

# Statutory Planning Framework:

## Relevant Objectives and Policies

This document provides the full text of each relevant objective and policy as identified in Section 3 of the Assessment of Environmental Effects for the Mt Munro Wind Farm Project.

As stated in Section 3 of the Assessment of Environmental Effects, the statutory planning documents which have objectives and policies that apply to the proposal are:

- National Policy Statement for Renewable Electricity Generation 2011;
- National Policy Statement for Freshwater Management 2020 (as amended in February 2023);
- Operative Horizons One Plan – Part 1: Regional Policy Statement (Horizons RPS);
- Operative Regional Policy Statement for the Wellington Region 2013 (GW RPS);
- Proposed Change 1 to the Regional Policy Statement for the Wellington Region, notified August 2022;
- Operative Horizons One Plan – Part 2: Regional Plan;
- Proposed Greater Wellington Natural Resources Plan (GW NRP);
- Tararua Operative District Plan; and
- Combined Wairarapa District Plan.

The relevant objectives and policies of each document are as follows.

### National Policy Statement for Renewable Electricity Generation 2011

The NPSREG contains one objective and 13 policies. The policies have been grouped under eight subheadings, which if relevant are included below. The following are relevant to the proposal:

***Objective: To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.***

#### A. Recognising the benefits of renewable electricity generation activities

***POLICY A*** Decision-makers shall recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities. These benefits include, but are not limited to:

- (a) *maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;*

- (b) *maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;*
- (c) *using renewable natural resources rather than finite resources;*
- (d) *the reversibility of the adverse effects on the environment of some renewable electricity generation technologies;*
- (e) *avoiding reliance on imported fuels for the purposes of generating electricity.*

*B. Acknowledging the practical implications of achieving New Zealand’s target for electricity generation from renewable resources*

**POLICY B** *Decision-makers shall have particular regard to the following matters:*

- (a) *maintenance of the generation output of existing renewable electricity generation activities can require protection of the assets, operational capacity and continued availability of the renewable energy resource; and*
- (b) *even minor reductions in the generation output of existing renewable electricity generation activities can cumulatively have significant adverse effects on national, regional and local renewable electricity generation output; and*
- (c) *meeting or exceeding the New Zealand Government’s national target for the generation of electricity from renewable resources will require the significant development of renewable electricity generation activities.*

*C. Acknowledging the practical constraints associated within the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities*

**POLICY C1** *Decision-makers shall have particular regard to the following matters:*

- (a) *the need to locate the renewable electricity generation activity where the renewable energy resource is available;*
- (b) *logistical or technical practicalities associated with developing, upgrading, operating or maintaining the renewable electricity generation activity;*
- (c) *the location of existing structures and infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the distribution network and the national grid in relation to the renewable electricity generation activity, and the need to connect renewable electricity generation activity to the national grid;*
- (d) *designing measures which allow operational requirements to complement and provide for mitigation opportunities; and*
- (e) *adaptive management measures.*

**POLICY C2** *When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected.*

## National Policy Statement for Freshwater Management 2020

The NPSFM contains one objective and 15 policies, all of which have some relevance to the proposal:

**Objective:** *The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*

- (a) first, the health and well-being of water bodies and freshwater ecosystems*
- (b) second, the health needs of people (such as drinking water)*
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

**Policy 1:** *Freshwater is managed in a way that gives effect to Te Mana o te Wai.*

**Policy 2:** *Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.*

**Policy 3:** *Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.*

**Policy 4:** *Freshwater is managed as part of New Zealand's integrated response to climate change.*

**Policy 5:** *Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.*

**Policy 6:** *There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.*

**Policy 7:** *The loss of river extent and values is avoided to the extent practicable.*

**Policy 8:** *The significant values of outstanding water bodies are protected.*

**Policy 9:** *The habitats of indigenous freshwater species are protected.*

**Policy 10:** *The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.*

**Policy 11:** *Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.*

**Policy 12:** *The national target (as set out in Appendix 3) for water quality improvement is achieved.*

**Policy 13:** *The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.*

**Policy 14:** *Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.*

**Policy 15:** *Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.*

## **Operative Horizons One Plan – Part 1: Regional Policy Statement**

Part 1 of the Horizons One Plan contains the Regional Policy Statement objectives and policies for the Horizons Region. Part 1 of the Horizons One Plan is split into ten chapters, of which eight contain objectives and policies. Of relevance to the proposal are the following:

### Chapter 2: Te Ao Māori

#### **Objective 2-1: Resource management**

- (a)** *To have regard to the mauri of natural and physical resources to enable hapū and iwi to provide for their social, economic and cultural wellbeing.*
- (b)** *Kaitiakitanga must be given particular regard and the relationship of hapū and iwi with their ancestral land, water, sites, wāhi tapu and other taonga (including wāhi tūpuna) must be recognised and provided for through resource management processes.*

#### **Policy 2-1: Hapū and iwi involvement in resource management**

*The Regional Council must enable and foster kaitiakitanga and the relationship between hapū and iwi and their ancestral lands, water, sites, wāhi tapu and other taonga (including wāhi tūpuna) through increased involvement of hapū and iwi in resource management processes including:*

- (a) *memoranda of partnership between the Regional Council and hapū or iwi which set clear relationship and communication parameters to address resource management objectives,*
- (b) *recognition of existing arrangements and agreements between resource users, local authorities and hapū or iwi,*
- (c) *development of catchment-based forums, involving the Regional Council, hapū, iwi, and other interested groups including resource users, for information sharing, planning and research,*
- (d) *development, where appropriate, of hapū and iwi cultural indicator monitoring programmes by the Regional Council,*
- (e) *assistance from the Regional Council to hapū or iwi to facilitate research, projects, seminars and training,*
- (f) *development of joint management agreements between the Regional Council and hapū or iwi where appropriate,*
- (g) *the Regional Council having regard to iwi management plans lodged with Council,*
- (h) *involvement of hapū or iwi in resource consent decision-making and planning processes in the ways agreed in the memoranda of partnership and joint management agreements developed under (a) and (f) above, and*
- (i) *the Regional Council advising and encouraging resource consent applicants to consult directly with hapū or iwi where it is necessary to identify:*
  - (i) *the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga (including wāhi tūpuna), and*
  - (ii) *the actual and potential adverse effects of proposed activities on those relationships.*

**Policy 2-2: Wāhi tapu, wāhi tūpuna and other sites of significance**

- (a) *Wāhi tapu, wāhi tūpuna and other sites of significance to Māori identified:*
  - (i) *In the Regional Coastal Plan and district plans,*
  - (ii) *as historic reserves under the Reserves Act 1977,*
  - (iii) *as Māori reserves under the Te Ture Whenua Māori Act 1993,*
  - (iv) *as sites recorded in the New Zealand Archaeological Association's Site Recording Scheme, and*
  - (v) *as registered sites under the Historic Places Act 1993*

*must be protected from inappropriate subdivision, use or development that would cause adverse effects on the qualities and features which contribute to the values of these sites.*
- (b) *The Regional Council must facilitate hapū and iwi recording the locations of wāhi tapu, wāhi tūpuna and other sites of significance to Māori in an appropriate publicly-available database.*

- (c) *Potential damage or disturbance (including that caused by inappropriate subdivision, use or development) to wāhi tapu, wāhi tūpuna and other sites of significance to Māori not identified (for confidentiality and sensitivity reasons) by hapū or iwi under (a), above, must be minimised by the Regional Council facilitating the compilation of databases by hapū and iwi to record locations which need to remain confidential.*
- (d) *The Regional Council must ensure that resource users and contractors have clear procedures in the event wāhi tapu or wāhi tūpuna are discovered.*

**Policy 2-3: The mauri of water**

- (a) *The Regional Council must have regard to the mauri of water by implementing Policy 2-1 (a) to (i) above and by restricting and suspending water takes in times of minimum flow consistent with Policy 5-18 in Chapter 5.*
- (b) *In exceptional circumstances the Regional Council, following advice and guidance of hapū or iwi and consultation with potentially affected resource users, may facilitate a voluntary rāhui - temporary cessation of resource activities (with the exception of public water supply).*

**Policy 2-4: Other resource management issues**

*The specific issues listed in 2.2 which were raised by hapū and iwi must be addressed in the manner set out in Table 2.1 below.*

*Table 2.1 highlights issues of significance to the Region's hapū and iwi, provides explanations in the context of Māori belief and demonstrates how the Regional Council must address these matters. The issues and explanations do not in any way represent a complete picture of hapū and iwi concerns, but they offer possible explanations as to the depth of feeling and connection hapū and iwi have with the Region's natural resources.*

**Chapter 3: Infrastructure, Energy, Waste, Hazardous Substances and Contaminated Land**

**Objective 3-1: Infrastructure and other physical resources of regional or national importance**

***Have regard to the benefits of infrastructure and other physical resources of regional or national importance by recognising and providing for their establishment, operation, maintenance and upgrading.***

**Policy 3-1: Benefits of infrastructure and other physical resources of regional or national importance**

- (a) *The Regional Council and Territorial Authorities must recognise the following infrastructure as being physical resources of regional or national importance:*

- (i) *facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks*
- (ii) *the National Grid and electricity distribution and transmission networks defined as the system of transmission lines, subtransmission and distribution feeders (6.6kV and above) and all associated substations and other works to convey electricity*

**Policy 3-3:** *Adverse effects of infrastructure and other physical resources of regional or national importance on the environment*

*In managing any adverse environmental effects arising from the establishment, operation, maintenance and upgrading of infrastructure or other physical resources of regional or national importance, the Regional Council and Territorial Authorities must:*

- (a) *recognise and provide for the operation, maintenance and upgrading of all such activities once they have been established,*
- (b) *allow minor adverse effects arising from the establishment of new infrastructure and physical resources of regional or national importance, and*
- (c) *avoid, remedy or mitigate more than minor adverse effects arising from the establishment of new infrastructure and other physical resources of regional or national importance, taking into account:*
  - (i) *the need for the infrastructure or other physical resources of regional or national importance,*
  - (ii) *any functional, operational or technical constraints that require infrastructure or other physical resources of regional or national importance to be located or designed in the manner proposed,*
  - (iii) *whether there are any reasonably practicable alternative locations or designs, and*
  - (iv) *whether any more than minor adverse effects that cannot be adequately avoided, remedied or mitigated by services or works can be appropriately offset, including through the use of financial contributions.*

