

Appendix 1:
Recommended Changes to
Proposed Plan Change 9
- Tūtaekurī Ahuriri Ngaruroro Karamū Catchment Area

15 April 2021
Hawke's Bay Regional Council

Appendix 1:
Recommended Changes to
Proposed Plan Change 9
- Tūtaekurī Ahuriri Ngaruroro Karamū Catchment Area

15 April 2021
Hawke's Bay Regional Council

Prepared By:
Kim Anstey, Planner, HBRC
Mary-Anne Baker, Senior Planner, HBRC
Anne Bradbury, Senior Planner, HBRC
Ellen Robotham, Planner, HBRC
Kirsten Tebbutt, Associate, Mitchell Daysh Limited

Reviewed By:
Ceri Edmonds, Manager Policy & Planning, HBRC

Contents

Amendments Proposed in Plan Change 9.....	4
Proposed Plan Change PC9 to the Hawke's Bay Regional Resource Management Plan – TANK Catchments.....	5
5.10 Introduction.....	5
5.10.1 TANK Objectives.....	7
General Objectives.....	7
Climate change.....	7
Water Quality General.....	8
Catchment Objectives.....	8
Water quantity.....	11
5.10.2 Policies: Surface Water and Groundwater Quality Management.....	12
Priority Management Approach.....	12
Protection of Source Water.....	13
Managing point source discharges.....	14
Riparian Land Management.....	15
Wetland and Lake Management.....	15
Phormidium Management.....	16
5.10.3 Policies: Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges).....	17
Adaptive Approach to Nutrient and Contaminant Management.....	17
Sediment Management.....	17
Land Use Change and Nutrient Losses.....	18
Stock Exclusion.....	18
Industry Programmes and Catchment Management Collectives ^{29.14, 194.41, 58.22}	18
Management and compliance.....	19
Timeframes; Water and Ecosystem Quality.....	20
5.10.4 Policies: Stormwater Management.....	21
Urban Stormwater Infrastructure.....	21
Source Control.....	21
Dealing with the Legacy.....	22
Consistency and Collaboration; Integration of city, district and regional council rules and processes.....	22
Ahuriri Catchment.....	22
5.10.5 Policies: Monitoring and Review.....	23
5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits.....	24
Heretaunga Plains Aquifer Management.....	24
Flow maintenance.....	24
Groundwater management review.....	26
5.10.7 Policies: Surface Water Low Flow Management.....	28

Recommended changes to Proposed Plan Change 9	
Flow Management Regimes; Tūtaekurī, Ahuriri, Ngaruroro and Karamū	28
Paritua/ and Karewarewa Streams	28
General Water Allocation Policies.....	29
Water Use and Allocation – Efficiency	29
Water Use Change/Transfer	30
Water Allocation - Permit Duration.....	31
Water Allocation - Priority	31
Over-Allocation	32
Frost Protection.....	33
5.10.8 Policies: High Flow Allocation.....	34
Adverse Effects - Water Damming.....	34
Adverse Effects - Water Take and Storage.....	34
Benefits of Water Storage and Augmentation.....	35
High Flow Reservation	35
Climate change	36
Chapter 6 New Regional Rules.....	37
6.10.1 Use of Production Land	38
6.10.2 Water – Take and Use.....	44
6.10.3 Stormwater	57
Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6)	64
SCHEDULES	89
Chapter 9 Glossary of Terms Used	90
Consequential Amendments to Chapter 5 of the Regional Resource Management Plan.....	94

Recommended changes to Proposed Plan Change 9

Background deleted – 120.80, 123.19 and 132.33

Recommended changes to Proposed Plan Change 9

Amendments Proposed in Plan Change 9

The Proposed Plan Change makes the following amendments to the Regional Resource Management Plan.

Chapter 5.10 Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments

A new chapter 5.10 inserts objectives and policies for the management of land and water in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū (TANK) Catchments.

This Plan Change also makes consequential amendments to parts of Section 5 of the Regional Resource Management Plan.

Chapter 6.9 Regional Rules

A new section 6.10 inserts new rules to manage land and water resources in the TANK catchments.

This Plan Change also makes consequential amendments to existing rules in Chapter 6. These amendments apply only where the activity is carried out in the TANK catchments.

Schedules

New Schedules 26 – 36 are inserted to support policy and rules.

Chapter 9 Glossary

New terms are inserted to support interpretation of the Plan.

Proposed Plan Change PC9 to the Hawke's Bay Regional Resource Management Plan – TANK Catchments

Insert at the end of Chapter 5 the following new chapter;

5.10 Introduction

Freshwater is essential to the region's economic, environmental, cultural and social well-being. The way in which these well-beings are provided for is informed by how the values for freshwater are understood and identified. Figure 1 provides an illustration of the wider community values for the TANK freshwater bodies expressed across the four well-being domains.

This Plan also recognises Te Mana o te Wai, which puts the mauri of the waterbody and its ability to provide for te hauora o te tangata (the health of the people), te hauora o te taiao (health of the environment) and te hauora o te wai (the health of the waterbody) to the forefront of freshwater management.

