p>
<p>Director-General of Conservation (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy FW.3 Urban development effects on freshwater and <del>the coastal marine area receiving environments</del> – district plans</b></p> <p>District plans shall include objectives, policies, and methods including rules <i>for urban development</i>, that give effect to <i>Te Mana o te Wai</i> and section 3.5(4) of the NPS-FM, and in doing so must:</p> <p>[...]</p> <p>(k) Require that urban development is located and designed to protect and enhance <del>gully heads</del> <i>gully heads</i>, rivers, lakes, wetlands, springs, riparian margins and estuaries including <i>the natural form and flow of the waterbody</i>;</p> <p>...</p> <p><i>(p) promoting and enabling the daylighting of streams</i></p>

<p>Wellington Water (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy FW.3 Urban development effects on freshwater and <del>the coastal marine area receiving environments</del> – district plans</b></p> <p>District plans shall include objectives, policies, and methods including rules <i>for urban development</i>, that give effect to <i>Te Mana o te Wai</i> and section 3.5(4) of the NPS-FM, and in doing so must:</p> <p>[...]</p> <p>(k) Require that urban development is located and designed to protect and enhance <i>gully heads</i>, rivers, lakes, wetlands, springs, riparian margins <del>and</del> <i>estuaries, aquifers and drinking water sources</i>;</p> <p>[...]</p>
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Table 8: Policy 42 Amendments

Submitter	Policy 42
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Policy 42 – Effects on freshwater and <del>the coastal marine area receiving environments</del> from urban development</b></p> <p><del>Minimising contamination in stormwater from development – consideration</del></p> <p>When considering an application for a <i>regional</i> resource consent <i>that relates to urban development the</i> regional council must give effect to <i>Te Mana o te Wai</i> and in doing so must have <del>particular</del> regard to:</p> <ul style="list-style-type: none"> <li>(a) <u>Adopting</u> an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development;</li> <li>(b) <u>Protecting</u> and <u>enhancing</u> mana whenua /tangata whenua freshwater values, including mahinga kai, <i>in partnership with mana whenua/tangata whenua</i>;</li> <li>(c) <u>Providing</u> for mana whenua/tangata whenua and their relationship with their culture, land, water, wāhi tapu and other taonga;</li> <li>(d) <u>Incorporating</u> the use of mātauranga Māori to ensure the effects of urban development are considered appropriately;</li> <li>(e) <u>The effects of use and development of land on water, including the effects on receiving environments (both freshwater and the <i>coastal marine area</i>)</u>;</li> <li>(f) <u>The target attribute states set for the catchment</u>;</li> </ul>

- (g) ~~The extent to which~~ Require that the *urban development*, including stormwater discharges, *earthworks and vegetation clearance* meets any limits set in a regional plan and the effect of any exceedances;
- (h) ~~The extent to which~~ Requiring that urban development is located and designed and constructed using the principles incorporates Water Sensitive Urban Design techniques to avoid adverse effects of contaminants on water bodies from the use and development of the land;
- ~~(i) Require that urban development located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;~~
- (i) ~~Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;~~ The extent to which the location of lot boundaries and new roads protects and enhances the health and wellbeing of adjacent rivers, lakes, wetlands, springs, riparian margins, and receiving environments, including the natural form and flow of the waterbody.
- (k) ~~The extent to which~~ Require *hydrological controls to avoid* *minimises* adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, on natural stream flows;
- (l) ~~The extent to which~~ Requiring *urban development incorporates* stormwater quality management that will *minimise* the generation of contaminants, and *maximises*, to the extent practicable, the removal of contaminants from stormwater;
- (m) ~~Requiring The provision of riparian buffers for urban development adjacent to natural waterbodies for all waterbodies and avoid piping of rivers;~~
- ~~(ma) The extent to which the development avoids piping of rivers and whether there is a functional need for the activity in that location;~~
- (n) ~~The practicability of~~ Daylighting rivers within the area proposed for *urban development area, where practicable;*
- (o) ~~The extent to which rivers and wetlands within the area proposed for urban development have been mapped, and whether the scale of the urban development necessitates such mapping~~ Mapping of rivers and wetlands;
- (p) Efficient end use of water and alternate water supplies for non- potable use;
- (q) ~~P~~ rotecting drinking water sources from inappropriate use and development; and
- (r) ~~A~~ pplying a *catchment an integrated management* approach to wastewater networks including partnering with mana whenua as kaitiaki and allowance for appropriately designed overflow points where necessary to support growth and consideration of different approaches to wastewater management to resolve overflow.

<p>Kāinga Ora (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 42 – Effects on freshwater and <del>the coastal marine area</del> receiving environments from urban development</b>  <b><del>Minimising contamination in stormwater from development – consideration</del></b></p> <p>When considering an application for a regional resource consent <u>that relates to urban development the regional council must give effect to <i>Te Mana o te Wai</i> and in doing so must have particular regard to:</u></p> <p>[...]</p> <p>(i) <del>Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</del><u>The extent to which the location of lot boundaries and new roads protects and enhances urban development mitigates adverse effects on the health and wellbeing of adjacent rivers, lakes, wetlands, springs, riparian margins, and receiving environments, including the natural form and flow of the waterbody.</u></p> <p>[...]</p>
<p>The Fuel Companies (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 42 – Effects on freshwater and <del>the coastal marine area</del> receiving environments from urban development</b>  <b><del>Minimising contamination in stormwater from development – consideration</del></b></p> <p>When considering an application for a regional resource consent <u>that relates to urban development the regional council must give effect to <i>Te Mana o te Wai</i> and in doing so must have particular regard to:</u></p> <p>[...]</p> <p>(h) <del>The extent to which Requiring that urban development is located and designed and constructed using the principles incorporates Water Sensitive Urban Design techniques to avoid, where practicable, or otherwise remedy or minimise the adverse effects of contaminants on water bodies from the use and development of the land;</del></p>
<p>Peka Peka Farms Limited (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 42 – Effects on freshwater and <del>the coastal marine area</del> receiving environments from urban development</b>  <b><del>Minimising contamination in stormwater from development – consideration</del></b></p> <p>When considering an application for a regional resource consent <u>that relates to urban development the regional council must give effect to <i>Te Mana o te Wai</i> and in doing so must have particular regard to:</u></p> <p>[...]</p> <p>(i) <del>Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</del><u>The extent to which the urban development location of lot</u></p>

	<u>boundaries and new roads</u> protects and enhances the health and wellbeing of adjacent rivers, lakes, wetlands, springs, riparian margins, and receiving environments, including the natural form and flow of the waterbody.
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Table 9: Policy FW.2 Amendments

Submitter	Policy FW.2
S42A Recommendations (recommended changes in red)	<p><b>Policy FW.2: Reducing water demand – district plans</b></p> <p>District plans shall include policies, rules and/or methods to reduce demand <del>effor</del> water from <del>registered water suppliers and users</del> <u>community drinking water supplies and group drinking water supplies</u>, including where practicable:</p> <ul style="list-style-type: none"> <li>(a) <del>provisions improving the efficiency of the end use of water on a per capita basis for new developments; and</del></li> <li>(b) <del>provisions requiring</del> <u>promoting</u> alternate water supplies for non-potable use in new developments, <u>such as the requirement to install rainwater tanks.</u></li> </ul> <p><b>Explanation</b></p> <p>Policy FW.2 requires district plans to address the reduction of demand in <u>community drinking water supplies or group drinking water supplies</u>. <del>municipal</del>-water supplies.</p>
Porirua City Council (s42A report recommendations in red; submitter’s proposed changes in blue)	<p><b>Policy FW.2: Reducing water demand – district plans</b></p> <p>District plans shall include policies, rules and/or methods to reduce demand <del>effor</del> water from <del>registered water suppliers and users</del> <u>community drinking water supplies and group drinking water supplies</u>, including where practicable:</p> <ul style="list-style-type: none"> <li>(a) <del>provisions improving the efficiency of the end use of water on a per capita basis for new developments; and</del></li> <li>(b) <del>provisions requiring</del> <u>promoting</u> alternate water supplies for non-potable use in new developments, <u>such as the requirement to install rainwater tanks.</u></li> </ul> <p><b>Explanation</b></p>

