

11 Introduction to Regional Plan

11.1 Introduction to Part II

As described at the outset, the One Plan comprises two parts.

Part I is the Regional Policy Statement under the Resource Management Act 1991 (RMA) for the Manawatu-Wanganui Region (Chapters 1 to 10A, Schedule F and relevant definitions in the Glossary). It describes the significant resource management issues facing the Region and sets out the objectives, policies and methods for addressing those issues. Part I presents the overarching resource management framework for the Region.

Part II is the Regional Plan under the RMA for the Region (Chapters 11 to 18, relevant schedules and definitions in the Glossary). It includes the Regional Coastal Plan (Chapter 17 and Schedule H as well as Chapters 11, 11A and 18 and relevant definitions in the Glossary). The primary focus of Part II is on regional rules prescribing how activities controlled by the Regional Council under the RMA are regulated. Part II also contains policies designed to guide decision-making on resource consent applications.

The contents of Part II are as follows:

- **Chapter 11** (this chapter) provides a users' guide to the regional rules, describing how activities can be regulated under the RMA and explaining the tables used for presenting the rules in this Plan. Chapter 11 also provides a summary table of all the rules. This summary (in Section 11.1.4) is a useful starting point for anyone wishing to find the rule or rules for a particular activity.
- **Chapter 11A** contains objectives and policies relating to consent compliance processes, including consent durations, review and enforcement.
- **Chapters 12 to 17** set out the rules for:
 - land use activities and certain activities in *rare habitats**, *threatened habitats** and *at-risk habitats** (Chapter 12)
 - discharges to land and water (Chapter 13)
 - discharges to air (Chapter 14)
 - takes, uses and diversions of water, and *bores** (Chapter 15)
 - the beds of rivers, lakes and artificial watercourses, and damming (Chapter 16)
 - activities in the coastal marine area (CMA) (Chapter 17).

The rules in each of these chapters are supported by objectives and policies setting out decision-making criteria or matters to be considered during resource consent processes.

- Finally, **Chapter 18** sets out provisions for financial contributions.

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11.1.1 Users' Guide to Rules

Chapters 12 to 17 of this Plan contain rules that allow, regulate or prohibit resource use activities. This users' guide provides an explanation of the classification of activities under the RMA and a guide to understanding how the rules are set out in the rule tables.

11.1.2 Activity Classifications

The various types of activities are described in s77A RMA and, in the case of restricted coastal activities, s2 of the RMA. The information below is intended to provide a summary of the Act as it relates to rules in a regional plan.

- (a) If an activity is described as a **permitted** activity, it can be carried out without a resource consent provided it complies with the conditions, standards or terms, if any, specified in the rule.
- (b) If an activity is described as a **controlled** activity, a resource consent is required but the Regional Council must grant the consent if the conditions, standards and terms, if any, in the rule are met. However, the Regional Council may impose conditions on the consent relating to matters specified in the rule over which control is reserved.
- (c) If an activity is described as a **restricted discretionary** activity, a resource consent is required and the Regional Council will decide whether or not to grant the consent. However, the Regional Council's powers to decline a resource consent or to impose consent conditions are restricted to the matters specified in the rule over which discretion is restricted.
- (d) If an activity is described as a **discretionary** activity, a resource consent is required and the Regional Council will decide whether or not to grant the consent. This decision will depend upon how consistent the proposed activity is with provisions of the RMA and the objectives and policies set out in this Plan.
- (e) If an activity is described as a **non-complying** activity, a resource consent is required. Consent can only be granted if the Regional Council is satisfied that either the adverse effects on the environment will be minor, or the activity will not be contrary to the objectives and policies of this Plan.
- (f) If an activity is described as a **prohibited** activity, the activity is not allowed under any circumstances.
- (g) If an activity in the coastal marine area is described as a **restricted coastal activity**, in addition to being classified as a discretionary or non-complying activity, the Minister of Conservation has required the activity to be so specified on the basis of its potentially significant or irreversible adverse effects. The Minister of Conservation is the consent authority for restricted coastal activities.