Water is viewed as a taonga by Māori; a treasure where mauri and ecosystem health are protected and provided for. Mauri is a spiritual value that is manifested by abundant and healthy water and aquatic resources, including plants and animals that depend on water.

Figure 2 below shows the interrelated nature and cultural connections of the values held by Māori for water. These core values are underpinned by a philosophy of etiquette, customs, harmony and timing.

The two expressions of the values for freshwater complement and build on each other. They enable the directions of the National Policy Statement for Freshwater Management to be given effect to and ensure the Plan provides for all of the community's values.

Figure 1; community values and attributes for water management

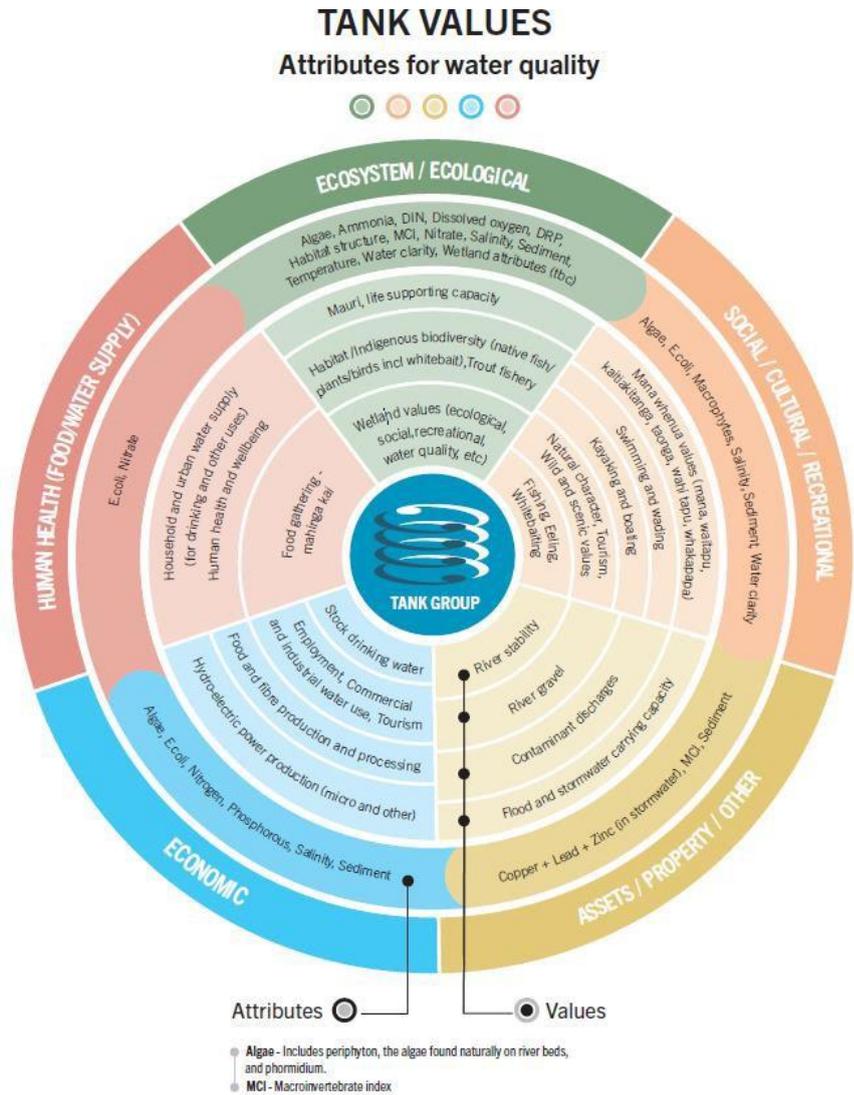
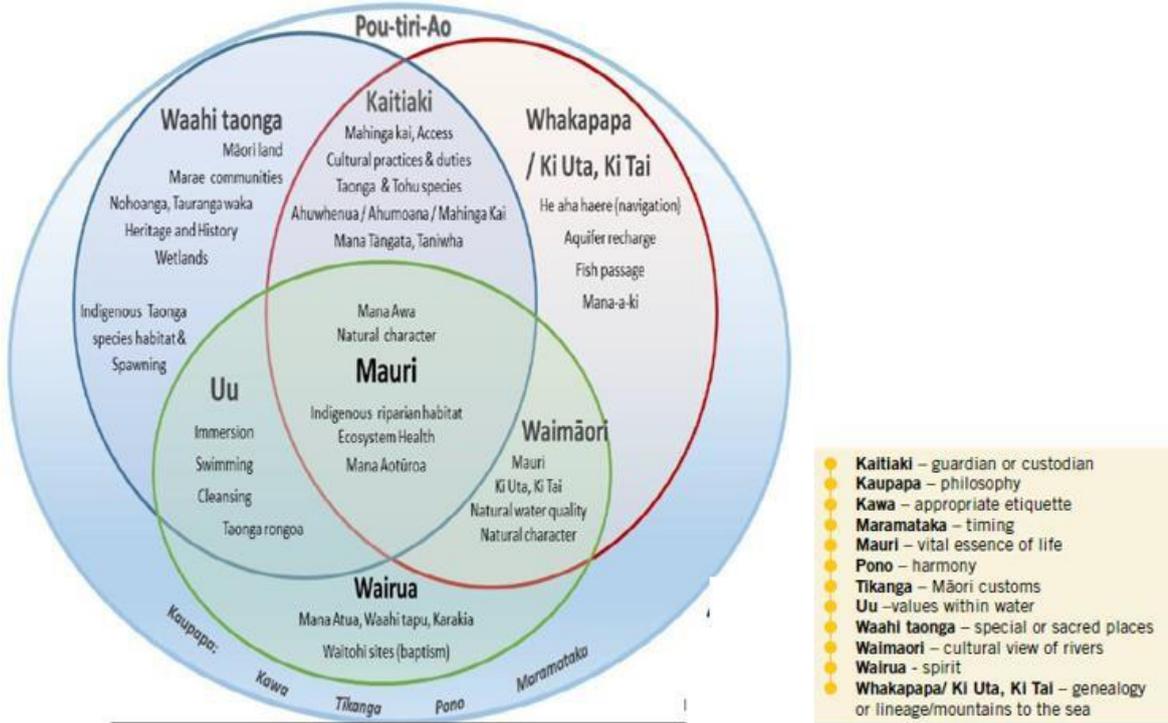


