

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 10, Schedule G 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 19, relevant schedules and definitions in the Glossary). It includes the Regional Coastal Plan (Chapter 18 and Schedule I as well as Chapters 11, 12 and 19 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 12** contains objectives and policies relating to consent compliance processes, including consent durations, review and enforcement.
- **Chapters 13 to 18** set out the rules for:
 - land use activities and certain activities in *rare habitats**, *threatened habitats** and *at-risk habitats** (Chapter 13);
 - discharges to land and water (Chapter 14);
 - discharges to air (Chapter 15);
 - takes, uses and diversions of water, and *bores** (Chapter 16);
 - the beds of rivers, lakes and artificial watercourses, and damming (Chapter 17);
 - activities in the coastal marine area (CMA) (Chapter 18).

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 19** sets out provisions for financial contributions.

11.1.1 Users' Guide to Rules

Chapters 13 to 18 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. 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.

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 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 13: LAND USE ACTIVITIES AND INDIGENOUS BIOLOGICAL DIVERSITY	
Vegetation clearance*, land disturbance*, forestry* and cultivation* and indigenous biological diversity	
13-1 Small-scale <i>land disturbance*</i>	Permitted
13-2 Large-scale <i>land disturbance*</i> , including earthworks	Controlled
13-3 <i>Forestry*</i>	Permitted
13-4 <i>Cultivation*</i>	Permitted
13-5 <i>Vegetation clearance*</i>	Permitted
13-6 Specified <i>vegetation clearance*</i> , <i>land disturbance*</i> or <i>cultivation*</i> in a <i>Hill Country Erosion Management Area*</i>	Restricted Discretionary
13-7 <i>Vegetation clearance*</i> , <i>land disturbance*</i> , <i>cultivation*</i> or <i>forestry*</i> that does not comply with Rules 13-2 to 13-6	Discretionary
13-8 Some activities within <i>at-risk habitats*</i>	Discretionary
13-9 Some activities within <i>rare habitats*</i> and <i>threatened habitats*</i>	Non-complying
CHAPTER 14: DISCHARGES TO LAND AND WATER	
Agricultural Activities	
14-1 Existing intensive farming <i>land^</i> use activities	Controlled
14-2 Existing intensive farming <i>land^</i> use activities not complying with Rule 14-1	Restricted Discretionary
14-3 New intensive farming <i>land^</i> use activities	Controlled
14-4 New intensive farming <i>land^</i> use activities not complying with Rule 14-3	Restricted Discretionary
14-5 <i>Fertiliser*</i>	Permitted
14-6 Stock feeds including <i>feedpads*</i>	Permitted
14-7 Discharges [^] of <i>grade Aa biosolids*</i> and <i>compost*</i> to production <i>land^</i>	Permitted
14-8 Grade Ab, Ba or Bb <i>biosolids*</i>	Restricted Discretionary
14-9 <i>Discharges^</i> of <i>poultry farm litter*</i> or <i>pig farm litter*</i> and associated temporary stockpiling	Permitted
14-10 Offal holes and farm dumps	Permitted
14-11 Farm <i>animal effluent*</i> including effluent from dairy sheds, poultry farms and piggeries	Controlled
Discharges of Water	
14-12 <i>Discharges^</i> of <i>water^</i> to <i>water^</i>	Permitted
Human Effluent and Domestic Wastewater*	
14-13 Existing <i>discharges^</i> of <i>domestic wastewater*</i>	Permitted
14-14 New and upgraded <i>discharges^</i> of <i>domestic wastewater*</i>	Permitted
14-15 <i>Discharges^</i> of <i>domestic wastewater*</i> not complying with Rules 14-13 and 14-14	Restricted Discretionary