11.1.3 Guide to Rule Tables

The rules in this Plan are arranged in tables. Each table has five columns. After each table of rules, a “rule guide” may be included to explain how activities which are not included in the table, or which fail to comply with the provisions of a particular rule, are classified.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion, Non-Notification
This column contains the rule number and rule title.	This column describes the activity or activities covered by the rule.	This column contains the classification of the activity - ie., permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited. This column also identifies which activities are restricted coastal activities.	This column contains conditions, standards and terms for permitted activities, controlled activities and restricted discretionary activities. The conditions, standards and terms are ongoing requirements that must be met for as long as the activity is undertaken. Failure to comply with these conditions, standards and terms amounts to a breach of the rule.	This column is relevant only for controlled activities and restricted discretionary activities. For controlled activities, this column contains the matters over which the Regional Council has reserved its control. For restricted discretionary activities, it contains the matters to which the Regional Council has restricted the exercise of its discretion. This column also includes any statements about non-notification. The Regional Council is not obliged to make statements about non-notification: the Regional Council can simply choose to rely on the provisions of the RMA which describe when public notification is, or is not, required.

11.1.4 Summary of Rules

Table 11.1 Summary of regional rules

Rule Number and Title	Classification
CHAPTER 12: LAND USE ACTIVITIES AND INDIGENOUS BIOLOGICAL DIVERSITY	
<i>Vegetation clearance*</i> , <i>land disturbance*</i> , <i>forestry*</i> and <i>cultivation*</i> and indigenous biological diversity	
12-1 Large-scale <i>land disturbance*</i> , including earthworks	Permitted
12-2 <i>Forestry*</i>	Permitted
12-3 <i>Cultivation*</i>	Permitted
12-4 Specified <i>vegetation clearance*</i> and <i>land disturbance*</i> in a <i>Hill Country Erosion Management Area*</i>	Restricted Discretionary
12-5 <i>Vegetation clearance*</i> , <i>land disturbance*</i> , <i>cultivation*</i> or <i>forestry*</i> that does not comply with Rules 12-1 to 12-4	Discretionary
12-6 Some activities within <i>rare habitats*</i> , <i>threatened habitats*</i> and <i>at-risk habitats*</i>	Discretionary
CHAPTER 13: DISCHARGES TO LAND AND WATER	
Agricultural Activities	
13-1 Existing <i>dairy farming* land^</i> use activities	Controlled
13-1A Existing <i>dairy farming* land^</i> use activities not complying with Rule 13-1	Restricted Discretionary
13-1B New <i>dairy farming* land^</i> use activities	Controlled
13-1C New <i>dairy farming* land^</i> use activities not complying with Rule 13-1B	Restricted Discretionary
13-2 <i>Fertiliser*</i>	Permitted
13-3 Stock feed including <i>feedpads*</i>	Permitted
13-4 <i>Discharges^</i> of <i>grade Aa biosolids*</i> and <i>soil conditioners*</i> and <i>compost*</i> to production <i>land^</i>	Permitted
13-4A <i>Grade Ab, Ba or Bb biosolids*</i>	Restricted Discretionary
13-4B <i>Discharges^</i> of <i>poultry farm litter*</i>	Permitted
13-5 Offal holes and farm dumps	Permitted
13-6 Farm <i>animal effluent*</i> including effluent from dairy sheds, poultry farms and piggeries	Controlled
Discharges of Water	
13-9 <i>Discharges^</i> of <i>water^</i> to <i>water^</i>	Permitted
Human Effluent and Domestic Wastewater*	
13-10 Existing <i>discharges^</i> of <i>domestic wastewater*</i>	Permitted
13-11 New and upgraded <i>discharges^</i> of <i>domestic wastewater*</i>	Permitted
13-12 <i>Discharges^</i> of <i>domestic wastewater*</i> not complying with Rules 13-10 and 13-11	Restricted Discretionary
13-13 Human effluent storage and treatment facilities	Permitted
13-14 <i>Discharges^</i> of <i>untreated human effluent*</i> directly into surface <i>water^</i>	Prohibited