Figure 2; Wāriū (value) groups and aspects for management



This articulation of community and Māori values has enabled decisions to be made about the use and management of waterbodies of the TANK catchments.

The Plan focuses on all the values for which water is to be managed by the setting of objectives, limits and other management measures that enable the needs of those values to be met. It also acknowledges the wider Māori perspectives of kawa, kaupapa and tikanga that support Māori values for water and its management and ensures the outcomes that are being sought are consistent with those cultural principles and approaches.

Key attributes that allow the state of the values to be assessed and monitored have been developed and objectives established for them. Attributes for both water quality and water quantity have been identified and the desired attribute state has been agreed. For some water bodies, the desired state meets the actual state, however, for others, the state is less than desired and the plan provides measures and introduces new rules that will enable the objectives to be met. This includes objectives for water quality attributes as well as limits and flows for managing quantity of water.

Recommended changes to Proposed Plan Change 9

5.10.1 TANK Objectives

General Objectives

OBJ TANK 1 Freshwater management in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments will be achieved by
~~the Council, tangata whenua and the urban and rural community working~~ together in a way that:^{194.18, 210.2, 132.83}

- a) recognises the kaitiaki and guardianship roles they each play in freshwater management ~~and;~~
- b) recognises s the importance of monitoring, resource investigations and the use of mātauranga Māori to inform decision making and limit setting for sustainable management;
- c) ensures s good land and water management practices are followed and where necessary, mitigation or restoration measures adopted; and
- d) supports s good decision making by resource users ~~including rural and urban communities through marae and hapū initiatives, community or other catchment management programmes and monitoring initiatives, urban stormwater programmes, landowner collectives, farm management plans and industry good practice programmes.~~^{201.16}

OBJ TANK 2 Land and freshwater in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments are sustainably managed as integrated natural resources so that; ~~When setting objectives, limits and targets;~~

- a) Te Mana o te Wai¹¹ and ~~integrated mountains to the sea~~ the connection between freshwater, land and the coast, ki uta ki tai principles, and the connection between surface water and groundwater are upheld and recognised;^{126.6}
- b) A continuous improvement approach to the use and development of natural resources and the protection of indigenous biodiversity and the habitat of trout and salmon^{58.4} is adopted and life-supporting capacity and the aquatic ecosystem processes are safeguarded^{126.6}
- c) ~~b)~~ the collective management of sustainable^{135.5} freshwater is enabled;^{120.78}
- d) ~~e)~~ The kaitiakitanga role of tangata whenua and their whakapapa, customs^{120.12} and cultural connection with water are recognised and provided for;
- e) ~~d)~~ The responsibilities of people and communities for sustainable resource use and development is recognised and supported; and
- f) ~~e)~~ The significant values of wetlands,^{126.6} ~~the~~ outstanding water bodies in Schedule 25 and the values in the plan objectives are appropriately protected and provided for.

Climate change

OBJ TANK 3 The effects of climate change are taken into account when in respect of each of the following are taken into account in making decisions about land and water management within the TANK catchments;

- a) ~~The effects on aquatic ecosystems, including indigenous biodiversity, freshwater bodies, water supply and human health, primary production and infrastructure from the predicted:~~
 - (i) ~~increases in intensity and frequency of rainfall;~~
 - (ii) ~~effects of rainfall on erosion and sediment loss;~~
 - (iii) ~~increases in sea level, and the effects of salt water intrusion;~~
 - (iv) ~~increasing frequency of water shortages;~~
 - (v) ~~increasing variability in river flows;~~
- b) ~~The amount of information available and the scale and probability of adverse effects, particularly irreversible effects, as a consequence of acting or not acting;~~
- e) ~~The timeframes relevant to the activity;~~
- d) ~~Opportunities to improve community resilience for changes occurring as a result of (a)(i) to (iv).~~