Rule Number and Title	Classification
14-16 Human effluent storage and treatment facilities	Permitted
14-17 Discharges [^] of untreated human effluent* directly into surface water [^]	Prohibited
Stormwater	
14-18 Discharges [^] of stormwater to surface water [^] and land [^]	Permitted
14-19 Discharges [^] of stormwater to surface water [^] or land [^] not complying with Rule 14-18	Restricted Discretionary
Dyes and Tracers	
14-20 Discharges [^] of dye and salt tracers	Permitted
Cleanfill Material*, Composting*, Landfills* and Solid Waste*	
14-21 Discharges [^] of cleanfill material*	Permitted
14-22 Composting* activities	Permitted
14-23 Closed landfills*	Controlled
14-24 Discharges [^] of persistent and harmful contaminants [^]	Non-complying
Discharges of Contaminants to Natural State Reaches and Sites of Significance - Aquatic	
14-25 Discharges [^] of contaminants [^] to a reach of a river [^] or its bed [^] with Schedule B Values of Natural State and Sites of Significance - Aquatic	Discretionary
Generic Discharge Rules	
14-26 Discharges [^] of contaminants [^] to surface water [^]	Permitted
14-27 Discharges [^] of contaminants [^] onto or into land [^] that will not enter water [^]	Permitted
14-28 Discharges [^] of contaminants [^] onto or into land [^] that may enter water [^]	Permitted
14-29 Replacement consents for discharges [^] of water [^] and contaminants [^] to water [^] and land [^] from existing hydroelectricity schemes	Controlled
Default Discharge Rule	
14-30 Discharges [^] of water [^] or contaminants [^] to land [^] or water [^] not covered by other rules [^] in this Plan or chapter	Discretionary
CHAPTER 15: DISCHARGES TO AIR	
Agrichemicals* (Discharges into Air, Land and Water)	
15-1 Small-scale application of agrichemicals*	Permitted
15-2 Widespread application of agrichemicals*	Permitted
15-3 Small-scale and widespread application of vertebrate pest control products*	Permitted
15-4 Small-scale and widespread application of vertebrate pest control products* not complying with Rule 15-3	Restricted Discretionary
15-5 Discharges [^] of agrichemicals* not complying with permitted activity [^] rules [^] and small-scale and widespread application of vertebrate pest control products* not complying with Rule 15-4	Discretionary
Burning	
15-6 Small-scale fuel burning	Permitted
15-7 Outdoor burning*	Permitted
15-8 Burning activities regulated by RM Regulations 2004, including woodburners*	As described under "Activity" in rule
15-9 Prohibited burning activities	Prohibited
15-10 Other burning activities	Discretionary

