

Proposed Natural Resources Plan:

Submitter:

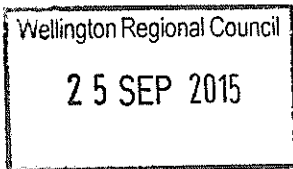
Greater Wellington Regional Council

Submitter Number:

S133

#1526433

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greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

25th September 2015

Wellington Regional Council
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For: Jonathan Streat

Dear Jonathan,

Submission on Proposed Natural Resources Plan

Please find enclosed the Greater Wellington Regional Council's submission on the proposed Natural Resources Plan for the Wellington Region.

Yours sincerely

A handwritten signature in black ink, appearing to read "Greg Campbell".

Greg Campbell
Chief Executive, Wellington Regional Council

Encl: Submission





Greater Wellington Regional Council: Submission

To:	Wellington Regional Council
Submission on:	Proposed Natural Resources Plan for the Wellington Region

1. Reason for submission

- 1.1 The Wellington Regional Council (WRC) wishes to make a submission on the Proposed Natural Resources Plan for the Wellington Region (proposed Plan) pursuant to Schedule 1 of the Resource Management Act 1991 (RMA).
- 1.2 GWRC has identified some errors and unintended consequences in drafting the proposed Plan and wishes to amend the proposed Plan.
- 1.3 The main reasons for our submission on the proposed Plan are to:
 - align the drafting of provisions to the intended direction of the proposed Plan as expressed in Committee papers and the section 32 evaluation reports
 - rectify oversights where the drafting of the rules has resulted in activities requiring resource consent where this was not intended
 - rectify errors in drafting that require a submission to ensure that they are resolved during the hearing process.

A more detailed reason for each submission point is included in the attached table.

2. Relief sought

- 2.1 Please find attached a table that outlines the main body of the WRC submission detailing the relief sought and the reasons for the requested change.
- 2.2 Additionally WRC requests any consequential changes to the provisions as a result of the main changes outlined in the below table.

3. Further involvement

GWRC wishes to be heard in support of its submission.



greater WELLINGTON
REGIONAL COUNCIL

A handwritten signature in black ink, appearing to read 'Greg Campbell', positioned above a dotted line.

.....
Greg Campbell
Chief Executive, Wellington Regional Council

Address for service:

Rachel Pawson
Senior Policy Advisor, Environmental Policy
Greater Wellington Regional Council
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Specific provisions of the plan that the submission relates to are:

Provision	Oppose/ Support/ Amend	Relief sought	Reason
Cultivation – definition	Amend	Amend the definition to exclude 'strip-tilling'	This is an error. The section 32 analysis supports the exclusion of 'strip-tilling' from the definition of cultivation
Open fire – definition	Oppose	Delete definition	The definition is only referred to in a note to Rule R6 that refers to the requirements of the Resource Management (National Environmental Standards for Air quality) Regulations 2004. It is not considered appropriate for the regional plan to define open fire for the purposes of these regulations alone.
Plantation forestry harvesting – definition	Amend	Amend the definition to define plantation forestry harvesting rather than plantation forestry.	The definition as proposed defines plantation forestry rather than plantation forestry harvesting. The intention of the relevant rules (Rules R102 and R103) is to control only the harvest activity. To avoid doubt the definition of plantation forestry harvesting should be amended.
Rule R4: Pyrotechnics	Amend	Amend the rule to permit both private and public displays of pyrotechnics.	The intention of Rule R4 is to permit all pyrotechnics both private and public displays. They are also exempt from the burning of specified materials definition. Including the word 'commercial' in the rule creates unnecessary confusion over private/domestic displays.
Rule R14 and Rule R15 - Spray coating	Amend	Amend the rules to be more inclusive of other products, such as water-based paints, used in a spray booth.	This rule does not cater for water based paints - which the car industry is moving towards. Water based paints do not have a toxic discharge but it is still a discharge from an industrial premise, so would require a consent under the proposed Plan as Rules R14 and R15 only permits certain surface coatings.