¹ From Objective AA and Policy AA in NPSFM 2017

Recommended changes to Proposed Plan Change 9

Water Quality General

- OBJ TANK 4** ~~Land and water use, contaminant discharge and nutrient loss activities are carried out so that^{201.19} the~~ quality of the TANK freshwater bodies is maintained where objectives are currently being met, or is improved in degraded waterbodies so that they meet water quality attribute states in Schedule 26 by 2040 provided that:
- ~~For any specific water body where the attribute state is found to be higher than the target attribute state that given in Schedule 26, the higher state is to be maintained; and~~
 - ~~Progress is made over the life of this Plan towards the long term target attribute states by the mixture of regulatory and non-regulatory provisions in this Plan. Maintenance of a state is at the measured state².~~
- OBJ TANK 5** Te Mana o te Wai, kaitiakitanga and the needs for the values set out in Schedule 26, particularly mauri and ecosystem health are achieved through collectively managing all of the specified attributes.
- ~~**OBJ TANK 6** The quality of the TANK freshwater bodies set out in Schedule 27 will be achieved through future plan changes.^{203.4}~~
- OBJ TANK 7** Land use is carried out in a manner that reduces contaminant loss including soil loss and consequential sedimentation in freshwater bodies, estuaries and coastal environment.
- OBJ TANK 8** ~~Riparian margins are protected or improved where necessary to provide for A~~ aquatic ecosystem health and mauri of water bodies in the TANK catchment ~~is improved by appropriate management of riparian margins and~~ to: ^{23.30, 180.16, 195.24, 210.22}
- reduce effects of contaminant loss from land use activities;
 - improve aquatic habitat and protect indigenous species including fish spawning habitat;
 - reduce stream bank erosion;
 - enhance natural character and amenity;
 - improve indigenous biodiversity;
 - reduce water temperature in summer;
 - reduced nuisance macrophyte growth.
- OBJ TANK 9** Activities in source protection areas for Registered Drinking Water Supplies are managed to ensure that they do not cause ~~source~~ ^{203.4} water in these zones to become unsuitable for human consumption, and that risks to the supply of safe drinking water are appropriately managed.

Catchment Objectives

- OBJ TANK 10** In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the **Ahuriri** freshwater catchments so that the mauri, water quality and water quantity are maintained and enhanced where necessary to enable:
- Ahuriri estuary sediments to be healthy and not accumulate excessively;
 - healthy ecosystems that contribute to the health of the estuary;
 - healthy and diverse indigenous aquatic plant, fish and bird populations;
 - people and communities to safely meet their domestic water needs;
 - primary production water for community social and economic well-being; and provide for;
 - contribution to the healthy functioning of the Te Whanganui a Orotū (Ahuriri) ^{126.15} estuary ecosystem and enable people to safely carry out a wide range of social, cultural and recreational activities including swimming and the collection of mahinga kai in the estuary.

~~²The state is as measured according to the method specified for each attribute. It does not allow for decline to a lower state within any band specified in the NPSFM:2014 (as amended 2017)~~

Recommended changes to Proposed Plan Change 9

OBJ TANK 11 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using ^{29.53} damming and diverting of freshwater is carried out in the **Ngaruroro River catchment** so that the mauri, water quality and water quantity are maintained in the mainstem above the Whanawhana Cableway and in the Taruarau River, and are improved in the tributaries and lower reaches where necessary to enable;

- a) healthy ecosystems;
- b) healthy and diverse indigenous aquatic plant, animal and bird populations especially whitebait, torrent fish, macroinvertebrate communities, bird habitat on braided river reaches and a healthy trout fishery;
- c) people to safely carry out a wide range of social, cultural and recreational activities especially swimming and cultural practices of Uu and boating, including jet-boating in the braided reaches of the Ngaruroro;
- d) protection of the natural character, instream values and hydrological functioning of the Ngaruroro mainstem and Taruarau and Omahaki tributaries;
- e) collection of mahinga kai to provide for social and cultural well-being;
- f) people and communities to safely meet their domestic water needs;
- g) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- h) contribution to water flows and water quality in the connected Heretaunga Plains Aquifers;
- i) contribution to the healthy functioning of Waitangi Estuary ecosystem and to enable people to safely carry out a wide range of social, cultural and recreational activities and the collection of mahinga kai in the estuary.

OBJ TANK 12 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the **Tūtaekuri River catchment** so that the mauri, water quality and water quantity are maintained in the upper reaches of the mainstem and are improved in the tributaries and lower reaches where necessary to enable:

- a) healthy ecosystems;
- b) healthy and diverse indigenous aquatic and bird populations especially , whitebait, torrent fish, macroinvertebrate communities and a healthy trout fishery;
- c) people to safely carry out a wide range of social, cultural and recreational activities, especially swimming and cultural practices of Uu and boating;
- d) protection of the natural character, instream values and hydrological functioning of the Tūtaekuri mainstem and Mangatutu tributary;
- e) collection of mahinga kai to provide for social and cultural well-being;
- f) people and communities to safely meet their domestic water needs;
- g) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- h) contribution to the healthy functioning of Waitangi Estuary ecosystem and to enable people to safely carry out a wide range of social, cultural and recreational activities and the collection of mahinga kai in the estuary.