Rule Number and Title	Classification
<p>Other Discharges to Air</p> <p>15-11 <i>Abrasive blasting*</i> within an enclosure</p> <p>15-12 <i>Wet abrasive blasting*</i> and <i>water^</i> blasting</p> <p>15-13 <i>Dry abrasive blasting*</i> using a moveable source</p> <p>15-14 Miscellaneous <i>discharges^</i> into air from <i>industrial or trade premises^</i></p> <p>15-15 Flaring of hydrocarbons</p> <p>15-16 <i>Discharges^</i> from specified mobile sources</p> <p>15-17 Other <i>discharges^</i></p>	<p>Permitted</p> <p>Permitted</p> <p>Discretionary</p> <p>Permitted</p> <p>Controlled</p> <p>Permitted</p> <p>Discretionary</p>
<p>CHAPTER 16: TAKES, USES AND DIVERSIONS OF WATER, AND BORES*</p> <p>Takes and Uses of Water</p> <p>16-1 Minor takes and uses of surface <i>water^</i></p> <p>16-2 Minor takes and uses of groundwater</p> <p>16-3 Use of heat or energy from surface <i>water^</i></p> <p>16-4 <i>Bore*</i> and groundwater testing</p> <p>16-5 Takes and uses of surface <i>water^</i> complying with core allocations</p> <p>16-6 Existing essential takes and uses of surface <i>water^</i> complying with core allocations taken at or below the minimum flow</p> <p>16-7 Replacement consents for takes and uses of surface <i>water^</i> by existing hydroelectricity schemes</p> <p>16-8 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</p> <p>16-9 Other takes and uses of <i>water^</i></p> <p>Diversions of Water including Drainage</p> <p>16-10 Lawfully established diversions, including existing drainage</p> <p>16-11 New drainage</p> <p>16-12 New diversions</p> <p>16-13 Diversions that do not comply with <i>permitted activity^</i> and <i>controlled activity^ rules^</i></p> <p><i>Bore*</i> Drilling and <i>Bore*</i> Sealing</p> <p>16-14 The drilling, construction or alteration of any <i>bore*</i> and any ancillary <i>discharge^</i> of <i>water^</i> or <i>contaminants^</i></p> <p>16-15 Unsealed <i>bores*</i></p>	<p>Permitted</p> <p>Permitted</p> <p>Permitted</p> <p>Permitted</p> <p>Controlled</p> <p>Discretionary</p> <p>Controlled</p> <p>Non-complying</p> <p>Discretionary</p> <p>Permitted</p> <p>Permitted</p> <p>Permitted</p> <p>Discretionary</p> <p>Controlled</p> <p>Prohibited</p>
<p>CHAPTER 17: ACTIVITIES IN ARTIFICIAL WATERCOURSES*, BEDS OF RIVERS AND LAKES, AND DAMMING</p> <p>Special Rivers and Lakes</p> <p>17-1 Damming of protected <i>rivers^</i></p> <p>17-2 Reclamation and drainage of regionally significant <i>lakes^</i></p> <p>17-3 <i>Structures^</i> and disturbances involving a reach of <i>river^</i> or its <i>bed^</i> with Schedule B Values of Natural State, Sites of Significance - Aquatic, and Sites of Significance - Cultural</p> <p>Use, <i>Maintenance*</i>, <i>Upgrade*</i>, Removal and Demolition of Structures</p> <p>17-4 Use of <i>structures^</i></p>	<p>Prohibited</p> <p>Non-complying</p> <p>Discretionary</p> <p>Permitted</p>

Rule Number and Title	Classification
17-5 <i>Maintenance*</i> and <i>upgrade*</i> of <i>structures</i> [^] , and ancillary removal of <i>bed</i> [^] material and plants	Permitted
17-6 Removal and demolition of <i>structures</i> [^]	Permitted
Dams and Damming	
17-7 New and existing small dams	Permitted
17-8 Replacement consents for existing damming of <i>water</i> [^]	Controlled
Other Structures	
17-9 Lines, cables, pipelines and ropeways	Permitted
17-10 Culverts	Permitted
17-11 Other <i>structures</i> [^] including bridges, fords and other access <i>structures</i> [^]	Permitted
17-12 Recording <i>sites</i> [*]	Permitted
17-13 Bridges and culverts constructed to comply with Rules 14-1 to 14-4	Controlled
Activities Within Rivers with a Schedule B Value of Flood Control and Drainage	
17-14 Activities undertaken by or on behalf of the Regional Council in <i>rivers</i> [^] with a Schedule B Value of Flood Control and Drainage	Permitted
17-15 Activities affecting Schedule B Value of Flood Control and Drainage	Discretionary
Gravel Extraction, Bed Disturbances and Plants	
17-16 Small-scale gravel extraction	Permitted
17-17 Other gravel extraction	Discretionary
17-18 Other minor <i>bed</i> [^] disturbances	Permitted
17-19 Plants	Permitted
Activities in <i>Artificial Watercourses*</i> and Non-natural <i>Lakes</i>[^]	
17-20 Minor activities involving <i>artificial watercourses*</i>	Permitted
17-21 <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	
17-22 Activities that do not comply with <i>permitted activity</i> [^] <i>rule</i> [^] <i>general conditions</i> [^]	Restricted Discretionary
17-23 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