**Objective 3-2: Energy**

***An improvement in the efficiency of the end use of energy and an increase in the use of renewable energy resources within the Region.***

**Policy 3-6: Renewable energy**

- (a) *The Regional Council and Territorial Authorities must have particular regard to:*
  - (i) *the benefits of the use and development of renewable energy resources including:*
    - a. *contributing to reduction in greenhouse gases,*

- b. *reduced dependency on imported energy sources,*
- c. *reduced exposure to fossil fuel price volatility, and*
- d. *security of supply for current and future generations,*
- (ii) *the Region's potential for the use and development of renewable energy resources, and*
- (iii) *the need for renewable energy activities to locate where the renewable energy resource is located, and*
- (iv) *the benefits of enabling the increased generation capacity and efficiency of existing renewable electricity generation facilities, and*
- (v) *the logistical or technical practicalities associated with developing, upgrading, operating or maintaining an established renewable electricity generation activity.*
- (b) *The Regional Council and Territorial Authorities^ must generally not restrict the use of small domestic-scale renewable energy^ production for individual domestic use.*

#### Chapter 4: Land

##### **Objective 4-2: Regulating potential causes of accelerated erosion**

###### **Land is used in a manner that ensures:**

- (a) ***accelerated erosion and increased sedimentation in water bodies (with resultant adverse effects on people, buildings and infrastructure) caused by vegetation clearance, land disturbance, forestry, or cultivation are avoided as far as reasonably practicable, or otherwise remedied or mitigated, and***
- (b) ***sediment loads entering water bodies as a result of accelerated erosion are reduced to the extent required to be consistent with the water management objectives and policies for water quality set out in Chapter 5 of this Plan.***

###### **Policy 4-2: Regulation of land use activities**

- (a) *In order to achieve Objective 4-2 the Regional Council must regulate vegetation clearance, land disturbance, forestry and cultivation through rules in this Plan and decisions on resource consents, so as to minimise the risk of accelerated erosion, minimise discharges of sediment to water, and maintain the benefits of riparian vegetation for water bodies.*
- (b) *Territorial Authorities may regulate, through rules in district plans and decisions on resource consents, the actual or potential effects of the use, development, or protection of land, in order to achieve Objective 4-2. However, Territorial Authorities must not have rules that are contradictory to the rules in this Plan that control the use of land.*
- (c) *The Regional Council will generally allow small scale vegetation clearance, land disturbance, forestry and cultivation to be undertaken without the need for a resource consent if conditions are met. Vegetation clearance and land disturbance require a resource consent if they are undertaken adjacent to some water bodies (including certain*



wetlands) in Hill Country Erosion Management Areas or in coastal foredune areas. Any other large scale land disturbance will also require a resource consent.

**Policy 4-3:** Supporting codes of practice, standards, guidelines, environmental management plans and providing information on best management practices

The Regional Council must, and Territorial Authorities may:

- (a) support the development of codes of practice, standards, guidelines and other sector-based initiatives targeted at achieving sustainable land use,
- (b) recognise appropriately developed and administered codes of practice, standards, guidelines or environmental management plans targeted at achieving sustainable land use, and incorporate them within the regulatory framework where applicable, and
- (c) make information describing best management practices for reducing erosion and maintaining water quality and soil health available to all relevant landowners, occupiers, asset owners, consultants, developers and contractors.

## Chapter 5: Water

### **Objective 5-1: Water management Values**

**Surface water bodies and their beds are managed in a manner which safe guards their life supporting capacity and recognises and provides for the Values in Schedule B1.**

### **Policy 5-1: Water Management Zones and Values**

For the purposes of managing water quality, water quantity, and activities in the beds of rivers and lakes, the catchments in the Region have been divided into Water Management Zones and Water Management Sub-zones in Schedule A.2 Groundwater has been divided into Groundwater Management Zones in Schedule D.3

The rivers and lakes and their beds must be managed in a manner which safeguards their life supporting capacity and recognises and provides for the Schedule B Values when decisions are made on avoiding, remedying or mitigating the adverse effects of activities or in relation to any other function under the Resource Management Act 1991 exercised by the Regional Council or Territorial Authorities. The individual Values and their associated management objectives are set out in the Schedule B Surface Water Management Values Key and repeated in Table 5.2.

### **Objective 5-2: Water quality**

- (a) **Surface water quality is managed to ensure that:**
  - (i) **water quality is maintained in those rivers and lakes where the existing water quality is at a level sufficient to support the Values in Schedule B**

- (ii) water quality is enhanced in those rivers and lakes where the existing water quality is not at a level sufficient to support the Values in Schedule B*
- (iii) accelerated eutrophication and sedimentation of lakes in the Region is prevented or minimised*
- (iv) the special values of rivers protected by water conservation orders are maintained.*
- (b) *Groundwater quality is managed to ensure that existing groundwater quality is maintained or where it is degraded/over allocated as a result of human activity, groundwater quality is enhanced.***

**Policy 5-2: Water quality targets**

*In Schedule E4, water quality targets relating to the Schedule B Values (repeated in Table 5.2) are identified for each Water Management Sub-Zone. Other than where they are incorporated into permitted activity rules as conditions to be met, the water quality targets in Schedule E must be used to inform the management of surface water quality in the manner set out in Policies 5-3, 5-4 and 5-5.*

**Policy 5-3: Ongoing compliance where water quality targets are met**

- (a) Where the existing water quality meets the relevant Schedule E water quality targets within a Water Management Sub-zone, water quality must be managed in a manner which ensures that the water quality targets continue to be met beyond the zone of reasonable mixing (where mixing is applicable).*
- (b) For the avoidance of doubt:*
  - (i) in circumstances where the existing water quality of a Water Management Sub-zone meets all of the water quality targets for the Sub-zone (a) applies to every water quality target for the Sub-zone*
  - (ii) in circumstances where the existing water quality of a Water Management Sub-zone meets some of the water quality targets for the Sub-zone (a) applies only to those water quality targets that are met*
  - (iii) for the purpose of (a) reasonable mixing is only applicable to a discharge from an identifiable location.*

**Policy 5-4: Enhancement where water quality targets are not met**

- (a) Where the existing water quality does not meet the relevant Schedule E water quality targets within a Water Management Sub-zone, water quality within that sub-zone must be managed in a manner that enhances existing water quality in order to meet:*
  - (i) the water quality target for the Water Management Zone in Schedule E, and/or*
  - (ii) the relevant Schedule B Values and management objectives that the water quality target is designed to safeguard.*

- (b) *For the avoidance of doubt:*
  - (i) *in circumstances where the existing water quality of a Water Management Sub-zone does not meet all of the water quality targets for the Sub-zone, (a) applies to every water quality target for the Sub-zone*
  - (ii) *in circumstances where the existing water quality of a Water Management Sub-zone does not meet some of the water quality targets for the Sub-zone, (a) applies only to those water quality targets not met.*

**Policy 5-5: Management of water quality in areas where existing water quality is unknown**

- (a) *Where there is insufficient data to enable a comparison of the existing water quality with the relevant Schedule E water quality targets, water quality within the Water Management Sub-Zone must be managed in a manner which, beyond the zone of reasonable mixing (where reasonable mixing is applicable):*
  - (i) *maintains or enhances the existing water quality*
  - (ii) *has regard to the likely effect of the activity on the relevant Schedule B Values that the water quality target is designed to safeguard*
  - (iii) *has regard to relevant information about the existing water quality in upstream or downstream Water Management Sub-zones, where such information exists.*
- (b) *For the avoidance of doubt:*
  - (i) *in circumstances where there is insufficient data to enable a comparison of the existing water quality with all of the water quality targets for a Water Management Sub-zone (a) applies to every water quality target for the Sub-zone\**
  - (ii) *in circumstances where there is insufficient data to enable a comparison of the existing water quality with some of the water quality targets for a Water Management Sub-zone (a) applies only to those water quality targets with insufficient data*
  - (iii) *for the purpose of (a) reasonable mixing is only applicable to a discharge from an identifiable location.*

**Policy 5-7: Land use activities affecting groundwater and surface water quality**

*The management of land use activities affecting groundwater and surface water must give effect to the strategy for surface water quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6, by managing diffuse discharges of contaminants in the following manner:*

- (a) *identifying in the regional plan targeted Water Management Sub-zones. Targeted Water Management Sub-zones are those subzones where, collectively, land use activities are significant contributors to elevated contaminant levels in groundwater or surface water*
- (b) *identifying in the regional plan intensive farming land use activities. Intensive farming land use activities are rural land use activities that (either individually or collectively) make a*

*significant contribution to elevated contaminant levels in the targeted Water Management Sub-zones identified in (a) above*

- (c) actively managing the intensive farming land use activities identified in (b) including through regulation in the regional plan, in the manner specified in Policy 5-8*
- (d) the Regional Council must continue to monitor ground and surface water quality in Water Management Sub-zones not identified in (a) and rural land uses not identified in (b). Where monitoring shows the thresholds in (a) and (b) are met then the regional plan must be amended so that those further Water Management Sub-zones and rural land uses are included in the management regime set out in (c).*

**Policy 5-9: Point source discharges to water**

*The management of point source discharges into surface water must have regard to the strategies for surface water quality management set out in Policies 5-3, 5-4 and 5-5, while having regard to:*

- (a) the degree to which the activity will adversely affect the Schedule B Values for the relevant Water Management Sub-zone*
- (b) whether the discharge, in combination with other discharges, including non-point source discharges will cause the Schedule E water quality targets to be breached*
- (c) the extent to which the activity is consistent with contaminant treatment and discharge best management practices*
- (d) the need to allow reasonable time to achieve any required improvements to the quality of the discharge*
- (e) whether the discharge is of a temporary nature or is associated with necessary maintenance or upgrade work and the discharge cannot practicably be avoided*
- (f) whether adverse effects resulting from the discharge can be offset by way of a financial contribution set in accordance with Chapter 19*
- (g) whether it is appropriate to adopt the best practicable option*

**Policy 5-10: Point source discharges to land**

*Discharges of contaminants onto or into land must be managed in a manner which:*

- (a) does not result in pathogens or other toxic substances accumulating in soil or pasture to levels that would render the soil unsafe for agricultural, domestic or recreational use*
- (b) has regard to the strategies for surface water quality management set out in Policies 5-3, 5-4 and 5-5, and the strategy for groundwater management set out in Policy 5-6*
- (c) maximises the reuse of nutrients and water contained in the discharge to the extent reasonably practicable*