	Policy FW.2 requires district plans to address the reduction of demand in <u>community drinking water supplies or group drinking water supplies</u> <del>municipal</del> -water supplies.
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Table 10: Policy FW.5 Amendments

Submitter	Policy FW.5
S42A Recommendations (recommended changes in red)	<p><b>Policy FW.5: Water supply planning for climate change and urban development – consideration</b></p> <p><u>When considering a change, variation or review of a regional or district plan, local authorities must give effect to Te Mana o te Wai, and</u> particular regard shall be given to:</p> <p>(a) <u>climate change impacts on community drinking water supplies and group drinking water supplies, including water availability and demand and the potential for saline intrusion into aquifers;</u></p> <p>(b) <u>demand from future population projections;</u></p> <p>(c) <u>development of future water sources, storage, treatment and reticulation; and</u></p> <p>(d) <u>an integrated approach, ki uta ki tai, in the</u> protection of existing and future water sources.</p> <p><b><u>Explanation</u></b></p> <p><u>Policy FW.5 requires water supply planning to adequately considered including the impacts of climate change and new urban development.</u></p>
Porirua City Council (s42A report recommendations in red; submitter’s proposed changes in blue)	<p><b>Policy FW.5: Water supply planning for climate change and urban development – consideration</b></p> <p><u>When considering a change, variation or review of a regional <del>or district</del> plan, local authorities must give effect to Te Mana o te Wai, and</u> particular regard shall be given to:</p> <p>[...]</p>
Horticulture NZ (s42A report)	<p><b>Policy FW.5: Water supply planning for climate change and urban development – consideration</b></p>

recommendations in red; submitter's proposed changes in blue	When considering a change, variation or review of a regional or district plan <u>relating to urban development, local authorities must give effect to Te Mana o te Wai, and</u> particular regard shall be given to: [...]
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Table 11: Policy FW.6 Amendments

Submitter	Policy FW.6
S42A Recommendations (recommended changes in red)	<p><b>Policy FW.6: Allocation of responsibilities for land use and development controls for freshwater</b></p> <p><u>Regional and district plans shall recognise and provide for the responsibilities below, when developing objectives, policies and methods, including rules, to protect and enhance the health and well-being of water bodies and freshwater ecosystems:</u></p> <p>(a) <u>Wellington Regional Council has primary responsibility for freshwater. Wellington Regional Council shall be responsible for the control of the use and development of land for the purposes of <del>water quality and quantity</del> <u>the maintenance and enhancement of water quality and ecosystems in water bodies, and the maintenance of water quantity.</u></u></p> <p><del>(b)</del> <u>In relation to wetlands, Wellington Regional Council is responsible for managing land use within, and within a 100m margin setback of natural wetlands as directed by the NES-F 2020, as well as areas adjoining and/or upstream of a wetland for the purpose of protecting wetlands;</u></p> <p>(c) <u><del>(ba)</del> Wellington Regional Council is responsible for earthworks and vegetation clearance in riparian margins of water bodies.</u></p> <p>(c) <u><del>City and district councils</del> Territorial authorities are responsible for the control of land use and subdivision. <del>City and district councils</del> Territorial authorities must include objectives, policies, and methods in district plans to promote positive effects, and avoid, remedy or, or mitigate adverse effects (including cumulative effects) of land use and subdivision on the health and wellbeing of water bodies, freshwater ecosystems and receiving environments (as required by NPS-FM 3.5 (4)). They must carry out their responsibility in regard to the NPS-FM through their functions under Section 31 of the RMA.</u></p> <p><b>Explanation</b></p>

	<u>Policy FW.6 outlines the allocation of responsibilities for land use and development controls for freshwater between Wellington Regional Council and territorial authorities.</u>
Wellington City Council (s42A report recommendations in red; submitter's proposed changes in blue)	<p><b>Policy FW.6: Allocation of responsibilities for land use and development controls for freshwater</b></p> <p><u>Regional and district plans shall recognise and provide for the responsibilities below, when developing objectives, policies and methods, including rules, to protect and enhance the health and well-being of water bodies and freshwater ecosystems:</u></p> <p>(a) <u>Wellington Regional Council has primary responsibility for freshwater. Wellington Regional Council shall be responsible for the control of the discharges <del>use and development of land</del> for the purposes of <del>water quality and quantity</del> the <u>maintenance and enhancement of water quality and ecosystems in water bodies, and the maintenance of water quantity.</u></u></p> <p>[...]</p>

Table 12: Policy FW.7 Amendments

Submitter	Policy FW.7
S42A Recommendations (recommended changes in red)	<p><b>Policy FW.7 – Water attenuation and retention in Wairarapa rural areas</b></p> <p><u>Promote and support water attenuation and retention in rural areas of the Wairarapa including:</u></p> <p>(a) <u>nature based solutions</u> including slowing water down in the landscape and increasing groundwater recharge (riparian management, wetland enhancement/restoration, flood management); and</p> <p>(b) <u>built solutions</u> including storage at community, farm, and domestic (rain tanks) scales, groundwater augmentation, built retention (wetlands, bunds) <u>while ensuring appropriate consideration of the health needs of people.</u></p> <p><u>Explanation</u></p> <p>Policy FW.7 <u>supports the implementation of the Wairarapa Water Resilience Strategy by promot<u>ing</u>s and support<u>ing</u>s natural and built solutions to attenuate and retain water.</u></p>

	<p><b><u>Method FW.1: Freshwater Action Plans</u></b></p> <p>Prepare Freshwater Action Plans in partnership with mana whenua / tangata whenua, <u>and through engagement with communities, stakeholders and territorial authorities</u>, as required by the NPS-FM to contribute to achieving the target attribute states set in the NRP, for each whitua no later than December 2026. The freshwater action plans <u>may describe both regulatory and non-regulatory measures to achieve target attribute states. will outline non-regulatory measures, which, along with limits and other rules, will achieve target attribute states. Where an action plan is required by the NPS-FM it shall contain both regulatory and non-regulatory actions.</u></p> <p><u>Implementation: Wellington Regional Council</u></p>
<p>Horticulture NZ (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b><u>Policy FW.7 – Water attenuation and retention in Wairarapa rural areas</u></b></p> <p>Promote and support water attenuation and retention <u>in rural areas of the Wairarapa</u> including:</p> <ul style="list-style-type: none"> <li>(a) <u>nature based solutions</u> including slowing water down in the landscape and increasing groundwater recharge (riparian management, wetland enhancement/restoration, flood management); and</li> <li>(b) <u>built solutions</u> including storage at community, farm, and domestic (rain tanks) scales, groundwater augmentation, built retention (wetlands, bunds) <u>while ensuring appropriate consideration of the health needs of people.</u></li> </ul> <p><u>Explanation</u></p> <p>Policy FW.7 <u>in part supports the implementation of the Wairarapa Water Resilience Strategy by promoting and supporting</u> natural and built solutions to attenuate and retain water.</p>

Table 13: Policy 15 Amendments

Submitter	Policy 15
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Policy 15: <u>Managing</u> Minimising the effects of earthworks and vegetation <u>disturbance clearance</u> – district and regional plans</b></p> <p>Regional and district plans shall <u>include policies, rules and/or methods that control earthworks and vegetation disturbance</u></p>

to minimise the extent necessary to achieve the target attribute states for water bodies and freshwater ecosystems including the effects of these activities on the life-supporting capacity of soils, and to provide for mana whenua/ tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga manage the effects of earthworks and vegetation clearance, as follows:

(a) Regional Plans shall include policies, rules and/or methods that:

- i. Control the effects of earthworks and vegetation clearance to achieve the target attribute states for water bodies and freshwater ecosystems, including receiving environments;
- ii. In the absence of target attribute states, minimise silt and sediment runoff into freshwater and receiving environments, or onto land that may enter water; and
- iii. Minimise erosion.