OBJ TANK 13 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the **Karamū and Clive Rivers catchment** so that the mauri, water quality and water quantity are improved to enable;

- a) healthy ecosystems;
- b) healthy and diverse indigenous aquatic and bird populations, especially black patiki, tuna and whitebait, and healthy macroinvertebrate communities;

Recommended changes to Proposed Plan Change 9

- c) people to safely carry out a wide range of social, recreational, and cultural activities, including swimming and cultural practices of Uu and rowing and waka ama in the Clive/Karamū;
- d) collection of mahinga kai to provide for social and cultural well-being;
- e) people and communities to safely meet their domestic water needs;
- f) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- g) contribution to the healthy functioning of the Waitangi Estuary ecosystem and to enable people to safely carry out a wide range of social, cultural and recreational activities and the collection of mahinga kai in the estuary.

OBJ TANK 14 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking and using of freshwater is carried out so that the mauri, water quality, water quantity and groundwater levels are maintained in the **Groundwater** connected to the Ngaruroro, Tūtaekurī and Karamū rivers and their tributaries is managed to enable;

- a) people and communities to safely meet their domestic water needs and to enable the provision of safe and secure supplies of water for municipal use;
- b) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- c) the maintenance of groundwater levels at an equilibrium that accounts for annual variation in climate and prevents long term decline or seawater intrusion;
- d) contribution to water flows and water quality in connected surface waterbodies.

OBJ TANK 15 ~~In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater connected to the~~ **Wetland and lake waahi taonga** within the TANK catchments are is managed so that mauri, water quality and flows, and levels are maintained and improved to enable; ^{58.12, 123.36, 201.28}

- a) healthy and diverse indigenous and valued introduced ^{58.16} fish, bird and plant populations in wetland and lake areas and connected waterways;
- b) improved hydrological functioning in wetland and lakes and in connected waterways;
- c) people to safely carry out a wide range of social, recreational^{58.9} and cultural activities;
- d) collection of mahinga kai and the abstraction of water to provide for human or animal health and social and cultural well-being;^{124.21}
- e) contribution to improved water quality in connected surface waters;
- f) the protection of the outstanding values of the Kaweka Lakes, Lake Poukawa and Pekapeka Swamp and the Ngamatea East Swamp;

and to;

- g) increase the total wetland area by protecting and restoring 200ha hectares of existing wetland and reinstating or creating 100ha of additional wetland by 2040.

Recommended changes to Proposed Plan Change 9

Water quantity

- OBJ TANK 16** Subject to limits, targets and flow regimes established to meet the needs of the values for the water body, water quantity allocation management and processes ensure water allocation Ground and surface water in the TANK Catchment is allocated, subject to limits, targets and flow regimes which provide for the values of each water body.^{210.2, 132.83} in the following priority order:
- ~~Water for the essential-reasonable domestic~~ needs of people, livestock drinking and fire-fighting supply^{13.8, 35.76, 195.28};
 - ~~The allocation and reservation of water for~~ existing and future demand for domestic supply including marae and papakāinga, and municipal uses supply as described in HPUDS (2017) ~~can be met within the specified limits~~;
 - Primary production on versatile soils;
 - Other primary production^{30.1} food processing, industrial and commercial end uses;
 - Other non-commercial end uses.
- OBJ TANK 17** The allocation and use of water results in;
- the development of Māori economic, cultural and social well-being supported through regulating the use and allocation of the water available at high flows for taking, storage and use;
 - water being available for abstraction at agreed reliability of supply standards;
 - efficient water use[;];
 - ~~Allocation regimes that are flexible and responsive, allowing water users to make efficient use of this finite resource;~~^{132.84}
- OBJ TANK 18** The current and foreseeable water needs for mauri and ecosystem health and of future generations ~~and for mauri and ecosystem health~~^{58.12} are secured through;
- avoiding future over-allocation and phasing out existing over-allocation^{123.39, 233.9}
 - ~~a)~~ water conservation, water use efficiency, and innovations in technology and management;
 - ~~b)~~ flexible water allocation and management regimes;
 - ~~e)~~ water reticulation;
 - ~~d)~~ aquifer recharge and flow enhancement;
 - ~~e)~~ water harvesting and storage.