- (d) *results in any discharge of liquid to land generally not exceeding the available water storage capacity of the soil (deferred irrigation)*
- (e) *ensures that adverse effects on rare habitats, threatened habitats and at-risk habitats are avoided, remedied or mitigated.*

**Objective 5-4: Beds of rivers and lakes**

***The beds of rivers and lakes will be managed in a manner which:***

- (a) sustains their life supporting capacity***
- (b) provides for the instream morphological components of natural character***
- (c) recognises and provides for the Schedule B Values***
- (d) provides for infrastructure and flood mitigation purposes.***

***The land adjacent to the bed of reaches with a Schedule B Value of Flood Control and Drainage will be managed in a manner which provides for flood mitigation purposes.***

**Policy 5-22: General management of the beds of rivers and lakes**

*Activities in, on, under or over the beds of rivers and lakes must generally be managed in a manner which:*

- (a) recognises and provides for the Schedule B Values for the Water Management Sub-zones in which the activity takes place, in the manner described in Policies 5-23, 5-24 and 5-25*
- (b) avoids any significant reduction in the ability of a river and its bed to convey flood flows, or significant impedance to the passage of floating debris*
- (c) avoids, remedies or mitigates any significant adverse effects on the stability and function of the beds of rivers and lakes, and existing structures including flood and erosion control structures*
- (d) avoids, remedies or mitigates any significant reduction in the habitat diversity, including the morphological diversity, of the river or lake or its bed*
- (e) manages effects on natural character and public access in accordance with the relevant policies in Chapter 6. Natural character can include the natural style and dynamic processes of the river, such as bed style and width and the quality and quantity of bed habitat*
- (f) provides for the safe passage of fish both upstream and downstream*
- (g) ensures that the existing nature and extent of navigation of the river or lake are not obstructed*
- (h) ensures that access required for the operation, maintenance, and upgrade of infrastructure and other physical resources of regional or national importance is not obstructed*
- (i) provides for continued public access in accordance with Policy 6-10.*

**Policy 5-23:** *Activities in sites with a Value of Natural State, Sites of Significance - Cultural, or Sites of Significance - Aquatic*

*In sites with a Schedule B Value of Natural State, Sites of Significance - Cultural or Sites of Significance - Aquatic, activities in, on, under or over the beds of rivers and lakes must be managed in a manner which:*

- (a) avoids adverse effects on these Values in the first instance, or*
- (b) for infrastructure and other resources of regional and national importance, or activities that result in an environmental benefit, remedies or mitigates those effects where it is not practicable to avoid them, and*
- (c) maintains the habitat and spawning requirements of the species identified.*

**Policy 5-24:** *Activities in rivers or lakes and their beds with a Value of Flood Control and Drainage*

*In reaches of rivers or lakes and their beds with a Schedule B Value of Flood Control and Drainage, activities in, on, under or over the beds of rivers and lakes and on land adjacent to the bed where the Value is located must be managed in a manner which:*

- (a) enables the degree of flood hazard and erosion protection existing at the time of Plan notification (31 May 2007) to be maintained or enhanced*
- (b) addresses adverse effects by:
  - (i) in the first instance, avoiding, remedying or mitigating adverse effects<sup>^</sup> on the instream morphological components of natural character and other Schedule B Values*
  - (ii) providing consent applicants with the option of making an offset*
  - (iii) allowing compensation by way of a financial contribution in accordance with the policies in Chapter 19.**

**Policy 5-25:** *Activities in rivers or lakes and their beds with other Schedule B Values*

*In sites with Schedule B Values other than Natural State, Sites of Significance - Cultural, Sites of Significance - Aquatic, or Flood Control and Drainage, activities in, on, under or over the beds of rivers and lakes must be managed in a manner which:*

- (a) in the first instance avoids, remedies or mitigates significant adverse effects on the instream morphological components of natural character and Schedule B Values*
- (b) provides consent applicants with the option of making an offset*
- (c) allows compensation by way of a financial contribution in accordance with the policies in Chapter 19.*

**Policy 5-26:** *Essential and beneficial activities*

*Activities in, on, under or over the beds of rivers and lakes that are essential or result in an environmental benefit must generally be allowed, including:*

- (a) the use, maintenance and upgrading of existing infrastructure and other existing physical resources of regional or national importance*
- (b) works designed to maintain or improve the stability and functionality of existing structures*
- (c) the removal of derelict, unlawful or non-functional structures*
- (d) the restoration or enhancement of natural habitats.*

#### Chapter 6: Indigenous Biological Diversity, Landscape and Historic Heritage

##### **Objective 6-1: Indigenous biological diversity**

***Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and maintain indigenous biological diversity, including enhancement where appropriate.***

##### **Policy 6-2: Regulation of activities affecting indigenous biological diversity**

*For the purpose of managing indigenous biological diversity in the Region:*

- (a) Habitats determined to be rare habitats and threatened habitats under Schedule F must be recognised as areas of significant indigenous vegetation or significant habitats of indigenous fauna.*
- (b) At-risk habitats that are assessed to be significant under Policy 13-5 must be recognised as significant indigenous vegetation or significant habitats of indigenous fauna.*
- (c) The Regional Council must protect rare habitats, threatened habitats and at-risk habitats identified in (a) and (b), and maintain and enhance other at-risk habitats by regulating activities through its regional plan and through decisions on resource consents.*
- (d) Potential adverse effects on any rare habitat, threatened habitat or at-risk habitat located within or adjacent to an area of forestry must be minimised.*
- (e) When regulating the activities described in (c) and (d), the Regional Council must, and when exercising functions and powers described in Policy 6-1, Territorial Authorities must:*
  - (i) allow activities undertaken for the purpose of pest plant and pest animal control or habitat maintenance or enhancement,*
  - (ii) consider indigenous biological diversity offsets in appropriate circumstances as defined in Policy 13-4,*
  - (iii) allow the maintenance, operation and upgrade of existing structures, including infrastructure and other physical resources of regional or national importance as identified in Policy 3-1, and*
  - (iv) not unreasonably restrict the existing use of production land where the effects of such land use on rare habitat, threatened habitat or at-risk habitat remain the same or similar in character, intensity and scale.*

**Objective 6-2: Outstanding natural features and landscapes, and natural character**

- (a) The characteristics and values of:**
  - (i) the Region's outstanding natural features and landscapes, including those identified in Schedule G, and**
  - (ii) the natural character of the coastal environment, wetlands, rivers and lakes and their margins are protected from inappropriate subdivision, use and development.**
- (b) Adverse effects, including cumulative adverse effects, on the natural character of the coastal environment, wetlands, rivers and lakes and their margins, are:**
  - (i) avoided in areas with outstanding natural character, and**
  - (ii) avoided where they would significantly diminish the attributes and qualities of areas that have high natural character, and**
  - (iii) avoided, remedied or mitigated in other areas.**
- (c) Promote the rehabilitation or restoration of the natural character of the coastal environment, wetlands, rivers and lakes and their margins.**

**Policy 6-8: Natural character**

- (a) The natural character of the coastal environment, wetlands, rivers and lakes and their margins must be preserved and these areas must be protected from inappropriate subdivision, use and development.**
- (b) The natural character of these areas must be restored and rehabilitated where this is appropriate and practicable.**
- (c) Natural character of these areas may include such attributes and characteristics as:**
  - (i) Natural elements, processes and patterns,**
  - (ii) Biophysical, ecological, geological, geomorphological and morphological aspects,**
  - (iii) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks,**
  - (iv) The natural movement of water and sediment including hydrological and fluvial processes,**
  - (v) The natural darkness of the night sky,**
  - (vi) Places or areas that are wild and scenic,**
  - (vii) A range of natural character from pristine to modified, and**
  - (viii) Experiential attributes, including the sounds and smell of the sea; and their content or setting.**



**Policy 6-9: Managing natural character**

*In relation to the natural character of:*

- (a) the component of the coastal environment which is not coastal marine area (CMA), and*
- (b) wetlands, rivers and lakes and their margins subdivision, use or development must generally (but without limitation) be considered appropriate if it:*
- (c) is compatible with the existing level of modification to the environment,*
- (d) has a functional necessity to be located in or near the component of the coastal environment which is not coastal marine area (CMA), wetland, river or lake and no reasonably practicable alternative locations exist,*
- (e) is of an appropriate form, scale and design to be compatible with the existing landforms, geological features and vegetation,*
- (f) will not, by itself or in combination with effects of other activities, significantly disrupt natural processes or existing ecosystems, and*
- (g) will provide for the restoration and rehabilitation of natural character where that is appropriate and practicable.*

Chapter 7: Air

**Objective 7-2: Fine particle (PM10) levels**

- (b) Fine particle levels in other areas are managed in a manner which ensures ongoing compliance with the national ambient air quality standard for PM10.***

Chapter 9: Natural Hazards

**Objective 9-1: Effects of natural hazard events**

***The adverse effects of natural hazard events on people, property, infrastructure and the wellbeing of communities are avoided or mitigated.***

**Policy 9-5: Climate change**

*The Regional Council and Territorial Authorities must take a precautionary approach when assessing the effects of climate change and Msea level rise on the scale and frequency of natural hazards with regard to decisions on:*

- (a) stormwater discharges and effluent disposal,*
- (b) coastal development and coastal land use,*
- (c) activities adjacent to rivers,*
- (d) water allocation and water takes,*
- (e) activities in a Hill Country Erosion Management Area,*

- (f) *flood mitigation activities, and*
- (g) *managing storm surge.*

## **Operative Regional Policy Statement for the Wellington Region 2013**

The Operative Regional Policy Statement for the Wellington Region 2013 contains objectives and policies relating to the proposal as follows:

### 3.1 Air Quality

***Objective 1 Discharges of odour, smoke and dust to air do not adversely affect amenity values and people's wellbeing***

### 3.3 Energy, Infrastructure and Waste

***Objective 9 The region's energy needs are met in ways that:***

- (a) improve energy efficiency and conservation;***
- (b) diversify the type and scale of renewable energy development;***
- (c) maximise the use of renewable energy resources;***
- (d) reduce dependency on fossil fuels; and***
- (e) reduce greenhouse gas emissions from transportation***

***Objective 10 The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.***

***Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure***

*When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, particular regard shall be given to:*

- (a) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources and/or regionally significant infrastructure; and*
- (b) protecting regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and*
- (c) the need for renewable electricity generation facilities to locate where the renewable energy resources exist; and*
- (d) significant wind and marine renewable energy resources within the region.*