Rule Number and Title	Classification
CHAPTER 18: ACTIVITIES IN THE COASTAL MARINE AREA	
Occupation	
18-1 <i>Occupation</i> [^] by existing <i>structures</i> [^]	Permitted
18-2 Temporary <i>occupation</i> [^]	Permitted
18-3 <i>Occupation</i> [^] of <i>space</i> [^] by aquaculture	Controlled
18-4 Exclusive <i>occupation</i> [^]	Discretionary
18-5 <i>Occupation</i> [^] of <i>space</i> [^] in Protection Activity Management Areas	Non-complying
Structures	
18-6 <i>Maintenance</i> [*] of <i>structures</i> [^]	Permitted
18-7 Removal or demolition of <i>structures</i> [^]	Permitted
18-8 Navigation aids, lines, cables, pipelines and ropeways, <i>whitebait</i> [*] stands and maimai	Permitted
18-9 <i>Structures</i> [^] in the Port Activity Management Area	Controlled
18-10 Wharf extension in the Port Activity Management Area	Permitted
18-11 <i>Structures</i> [^] for public access	Restricted Discretionary
18-12 Aquaculture <i>structures</i> [^]	Controlled
18-13 Large <i>structures</i> [^] which impound the CMA, are parallel to shore, or are oblique or perpendicular to shore	Discretionary
18-14 Petroleum and chemical storage	Discretionary
18-15 Energy generation <i>structures</i> [^] in a Protection Activity Management Area	Non-complying
18-16 <i>Structures</i> [^] in a Protection Activity Management Area	Prohibited
Reclamation and Drainage	
18-17 Drainage	Discretionary
18-18 Small reclamations except in Protection Activity Management Areas	Discretionary
18-19 Small reclamations within the Port Activity Management Area	Restricted Discretionary
18-20 Large reclamations except in Protection Activity Management Areas	Discretionary
18-21 Small reclamations in Protection Activity Management Areas	Non-complying
18-22 Large reclamations in Protection Activity Management Areas	Non-complying
Disturbances, Removal and Deposition	
18-23 Removal of minor quantities of material	Permitted
18-24 Minor disturbances, removal and deposition	Permitted
18-25 Minor disturbances from drilling	Permitted
18-26 Shellfish enhancement	Permitted
18-27 Beach nourishment	Controlled
18-28 Port Activity Management Area and Whanganui River maintenance dredging	Discretionary
18-29 Port and General Activity Management Areas: Large-scale disturbances, removal and deposition	Discretionary
18-30 Protection Activity Management Areas: Small-scale to medium-scale disturbances, removal and deposition	Non-complying
18-31 Protection Activity Management Areas: Large-scale disturbances, removal and deposition	Non-complying

Rule Number and Title	Classification
Water Takes, Uses, Damming and Diversions	
18-32 Take and use of <i>water</i> [^]	Permitted
18-33 Drainage and diversions of <i>water</i> [^] in the CMA	Permitted
Discharges	
18-34 <i>Discharges</i> [^] into <i>water</i> [^] from <i>ships</i> [^] , boats, fire-fighting and <i>oil</i> [*] spills	Permitted
18-35 <i>Discharges</i> [^] of stormwater	Permitted
18-36 <i>Discharges</i> [^] of stormwater not complying with Rule 18-35	Controlled
18-37 <i>Discharges</i> [^] of dye and salt tracers	Permitted
18-38 Application of <i>agrichemicals</i> [*]	Permitted
18-39 Application of <i>agrichemicals</i> [*] not complying with Rule 18-38	Controlled
18-40 Sewage and s107(2) RMA <i>discharges</i> [^]	Discretionary
18-41 <i>Dumping</i> [^] of <i>hazardous substances</i> [*]	Prohibited
Noise and Discharges into Air	
18-42 Noise emissions	Permitted
Exotic and Introduced Plants	
18-43 Exotic and introduced plants	Discretionary
Activities that are not Covered by other Rules, or which do not Comply with Permitted Activity and Controlled Activity Rules	
18-44 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