Recommended changes to Proposed Plan Change 9

5.10.2 Policies: Surface Water and Groundwater Quality Management

Priority Management Approach

- POL TANK 1** The Council ~~will regulate land use activities and will work with mana whenua, with~~ landowners, local authorities, industry and community groups, ~~mana whenua~~ and other stakeholders ~~will regulate or to~~ manage land use activities ~~and surface and groundwater bodies~~ so that ~~the 2040 target~~ water quality ~~attribute states described in Schedule 26 attributes~~ are maintained ~~at their current state~~ or where required ~~show an improving trend towards the water quality targets shown in Schedule 26~~ by focussing on:
- water quality improvement in priority sub-catchments (as described in Schedule 28) where water quality is not meeting specified freshwater quality targets;
 - sediment management as a key contaminant pathway to also address phosphorus and bacteria losses;
 - the significant environmental stressors of excessive sedimentation and macrophyte growth in lowland rivers and nutrient loads entering the Te Whanganui ā Orotu (Ahuriri) and Waitangi estuaries;
 - the management of riparian margins;
 - the management of urban stormwater networks and the reduction of contaminants in urban stormwater;
 - the protection of water quality for domestic use and registered drinking water supplies, and municipal water supply. 201.32, 135.18, 195.31, 233.10
- POL TANK 2** In the **Clive/Karamū Rivers** and their tributaries, in addition to Policy POL TANK 1 the Council will work with mana whenua, landowners and the Hastings District Council to:
- reduce water temperature and increase the level of dissolved oxygen by;
 - the establishment of riparian vegetation to shade the water and reduce macrophyte growth while accounting for flooding and drainage objectives ;
 - reducing excessive macrophyte growth by physical removal of aquatic plants in the short term;
 - adopt flow management regimes to remedy or mitigate the effects of surface and ground water abstraction;
 - reduce the amount of sediment and nutrients entering the freshwater from adjacent land;
 - improve stormwater and drainage water quality and the ecosystem health of urban waterways and reduce contamination of stormwater associated with poor site management practices, spills and accidents in urban areas (refer also to Policies POL TANK 28 -31).
- POL TANK 3** In lakes and wetlands in the TANK Catchments, in addition to Policy POL TANK 1 the Council will work at a catchment scale with land owners in the wetland or lake catchments (refer also to Policies POL TANK 23 to 25) to:
- reduce sediment and nutrient inputs into the waterbody;
 - improve water quality by increasing macrophyte plant growth in shallow lakes;
 - improve ecosystem health and water quality by excluding stock and improving riparian management;
 - meet water quality target attribute states objectives in Schedule 26 for water bodies downstream of the lake or wetland;
 - support and assist landowners to protect, increase or restore existing wetlands or create new wetlands including for the management of urban stormwater.
- POL TANK 4** In the **lower Ngaruroro and Tūtaekuri Rivers** and their tributaries, in addition to Policy POL TANK 1 the Council will work with landowners to:
- improve water clarity and reduce deposited sediment by reducing the amount of sediment being lost from land;
 - reduce risk of proliferation of algae by reducing nutrient losses from land, including by reducing phosphorous loss associated with sediment;

Recommended changes to Proposed Plan Change 9

- c) improve ecosystem health and water quality by excluding stock from surface water bodies and improving riparian management.

POL TANK 5 In the tributaries of Te Whanganui ā Orotu(~~the Ahuriri Estuary~~)^{126.15}, in addition to Policy POL TANK 1 the Council will work with mana whenua, landowners and the Napier City Council to:

- a) improve water clarity and reduce deposited sediment by reducing the amount of sediment being lost from land and river banks;
- b) reduce risk of proliferation of algae by reducing nutrient losses from land, including through management of phosphorous loss associated with sediment;
- c) improve stormwater and drainage water quality and the ecosystem health of urban waterways and reduce contamination of stormwater associated with poor site management practices, spills and accident in urban areas;
- d) carry out further investigations to understand the estuary hydrology, functioning and environmental stressors.

Protection of Source Water

POL TANK 6 The quality of **groundwater of the Heretaunga Plains and surface waters used as source water** for Registered Drinking Water Supplies will be protected, in addition to Policy POL TANK 1, by the Council:

- a) identifying a source protection extent for small scale drinking water supplies or Source Protection Zones for large scale drinking water supplies by methods defined in Schedule 35; and
- b) regulating activities within Source Protection Zones that may actually or potentially affect the quality of the source water or present a risk to the supply of safe drinking water because of:
 - (i) direct or indirect discharge of a contaminant to the source water including by overland flow and/ ^{207.39} or percolation to groundwater;
 - (ii) an increased risk to the safety of the water supply as a result of a non-routine event :
 - (iii) potentially impacting on the level or type of treatment required to maintain the safety of the water supply;
 - (iv) shortening or quickening the connection between contaminants and the source water, including damage to a confining layer of the aquifer; ^{207.39};
 - (v) in the case of groundwater abstraction, the rate or volume of abstractions causing a change in groundwater flow direction or speed and/ or a change in hydrostatic pressure that is more than minor.

POL TANK 7 When considering applications to take water for a Registered Drinking Water Supply, the Council will:

- a) provide for the replacement or amendment of a source protection extent or Source Protection Zone which reflects the level of protection required for that supply, according to a method specified in Schedule 35;
- b) provide for the amendment of a Source Protection Zone where new information changes the outputs from the method specified in Schedule 35;
- c) require applications to include an assessment of the Source Protection Zone required, taking into account the factors set out in Schedule 35;
- d) have regard to:
 - (i) the extent to which the application reflects the factors and methodology in Schedule 35 when establishing the Source Protection Zone; and
 - (ii) the impacts, including any costs and benefits, of any additional restrictions in the Source Protection Zone;
 - (iii) the level of consultation with land owners and occupiers ^{203.9} in the Source Protection Zone.