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Rule Number and Title	Classification
<p>Stormwater 13-15 <i>Discharges</i>[^] of stormwater to surface <i>water</i>[^] and <i>land</i>[^] 13-17 <i>Discharges</i>[^] of stormwater to surface <i>water</i>[^] or <i>land</i>[^] not complying with Rule 13-15</p> <p>Dyes and Tracers 13-18 <i>Discharges</i>[^] of dye and salt tracers</p> <p>Cleanfill Material*, Composting*, Landfills* and Solid Waste* 13-19 <i>Discharges</i>[^] of <i>cleanfill material</i>[*] 13-20 <i>Composting</i>[*] activities 13-21 Closed <i>landfills</i>[*] 13-22 <i>Discharges</i>[^] of persistent and harmful <i>contaminants</i>[^]</p> <p>Discharges of Contaminants to Natural State Reaches and Sites of Significance - Aquatic 13-23 <i>Discharges</i>[^] of <i>contaminants</i>[^] to a reach of a <i>river</i>[^] or its <i>bed</i>[^] with Schedule AB Values of Natural State and Sites of Significance - Aquatic</p> <p>Generic Discharge Rules 13-24 <i>Discharges</i>[^] of <i>contaminants</i>[^] to surface <i>water</i>[^] 13-25 <i>Discharges</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] that will not enter <i>water</i>[^] 13-26 <i>Discharges</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] that may enter <i>water</i>[^] 13-26A Replacement consents for <i>discharges</i>[^] of <i>water</i>[^] and <i>contaminants</i>[^] to <i>water</i>[^] and <i>land</i>[^] from existing hydroelectricity schemes</p> <p>Default Discharge Rule 13-27 <i>Discharges</i>[^] of <i>water</i>[^] or <i>contaminants</i>[^] to <i>land</i>[^] or <i>water</i>[^] not covered by other <i>rules</i>[^] in this Plan or chapter</p>	<p>Permitted Restricted Discretionary</p> <p>Permitted</p> <p>Permitted Permitted Controlled Non-complying</p> <p>Discretionary</p> <p>Permitted Permitted Permitted Controlled</p> <p>Discretionary</p>
<p>CHAPTER 14: DISCHARGES TO AIR</p> <p>Agrichemicals* (Discharges into Air, Land and Water) 14-1 Small-scale application of <i>agrichemicals</i>[*] 14-2 Widespread application of <i>agrichemicals</i>[*] 14-3 <i>Discharges</i>[^] of <i>agrichemicals</i>[*] not complying with <i>permitted activity</i>[^] <i>rules</i>[^]</p> <p>Burning 14-4 Small-scale fuel burning 14-5 <i>Outdoor burning</i>[*] 14-6 Burning activities regulated by RM Regulations 2004, including <i>woodburners</i>[*] 14-7 Prohibited burning activities 14-8 Other burning activities</p> <p>Other Discharges to Air 14-9 <i>Abrasive blasting</i>[*] within an enclosure 14-10 <i>Wet abrasive blasting</i>[*] and <i>water</i>[^] blasting 14-11 <i>Dry abrasive blasting</i>[*] using a moveable source</p>	<p>Permitted Permitted Discretionary</p> <p>Permitted Permitted As described under "Activity" in rule Prohibited Discretionary</p> <p>Permitted Permitted Discretionary</p>