(b) District Plans shall include policies, rules and/or methods that:

- i. Require urban development to follow existing land contours, to the extent practicable;
- ii. Minimise the extent and volume of earthworks required for urban development
- iii. Require setbacks from waterbodies for vegetation clearance and earthworks activities;
- iv. Manage sediment associated with earthworks;
- v. Manage subdivision layout and design.

~~(a) erosion; and~~

~~(b) silt and sediment runoff into water, or onto land that may enter water, aquatic ecosystem health is safeguarded.~~

(d) **Explanation**

(e) An area of overlapping jurisdiction between Wellington Regional Council and district and city councils is the ability to control earthworks and vegetation clearance disturbance, including clearance. Large scale earthworks and vegetation clearance disturbance on erosion prone land in rural areas and many small scale earthworks in urban areas – such as driveways and retaining walls – can cumulatively contribute large amounts of silt and sediment to stormwater and water bodies. This policy is intended to minimise erosion and silt and sedimentation effects associated with these activities.

<p>Porirua City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 15: <del>Managing</del> Minimising the effects of earthworks and vegetation <del>disturbance</del> clearance – district and regional plans</b></p> <p>Regional and district plans shall <del>include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise the extent necessary to achieve the target attribute states for water bodies and freshwater ecosystems including the effects of these activities on the life-supporting capacity of soils, and to provide for mana whenua / tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga manage the adverse effects of earthworks and vegetation clearance, as follows:</del></p> <p>(a) <del>Regional Plans shall include policies, rules and/or methods that:</del></p> <ul style="list-style-type: none"> <li>i. <del>Control the effects of earthworks and vegetation clearance to achieve the target attribute states for water bodies and freshwater ecosystems, including receiving environments;</del></li> <li>ii. <del>In the absence of target attribute states, minimise silt and sediment runoff into freshwater and receiving environments, or onto land that may enter water; and</del></li> <li>iii. <del>Require setbacks from waterbodies for vegetation clearance and earthworks activities</del></li> <li>iv. <del>Manage sediment associated with earthworks; and</del></li> <li>v. <del>Minimise erosion.</del></li> </ul> <p>(b) <del>District Plans shall include policies, rules and/or methods that:</del></p> <ul style="list-style-type: none"> <li>i. <del>Require urban development to follow existing land contours, to the extent practicable;</del></li> <li>ii. <del>Minimise the extent and volume of earthworks required for urban development</del></li> <li>iii. <del>Require setbacks from waterbodies for vegetation clearance and earthworks activities;</del></li> <li>iv. <del>Manage sediment associated with earthworks;</del></li> <li>v. <del>Manage subdivision layout and design to support policy 15a and Policy 15b.i and b.ii. above.</del></li> </ul> <p>[...]</p>
<p>Kāinga Ora (s42A report recommendations)</p>	<p><b>Policy 15: <del>Managing</del> Minimising the effects of earthworks and vegetation <del>disturbance</del> clearance – district and regional plans</b></p>

<p>in red; submitter's proposed changes in blue)</p>	<p>Regional and district plans shall <del>include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise the extent necessary to achieve the target attribute states for water bodies and freshwater ecosystems including the effects of these activities on the life-supporting capacity of soils, and to provide for mana-whenua / tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga manage the effects of earthworks and vegetation clearance, as follows:</del></p> <p>[...]</p> <p>(b) District Plans shall include policies, rules and/or methods that:</p> <p>i. <del>Require urban development to follow existing land contours, to the extent practicable;</del></p> <p>[...]</p>
<p>Wairarapa Federated Farmers (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 15: <u>Managing Minimising</u> the effects of earthworks and vegetation <del>disturbance clearance</del> – district and regional plans</b></p> <p>Regional and district plans shall <del>include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise the extent necessary to achieve the target attribute states for water bodies and freshwater ecosystems including the effects of these activities on the life-supporting capacity of soils, and to provide for mana-whenua / tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga manage the effects of earthworks and vegetation clearance, as follows:</del></p> <p>[...]</p> <p>(b) District Plans shall include policies, rules and/or methods <del>for urban development that:</del></p> <p>[...]</p>
<p>Royal Forest and Bird Protection Society (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 15: <u>Managing Minimising</u> the effects of earthworks and vegetation <del>disturbance clearance</del> – district and regional plans</b></p> <p>Regional and district plans shall <del>include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise the extent necessary to achieve the target attribute states for water bodies and freshwater ecosystems including the effects of these activities on the life-supporting capacity of soils, and to provide for mana-whenua / tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga manage the effects of earthworks and vegetation clearance, as follows:</del></p> <p>[...]</p>

	<p>(b) <u>District Plans shall include policies, rules and/or methods that:</u></p> <p>iii. <u>Require setbacks from waterbodies, wetlands, and their margins for vegetation clearance and earthworks activities;</u></p> <p>[...]</p>
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Table 14: Policy 41 Amendments

Submitter	Policy 41
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Policy 41: <del>Managing</del> <del>Controlling</del> Minimising the effects of earthworks and vegetation <del>clearance disturbance</del> – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent, <del>notice of requirement, or a change, variation or review of a regional or district plan,</del> <u>for earthworks or vegetation clearance</u> particular regard shall be given to <u>controlling earthworks and vegetation disturbance by</u> to minimise:</p> <p>(a) <del>erosion; and</del></p> <p>(f) <u>the extent to which the activity <i>minimises</i> erosion;</u></p> <p>(g) <u>the extent to which <del>considering whether</del> the activity will achieve <u>any relevant</u> environmental outcomes and target attribute states <u>set for the FMU or part-FMU</u>; <del>silt and sediment runoff into water, or onto or into land that may enter water, so that healthy aquatic ecosystems are sustained;</del> <u>and</u></u></p> <p>(h) <u>where suspended sediment limits have been set in a regional plan, and the activity cannot meet those limits, avoiding discharges to water bodies, and to land where it may enter a waterbody;</u> <del>where limits for suspended sediment are not met.</del></p> <p>(c) <u>in the absence of environmental outcomes, target attribute states, or limits for suspended sediment for the relevant FMU or part-FMU, the extent to which silt and sediment runoff into water, or onto or into land that may enter water, will be <i>minimised</i>.</u></p> <p><b>Explanation</b></p>

	<p><u>Policy 41 applies to regional resource consents that involve earthworks and vegetation clearance. The policy intent is to manage both rates of erosion and sediment runoff into waterbodies. The policy recognises that it may not be possible in all cases to avoid the effects of these activities, but nevertheless requires that the effects be minimised. The policy also recognises that there may be a period of time where environmental outcomes and target attribute states for a FMU have not yet been set in the regional plan, and in these cases, there remains a requirement to minimise silt and sediment runoff into water.</u></p> <p><del>An area of overlapping jurisdiction between Wellington Regional Council and district and city councils is the ability to control earthworks and vegetation disturbance, including clearance. Large scale earthworks and vegetation disturbance on erosion prone land in rural areas and many small scale earthworks in urban areas – such as driveways and retaining walls – can cumulatively contribute large amounts of silt.</del></p>
<p>Royal Forest and Bird Society (s42A report recommendations in red; submitter’s proposed changes in blue)</p>	<p><b>Policy 41: <del>Managing</del> <u>Controlling</u> <del>Minimising</del> the effects of earthworks and vegetation <u>clearance disturbance</u> – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent, <del>notice of requirement, or a change, variation or review of a regional or district plan,</del> <u>for earthworks or vegetation clearance</u> particular regard shall be given to <u>controlling earthworks and vegetation disturbance by</u> to minimise:</p> <p>[...]</p> <p><u>(x) Avoiding adverse effects on aquatic ecosystem health, indigenous biodiversity in water bodies, coastal water and receiving environments</u></p> <p>[...]</p>
<p>Horticulture NZ (s42A report recommendations in red; submitter’s proposed changes in blue)</p>	<p><b>Policy 41: <del>Managing</del> <u>Controlling</u> <del>Minimising</del> the effects of earthworks and vegetation <u>clearance disturbance</u> – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent, <del>notice of requirement, or a change, variation or review of a regional or district plan,</del> <u>for earthworks or vegetation clearance</u> particular regard shall be given to <u>controlling earthworks and vegetation disturbance by</u> to minimise:</p>