POL TANK 8 The Council will, when considering applications to discharge contaminants or carry out land or water use activities within:

Recommended changes to Proposed Plan Change 9

- e) the source protection extent for Registered Drinking Water Supplies, take into account possible contamination pathways and risks to the quality of the source water for the water supply,
- f) A Source Protection Zone, avoid or mitigate risk of contamination from the activity of the source water for the water supply by taking into account criteria including but not limited to;
 - (i) the amount, concentration and type of contaminants likely to be present as a result of the activity or in any discharge;
 - (ii) the potential pathways for those contaminants, including any likely or potential preferred pathways;
 - (iii) the mobility and survival rates of any pathogens likely to be in the discharge or arising as a result of the activity;
 - (iv) any risks the proposed land use or discharge activity has either on its own or in combination with other existing activities, including as a result of non-routine events;
 - (v) ~~any risks ensuring the water supplier is aware~~ of any abstraction of groundwater where abstraction has the potential to have more than a minor impact on flow direction or speed and/or hydrostatic pressure;
 - (vi) the effectiveness of any mitigation measures to avoid or mitigate risk of contaminants entering the source water and the extent to which the effectiveness of the mitigation measure can be verified, including with regard to relevant codes of practice or guidelines;
 - (vii) notification, monitoring or reporting requirements to the Registered Drinking Water Supplier
 - (viii) Outcomes of consultation with the Registered Drinking Water Supplier with respect to the risks to source water from the activity , including measures to minimise risks and protocols for notification to the Registered Drinking Water Supplier should an event presenting a risk to groundwater occur ^{180.25, 195.36, 203.10, 2017.41}

POL TANK 9

The Council will work with the agencies which have roles and responsibilities for the provision of safe drinking water, including local government agencies, the national regulator, health agencies and registered water suppliers Napier City Council, Hastings District Council, Hawkes Bay District Health Board and Drinking Water Assessors and through multi-agency collaboration to:^{119.7}

- a) implement a multi-barrier approach to the delivery of safe drinking water for Registered Drinking Water Supplies, through the consideration of source protection measures, water treatment and supply distribution standards;
- b) understand the nature and extent of the water resources used to supply communities, their connectivity with other waterbodies and their recharge sources;
- c) understand the nature of the relationship between water age and water quality, the use of water age as an attribute and implications for its management;
- d) understand risks to the quality of water used for Registered Drinking Water Supplies, including through consultation on any applicable resource applications in Source Protection Zones;
- e) maintain shared databases of activities, including information in consents for land and water use, that have the potential to adversely affect quality of water used for community supply;
- f) develop solutions that address risks to water quality including wastewater reticulation solutions in Source Protection Zones;
- g) ~~implement a multi-barrier approach to the delivery of safe drinking water for Registered Drinking Water Supplies, through the consideration of source protection measures, and water treatment and supply standards.~~ ^{29.56, 129.1, 207.42, 203.11}

Managing point source discharges

POL TANK 10

The Council will manage point source discharges (that are not stormwater discharges) so that after reasonable mixing, contaminants discharged either by themselves or in combination with other discharges do not cause the 2040 target attribute states objectives for water quality in Schedule 26 to be exceeded and when considering applications to discharge contaminants will take into account:

Recommended changes to Proposed Plan Change 9

- a) measurement uncertainties associated with variables such as location, flows, seasonal variation and climatic events;
- b) the degree to which a discharge is of a temporary nature, or is associated with necessary maintenance work.
- c) when it is an existing activity, identification of mitigation measures, where necessary, and timeframes for their adoption that contribute to the meeting of water quality target attribute states quality-objectives
- d) The extent to which the discharge activity complies with industry good management standards
- e) The necessity for requiring best practicable option to prevent or minimise any actual or likely adverse effect on the environment of any discharge of a contaminant. ^{126.16, 120.106, 201.34}

Riparian Land Management

- POL TANK 11** The Council will promote and support the establishment of riparian vegetation, including in conjunction with stock exclusion and setback regulations, that:
- a) contributes to the health of aquatic ecosystems especially for indigenous species;
 - b) provides shading to reduce macrophyte growth and water temperature especially in lowland tributaries of the Karamū River;
 - c) reduces contamination of water from land use activities;
 - d) reduces river bank erosion;
 - e) improves local amenity;
 - f) enhances recreational activities;
 - g) improves fish spawning habitat;
 - h) assist in weed control.
- POL TANK 12** When making decisions about riparian land management in accordance with Policy POL TANK 11, the Council will account for management objectives related to land drainage and flood control, and regional biosecurity and where appropriate, support establishment of native plant species in riparian margins to contribute to improving the region's indigenous biodiversity, the collection of mahinga kai, taonga raranga and taonga rongoa and the mauri of the river. ^{180.21, 99.104, 99.7}
- POL TANK 13** The Council will support improvement of riparian management to meet the specified timeframes (in Policy POL TANK 27) consistent with to provide for the values in Policies POL TANK 11 and 12 by; ^{123.49, 210.134}
- a) working with industry groups and land owner collectives to identify where riparian management is to be improved;
 - b) providing information about appropriate riparian planting that assists in meeting the outcomes sought for riparian land values;
 - c) regulating cultivation, ~~stock access~~^{consequential} and indigenous vegetation clearance activities that have a significant adverse effect on functioning of riparian margins in relation to water quality and aquatic ecosystem health in adjacent waterbodies;
 - d) providing funding assistance for riparian vegetation improvements;
- and
- e) when making decisions on applications for resource consent to;
 - (i) take into account benefits arising to the outcomes values in Policy POL TANK 11 and 12 as a result of the activity;
 - (ii) consider whether to waive the fees and charges required to process the application where;
 1. there is significant public benefit from the activity or the nature and scale of the activity results in significant ecosystem benefits; and
 2. the activity is not a requirement of any other resource consent.