New permitted activity rule (associated with Rule R31)	Amend	Amend to permit the refinement of sugars, roasting or drying of berries, grains or plant matter (except roasting of green coffee beans in Rule R30) curing by smoking, flour or grain milling, baking, roasting, deep fat or oil frying not exceeding 250kg/hour of product subject to standard air condition in respect of odour, smoke and dust over the boundary.	Rule R31 is intended to cover-off all industrial food processing in one rule. In respect of condition (f) the intention of the proposed Plan is that any refinement process not exceeding the threshold of 250kg/hr of product would be permitted subject to the standard air condition in respect of odour, smoke and dust over the boundary. However, this intention is not clear.
Rule R37: Agrichemicals into water	Amend	Amend to permit with no conditions the spraying of agrichemicals into stock dams, ponds and other artificial places. The conditions on this rule should only relate to surface water bodies as defined by the proposed Plan.	This rule permits the discharge of agrichemicals into water. This is needlessly restrictive in respect of stock dams, ponds and other artificial places which are included in the definition of 'water'. The intention of the Plan is to permit the discharge of agrichemicals into stock dams, ponds and other artificial places subject to no conditions. The permitted activity conditions should only apply to surface water bodies as defined in the plan.
Rule R42: Minor discharges	Amend	Amend to include a condition that does not permit the discharge of hazardous substances under Rule R42.	The omission of this condition is an oversight as the intention of the proposed Plan is to allow only minor discharges through this Rule R42.
Rule R57: Hazardous substances	Amend	Amend to reflect the correct rule structure of the proposed Plan by removing reference to Rules R87, R88, and R93 and including reference to Rule R56.	Rule R57 was intended to be the final resting place for any discharge of a hazardous substance into water or onto land where it may enter water. The one exception is invertebrate toxicant agents which default to Rule R93. The rule structure described within Rule R57 does not follow the actual rule structure of the plan. This is a drafting error.
Rule R90: Manufacture and storage of silage and compost	Amend	Amend to require commercial (or large scale) compost manufacturing to control seepage in accordance with condition (c) of Rule R90.	Condition (d) there is no requirement for control of seepage from commercial (or large scale) compost manufacturing, only for commercial and non-commercial silage. This is not the intention of the proposed Plan as silage and composting have similar effects.

Rule R90: Manufacture and storage of silage and compost	Amend	Amend condition (b)(ii) to include all components of human sewage not just wastewater.	Condition (b)(ii) requires that the discharge does not contain wastewater. Wastewater is defined and does not include sludge. The composting of human sewage sludge is not intended to be permitted by this rule.
Rule R102: Plantation forestry harvesting on erosion prone land	Amend	Amend to delete "any earthworks associated with..." from the beginning of the sentence in condition (e).	Rule R102 controls plantation forestry harvesting. Condition (e) should apply to plantation forestry harvesting not just associated earthworks. This is an error in the drafting of this rule.
Rule R112: Maintenance, repair, replacement, upgrade, or use of an existing structure	Amend	Amend condition (g) so that (i) and (ii) are both as at the date of public notification of the proposed plan.	Both clauses (i) and (ii) are intended to only allow an increase in relation to the structure as at the date of public notification of the proposed Plan. An amendment is recommended to clarify.
Rule R123: Planting	Amend	Amend rule to permit the planting of appropriate non-native species in Schedule F sites for identified purposes such as flood protection and erosion control.	Rule R123 does not allow the planting of native plants in Schedule F (indigenous biodiversity). A blanket restriction related to biodiversity sites to exclude non-natives was an oversight and an amendment is proposed.
Rule 140: Dewatering	Amend	Amend Rule R140 to only permit the take of water not the associated discharge of water.	The note below Rule R140 states that discharges to water associated with diversion are controlled by Rule R42. Rule R140 should only relate to the take of water. An amendment is recommended to clarify.
Rule R141: Take and use of water	Amend	Amend condition (b) to state "...shall not exceed 20m ³ per day..."	This is an error in drafting the rule.

Rule R191: Disturbance associated with beach grooming	Amend	Amend to include the requirement that beach grooming activities controlled by this rule meet the coastal management general conditions.	Disturbance associated with beach grooming activities should be subject to the coastal management general conditions. This is an error in drafting the rule.
Rules R.R1, WH.R1 and K.R1	Amend	Amend matter of discretion No. 8 to read "For a take and use in category B groundwater, whether the water is taken from groundwater directly connected to surface water or groundwater not directly connected to surface water"	Matter of discretion No. 8 does not make sense. This is a drafting error in the matter of discretion.
Table 7.3	Amend	Amend Row 14 to read: Ruamāhanga River and tributaries upstream of the confluence with the Papawai Stream, category A groundwater and category B groundwater (directly connected), excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3) Amend Row 17 to read: Lower Ruamāhanga River and tributaries upstream of (but not including) the confluence with the Lake Wairarapa outflow; category A groundwater and category B groundwater (directly connected), and excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3)	Row 7 of Table 7.3 reads "Ruamāhanga River and tributaries upstream of the confluence with the Waingawa River, category A groundwater and category B groundwater (directly connected), excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3)". Rows 14 and 17 of Table 7.3 should also include the reference to "category A groundwater and category B groundwater (directly connected)". This is a drafting error.
Table 10.3	Amend	Amend the allocation amount in Table 10.3 for the row "Raumati category B groundwater (not directly connected)" from 810,000 to 1,229,000.	Table 10.3 shows the zone to be over allocated, when the actual allocation is 76%. This is an error in drafting the table.

Schedule F3: Known Significant wetlands	Amend	Remove Rerewhakaaitu Rivermouth from Schedule F3.	This is an error. The Rerewhakaaitu Rivermouth site was considered during the development of Schedule F3 but did not meet the criteria for significance.
Schedule F3: Known Significant wetlands	Amend	Remove "269-281 SH1 Ōtaki" from Schedule F3.	This is an error. The 269-281 SH1 Ōtaki site should not be on this list. There is no evidence of a wetland in KCDC heritage register and no wetland has ever been delineated there
Schedule R	Amend	Amend the flow at which takes shall reduce for the Parkvale Stream from 120L/sec to 150L/sec.	This is an error in drafting the schedule.