*Explanation*

*The benefits of energy generated from renewable energy resources include:*

- *Security of and the diversification of our energy sources*
- *Reducing our dependency on imported energy resources – such as oil, natural gas and coal*
- *Reducing greenhouse gas emissions*
- *Contribution to the national renewable energy target*

*The benefits are not only generated by large scale renewable energy projects but also smaller scale, distributed generation projects.*

### 3.4 Fresh Water

#### **Objective 12** *The quantity and quality of fresh water:*

- (a)** *meet the range of uses and values for which water is required;*
- (b)** *safeguard the life supporting capacity of water bodies; and*
- (c)** *meet the reasonably foreseeable needs of future generations.*

#### **Policy 40:** *Safeguarding aquatic ecosystem health in water bodies*

*When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to:*

- (a) requiring that water quality, flows and water levels and aquatic habitats of surface water bodies are managed for the purpose of safeguarding aquatic ecosystem health;*
- (b) requiring, as a minimum, water quality in the coastal marine area to be managed 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.*

#### *Explanation*

*Clause (a) identifies ecosystem health as a water management purpose for surface water bodies and clause (b) identifies water quality in the coastal marine area is to be managed for the purpose of aquatic ecosystem health. Other water management purposes for water bodies and coastal waters in clause (c) are to be established in regional plans as required by policies 5 and 12.*

*Application for a resource consent refers to all types of resource consent. Policy 40 shall cease to be considered for resource consents processed by the Wellington Regional Council once policy 5 and 12 are given effect to in a regional plan. Policy 40 shall continue to be considered by city and district councils when processing resource consents, notices of requirement and making changes, variations or reviews of district plans.*

*District and city councils could implement this policy by requiring setback distances between buildings and rivers, wetlands and the coastal marine area to protect riparian areas, limiting the*

*amount of impervious surfaces allowed in new developments in some catchments, requiring rooftop rainwater collection for gardens, requiring roadside swales, filter strips and 'rain gardens' for stormwater runoff instead of kerb and channelling, encouraging advanced community sewerage schemes rather than septic tanks in areas where groundwater is vulnerable, and encouraging the treatment of stormwater at source in car parks and industrial yards.*

***Policy 41: Minimising the effects of earthworks and vegetation disturbance***

*When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to controlling earthworks and vegetation disturbance to minimise:*

- (a) erosion; and*
- (b) silt and sediment runoff into water, or onto or into land that may enter water, so that healthy aquatic ecosystems are sustained.*

*Explanation*

*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 and sediment to stormwater and water bodies. This policy is intended to minimise erosion and silt and sedimentation effects associated with these activities.*

*Minimisation requires effects to be reduced to the extent reasonably achievable whilst recognising that erosion, siltation and sedimentation effects can not always be completely avoided.*

*This policy provides for consideration of earthworks and vegetation disturbance to minimise erosion and sediment runoff prior to plan controls being adopted by regional and district plans in accordance with policy 15. This policy shall cease to have effect once method 31 is implemented and policy 15 is given effect to in regional and district plans.*

*Policies 15 and 41 are to ensure that Wellington Regional Council and district and city councils integrate the control earthworks and vegetation disturbance in their regional and district plans. Method 31 is for Wellington Regional Council and district and city councils to develop a protocol for earthworks and erosion from vegetation disturbance. The protocol will assist with implementation of policies 15 and 41.*

*Some activities – such as major road construction – are likely to require resource consents from both Wellington regional council and district or city councils, which will work together to control the effects of the activity.*

*Vegetation disturbance includes harvesting plantation forestry.*

**Policy 42: Minimising contamination in stormwater from development**

*When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, the adverse effects of stormwater run-off from subdivision and development shall be reduced by having particular regard to:*

- (a) limiting the area of new impervious surfaces in the stormwater catchment;*
- (b) using water permeable surfaces to reduce the volume of stormwater leaving a site;*
- (c) restricting zinc or copper roofing materials, or requiring their effects to be mitigated;*
- (d) collecting water from roofs for domestic or garden use while protecting public health;*
- (e) using soakpits for the disposal of stormwater;*
- (f) using roadside swales, filter strips and rain gardens;*
- (g) using constructed wetland treatment areas;*
- (h) using in situ treatment devices;*
- (i) using stormwater attenuation techniques that reduce the velocity and quantity of stormwater discharges; and*
- (j) using educational signs, as conditions on resource consents, that promote the values of water bodies and methods to protect them from the effects of stormwater discharges.*

*Explanation*

*The stormwater design and treatment approaches set out in this policy are to reduce adverse effects of subdivision and development on the quantity and quality of stormwater. Clauses in the policy are aimed at achieving hydraulic neutrality and aquatic ecosystem health when land is developed. It is important to take an integrated approach to management of the adverse effects of stormwater discharges, particularly on low energy aquatic receiving environments – such as Wellington Harbour, Porirua Harbour, inlets, estuaries, lakes, lowland streams and wetlands.*

**Objective 13 The region's rivers, lakes and wetlands support healthy functioning ecosystems.**

**Policy 43: Protecting aquatic ecological function of water bodies**

*When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to:*

- (a) maintaining or enhancing the functioning of ecosystems in the water body;*
- (b) maintaining or enhancing the ecological functions of riparian margins;*
- (c) minimising the effect of the proposal on groundwater recharge areas that are connected to surface water bodies;*
- (d) maintaining or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;*

- (e) *protecting the significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those listed in Table 16 of Appendix 1;*
- (f) *maintaining natural flow regimes required to support aquatic ecosystem health;*
- (g) *maintaining fish passage;*
- (h) *protecting and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;*
- (i) *discouraging stock access to rivers, lakes and wetlands; and*
- (j) *discouraging the removal or destruction of indigenous wetland plants in wetlands.*

*Explanation*

*This policy identifies key elements of habitat diversity that are essential for healthy aquatic ecosystems to survive and be self-sustaining.*

*When areas of habitat in one part of a river or lake are degraded or destroyed by people's activities, critical parts of the ecosystem may be permanently affected, with consequential effects elsewhere in the ecosystem. Specific policies and regional rules can set out where it is important to retain habitat for ecological function. Remedying and mitigating of effects can include offsetting, where appropriate.*

*Application for a resource consent refers to all types of resource consent. Policy 43 shall cease to be considered for resource consents processed by the Wellington Regional Council once policies 18 and 19 are given effect to in a regional plan. Policy 43 shall continue to be considered by city and district councils when processing resource consents, notices of requirement and making changes, variations or reviewing district plans.*

*The rivers and lakes with significant amenity and recreational values listed in Table 15 of Appendix 1 were identified by the community as places that are regularly used for recreational activities.*

*The rivers and lakes with significant indigenous ecosystems were selected using indicators of aquatic invertebrate community health, the diversity of indigenous migratory fish species, the presence of nationally threatened fish species and the location of inanga spawning habitat. The criteria used to assess rivers and lakes with significant indigenous ecosystems are given in Appendix 1.*

### 3.6 Indigenous Ecosystems

***Objective 16 Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.***

***Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values***

*When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, a determination shall be made as to whether an*

activity may affect indigenous ecosystems and habitats with significant indigenous biodiversity values, and in determining whether the proposed activity is inappropriate particular regard shall be given to:

- (a) maintaining connections within, or corridors between, habitats of indigenous flora and fauna, and/or enhancing the connectivity between fragmented indigenous habitats;
- (b) providing adequate buffering around areas of significant indigenous ecosystems and habitats from other land uses;
- (c) managing wetlands for the purpose of aquatic ecosystem health;
- (d) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats;
- (e) providing seasonal or core habitat for indigenous species;
- (f) protecting the life supporting capacity of indigenous ecosystems and habitats;
- (g) remedying or mitigating adverse effects on the indigenous biodiversity values where avoiding adverse effects is not practicably achievable; and
- (h) the need for a precautionary approach when assessing the potential for adverse effects on indigenous ecosystems and habitats.

#### *Explanation*

*Policy 47 provides an interim assessment framework for councils, resource consent applicants and other interested parties, prior to the identification of ecosystems and habitats with significant indigenous biodiversity values in accordance with policy 23, and the adoption of plan provisions for protection in accordance with policy 24. Remedying and mitigating effects can include offsetting, where appropriate.*

*In determining whether an activity may affect significant indigenous biodiversity values, the criteria in policy 23 should be used.*

*This policy shall cease to have effect once policies 23 and 24 are in place in an operative district or regional plan.*

#### ***Policy 23: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans***

*District and regional plans shall identify and evaluate indigenous ecosystems and habitats with significant indigenous biodiversity values; these ecosystems and habitats will be considered significant if they meet one or more of the following criteria:*

- (a) *Representativeness: the ecosystems or habitats that are typical and characteristic examples of the full range of the original or current natural diversity of ecosystem and habitat types in a district or in the region, and:*
  - (i) *are no longer commonplace (less than about 30% remaining); or*
  - (ii) *are poorly represented in existing protected areas (less than about 20% legally protected).*

- (b) *Rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.*
- (c) *Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.*
- (d) *Ecological context of an area: the ecosystem or habitat:*
  - (i) *enhances connectivity or otherwise buffers representative, rare or diverse indigenous ecosystems and habitats; or*
  - (ii) *provides seasonal or core habitat for protected or threatened indigenous species.*
- (e) *Tangata whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to tangata whenua, identified in accordance with tikanga Māori.*

*Explanation*

*Policy 23 sets out criteria as guidance that must be considered in identifying indigenous ecosystems and habitats with significant biodiversity values. Wellington Regional Council, and district and city councils are required to assess indigenous ecosystems and habitats against all the criteria but the relevance of each will depend on the individual cases. To be classed as having significant biodiversity values, an indigenous ecosystem or habitat must fit one or more of the listed criteria. Wellington Regional Council and district and city councils will need to engage directly with land owners and work collaboratively with them to identify areas, undertake field evaluation, and assess significance. Policy 23 will ensure that significant biodiversity values are identified in district and regional plans in a consistent way.*

*Indigenous ecosystems and habitats can have additional values of significance to tangata whenua. There are a number of indigenous ecosystems and habitats across the region that are significant to tangata whenua for their ecological characteristics. These ecosystems will be considered for significance under this policy if they still exhibit the ecosystem functions which are considered significant by tangata whenua. Access and use of any identified areas would be subject to landowner agreement. Wellington Regional Council and district and city councils will need to engage directly with tangata whenua and work collaboratively with them and other stakeholders, including landowners, to identify areas under this criterion.*