	<p>(b) <del>erosion; and</del></p> <p>(a) <u>the extent to which the activity <i>minimises</i> erosion;</u></p> <p>(b) <del>the extent to which considering whether the activity will achieve any relevant environmental outcomes and target attribute states set for the FMU or part FMU; silt and sediment runoff into water, or onto or into land that may enter water, so that healthy aquatic ecosystems are sustained; and</del></p> <p>(c) <del>where suspended sediment limits have been set in a regional plan, and the activity cannot meet those limits, avoiding discharges to water bodies, and to land where it may enter a waterbody; where limits for suspended sediment are not met.</del></p> <p>(c) <u>in the absence of environmental outcomes, target attribute states, or limits for suspended sediment for the relevant FMU or part FMU, the extent to which silt and sediment runoff into water, or onto or into land that may enter water, will be <i>minimised</i>.</u></p> <p><b>Explanation</b></p> <p><u>Policy 41 applies to regional resource consents that involve <i>earthworks</i> and <i>vegetation clearance</i>. The policy intent is to manage both rates of erosion and sediment runoff into waterbodies. The policy recognises that it may not be possible in all cases to avoid the effects of these activities, but nevertheless requires that the effects be <i>minimised</i>. The policy also recognises that there may be a period of time where environmental outcomes and target attribute states for a FMU have not yet been set in the regional plan, and in these cases, there remains a requirement to minimise silt and sediment runoff into water.</u></p> <p><u>This policy shall cease to have effect once Policy 15 is given effect to in regional plans.</u></p> <p><del>An area of overlapping jurisdiction between Wellington Regional Council and district and city councils is the ability to control earthworks and vegetation disturbance, including clearance. Large scale earthworks and vegetation disturbance on erosion prone land in <i>rural areas</i> and many <i>small scale</i> earthworks in urban areas—such as driveways and retaining walls—can cumulatively contribute large amounts of silt.</del></p>
Winstone Aggregates (s42A report	<b>Policy 41: <del>Managing Controlling</del> Minimising the effects of earthworks and vegetation <del>clearance disturbance</del> – consideration</b>

<p>recommendations in red; submitter's proposed changes in blue)</p>	<p>When considering an application for a <u>regional</u> resource consent, <del>notice of requirement, or a change, variation or review of a regional or district plan,</del> <u>for earthworks or vegetation clearance</u> particular regard shall be given to <del>controlling earthworks and vegetation disturbance by</del> <u>to minimise:</u></p> <p>[...]</p> <p><u>(c) where suspended sediment limits have been set in a regional plan, and the activity cannot meet those limits, avoid</u><del>ing</del> <u>the adverse effects of</u> discharges to water bodies <u>after reasonable mixing</u>, and to land where it may enter a <u>waterbody</u><del>;</del> <u>where limits for suspended sediment are not met.</u></p> <p>[...]</p>
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Table 15: Policy 17 Amendments

Submitter	Policy 17
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Policy 17: <del>Water allocation</del> Take and use of water for the health needs of people – regional plans</b></p> <p>Regional plans shall include policies, rules and/or methods <del>to ensure the allocation</del> <u>that prioritises the health and wellbeing of the waterbody and freshwater ecosystems first, and then prioritises any take and use of water from any river or groundwater source provides sufficiently for the</u> <i>health needs of people</i><del>., including:</del> <u>The</u> <i>health needs of people</i> <u>include:</u></p> <ul style="list-style-type: none"> <li>(a) the taking of water by any statutory authority that has a duty for public water supply under any Act of Parliament;</li> <li>(b) the taking of water for reticulation into a public water supply network;</li> <li>(c) the taking of water for community supplies; <u>and</u></li> <li>(d) <u>the taking of water for marae and papakāinga.</u></li> </ul>

	<p><b>Explanation</b></p> <p><u>Policy 17 gives effect to the objective of the National Policy Statement for Freshwater Management 2020 by prioritising the health and wellbeing of waterbodies first, and then providing for the take and use of water for the <i>health needs of people</i>, before other uses of water.</u></p>
<p>Horticulture NZ (s42A report recommendations in red; submitter’s proposed changes in blue)</p>	<p><b>Policy 17: <del>Water allocation</del> Take and use of water for the health needs of people – regional plans</b></p> <p><del>Regional plans shall include policies, rules and/or methods to ensure the allocation that prioritises the health and wellbeing of the waterbody and freshwater ecosystems first, and then prioritises any take and use of water from any river or groundwater source provides sufficiently for the <i>health needs of people</i>, including:</del> <u>including: <i>The health needs of people include:</i></u></p> <ul style="list-style-type: none"> <li>(a) the taking of water by any statutory authority that has a duty for public water supply under any Act of Parliament;</li> <li>(b) the taking of water for reticulation into a public water supply network;</li> <li>(c) the taking of water for community supplies; <u>and</u></li> <li>(d) <u>the taking of water for marae and papakāinga.</u></li> </ul> <p><u>to the extent that the takes in (a) to (d) are needed to adequately provide for people’s health needs (including hygiene, sanitary and domestic requirements).</u></p> <p><b>Explanation</b></p> <p><u>Policy 17 gives effect to the objective of the National Policy Statement for Freshwater Management 2020 by prioritising the health and wellbeing of waterbodies first, and then providing for the take and use of water for the <i>health needs of people</i>, before other uses of water.</u></p>
<p>Director-General of Conservation (s42A report recommendations in red; submitter’s proposed changes in blue)</p>	<p><b>Policy 17: <del>Water allocation</del> Take and use of water for the health needs of people – regional plans</b></p> <p><del>Regional plans shall include policies, rules and/or methods to ensure the allocation that prioritises the health and wellbeing of the waterbody and freshwater ecosystems first, and then prioritises any take and use of water from any river or groundwater source provides sufficiently for the <i>health needs of people</i>, that may include the following, including:</del> <u>The <i>health needs of people include:</i></u></p>

	(a) the taking of water... [...]
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Table 16: Policy 44 Amendments

Submitter	Policy 44
S42A Recommendations (recommended changes in red)	<p><b>Policy 44: Managing water takes and use to give effect to <i>Te Mana o te Wai</i> ensure efficient use – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent to <u>take or use water, notice of requirement</u>, or a change, variation or review of a regional plan to take and use water, <u><i>Te Mana o te Wai</i> must be given effect to so that: particular regard shall be given to:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Māori freshwater values, including mahinga kai are provided for;</u></li> <li>(ab) <u>Early engagement occurs with mana whenua/tangata whenua;</u></li> <li>(b) <u>sSites of significance, wāhi tapu and wāhi tupuna are protected;</u></li> <li>(ba) <u>Integrated management, ki uta ki tai is considered</u></li> <li>(bb) <u>The habitats of indigenous freshwater species are protected,</u></li> <li>(bc) <u>The habitat of trout and salmon is protected, insofar as this is consistent with clause (bb)</u></li> <li>(c) <u>Environmental flows and levels, including variability of flows, are achieved;</u></li> <li>(d) <u>Where take limits have been set, take limits are achieved; Take limits are achieved that provide for flow or level variability, safeguard ecosystem health, provide for the life-cycle needs of aquatic life, and take into account environmental outcomes;</u></li> <li>(e) <del>whether the applicant has demonstrated that t</del>The volume of water sought is reasonable and justifiable for the intended use, including consideration of soil and crop type when water is taken for irrigation purposes;</li> <li>(f) <del>requiring the e</del>Consent holders <u>are required</u> to measure and report the actual amount of water taken; <del>and</del></li> </ul>