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Rule Number and Title	Classification
14-12 Miscellaneous <i>discharges</i> [^] into air from <i>industrial or trade premises</i> [^] 14-13A Flaring of hydrocarbons 14-13B <i>Discharges</i> [^] from specified mobile sources 14-13 Other <i>discharges</i> [^]	Permitted Controlled Permitted Discretionary
CHAPTER 15: TAKES, USES AND DIVERSIONS OF WATER, AND BORES* Takes and Uses of Water 15-1 Minor takes and uses of surface <i>water</i> [^] 15-2 Minor takes and uses of groundwater 15-3 Use of heat or energy from surface <i>water</i> [^] 15-4 <i>Bore</i> [*] and groundwater testing 15-5 Takes and uses of surface <i>water</i> [^] complying with core allocations 15-5A Replacement consents for takes and uses of surface <i>water</i> [^] by existing hydroelectricity schemes 15-5B Takes and uses of surface <i>water</i> [^] from reservoirs and storage <i>lakes</i> [^] 15-6 Takes and uses of surface <i>water</i> [^] not complying with core allocations or takes and uses of <i>water</i> [^] taken at or below minimum flow 15-8 Other takes and uses of <i>water</i> [^] Diversions of Water including Drainage 15-9 Lawfully established diversions, including existing drainage 15-10 New drainage 15-11 New diversions 15-12 Diversions that do not comply with <i>permitted activity</i> [^] and <i>controlled activity</i> [^] <i>rules</i> [^] <i>Bore</i>[*] Drilling and <i>Bore</i>[*] Sealing 15-13 The drilling, construction or alteration of any <i>bore</i> [*] and any ancillary <i>discharge</i> [^] of <i>water</i> [^] or <i>contaminants</i> [^] 15-14 Unsealed <i>bores</i> [*]	Permitted Permitted Permitted Permitted Controlled Controlled Controlled Non-complying Discretionary Permitted Permitted Permitted Discretionary Controlled Prohibited
CHAPTER 16: ACTIVITIES IN ARTIFICIAL WATERCOURSES*, BEDS OF RIVERS AND LAKES, AND DAMMING Special Rivers and Lakes 16-1 Damming of protected <i>rivers</i> [^] 16-3 Reclamation and drainage of regionally significant <i>lakes</i> [^] 16-4 <i>Structures</i> [^] and disturbances involving a reach of <i>river</i> [^] or its <i>bed</i> [^] with Schedule AB Values of Natural State, Sites of Significance - Aquatic, and Sites of Significance - Cultural Use, <i>Maintenance</i>[*], <i>Upgrade</i>[*], Removal and Demolition of Structures 16-5 Use of <i>structures</i> [^] 16-6 <i>Maintenance</i> [*] and <i>upgrade</i> [*] of <i>structures</i> [^] , and ancillary removal of <i>bed</i> [^] material and plants 16-7 Removal and demolition of <i>structures</i> [^] Dams and Damming 16-8 New and existing small dams	Prohibited Non-complying Discretionary Permitted Permitted Permitted Permitted

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Rule Number and Title	Classification
16-9 Replacement consents for existing damming of <i>water</i> [^]	Controlled
Other Structures	
16-10 Lines, cables, pipelines and ropeways	Permitted
16-11 Culverts	Permitted
16-12 Other <i>structures</i> [^] including bridges, fords and other access <i>structures</i> [^]	Permitted
16-12A Recording <i>sites</i> [*]	Permitted
16-12B Bridges and culverts constructed to comply with Rules 13-1 to 13-1C	Controlled
Activities Within Rivers with a Schedule AB Value of Flood Control and Drainage	
16-13 Activities undertaken by or on behalf of the Regional Council in <i>rivers</i> [^] with a Schedule AB Value of Flood Control and Drainage	Permitted
16-14 Activities affecting Schedule AB Value of Flood Control and Drainage	Discretionary
Gravel Extraction, Bed Disturbances and Plants	
16-15 Small-scale gravel extraction	Permitted
16-15A Other gravel extraction	Restricted Discretionary
16-16 Other minor <i>bed</i> [^] disturbances	Permitted
16-17 Plants	Permitted
Activities in <i>Artificial Watercourses</i>[*] and Non-natural <i>Lakes</i>[^]	
16-18 Minor activities involving <i>artificial watercourses</i> [*]	Permitted
16-19 <i>Bed</i> [^] disturbance of non-natural <i>lakes</i> [^] to maintain their function	Controlled
Activities that do not Comply with Permitted Activity, Controlled Activity or Restricted Discretionary Activity Rules and all other s13(1) RMA Activities Not Covered by this Chapter	
16-20 Activities that do not comply with <i>permitted activity</i> [^] , <i>controlled activity</i> [^] and <i>restricted discretionary activity</i> [^] <i>rules</i> [^] and all other s13(1) RMA activities not covered by this chapter	Discretionary