*Regional plans will identify indigenous ecosystems and habitats with significant biodiversity values in the coastal marine area, wetlands and the beds of lakes and rivers. District plans will identify indigenous ecosystems and habitats with significant biodiversity values for all land, except the coastal marine area and the beds of lakes and rivers.*

***Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans***

*District and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development.*



### *Explanation*

*Policy 24 applies to provisions in regional and district plans.*

*Table 16 in Appendix 1 identifies rivers and lakes with significant indigenous ecosystems and habitats with significant indigenous biodiversity values by applying criteria taken from policy 23 of rarity (habitat for threatened indigenous fish species) and diversity (high macroinvertebrate community health, habitat for six or more migratory indigenous fish species).*

*Policy 47 will need to be considered alongside policy 24 when changing, varying or reviewing a regional or district plan.*

*Policy 24 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the biodiversity values identified in policy 23.*

### 3.8 Natural hazards

***Objective 21 Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the consequences of natural hazard events.***

### 3.10 Resource management with tangata whenua

***Objective 24 The principles of Te Tiriti o Waitangi are taken into account in a systematic way when resource management decisions are made.***

#### ***Policy 48: Principles of Te Tiriti o Waitangi***

*When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to:*

- (a) the principles of Te Tiriti o Waitangi; and*
- (b) Waitangi Tribunal reports and settlement decisions relating to the Wellington region.*

### *Explanation*

*Te Tiriti o Waitangi (the Treaty) is a founding document of New Zealand. It encompasses guiding principles for the engagement of iwi with local authorities in relation to resource management. Tangata whenua of the region maintain the primacy of the Māori version of Te Tiriti, in accordance with the international rule of contra preferendum.*

*Te Tiriti principles are derived from Te Tiriti as a whole, its underlying meaning, intention and spirit. There is no definitive list of Te Tiriti principles. Accordingly, the principles have evolved through statements of the Court of Appeal, Waitangi Tribunal and Government. Many of the principles are directly relevant to resource management matters, as they have arisen out of claims before the Waitangi Tribunal concerning land, water and other natural resources.*

*A systematic approach to taking the principles of Te Tiriti into account involves applying agreed meaning. Greater Wellington and the region's iwi authorities have jointly signed a charter of*

*understanding which contains principles to assist in promoting dialogue and engagement between iwi and local authorities. The principles are:*

- “The Crown’s right to govern and make laws (kāwanatanga). In signing Te Tiriti o Waitangi, it is recognised that iwi ceded their right to govern to the Crown, in exchange for the Crown recognising and guaranteeing the exercise of rangatiratanga (self-determination) by iwi and hapū over their resources. In exchange for ceding sovereignty, Māori are accorded the protection of the Crown. The powers and functions of local authorities are expressions of kāwanatanga. This principle requires local authorities and iwi to recognise respective rights.*
- Māori to retain rangatiratanga, which refers to the chieftainship and authority over lands, taonga and other valued resources. This includes the ability to manage resources according to Māori cultural preferences (kaitiakitanga). Taonga includes such intangible assets as the Māori language and the mauri of natural resources.<sup>9</sup> Government has recognised the right for iwi to organise and to control resources they own. Application of this principle requires those exercising kāwanatanga (governance) to recognise the exercise of rangatiratanga (self-determination) and kaitiakitanga (guardianship) by iwi.*
- Partnership, including a duty for partners to act reasonably and in good faith. This principle may be expressed through shared decision-making.*
- Active protection of Māori in the use of their lands, waters and other resources. This principle requires that the duty of protection of Māori interests in resource management is not simply a passive one, but active to the fullest extent practicable.*
- A duty to consult with Māori, including early consultation. While not all matters may in practice require consultation, environmental matters and control of resources as they affect Māori access to mahinga kai require consultation with the iwi or hapū concerned. Local authorities should have regard to the different levels of iwi, hapū, whānau and marae decision making structures when undertaking consultation. For example, site specific issues may require consultation with hapū, whānau or marae.*
- Mutual benefit, that is, iwi and local authorities are able to gain from the relationship and enjoy benefits. Sometimes this is expressed as the need for compromise by parties, and the balancing of competing interests.*
- The right of development. Iwi are not just bound by the methods and technologies available at the signing of Te Tiriti o Waitangi, but have the right to use new methods and technologies.”*

*Waitangi Tribunal reports relating to the region and settlement decisions should be referred to for guidance on resource management issues of significance to iwi. These reports often describe the value and history of a site or place which can further inform assessments of effects and resource management decision making.*

***Objective 25 The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region’s natural and physical resources.***

**Objective 26** *Mauri is sustained, particularly in relation to coastal and fresh waters.*

**Objective 28** *The cultural relationship of Maori with their ancestral lands, water, sites, wahi tapu and other taonga is maintained.*

**Policy 49: Recognising and providing for matters of significance to tangata whenua**

*When preparing a change, variation or review of a district or regional plan, the following matters shall be recognised and provided for:*

- (a) the exercise of kaitiakitanga;*
- (b) mauri, particularly in relation to fresh and coastal waters;*
- (c) mahinga kai and areas of natural resources used for customary purposes; and*
- (d) places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua.*

*Explanation*

*This policy recognises the importance of the listed matters of significance to tangata whenua. Accordingly, the policy requires that as part of a plan change, variation or review, local authorities must recognise and provide for these matters. In practice, this means that local authorities' first priority should be on avoiding adverse effects on the listed matter, while recognising that this does not necessarily preclude regional and district plans from allowing these effects to occur in appropriate cases.*

*There are several ways of gathering information on matters of significance to the region's tangata whenua, including, but not limited to, the following:*

- Referring to the relevant iwi authorities and/or iwi management plan(s)*
- Requesting a cultural assessment*
- Seeking technical assistance*
- Working with iwi authorities, hapū, whānau or tangata whenua associated with specific marae to identify potential effects on cultural values and kaitiakitanga*

*Kaitiakitanga refers to the expression of Māori authority, mana ethics and guardianship and may be exercised in respect of a particular locality, place or resource. Kaitiakitanga (guardianship) involves the protection of mauri and a duty to care for the environment so that it remains in as good as, or better, state for future generations. Kaitiakitanga is linked inextricably to rangatiratanga (self-determination) as it may only be practised by those iwi, hapū or whānau that possess customary authority in their area. Kaitiaki (those who exercise kaitiakitanga) are knowledgeable about the local environment and resources. The ways in which iwi, hapū, or whānau define kaitiakitanga relating to ancestral land, water and other taonga, and how they wish to have their kaitiaki role recognised, is a matter for them to decide and communicate to local authorities. There are various methods of kaitiakitanga natural resources customary regulations, including rāhui, or placing a temporary restriction or ban.*

*Mauri is the life force that exists in all things in the natural world, including people. Mauri comprises both physical and spiritual qualities. Mauri can be harmed by insensitive resource use. For example, the health and vitality of the sea, streams and rivers and the plants and animals they support can be threatened by activities such as discharges of pollutants, stormwater, sewage and runoff of contaminants from land; excessive water use; changing the course of water bodies or diverting water between catchments or rivers. Māori consider that rivers are the life blood of the land and that the wellbeing of a river is reflected in the wellbeing of people. Similarly, the mauri of the land and air and the plants and animals they support can be harmed by practices such as clearance of vegetation, soil disturbance and disposal of wastes. The mauri of coastal waters is harmed by pollutants and sewage, and by insensitive use and development which diminishes the natural character, life-supporting capacity and ecosystem health of the coastal environment.*

*Mauri can be restored, maintained or enhanced through sensitive management which supports the restoration of the natural character of the place, and the health and vitality of the ecosystem it supports.*

*Mahinga kai is the customary gathering of food and natural materials and the places where those resources are gathered. Resources used for cultural purposes include, but are not limited to, flora and fauna for rongoa Māori (medicine); flora and fauna for weaving (for example, pingao, kiekie, bird feathers); and wood, such as tōtara, for carving purposes. Access to these resources is important for continuing cultural traditions.*

*Threats to mahinga kai and natural resources include degradation of water quality in fresh water and marine environments through poor stormwater, sewage and run-off management; loss of water resources and associated ecosystems through water abstraction, drainage and flood management works; exclusion from access to mahinga kai through the construction of physical barriers such as roads or through changes in ownership, management and control. Major threats to natural resources used for customary purposes are similar to the threats to mahinga kai, including development, changing land use, loss of ecosystems, poor management and disposal of wastes, unsustainable resource use, and exclusion from access to sites where valued cultural resources are found.*

*Many places, sites and areas in the region that are associated with Māori histories, traditions and tikanga are sites of heritage value. Such sites are valued because of the historical and traditional practices and events associated with them. Places, sites and areas with Māori historic heritage value are important because of their social, cultural and spiritual significance not only to Māori, but to all people of the Wellington region. They are an integral part of the region's heritage and provide links between the past, present and future generations.*

*Some heritage sites are wāhi tapu, sacred places of immense importance. Places can be considered sacred because of past events or activities (such as a battle or ceremony), or where the whenua (placenta) is returned to the earth, or where a valued resource is found.*

*Places, sites and areas with significant spiritual or cultural historic values to tangata whenua include wāhi tapu and other sites, features of historical, spiritual or cultural significance to tangata whenua, and the cultural and spiritual values associated with them. These include, but are not limited to:*

- *Tauranga waka (canoe landing places)*
- *Mahinga mātaītai (places for gathering seafood, fishing grounds and reefs)*
- *Taonga raranga (plants used for weaving, such as kiekie and pingao)*
- *Wāhi tīpuna (ancestral sites)*
- *Landscape features referred to in whakataukī (proverbs and stories)*
- *Landscape features that define iwi boundaries, e.g. mountains, streams, rivers, estuaries*
- *Coastal access points*
- *Residential sites such as pa, marae, papākainga*
- *Urupā (burial sites)*
- *Historic battlegrounds*

*The identification of these heritage values rests with iwi, hapū, whānau and marae in accordance with their kaitiaki responsibilities.*

### 3.11 Soil and minerals

**Objective 29 Land management practices do not accelerate soil erosion.**

**Policy 41:** *Minimising the effects of earthworks and vegetation disturbance*

[see above]

## **Operative Horizons One Plan – Part 2: Regional Plan**

The following objectives, policies and rules in Part 2 of the Horizons One Plan, containing the Regional Planning Framework, are:

### Chapter 13: Land Use Activities, Indigenous Biological Diversity, and Natural Inland Wetlands

**Objective 13-1: Accelerated erosion - regulation of vegetation clearance, land disturbance, forestry and cultivation**

***The regulation of vegetation clearance, land disturbance, forestry and cultivation in a manner that ensures:***

- accelerated erosion and any associated damage to people, buildings and infrastructure and other physical resources of regional or national importance are avoided as far as reasonably practicable or otherwise remedied or mitigated, and***
- increased sedimentation in water bodies as a result of human activity is avoided as far as reasonably practicable, or otherwise mitigated.***

**Policy 13-2: Consent decision-making for vegetation clearance, land disturbance, forestry and cultivation**

*For vegetation clearance, land disturbance, forestry or cultivation and ancillary discharges to and diversions of surface water that requires resource consent under Rule 13-2, Rule 13-6 or Rule 13-7, the Regional Council must make decisions on consent applications and set consent conditions on a case-by-case basis, having regard to:*

- (a) the Regional Policy Statement, particularly Objective 4-2 and Policies 4-2 and 4-3,*
- (b) managing the effects of land disturbance, including large-scale earthworks, by requiring Erosion and Sediment Control Plans or other appropriate plans to be prepared,*
- (d) managing the effects of cultivation on water bodies through the use of sediment run-off control methods and setbacks from water bodies,*
- (e) the appropriateness of establishing infrastructure and other physical resources of regional or national importance as identified in Policy 3-1,*
- (j) any relevant codes of practice, standards, guidelines, or environmental management plans and accepting compliance with them to the extent that they can be used as conditions on resource consents,*
- (k) sediment and erosion control measures required to reasonably minimise adverse effects, including those caused by rainfall and storm events,*
- (m) for activities involving an ancillary discharge to surface water, the matters in Policy 14-9.*

**Objective 13-2: Regulation of activities affecting indigenous biological diversity**

***The regulation of resource use activities to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna or to maintain indigenous biological diversity, including enhancement where appropriate.***

**Policy 13-3A: Natural inland wetlands**

*The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:*

- (a) the loss of extent or values arises from any of the following:*
  - (i) the customary harvest of food or resources undertaken in accordance with tikanga Māori*
  - (ii) wetland maintenance, restoration, or biosecurity (as defined in the National Policy Statement for Freshwater Management)*
  - (iii) scientific research*
  - (iv) the sustainable harvest of sphagnum moss*

- (v) *the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)*
  - (vi) *the maintenance or operation of specified infrastructure or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)*
  - (vii) *natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or*
- (b) *the Regional Council is satisfied that:*
- (i) *the activity is necessary for the construction or upgrade of specified infrastructure; and*
  - (ii) *the specified infrastructure will provide significant national or regional benefits; and*
  - (iii) *there is a functional need for the specified infrastructure in that location; and*
  - (iv) *the effects of the activity are managed through applying the effects management hierarchy ; or*

#### Chapter 14: Discharges to Land And Water

##### ***Objective 14-1: Management of discharges to land and water and land uses affecting groundwater and surface water quality***

***The management of discharges onto or into land (including those that enter water) or directly into water and land use activities affecting groundwater and surface water quality in a manner that:***

- (a) safeguards the life supporting capacity of water and recognises and provides for the Values and management objectives in Schedule B,***
- (b) provides for the objectives and policies of Chapter 5 as they relate to surface water and groundwater quality, and***
- (c) where a discharge is onto or into land, avoids, remedies or mitigates adverse effects on surface water or groundwater.***

##### ***Policy 14-1: Consent decision-making for discharges to water***

***When making decisions on resource consent applications, and setting consent conditions, for discharges of water or contaminants into water the Regional Council must specifically consider:***

- (a) the objectives and Policies 5-1 to 5-5 and 5-9 of Chapter 5, and have regard to:***
- (b) avoiding discharges which contain any persistent contaminants that are likely to accumulate in a water body or its bed,***
- (c) the appropriateness of adopting the best practicable option to prevent or minimise adverse effects in circumstances where:***

- (i) *it is difficult to establish discharge parameters for a particular discharge that give effect to the management approaches for water quality and discharges set out in Chapter 5, or*
  - (ii) *the potential adverse effects are likely to be minor, and the costs associated with adopting the best practicable option are small in comparison to the costs of investigating the likely effects on land and water, and*
- (d) *the objectives and policies of Chapters 2, 3, 6, 9 and 12, extent that they are relevant to the discharge.*

**Policy 14-2: Consent decision-making for discharges to land**

*When making decisions on resource consent applications, and setting consent conditions, for discharges of contaminants onto or into land the Regional Council must have regard to:*

- (a) *the objectives and policies of Chapter 5 regarding the management of groundwater quality and discharges,*
- (b) *where the discharge may enter surface water or have an adverse effect on surface water quality, the degree of compliance with the approach for managing surface water quality set out in Chapter 5,*
- (c) *avoiding as far as reasonably practicable any adverse effects on any sensitive receiving environment or potentially incompatible land uses, in particular any residential buildings, educational facilities, churches, marae, public areas, infrastructure and other physical resources of regional or national importance identified in Policy 3-1, wetlands, surface water bodies and the coastal marine area,*
- (d) *the appropriateness of adopting the best practicable option to prevent or minimise adverse effects in circumstances where:*
  - (i) *it is difficult to establish discharge parameters for a particular discharge that give effect to the management approaches for water quality and discharges set out in Chapter 5,*
  - (ii) *the potential adverse effects are likely to be minor, and the costs associated with adopting the best practicable option are small in comparison to the costs of investigating the likely effects on land and water,*
- (e) *avoiding discharges which contain any persistent contaminants that are likely to accumulate in the soil or groundwater, and*
- (f) *the objectives and policies of Chapters 2, 3, 6, 9 and 12, extent that they are relevant to the discharge.*

**Policy 14-3: Industry-based standards**

*The Regional Council will examine on an on-going basis relevant industry-based standards (including guidelines and codes of practice), recognising that such industry based standards*



generally represent current best practice, and may accept compliance with those standards as being adequate to avoid, remedy or mitigate adverse effects to the extent that those standards address the matters in Policies 14-1, 14-2, 14-4 and 14-5.

**Policy 14-4: Options for discharges to surface water and land**

When applying for consents and making decisions on consent applications for discharges of contaminants into water or onto or into land, the opportunity to utilise alternative discharge options, or a mix of discharge regimes, for the purpose of mitigating adverse effects, applying the best practicable option, must be considered, including but not limited to:

- (a) discharging contaminants onto or into land as an alternative to discharging contaminants into water,
- (b) withholding from discharging contaminants into surface water at times of low flow, and
- (c) adopting different treatment and discharge options for different receiving environments or at different times (including different flow regimes or levels in surface water bodies).

**Policy 14-9: Consent decision making requirements from the National Policy Statement for Freshwater Management**

- (a) This policy applies to any application for the following discharges (including a diffuse discharge by any person or animal):
  - (i) a new discharge; or
  - (ii) a change or increase in any discharge of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.
- (b) When considering any application for a discharge the Regional Council must have regard to the following matters:
  - (i) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and
  - (ii) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.

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

- (c) When considering any application for a discharge the Regional Council must have regard to the following matters:

- (i) *the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and*
- (ii) *the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.*

*This clause of the policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 4 July 2014.*

#### Chapter 16: Takes, Uses and Diversions Of Water, and Bores

##### **Objective 16-1: Regulation of takes, uses and diversions of water**

***The regulation of takes, uses and diversions of water in a manner that:***

- (a) recognises and provides for the Values and management objectives in Schedule B, and***
- (b) provides for the objectives and policies of Chapter 5 as they relate to surface water and groundwater use and allocation.***

##### **Policy 16-3: Consent decision-making for diversions and drainage**

*When making decisions on resource consent applications, and setting consent conditions, for the diversion of water, including diversions associated with drainage, the Regional Council must:*

- (a) manage effects on rare habitats, threatened habitats and at-risk habitats in accordance with Chapter 6 and the relevant objective and policies in Chapter 13,*
- (b) manage effects on the natural character of water bodies in accordance with Chapter 6,*
- (c) seek to avoid any adverse effects on any other lawful activity, particularly on other surface water takes, including those allowed by s14(3)(b) of the RMA and groundwater takes from properly-constructed, efficient and fully-functioning bores (as described in Policies 16- 4 and 16-5), and*
- (d) have regard to the objectives and policies of Chapters 2, 3, 5, 9 and 12, extent that they are relevant to the activity.*

#### Chapter 17: Activities in Artificial Watercourses, Beds of Rivers and Lakes, and Damming

##### **Objective 17-1: Regulation of structures and activities in artificial watercourses and in the beds of rivers and lakes, and damming**

***The regulation of structures and activities in artificial watercourses and in the beds of rivers and lakes, and damming, in a manner that:***

- (a) safeguards life supporting capacity, and recognises and provides for the Values and management objectives in Schedule B, and***

***(b) has regard to the objectives and policies of Chapter 5 that relate to structures<sup>^</sup> and activities in artificial watercourses\* and in the beds<sup>^</sup> of rivers<sup>^</sup> and lakes<sup>^</sup>, and damming.***

***Objective 17-2: Fish passage***

***The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.***

***Policy 17-1: Consent decision-making for activities in, on, under or over the beds of rivers and lakes (including modified watercourses but excluding artificial watercourses)***

*When making decisions on resource consent applications, and setting consent conditions, for activities in, on, under or over the bed of a river or lake (including modified watercourses but excluding artificial watercourses) the Regional Council must:*

- (a) have regard to the extent to which the activity is consistent with best management practices,*
- (b) seek to avoid where reasonably practicable any adverse effects on any other lawful activity in, on, under or over the bed of the river or lake, including existing structures,*
- (c) have regard to whether the activity is of a temporary nature or is associated with necessary maintenance work,*
- (d) have regard to the objectives and policies of Chapters 2, 3, 5, 6, 9 and 12, extent that they are relevant to the activity, and*
- (e) have regard to the matters in Policy 14-9.*

## **Greater Wellington Natural Resources Plan**

### **3.1/4.1 Ki uta ki tai: mountains to the sea/Ki uta ki tai and integrated catchment management**

***Objective O1 Air, land, fresh water bodies and the coastal marine area are managed as integrated and connected resources; ki uta ki tai – mountains to the sea.***

***Objective O2 The importance and contribution of air, land, water and ecosystems to the social, economic and cultural well-being and health of people and the community are recognised in the management of those resources.***