	<p>(g) <del>requiring the €</del>Consent holders <del>to</del> adopt water conservation and demand management measures and demonstrate how water will be used efficiently; <u>and</u></p> <p>(h) <del>There is consideration of alternate water supplies</del> <u>for non-potable water use</u> such as storage or capture of rainwater for use during the drier summer months</p>
<p>Wairarapa Federated Farmers (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 44: Managing water takes and use to give effect to <i>Te Mana o te Wai</i></b> <del>ensure efficient use</del> – consideration</p> <p>When considering an application for a <u>regional</u> resource consent to <del>take or use water, notice of requirement</del>, or a change, variation or review of a regional plan <u>that relate to the</u> <del>to</del> take and use water, <u><i>Te Mana o te Wai</i> must be given effect to so that: particular regard shall be given to:</u></p> <p>[...]</p> <p>(d) <del>Where take limits have been set, take limits are achieved</del> <u>take limits are not exceeded; Take limits are achieved that provide for flow or level variability, safeguard ecosystem health, provide for the life cycle needs of aquatic life, and take into account environmental outcomes;</u></p> <p>[...]</p>

Table 17: Method 48 Amendments

Submitter	Method 48: Water allocation policy review
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Method 48: Water allocation policy review</b> <del>Investigate the use of transferable water permits</del></p> <p>Review water allocation policy in the regional plan so that:</p> <p>(a) <u>Freshwater is allocated and used efficiently;</u></p> <p>(b) <u>All existing over-allocation is phased out and future over-allocation is avoided;</u></p>

	<p>(c) <del>Avoid allocating w</del>Water allocation limits set in the regional plan are not exceeded beyond a limit;</p> <p>(d) <del>improve</del> water allocation efficiency is improved, –including consideration of transferable permits;</p> <p>(e) <del>provide for</del> iwi and hapū rights, <del>and</del> interests and responsibilities are provided for;</p> <p>(f) <del>alternatives to the</del> first in first served approach to water allocation are considered</p> <p><del>(g) — provide for</del> equitable allocation of water is provided for;</p> <p>(h) <del>water allocation policy supports adapt to</del> climate change adaptation;</p> <p>(i) <del>land use change to more</del> climate resilient uses is promoted;</p> <p><del>(j) — government direction on water allocation is considered; and</del></p> <p><del>(k) — all matters regarding giving effect to the NPS-FM are considered</del></p> <p>Investigate whether allowing water permits to be transferred will provide a more equitable use of allocated water.</p> <p>Implementation: Wellington Regional Council</p>
<p>Rangitane o Wairarapa (s42A report recommendations in red; submitter’s proposed changes in blue)</p>	<p><b>Method 48: Water allocation policy review</b> <del>Investigate the use of transferable water permits</del></p> <p>Review water allocation policy in the regional plan so that:</p> <p>(a) <del>Freshwater is allocated and used efficiently;</del></p> <p>(b) <del>All existing over-allocation is phased out in the shortest practicable timeframe and future over-allocation is avoided;</del></p> <p>(c) <del>Avoid allocating w</del>Water allocation limits set in the regional plan are not exceeded beyond a limit;</p> <p>(d) <del>improve</del> water allocation efficiency is improved, –including consideration of transferable permits;</p> <p>(e) <del>provide for</del> iwi and hapū rights, <del>and</del> interests and responsibilities are provided for;</p> <p>(f) <del>alternatives to the</del> first in first served approach is not used to allocate water <del>to water allocation are considered and</del> equitable allocation of water is provided for;</p> <p><del>(g) — provide for</del> equitable allocation of water is provided for;</p>

	<p>(h) <del>water allocation policy</del> <u>takes into account supports adapt to</u> climate change <u>adaptation</u>;</p> <p>(i) <u>land use change to more climate resilient uses is promoted</u>;</p> <p><del>(j) government direction on water allocation is considered; and</del></p> <p><del>(k) all matters regarding giving effect to the NPS-FM are considered</del></p> <p>Investigate whether allowing water permits to be transferred will provide a more equitable use of allocated water.</p> <p>Implementation: Wellington Regional Council</p>
<p>Horticulture NZ (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b><u>Method 48: Water allocation policy review</u></b> <del>Investigate the use of transferable water permits</del></p> <p><u>Review water allocation policy in the regional plan so that:</u></p> <p>[...]</p> <p>(i) <u>land use change to lower emissions or more climate resilient uses is promoted</u>;</p> <p>[...]</p>

Table 18: Policy 18 Amendments

Submitter	Policy 18
<p>S42A Recommendations (recommended changes in red)</p>	<p><b>Policy 18: Protecting and <del>enhancing restoring ecological health</del> <u>the health and wellbeing of water bodies and freshwater ecosystem health of water bodies</u> – regional plans</b></p> <p>Regional plans shall include policies, rules and/or methods that <u>give effect to Te Mana o te Wai</u>, and in doing so <u>protect and enhance restore the ecological health health and wellbeing of water bodies and freshwater ecosystem health of water bodies, including by:</u></p> <p><del>(a) managing freshwater in a way that gives effect to Te Mana o te Wai;</del></p> <p>(b) <u>actively involving mana whenua / tangata whenua in freshwater management (including decision-making processes), and</u></p> <p><del>(ba) identifying and providing for Māori freshwater values are identified and provided for;</del></p>

- ~~(bb)~~ adopting an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to ensure that ecological health of freshwater is managed using an integrated, ecosystem wide approach
- ~~(bc)~~ incorporating the use of mātauranga Māori to protect and restore ecosystem health,
- (c) ensuring there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, and their restoration is promoted;
- ~~(d)~~ achieving environmental outcomes, target attribute states and environmental flows and levels;
- (e) avoiding the loss of river extent and values to the extent practicable
- (f) protecting the significant values of outstanding water bodies
- (g) protecting the habitats of indigenous freshwater species are protected;
- ~~(ga)~~ protecting the habitat of trout and salmon, insofar as this is consistent with clause (g).
- ~~(h)~~ Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided;
- (i) ~~promoting the retention of~~ retaining in-stream habitat diversity by retaining natural features – such as pools, runs, riffles, and the river’s natural form to maintain in-stream habitat diversity;
- (j) ~~promoting the retention of~~ retaining natural flow regimes – such as flushing flows;
- (k) ~~promoting the~~ protecting ~~on and reinstating~~ gement of riparian habitat;
- (l) promoting the installation of off-line water storage;
- (m) measuring and evaluating water takes;
- (n) discourage restricting avoiding the reclamation, piping, straightening or concrete lining of rivers unless:
  - (i) there is a functional need for the activity in that location; and
  - (ii) the effects of the activity are managed by applying the effects management hierarchy
- (o) discourage restricting stock access to estuaries, rivers, lakes and wetland;
- (p) discourage restricting the diversion of water into or from wetlands – unless the diversion is necessary to restore the hydrological variation to the wetland;
- (q) discourage restricting the removal or destruction of indigenous plants in wetlands and lakes; and
- (r) restoring and maintaining fish passage where appropriate.

**Explanation**

Policy 18 lists a range of actions that will protect and restore the health and wellbeing of water bodies and freshwater ecosystem the ecological health of water bodies. The ecosystem health of water bodies is dependent on water quality,

	<p><u>water quantity, habitat, aquatic life, and ecological processes. To be a healthy freshwater ecosystem, all five components support and sustain indigenous aquatic life. Habitat diversity, which is described in clauses (a), (b) and (c), is essential for aquatic-freshwater ecosystems to survive and be self-sustaining. When areas of habitat in one part of the river, lake or wetland are degraded or destroyed by activities described in clauses (e), (f), (g) and (h), critical parts of the ecosystem may be permanently affected with consequent effects elsewhere in the ecosystem.</u></p>
<p>Porirua City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 18: Protecting and <del>enhancing restoring ecological health</del> the health and wellbeing of water bodies and freshwater ecosystem health <del>of water bodies</del> – regional plans</b></p> <p>Regional plans shall include policies, rules and/or methods that <u>give effect to Te Mana o te Wai</u>, and in doing so <u>protect and enhance restore the ecological health health and wellbeing of water bodies and freshwater ecosystem health of water bodies, including by:</u></p> <p>[...]</p> <p>(c) <u>ensuring</u> there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, and their <i>restoration</i> is promoted <u>unless:</u></p> <p><u>(i) there is a functional need for the activity in that location; and</u></p> <p><u>(ii) the effects of the activity are managed by applying the effects management hierarchy;</u></p>
<p>Fish and Game (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 18: Protecting and <del>enhancing restoring ecological health</del> the health and wellbeing of water bodies and freshwater ecosystem health <del>of water bodies</del> – regional plans</b></p> <p>Regional plans shall include policies, rules and/or methods that <u>give effect to Te Mana o te Wai</u>, and in doing so <u>protect and enhance restore the ecological health health and wellbeing of water bodies and freshwater ecosystem health of water bodies, including by:</u></p> <p>[...]</p> <p>(e) avoiding the loss of river extent and values <del>to the extent practicable</del> <u>unless:</u></p> <p><u>(i) there is a functional need for the activity in that location; and</u></p> <p><u>(ii) the effects of the activity are managed by applying the effects management hierarchy.</u></p>
<p>Winstone Aggregates (s42A report recommendations)</p>	<p><b>Policy 18: <del>Protecting Maintaining</del> and <del>enhancing improving</del> restoring ecological health the health and wellbeing of water bodies and freshwater ecosystem health <del>of water bodies</del> – regional plans</b></p> <p>Regional plans shall include policies, rules and/or methods that <u>give effect to Te Mana o te Wai</u>, and in doing so <u>protect</u></p>