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CHAPTER 17: ACTIVITIES IN THE COASTAL MARINE AREA	
Occupation	
17-1 <i>Occupation^</i> by existing <i>structures^</i>	Permitted
17-2 Temporary <i>occupation^</i>	Permitted
17-3 <i>Occupation^</i> of <i>space^</i> by aquaculture	Controlled
17-4 Exclusive <i>occupation^</i>	Discretionary and restricted coastal activity
17-5 <i>Occupation^</i> of <i>space^</i> in Protection Activity Management Areas	Non-complying
Structures	
17-6 <i>Maintenance*</i> of <i>structures^</i>	Permitted
17-7 Removal or demolition of <i>structures^</i>	Permitted
17-8 Navigation aids, lines, cables, pipelines and ropeways, <i>whitebait*</i> stands and maimai	Permitted
17-9 <i>Structures^</i> in the Port Activity Management Area	Controlled
17-9A Wharf extension in the Port Activity Management Area	Permitted
17-10 <i>Structures^</i> for public access	Restricted Discretionary
17-11 Aquaculture <i>structures^</i>	Controlled
17-12 Large <i>structures^</i> which impound the CMA, are parallel to shore, or are oblique or perpendicular to shore	Discretionary and restricted coastal activity
17-13 Petroleum and chemical storage	Discretionary and restricted coastal activity
17-14 <i>Structures^</i> in a Protection Activity Management Area	Prohibited
Reclamation and Drainage	
17-15 Drainage	Discretionary
17-16 Small reclamations except in Protection Activity Management Areas	Discretionary
17-16A Small reclamations within the Port Activity Management Area	Restricted Discretionary
17-17 Large reclamations except in Protection Activity Management Areas	Discretionary and restricted coastal activity
17-18 Small reclamations in Protection Activity Management Areas	Non-complying
17-19 Large reclamations in Protection Activity Management Areas	Non-complying and restricted coastal activity
Disturbances, Removal and Deposition	
17-20 Removal of minor quantities of material	Permitted
17-21 Minor disturbances, removal and deposition	Permitted
17-21A Minor disturbances from drilling	Permitted
17-21B Shellfish enhancement	Permitted
17-22 Beach nourishment	Controlled
17-23 Port Activity Management Area and Whanganui River maintenance dredging	Discretionary
17-24 Port and General Activity Management Areas: Large-scale disturbances, removal and deposition	Discretionary and restricted coastal activity
17-25 Protection Activity Management Areas: Small-scale to medium-scale disturbances, removal and deposition	Non-complying
17-26 Protection Activity Management Areas: Large-scale disturbances, removal and deposition	Non-complying and restricted coastal activity

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Water Takes, Uses, Damming and Diversions	
17-27 Take and use of <i>water</i> [^]	Permitted
17-28 Drainage and diversions of <i>water</i> [^] in the CMA	Permitted
Discharges	
17-29 <i>Discharges</i> [^] into <i>water</i> [^] from <i>ships</i> [^] , boats, fire-fighting and <i>oil</i> [*] spills	Permitted
17-30 <i>Discharges</i> [^] of stormwater	Permitted
17-31 <i>Discharges</i> [^] of stormwater not complying with Rule 17-30	Controlled
17-32 <i>Discharges</i> [^] of dye and salt tracers	Permitted
17-33 Application of <i>agr chemicals</i> [*]	Permitted
17-34 Application of <i>agr chemicals</i> [*] not complying with Rule 17-33	Controlled
17-35 Sewage and s107(2) RMA <i>discharges</i> [^]	Discretionary and restricted coastal activity
17-36 <i>Dumping</i> [^] of <i>hazardous substances</i> [*]	Prohibited
Noise and Discharges into Air	
17-37 Noise emissions	Permitted
Exotic and Introduced Plants	
17-38 Exotic and introduced plants	Discretionary and restricted coastal activity
Activities that are not Covered by other Rules, or which do not Comply with Permitted Activity and Controlled Activity Rules	
17-39 Activities that are not covered by any other <i>rule</i> [^] , or which do not comply with <i>permitted activity</i> [^] and <i>controlled activity</i> [^] <i>rules</i> [^]	Discretionary

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