***Objective O3 Mauri particularly the mauri of fresh and coastal waters is sustained and, where it has been depleted, natural resources and processes are enhanced to replenish mauri.***

**Policy P1: Ki uta ki tai and integrated catchment management**

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

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

**Policy P2: Cross-boundary matters**

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

**Policy P3: Precautionary approach**

*Use and development shall be managed with a precautionary approach where there is limited information regarding the effects and any adverse effects are potentially significant.*

3.2/4.2 Beneficial use and development

***Objective O9 The social, economic, cultural and environmental benefits of Regionally Significant Infrastructure, renewable energy generation activities and the utilisation of mineral resources are recognised.***

***Objective O10 Regionally Significant Infrastructure and renewable energy generation activities that meets the needs of present and future generations are enabled in appropriate places and ways.***

***Policy P13: Providing for Regionally Significant Infrastructure and renewable electricity generation activities***

*The use, development, operation, maintenance, and upgrade of Regionally Significant Infrastructure and renewable energy generation activities are provided for, in appropriate places and ways. This includes by having particular regard to:*

- (a) the strategic integration of infrastructure and land use, and*
- (b) the location of existing infrastructure and structures, and*
- (c) the need for renewable energy generation activities to locate where the renewable energy resources exist, and*
- (d) the functional need and operational requirements associated with developing, operating, maintaining and upgrading Regionally Significant Infrastructure and renewable energy generation activities.*

### 3.3/4.3 Māori relationships

***Objective O12 The relationships of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are recognised and provided for, including:***

- (a) maintaining and improving opportunities for Māori customary use of the coastal marine area, rivers, lakes and their margins and natural wetlands, and***
- (b) maintaining and improving the availability of mahinga kai species, in terms of quantity, quality and diversity, to support Māori customary harvest, and***
- (c) providing for the relationship of mana whenua with Ngā Taonga Nui a Kiwa, and including by maintaining or improving Ngā Taonga Nui a Kiwa so that the huanga identified in Schedule B are provided for, and***
- (d) protecting sites with significant mana whenua values from use and development that will adversely affect their values and restoring those sites to a state where their characteristics and qualities sustain the identified values.***

### ***Objective O13***

***Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making in relation to the use, development and protection of natural and physical resources.***

### ***Policy P18: Mauri***

*The mauri of fresh and coastal waters shall be recognised as being important to Māori and is sustained and enhanced, including by:*

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

**Policy P9: Contact recreation and Māori customary use**

*Use and development shall avoid, remedy or mitigate any adverse effects on contact recreation and Māori customary use in fresh and coastal water, including by:*

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

**Policy P19: Mana whenua relationships with Ngā Taonga Nui a Kiwa**

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

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

**Policy P20: Māori values**

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

**Policy P21: Exercise of kaitiakitanga**

*Kaitiakitanga shall be recognised and provided for by involving mana whenua in the assessment and decision-making processes associated with use and development of natural and physical resources including;*

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

**Policy P22: Statutory acknowledgements**

Wellington Regional Council will:

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

3.4/4.4 Natural character, form and function

**Objective O14** *The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins is preserved and protected from inappropriate use and development.*

**Policy P24: Preserving and protecting natural character from inappropriate use and development**

To preserve natural character and protect it from inappropriate use and development by:

- (d) *outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating significant adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that have high natural character, provided that the high natural character of the area taken as a whole is retained, and*
- (e) *outside the coastal environment, avoiding, remedying or mitigating other adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that are not addressed under (c) or (d) of Policy P24.*

3.6 Water quality

**Objective O6** *The social, economic, cultural and environmental benefits of taking and using water are recognised, when managing water.*

**Objective O7** *The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where appropriate for recreational purposes, is enhanced.*

**Objective O17** *The quality of groundwater, water in surface water bodies, and the coastal marine area is maintained or improved.*

**Objective O18** *Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:*

*(a) maintaining water quality, or*

*(b) improving water quality in:*

*(iii) all other rivers and lakes and natural wetlands to meet, as a minimum and within reasonable timeframes, the secondary contact recreation objectives in Table 3.2.*

#### 3.7/4.6 Biodiversity, aquatic ecosystem health and mahinga kai

**Objective O19** *Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded such that:*

*(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity aquatic ecosystem health and mahinga kai, and*

*(b) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is meaningfully improved so that the objective is met within a reasonable timeframe, and*

*(c) restoration of aquatic ecosystem health and mahinga kai is encouraged.*

**Objective O21** *Vegetated riparian margins are established, maintained or restored to enhance water quality, aquatic ecosystem health, mahinga kai and indigenous biodiversity of rivers, lakes, natural wetlands and the coastal marine area.*

**Objective O22** *The extent of natural wetlands is maintained or increased, their values are protected, and their condition is restored. Where the values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Table 3.7.*

**Objective O23** *The passage of fish and kōura is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages or their habitats.*

**Objective O24** *The habitat of trout identified in Schedule I (trout habitat) is maintained or improved.*



**Policy P30: Biodiversity, aquatic ecosystem health and mahinga kai**

*Manage the adverse effects of use and development on biodiversity, aquatic ecosystem health and mahinga kai to:*

*Hydrology*

- (a) maintain or where practicable restore natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and*

*Water quality*

- (b) maintain or improve water quality including to assist with achieving meet the objectives in Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O19, and*

*Aquatic habitat diversity and quality*

- (c) maintain or where practicable restore aquatic habitat diversity and quality, including:
  - (i) the form, frequency and pattern of pools, runs, and riffles in rivers, and*
  - (ii) the natural form of rivers, lakes, natural wetlands and the coastal marine area, and**
- (d) where practicable restore the connections between fragmented aquatic habitats, and*

*Critical habitat for indigenous aquatic species and indigenous birds*

- (e) maintain or where practicable restore habitats that are important to the life cycle and survival of indigenous aquatic species and the habitats of indigenous birds in the coastal marine area, natural wetlands and the beds of lakes and rivers and their margins that are used for breeding, roosting, feeding, and migration, and*

*Critical life cycle periods*

- (f) minimise avoid, minimise or remedy adverse effects on aquatic species at times which will most affect the breeding, spawning, and dispersal or migration of those species, including timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more significant, and*

*Riparian habitats*

- (g) maintain or where practicable restore riparian habitats, and*

*Pests*

- (h) avoid the introduction, and restrict the spread, of aquatic pest plants and animals*

**Policy P31: Adverse effects on biodiversity, aquatic ecosystem health, and mahinga kai**

*Adverse effects on biodiversity, aquatic ecosystem health and mahinga kai shall be managed by:*

- (b) avoiding adverse effects where practicable, and*
- (c) where adverse effects cannot be avoided, minimising them where practicable, and*

- (d) where adverse effects cannot be minimised, they are remedied, except as provided for in (a) to (g), and*
- (e) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible, and*
- (f) if biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided, and*
- (g) the activity itself is avoided if biodiversity compensation cannot be undertaken in a way that is appropriate as set out in Schedule G3, including Clause 2 of that Schedule.*

*In relation to activities within the beds of lakes, rivers and natural wetlands, (e) to (g) only apply to activities which meet the exceptions in Policy P110.*

*A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Schedule F.*

***Policy P32: Fish passage***

*The construction or creation of new barriers impeding the efficient and safe passage of fish and kōura species at all their life stages shall be avoided, except where this is required for the protection of indigenous fish and kōura populations.*

***Policy P34: Values of wetlands***

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

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

***Policy P35: Restoration of wetlands***

*The restoration of natural wetlands and the construction of artificial wetlands to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.7 and 3.8, to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, and to provide for amenity values where this aligns with restoration appropriate to the area and wetland type shall be encouraged and supported.*

### 3.8/4.7 Sites with significant indigenous biodiversity value

***Objective O28 Ecosystems and habitats with significant indigenous biodiversity values are protected from the adverse effects of use and development, and where appropriate restored to a healthy functioning state including as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.***

***Policy P42: Ecosystems and habitats with significant indigenous biodiversity values***

*Protect in accordance with Policy P31 and Policies P38-P41 and, where appropriate, restore the following ecosystems and habitats with significant indigenous biodiversity values:*

- (c) natural wetlands, including the natural wetlands identified in Schedule F3 (identified natural wetlands), and*

*Notes*

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

***Policy P44: Managing effects on ecosystems and habitats with significant indigenous biodiversity values from activities outside these ecosystems and habitats***

*In order to protect the ecosystems and habitats with significant indigenous biodiversity values in accordance with Policy P42, particular regard shall be given to managing the adverse effects of use and development in areas outside of these ecosystems and habitats on physical, chemical and biological processes to:*

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

***Policy P45: Protecting trout habitat***

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

- (a) maintain or improve water quality in accordance with the objectives in Table 3.4 and Table 3.5 of Objective O19, and*

- (b) *minimise changes in flow regimes that would otherwise prevent trout from completing their life cycle, and*
- (c) *maintain the amount of pool, run and riffle habitat, and*
- (d) *minimise adverse effects on the beds of trout spawning waters identified in Schedule I (trout habitat).*

**Policy P46: Wetland restoration management plans**

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

3.11 Land use

**Objective O34** *The adverse effects on soil and water from land use activities are minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.*

4.9.9 Activities in beds of lakes and rivers

**Policy P110: Loss of extent and values of the beds of lakes and rivers, and natural wetlands**

*The loss of extent and values of the beds of lakes and rivers and natural wetlands, including as a result of reclamation and drainage, is avoided*

(a) *in a natural inland wetland:*

(ii) *for specified infrastructure:*

1. *the activity, including any reclamation and drainage, is necessary for the construction or upgrade of specified infrastructure, and*
2. *the specified infrastructure will provide significant national or regional benefits, and*
3. *there is a functional need for the specified infrastructure in that location,*

*Note*

*The effects of any activity that requires a resource consent under this policy will be managed through applying the effects management hierarchy as set out in Policies P31, P37, P38, or P48.*

3.12/4.9.1 Discharges to land and water

**Objective O36** *The runoff or leaching of contaminants to water from discharges to land is minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.*

**Objective O37** *The amount of sediment-laden runoff entering water is minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.*

**Policy P65: National Policy Statement for Freshwater Management requirements for discharge consents**

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

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

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

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

**Policy P66: Minimising discharges to water or land**

*Discharges of contaminants to water or land will be minimised through the following hierarchy:*

- (a) avoiding the production of the contaminant,*
- (b) reducing the amount of contaminants, including by reusing, recovering or recycling contaminants,*
- (c) minimising the volume or amount of the discharge,*
- (d) discharging to land is promoted over discharging direct to water, including using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge.*