<p>in red; submitter's proposed changes in blue)</p>	<p><u>maintain and enhance improve restore</u> the <del>ecological health</del> <u>health and wellbeing of water bodies and freshwater ecosystem health of water bodies</u>, including <u>by</u>:</p> <p><del>(a) managing freshwater in a way that gives effect to Te Mana o te Wai;</del></p> <p><u>(b) actively involving mana whenua / tangata whenua in freshwater management (including decision-making processes), and</u></p> <p><del>(ba) identifying and providing for Māori freshwater values are identified and provided for;</del></p> <p><del>(bb) adopting an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to ensure that ecological health of freshwater is managed using an integrated, ecosystem wide approach</del></p> <p><del>(bc) incorporating the use of mātauranga Māori to protect and restore ecosystem health,</del></p> <p><u>(c) ensuring there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, and their restoration is promoted;</u></p> <p><u>(ca) Despite clause (c), an activity may result in the loss of extent or values of natural inland wetlands where the regional council is satisfied that:</u></p> <p><u>(i) the activity is necessary for the purpose of quarrying activities; and</u></p> <p><u>(ii) the extraction of the aggregate will provide significant national or regional benefits; and</u></p> <p><u>(iii) there is a functional need for the activity to be done in that location; and</u></p> <p><u>(iv) the effects of the activity will be managed through applying the effects management hierarchy.</u></p> <p><u>(cb) Despite clause (c), an activity may result in the loss of extent or values of natural inland wetlands where the regional council is satisfied that:</u></p> <p><u>(iv) the activity is necessary for the purpose of constructing or operating a new or existing landfill or cleanfill;</u></p> <p><u>and</u></p> <p><u>(E) the landfill or cleanfill will provide significant national or regional benefits; or</u></p> <p><u>(F) is required to support urban development; or</u></p> <p><u>(G) is required to support the extraction of aggregates; or</u></p> <p><u>(H) is required to support the extraction of minerals and</u></p> <p><u>(v) there is no practicable alternative in the Wellington region, or every other practicable alternative location in the region would have equal or greater adverse effects on a natural inland wetland; and</u></p> <p><u>(vi) the effects of the activity will be managed through the effects management hierarchy.</u></p> <p><u>(cc) Comment:</u> Suggest inclusion of Policy directives for all other activities provided with a consenting pathway in Section 3.22 of the NPS-FM (February 2023)- or alternatively the inclusion of proposed Policy 18A – Beneficial use detailed below.</p>
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- ~~(d) achieving environmental outcomes, target attribute states and environmental flows and levels;~~
- (e) avoiding the loss of river extent and values to the extent practicable
- (ea) The loss of river extent and values is avoided, unless the council is satisfied that:
  - (i) There is a functional need for the activity in that location; and
  - (ii) the effects of the activity are managed by applying the effects management hierarchy.
- (f) protecting the significant values of outstanding water bodies
- (g) protecting the habitats of indigenous freshwater species ~~are protected;~~
- ~~(ga) protecting the habitat of trout and salmon, insofar as this is consistent with clause (g).~~
- ~~(h) Freshwater is allocated and used efficiently, all existing over-allocation is phased-out, and future over-allocation is avoided;~~
- (i) ~~promoting the retention of retaining in-stream habitat diversity by retaining~~ natural features – such as pools, runs, riffles, and the river’s natural form to maintain in-stream habitat diversity;
- (j) ~~promoting the retention of retaining~~ natural flow regimes – such as flushing flows;
- (k) ~~promoting the~~ protecting ~~on~~ and reinstatingement of riparian habitat;
- (l) promoting the installation of off-line water storage;
- (m) measuring and evaluating water takes;
- ~~(n) discourage restricting a voiding the reclamation, piping, straightening or concrete lining of rivers unless:~~
  - (i) there is a functional need for the activity in that location; and
  - (ii) the effects of the activity are managed by applying the effects management hierarchy
- (o) discourage restricting stock access to estuaries, rivers, lakes and wetland;
- (p) discourage restricting the diversion of water into or from wetlands – unless the diversion is necessary to restore the hydrological variation to the wetland;
- ~~(q) discourage restricting the removal or destruction of indigenous plants in wetlands and lakes; and~~
- (r) restoring and maintaining fish passage where appropriate.

OR

Insert new Policy 18A: Beneficial Use

Regional plans shall include policies, rules and/or methods that recognise and provide for the use and development of water and waterbodies for activities that provide cultural, social and activity:

- (a) Has a functional need for that location,

	<p><a href="#">(b) Provide for local or regional or national benefit, and</a></p> <p><a href="#">(c) The effects of the activity are managed by applying the effects management hierarchy.</a></p> <p><b>Comment:</b> The inclusion of suggested new policy 18A – Beneficial use is an alternative suggestion to the proposed amendments to Policy 18 including the suggested new clauses (ca) and (cb) etc.</p>
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Table 19: Policy 40 Amendments

Submitter	Policy 40
S42A Recommendations (recommended changes in red)	<p><b>Policy 40: <del>Maintaining</del> Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems aquatic ecosystem health in water bodies – consideration</b></p> <p>When considering an application for a regional resource consent, <u>the regional council must give effect to Te Mana o te Wai and in doing so must have</u> particular regard shall be given to:</p> <p>(a) <del>requiring that</del> <u>managing</u> water quality, flows and water levels and aquatic habitats of surface water bodies <u>are managed</u> in a way that <u>gives effect to Te Mana o Te Wai and</u> protects and enhances the health and well-being of waterbodies and the health and wellbeing of freshwater ecosystems for the purpose of safeguarding aquatic ecosystem health;</p> <p>(b) <del>that,</del> <u>requiring managing as a minimum, fresh</u> water quality <u>in the coastal marine area is to be managed</u> in a way that protects and enhances the health and well-being of <u>waterbodies and the health and wellbeing of marine ecosystems receiving environments.</u> for the purpose of maintaining or enhancing aquatic ecosystem health; and</p> <p>(c) <del>managing</del> water bodies and the water quality of coastal water for other purposes identified in regional plans.</p> <p>(c) <del>providing</del> for mana whenua / tangata whenua values, including mahinga kai;</p> <p><u>(ca) partnering with mana whenua/tangata whenua</u></p> <p><u>(d) maintaining or enhancing the functioning of ecosystems in the water body;</u></p> <p>(e) <u>maintaining</u> or enhancing the ecological functions of riparian margins;</p> <p>(f) <u>minimising the effect of the proposals such as gravel extraction, exploratory drilling, flood protection and works in the beds of lakes and rivers</u> on groundwater recharge areas that are connected to surface water bodies;</p> <p>(g) <u>maintaining</u> or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;</p>

	<p>(h) protecting the <u>values of rivers and lakes that have</u> significant indigenous ecosystems and habitats with significant indigenous biodiversity values <u>of rivers and lakes, including those listed as identified</u> in Table 16 of Appendix 1;</p> <p>(i) <u>maintaining</u> natural flow regimes required to support aquatic <i>ecosystem health</i>;</p> <p>(j) <u>maintaining</u> or enhancing space for rivers to undertake their natural processes;</p> <p>(k) <u>maintaining</u> fish passage;</p> <p>(l) <u>protecting</u> and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;</p> <p>(m) <del>discouraging</del> restricting stock access to estuaries rivers, lakes and wetlands; and</p> <p>(n) <del>discouraging</del> avoiding the removal or destruction of indigenous wetland plants in <u>wetlands</u>.</p> <p><u>(o) avoiding the loss of river extent or values, to the extent practicable</u></p> <p><u>(p) ensuring there is no further loss of extent of natural inland wetlands, and their values are protected.</u></p> <p><u>(q) protecting the habitat of indigenous freshwater species</u></p> <p><u>(r) protecting the habitat of trout and salmon, insofar as this is consistent with clause (q).</u></p> <p><u>Policy 40 provides criteria for considering regional consents to protect the health and wellbeing of waterbodies, particularly during the transition period before regional plans are changed to give effect to the NPS-FM.</u></p>
<p>Meridian Energy Limited (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 40: <del>Maintaining</del> Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems aquatic ecosystem health in water bodies – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent, <u>the regional council must give effect to Te Mana o te Wai and in doing so must have</u> particular regard shall be given to:</p> <p>[...]</p> <p>(n) <del>discouraging</del> avoiding the removal or destruction of indigenous wetland plants in <u>natural wetlands, in accordance with the effects management hierarchy</u>;</p> <p><u>(o) avoiding the loss of river extent or values, to the extent practicable;</u></p> <p><u>(p) ....</u></p>
<p>Porirua City Council (s42A report)</p>	<p><b>Policy 40: <del>Maintaining</del> Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems aquatic ecosystem health in water bodies – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent, <u>the regional council must give effect to Te Mana o te Wai</u></p>

<p>recommendations in red; submitter's proposed changes in blue)</p>	<p><u>and in doing so must have</u> particular regard shall be given to:</p> <p>[...]</p> <p>(n) <del>discouraging</del> avoiding the removal or destruction of indigenous wetland plants in <i>wetlands</i> unless:-</p> <p><u>(i) there is a functional need for the activity in that location; and</u></p> <p><u>(ii) the effects of the activity are managed by applying the effects management hierarchy;</u></p> <p><u>(o) avoiding the loss of river extent or values, to the extent practicable</u></p> <p><u>(p) ensuring there is no further loss of extent of natural inland wetlands, and their values are protected- unless:</u></p> <p><u>(i) there is a functional need for the activity in that location; and</u></p> <p><u>(ii) the effects of the activity are managed by applying the effects management hierarchy;</u></p> <p>[...]</p>
<p>Royal Forest and Bird (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 40: <del>Maintaining</del> Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems</b></p> <p><b><del>aquatic ecosystem health in water bodies</del> – consideration</b></p> <p>When considering an application for a regional resource consent, <u>the regional council must give effect to <i>Te Mana o te Wai</i></u> <u>and in doing so must have</u> particular regard shall be given to:</p> <p>[...]</p> <p><u>(p) ensuring there is no further loss of extent of natural inland wetlands and coastal wetlands, and their values are protected.</u></p> <p>[...]</p>
<p>Fish and Game (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Policy 40: <del>Maintaining</del> Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems</b></p> <p><b><del>aquatic ecosystem health in water bodies</del> – consideration</b></p> <p>When considering an application for a regional resource consent, <u>the regional council must give effect to <i>Te Mana o te Wai</i></u> <u>and in doing so must have</u> particular regard shall be given to:</p> <p>[...]</p> <p><u>(o) avoiding the loss of river extent or values, to the extent practicable unless:</u></p> <p><u>(i) there is a functional need for the activity in that location; and</u></p> <p><u>(ii) the effects of the activity are managed by applying the effects management hierarchy.</u></p> <p>[...]</p>

Winstone  
Aggregates  
(s42A report  
recommendations  
in red; submitter's  
proposed changes  
in blue)

**Policy 40: ~~Maintaining~~ Protecting ~~Maintaining~~ and enhancing improving the health and well-being of water bodies and freshwater ecosystems ~~aquatic ecosystem health in water bodies~~ – consideration**

When considering an application for a regional resource consent, the regional council must give effect to Te Mana o te Wai and in doing so must have particular regard shall be given to:

- (a) ~~requiring that~~ managing water quality, flows and water levels and aquatic habitats of surface water bodies ~~are managed~~ in a way that ~~gives effect to Te Mana o Te Wai and~~ maintains ~~protects~~ and enhances improves the health and well-being of waterbodies and the health and wellbeing of freshwater ecosystems for the purpose of safeguarding aquatic ecosystem health;
- (b) ~~that, requiring~~ managing as a minimum, freshwater quality in the coastal marine area is to be managed in a way that protects maintains and enhances improves the health and well-being of ~~waterbodies and the health and wellbeing of marine ecosystems receiving environments~~; for the purpose of maintaining or enhancing aquatic ecosystem health; and
- (c) ~~managing water bodies and the water quality of coastal water for other purposes identified in regional plans.~~
- (c) providing for mana whenua / tangata whenua values, including mahinga kai;
- (ca) partnering with mana whenua/tangata whenua
- (d) ~~maintaining or enhancing the functioning of ecosystems in the water body;~~
- (e) maintaining or enhancing the ecological functions of riparian margins;
- (f) minimising the effect of the proposals such as gravel extraction, exploratory drilling, flood protection and works in the beds of lakes and rivers on groundwater recharge areas that are connected to surface water bodies;
- (g) maintaining maintaining or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;
- (h) protecting the values of rivers and lakes that have significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those listed as identified in Table 16 of Appendix 1;
- (i) maintaining maintaining natural flow regimes required to support aquatic *ecosystem health*;
- (j) maintaining maintaining or enhancing space for rivers to undertake their natural processes;
- (k) maintaining maintaining fish passage;
- (l) protecting and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;
- (m) ~~discouraging restricting stock access to estuaries rivers, lakes and wetlands; and~~
- (n) ~~discouraging avoiding the removal or destruction of indigenous wetland plants in wetlands.~~

	<p><u>(o) avoiding the loss of river extent or values, to the extent practicable</u></p> <p><u>(oa) Despite clause (o), an activity may result in the loss of extent of natural inland wetlands where the regional council is satisfied that:</u></p> <p><u>(i) the activity is necessary for the purpose of quarrying activities; and</u></p> <p><u>(ii) the extraction of the aggregate will provide significant national or regional benefits; and</u></p> <p><u>(iii) there is a functional need for the activity to be done in that location; and</u></p> <p><u>(iv) the effects of the activity will be managed through applying the effects management hierarchy;</u></p> <p><u>(ob) Despite clause (o), an activity may result in the loss of extent of natural inland wetlands where the regional council is satisfied that:</u></p> <p><u>(vii) the activity is necessary for the purpose of constructing or operating a new or existing landfill or cleanfill; and</u></p> <p><u>(I) the landfill or cleanfill will provide significant national or regional benefits; or</u></p> <p><u>(J) is required to support urban development; or</u></p> <p><u>(K) is required to support the extraction of aggregates; or</u></p> <p><u>(L) is required to support the extraction of minerals and</u></p> <p><u>(viii) there is no practicable alternative in the Wellington region, or every other practicable alternative location in the region would have equal or greater adverse effects on a natural inland wetland; and</u></p> <p><u>(ix) the effects of the activity will be managed through the effects management hierarchy.</u></p> <p><u>(oc) .... <b>Comment:</b> Suggest inclusion of Policy directives for all other activities provided with a consenting pathway in Section 3.22 of the NPS-FM (February 2023).</u></p> <p><u>(p) ensuring there is no further loss of extent of natural inland wetlands, and their values are protected.</u></p> <p><u>(pa) The loss of river extent and values is avoided, unless the council is satisfied that:</u></p> <p><u>(i) There is a functional need for the activity in that location; and</u></p> <p><u>(ii) the effects of the activity are managed by applying the effects management hierarchy.</u></p> <p><u>(q) protecting the habitat of indigenous freshwater species</u></p> <p><u>(r) protecting the habitat of trout and salmon, insofar as this is consistent with clause (q).</u></p>
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Table 20: Objective 13 Freshwater Anticipated Environmental Results Amendments