**Policy P68: Discharges to land**

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

- (a) minimise adverse effects on the life-supporting capacity of soil,*
- (b) avoid creating contaminated land,*
- (c) not exceed the capacity of the soil to treat, use or remove the contaminant,*
- (d) not exceed the available capacity of the soil to absorb the discharge,*
- (e) avoid significant adverse effects on public health and amenity, and*
- (f) not result in a discharge to water that causes more than a minor adverse effects*

**Policy P69: Promoting discharges to land**

*The discharge of contaminants to land is promoted over direct discharges to water, particularly where there are adverse effects on:*

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

**Policy P78: Managing point source discharges for aquatic ecosystem health and mahinga kai**

*Where an objective in Table 3.4, Table 3.5, Table 3.6, Table 3.7 or Table 3.8 of Objective O19 is not met, point source discharges to water shall be managed in the following way:*

- (b) for a new discharge, the discharge is inappropriate if the discharge would cause the affected fresh water body or area of coastal water to decline in relation to the objective(s), except that a new temporary discharge to coastal water from a wastewater network or wastewater treatment plant to facilitate maintenance, repair, replacement or upgrade work that has temporary adverse effects may not be inappropriate.*

**Policy P79: Quality of point source discharges to rivers**

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

- (a) when measured below the discharge point compared to above the discharge point*
  - (i) a decrease in the Quantitative Macroinvertebrate Community Index of no more than 20%, and*
  - (ii) a decrease in water clarity of no more than:*

- 2. 30% in any other river
- (iii) a change in temperature of no more than:
  - 2. 3°C in any other river, and
- (b) the 7-day mean minimum dissolved oxygen concentration of no lower than 5 mg/L, and
- (c) the daily minimum dissolved oxygen concentration of no lower than 4mg/L.

**Policy P80: Zone of reasonable mixing**

When a discharge to water requires resource consent,

- (a) the zone of reasonable mixing shall be minimised and will be determined on a case-by-case basis, including by having regard to the:
    - (i) efficient mixing of the discharge with the receiving waters, and
    - (ii) significant mana whenua values identified in Schedule C (mana whenua), and
    - (iii) the identified values of that area of water, and
  - (b) the adverse effects of the discharge, including,
    - (i) on aquatic species migration, and
    - (ii) acute and chronic toxicity effects, and
    - (iii) on significant mana whenua values identified in Schedule C (mana whenua)
- within the zone of reasonable mixing shall be minimised.

**Tararua Operative District Plan**

2.3.3 Activities in Rural Areas

**2.3.3.1 Objective**

**To maintain the vitality and character of the District's rural areas.**

**2.3.3.2 Policies**

- (b) To provide, in rural areas, for activities which require a rural location or which specifically serve or support the rural community, where their effects are compatible with the surrounding rural area and the environmental results sought for Rural Management Areas.

2.3.4 Environmental Quality and Amenity

**2.3.4.1 Objective**

**To ensure a high level of environmental quality and amenity throughout the rural areas of the District.**

#### **2.3.4.2 Policies**

- (a) To ensure that any actual or potential adverse environmental effects of activities are avoided, remedied or mitigated.*
- (b) To maintain and/or enhance the character, level of amenity and environmental quality of the District's rural areas.*

#### **2.6.2.1 Objective**

***To maintain and/or enhance amenity values and environmental quality in the District, for present and future generations.***

#### **2.6.2.2 Policy**

- (a) To manage the adverse effects of activities on amenity values by specifying minimum environmental standards for the development and maintenance of such activities.*

### 2.6.6 Waterbodies and their Margins

#### **2.6.6.1 Objective**

***To protect the natural, scenic, ecological, cultural and amenity values of the District's lakes, rivers, and wetlands and maintain and/or enhance public access to and along their margins.***

#### **2.6.6.2 Policies**

- (a) To maintain, and enhance where appropriate, the natural character of the District's wetlands, lakes and rivers and their margins, and to protect them from inappropriate subdivision, use and development.*
- (b) To maintain existing public access to and along rivers and lakes, except where such access is in conflict with other riparian management objectives where conservation values are of higher priority.*

### 2.8.3 Transportation Network and Adjacent Activities

#### **2.8.3.1 Objective**

***To ensure the safe, efficient and effective operation of the District's transportation networks while avoiding, remedying or mitigating adverse environmental effects.***

#### **2.8.3.2 Policies**



- (c) *To specify standards for access to sites, on-site parking, loading and manoeuvring in order to avoid or mitigate the adverse effects of vehicle movements on the safety and efficiency of the road system.*
- (h) *To avoid, remedy or mitigate the adverse effects of transportation activities on the environment.*

#### 2.8.4 Electricity Generation from Renewable Sources Including Wind Farms

##### **2.8.4.1 Objective**

***To recognise the potential of the District's Rural Management Area for renewable electricity generation and wind farms in particular.***

##### 2.8.4.2 Policies

- (a) *To recognise the local, regional and national benefits to be derived from the development of renewable energy resources, and wind farms, in particular.*
- (b) *To remedy, mitigate, or avoid, where possible, the actual and potential adverse effects on the environment of wind farms and other renewable electricity generation facilities, by recognising that they have the potential to cause significant adverse effects on the environment, particularly in respect of amenity values, landscape ecology, noise and traffic, and may therefore be inappropriate in some locations.*

#### 2.10.2 Participation of Tangata Whenua

##### **2.10.2.1 Objective**

***To take into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi) in the management of the District's natural and physical resources.***

##### 2.10.2.2 Policy

- (a) *To provide for, and encourage, the participation of tangata whenua (local iwi and hapu) in resource management planning and decision making processes.*

#### 2.11.2 Cross Boundary Issues

##### **2.11.2.1 Objective**

***To address resource management issues which cross administrative boundaries in a coordinated and integrated manner.***

##### **2.11.2.2 Policies**

- (b) *To cooperate with other District and Regional Councils and other relevant agencies, and to facilitate joint hearings where appropriate, to address resource management issues in an integrated manner.*

## **Combined Wairarapa District Plan**

### 4 Rural Zone

#### **Objective Rur1 – Protection of Rural Character & Amenity**

***To maintain and enhance the amenity values of the Rural Zone, including natural character, as appropriate to the predominant land use and consequential environmental quality of different rural character areas within the Wairarapa.***

#### **Rur1 Policies**

- (d) *Maintain and enhance the amenity values, including natural character, of the differing Rural character areas through appropriate controls over subdivision and the bulk, location and nature of activities and buildings, to ensure activities and buildings are consistent with the rural character, including an appropriate scale, density and level of environmental effects.*
- (e) *Manage subdivision, use and development in a manner which recognises the attributes that contribute to rural character, including:*
- (i) *Openness and predominance of vegetation*
  - (ii) *Productive working landscape*
  - (iii) *Varying forms, scale and separation of structures associated with primary production activities*
  - (iv) *Ancillary living environment, with an overall low population density*

### 8 Tangata Whenua

#### **Objective TW1 – Recognition of Values & Traditional Relationships**

***To recognise and provide for the cultural values and relationship of Tangata Whenua in managing the natural and physical resources and the effects of activities, while taking into account the principles of the Treaty of Waitangi.***

#### **TW1 Policies**

- (a) *Recognise Tangata Whenua values and provide for Tangata Whenua to maintain and enhance their traditional relationship with the natural environment.*
- (b) *Have particular regard to the exercise of kaitiakitanga by Tangata Whenua in the management of activities and resources.*
- (c) *Protect waahi tapu, sites of cultural importance and other taonga.*

## 11 Indigenous Biodiversity

### **Objective Bio1 – Biological Diversity**

***To maintain and enhance the biological diversity of indigenous species and habitats within the Wairarapa.***

#### **Bio1 Policies**

- (d) Protect the ecological integrity of areas of indigenous vegetation or habitat of significant biodiversity value.*
- (e) Support and encourage the protection of natural habitats on private land, including restoring and protecting linkages and ecological corridors.*
- (h) Avoid, remedy or mitigate the adverse effects to indigenous wildlife and indigenous ecosystems that result from the use, development or subdivision of a site.*

## 12 Freshwater Environment

### **Objective Fwe1 – Environmental Quality**

***To maintain or enhance the environmental quality of the Wairarapa’s rivers, lakes, wetlands and groundwater by managing the detrimental effects of development and activities.***

#### **Fwe1 Policies**

- (a) Manage the design, location and scale of subdivision and/or land development and use adjoining waterbodies so it retains the special qualities and natural character of waterbodies.*
- (b) Encourage and support innovative land uses and development that retain or enhance the special qualities of freshwater environments.*
- (c) Ensure that adverse cumulative effects of subdivision, land use and development on the freshwater environment are avoided, remedied or mitigated.*

## 16 Network Utilities and Energy

### **Objective NUE2 – Energy Generation and Efficiency**

***To move the Wairarapa towards a sustainable energy future by encouraging energy efficiency and the generation of energy from renewable sources.***

#### **NUE2 Policies**

- (b) Recognise the local, regional and national benefits to be derived from renewable energy generation.*
- (c) Recognise and manage appropriate development of the Wairarapa's significant potential renewable energy resource.*
- (d) Provide for renewable energy generation while, as far as practicable, avoiding, remedying or mitigating the adverse effects, particularly of large scale and/or prominent facilities.*
- (e) Recognise and promote the use of environmental management codes of practice and best practice methods in energy generation, distribution and use.*

## 19 General Amenity Values

### **Objective GAV1 – General Amenity Values**

***To maintain and enhance those general amenity values which make the Wairarapa a pleasant place in which to live and work, or visit.***

### **GAV1 Policies**

- (b) Control the levels of noise, based on existing ambient noise and accepted standards for noise generation and receipt.*
- (d) Ensure vibrations occurring through the use of equipment or machinery does not cause adverse effects on the comfort of occupants of adjacent properties.*
- (e) Manage the intensity, location and direction of artificial lighting to avoid light spill and glare onto adjoining sites and roads, and to protect the clarity and brightness of the night sky.*
- (f) Manage activities with unacceptable visual effects on amenity values, in accordance with the qualities of each environmental zone. As a guide to determining if an activity has unacceptable visual effects, consideration will be given to other policies relevant to a particular activity or environmental zone.*
- (g) Manage the levels of odour and dust by avoiding inappropriate odours and dust from adversely affecting sensitive activities on adjoining properties.*