Submitter	Objective 13 Freshwater Anticipated Environmental Results
S42A Recommendations	Objective 13 Freshwater Anticipated Environmental Results

(recommended changes in red)	<p>1. Macro-invertebrate diversity <u>and sensitive macroinvertebrate taxa abundance</u> in rivers and lakes is <del>maintained</del> <u>improving</u> across the Region.</p> <p>4. <del>There is no loss of existing fish habitat, nor reduction in fish populations and diversity. Existing fish habitat, fish populations and the diversity of valued fish fauna is maintained or increased across the region.</del></p>
Fish and Game (s42A report recommendations in red; submitter's proposed changes in blue)	<p><b>Objective 13 Freshwater Anticipated Environmental Results</b></p> <p>1. Macro-invertebrate diversity <u>and sensitive macroinvertebrate taxa abundance</u> in rivers and lakes is <del>maintained</del> <u>improving improved where degraded, and maintained otherwise,</u> across the Region.</p> <p>4. <del>There is no loss of existing fish habitat, nor reduction in fish populations and diversity. Existing fish habitat, supports healthy fish populations and the diversity of valued fish fauna is maintained or increased across the region.</del></p>

Table 21: Definitions Amendments

Submitter	Definitions
S42A Recommendations (recommended changes in red)	<p><b>Definition of 'hydraulic neutrality'</b></p> <p><u>Hydraulic neutrality: managing stormwater runoff from subdivision, use and development through either on-site disposal or storage, so that peak stormwater flows and volumes are released from the site at a rate that does not exceed the modelled peak flows and volumes from the site in an undeveloped state</u></p> <p><b>Definition of 'Hydrological control'</b></p> <p><u>Hydrological control: means the management of a range of stormwater flows and volumes, and the frequency and timing of those flows and volumes, from a site or sites into rivers, lakes, wetlands, springs, riparian margins, and other receiving environments in a way that replicates natural processes for the purpose of reducing bank erosion, slumping, or scour, to protect freshwater ecosystem health and well-being.</u></p>

**Definition of ‘health needs of people’**

**Health needs of people:** The amount and quality of water needed to adequately provide for people’s hygiene, sanitary and domestic requirements. It does not include:

(a) water used outside, e.g. for irrigation, vehicle or house washing or hosing but not including water consumed by animals, or

(b) water used by industry as process water or cooling water.

**Definition of ‘effects management hierarchy’**

**Effects management hierarchy:** in relation to natural inland wetlands and rivers, means an approach to managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) that requires that:

(a) adverse effects are avoided where practicable; then

(b) where adverse effects cannot be avoided, they are minimised where practicable; then

(c) where adverse effects cannot be minimised, they are remedied where practicable; then

(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; then

(e) if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; then

(f) if aquatic compensation is not appropriate, the activity itself is avoided.

**Definition of ‘undeveloped state’**

**Undeveloped state:** The modelled grassed (pastoral or urban open space) state of the site prior to urban development

**Definition of ‘vegetation clearance’**

**Vegetation clearance:** The clearance or destruction of woody vegetation (exotic or native) by mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand clearance, and the burning of vegetation.

Vegetation clearance does not include:

	<p><u>(a) any vegetation clearance, tree removal, or trimming of vegetation associated with the Electricity (Hazards from Trees) Regulations 2003, and</u></p> <p><u>(b) any vegetation clearance or vegetation disturbance covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, and</u></p> <p><u>(c) any vegetation clearance associated with the repair and maintenance of existing roads and tracks, and</u></p> <p><u>(d) the removal of an individual shrub or tree or a standalone clump of trees or shrubs no larger than 20m2.</u></p>
<p>Porirua City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Definition of 'Hydraulic neutrality'</b></p> <p><del><u>Hydraulic neutrality: managing stormwater runoff from subdivision, use and development through either on-site disposal or storage, so that peak stormwater flows and volumes are released from the site at a rate that does not exceed the modelled peak flows and volumes from the site in an undeveloped state</u></del></p> <p><u>Hydraulic neutrality: means managing stormwater runoff from all new lots or development areas through either on-site disposal or storage, so that stormwater is released from the site at a rate that does not exceed the pre-development peak stormwater runoff.</u></p> <p><b>Definition of 'undeveloped' state</b></p> <p><del><u>Undeveloped state: The modelled grassed (pastoral or urban open space) state of the site prior to urban development</u></del></p>
<p>Wellington City Council (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Definition of 'Hydrological control'</b></p> <p><u>Hydrological control: means the management of a range of stormwater flows and volumes, and the frequency and timing of those flows and volumes, from a site or sites into rivers, lakes, wetlands, springs, riparian margins, and other receiving environments through on-site management in a way that replicates natural processes for the purpose of reducing bank erosion, slumping, or scour, to protect freshwater ecosystem health and well-being.</u></p>
<p>Peka Peka Farms Ltd (s42A report recommendations)</p>	<p><b>Definition of 'hydraulic neutrality'</b></p>

<p>in red; submitter's proposed changes in blue)</p>	<p><b>Hydraulic neutrality:</b> managing stormwater runoff from subdivision, use and development through either on-site disposal or storage, so that peak stormwater flows and volumes are released from the site at a rate that does not exceed the modelled peak flows and volumes from the site prior to development in an undeveloped state</p>
<p>Wellington Water (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Definition of 'hydraulic neutrality'</b></p> <p><b>Hydraulic neutrality:</b> managing stormwater runoff from subdivision, use and development through either on-site disposal or storage, so that peak stormwater flows and volumes are released from the site at a rate that does not exceed the modelled peak flows and volumes from the site in an undeveloped state, in the 10% AEP and 1% AEP modelled design rainfall events including the predicted impacts of climate change.</p> <p><b>Definition of 'undeveloped state'</b></p> <p><b>Undeveloped state:</b> In greenfield development, it is the existing land cover and soil infiltration characteristics prior to clearance for development. In brownfield or infill development, it is the modelled grassed (pastoral or urban open space) state of the site prior to urban development with soil infiltration characteristics consistent with urban development at site.</p>
<p>Winstone Aggregates (s42A report recommendations in red; submitter's proposed changes in blue)</p>	<p><b>Add the following definitions to the RPS:</b></p> <p><b>Aquatic offset:</b></p> <p>As defined in the National Policy Statement for Freshwater Management.</p> <p>means a measurable conservation outcome resulting from actions that are intended to:</p> <p>(a) redress any more than minor residual adverse effects on a wetland or river after all appropriate avoidance, minimisation, and remediation, measures have been sequentially applied; and</p> <p>(b) achieve no net loss, and preferably a net gain, in the extent and values of the wetland or river, where:</p> <p>(i) no net loss means that the measurable positive effects of actions match any loss of extent or values over space and time, taking into account the type and location of the wetland or river; and</p>

(ii) net gain means that the measurable positive effects of actions exceed the point of no net loss.

**Aquatic compensation:**

As defined in the National Policy Statement for Freshwater Management.

means a conservation outcome resulting from actions that are intended to compensate for any more than minor residual adverse effects on a wetland or river after all appropriate avoidance, minimisation, remediation, and aquatic offset measures have been sequentially applied.

**Definition of 'vegetation clearance'**

**Vegetation clearance:** The clearance or destruction of woody vegetation (exotic or native) by mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand clearance, and the burning of vegetation.

Vegetation clearance does not include:

(a) any vegetation clearance, tree removal, or trimming of vegetation associated with the Electricity (Hazards from Trees) Regulations 2003, ~~and~~ or

(b) any vegetation clearance or vegetation disturbance covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, ~~and~~ or

(c) any vegetation clearance associated with the repair and maintenance of existing roads and tracks, ~~and~~ or

(d) the removal of an individual shrub or tree or a standalone clump of trees or shrubs no larger than 20m<sup>2</sup>.