Wetland and Lake Management

Recommended changes to Proposed Plan Change 9

POL TANK 14 ~~The Council will regulate activities in and adjacent to wetlands and lakes and will support and encourage the maintenance and improvement of wetland values, including their value for:~~

- ~~a) biodiversity and as a habitat for indigenous flora and fauna species;~~
- ~~b) recreation (where appropriate);~~
- ~~c) cultural uses including for tikanga Māori and mahinga kai;~~
- ~~d) their role in the hydrological cycle, including their effects on both high and low flows;~~
- ~~e) enhancement of water quality in connected waterbodies;~~
- ~~f) fishery habitat.~~ ^{123.5, 210.35, 210.36}

POL TANK 15 The Council will regulate activities in and adjacent to wetlands and lakes and will support and encourage the restoration and extension of natural wetlands and lakes and the reinstatement or creation of additional wetlands to provide for or improve the wetland values ~~(a)–(f) in Policy 14~~ by working with mana whenua, industry and community groups, land owners, the Hawke's Bay Fish and Game Council and other stakeholders in alignment with the Regional Biodiversity Strategy to:

- a) identify priority areas where wetland and lake management can be improved
- b) identify priority areas where wetland extent can be increased
- c) provide information to landowners about wetland and lake values and their management;
- d) provide funding assistance for wetland and lake protection and for construction of new wetlands and lakes;
- e) target resources where multiple objectives can be met;

and

- f) when making decisions on applications for resource consent to:
 - (i) take into account benefits arising to the values listed in OBJ TANK 15 Policy 14 as a result of the activity;
 - (ii) consider whether to waive the fees and charges required to process ~~the an~~ application to improve or maintain wetland or lake values where;
 - 1. there is significant public benefit from the activity or the nature and scale of the activity result in significant ecosystem benefits; and
 - 2. the activity is not a requirement of any other resource consent. ^{123.5, 210.35, 210.36, 58.17, 145.5}

Phormidium Management

POL TANK 16 The Council will address the risks to human health and dogs from toxic phormidium by;

- a) regular monitoring and reporting on the incidence of algae, including toxic phormidium and nutrient concentrations and ratios of nutrients in freshwater related to phormidium establishment;
- b) adopting applicable national guidelines for the monitoring and management of toxic algae;^{210.37}
- c) supporting national investigations into the incidence of toxic phormidium, the reasons for its establishment and measures to reduce the incidence;
- d) reducing nutrient and sediment inputs in accordance with Policies POL TANK 17 and 20;
- e) maintaining flushing flows;
- f) ensuring the public has information about phormidium risk, including as a result the accumulation of toxic algal mats as specified in Schedule 26.

Recommended changes to Proposed Plan Change 9

5.10.3 Policies: Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges)

Adaptive Approach to Nutrient and Contaminant Management

POL TANK 17 The Council will achieve or maintain the 2040 freshwater attribute targets ~~or freshwater objectives~~ in Schedule 26 with landowners, industry groups, and other stakeholders and will implement the following measures;

- a) establish programmes and processes through Farm Environment Plans, Catchment Collectives and Industry Programmes to ensure land managers;
 - (i) adopt industry good practice;
 - (ii) identify critical source areas of contaminants at both property and catchment scale;
 - (iii) adopt effective measures to mitigate or reduce contaminant loss;
 - (iv) ensuring prepare-nutrient management plans are prepared in catchments ~~not meeting targets for dissolved nitrogen~~ according to the priority order specified in Schedule 28, the farm plan required for the property shall include the nitrogen loss rate and nitrogen loss target. ^{124.54, 126.20, 135.25, 210.40}

POL TANK 18 The Council will achieve or maintain the 2040 freshwater attribute targets ~~or freshwater objectives~~ in Schedule 26 by;

- a) gathering information to determine sustainable nutrient loads;
- b) developing nutrient limits and a nutrient allocation regime if the management framework in Policy POL TANK 17 is not leading to improved nutrient attribute states by the time this plan is reviewed;
- c) regulating land use change to manage where there is a significant risk of increased nitrogen loss;
- d) gathering and assessing information about environmental state and trends and the impact of land use activities on these;
- e) working with industry groups, landowners and other stakeholders to undertake research and investigation into;
 - (i) contaminant nutrient pathways, concentrations and loads in rivers and coastal receiving environments;
 - (ii) nutrient uptake and loss pathways at a property scale;
 - (iii) measures to reduce contaminant nutrient losses at a property as well as catchment scale including those delivered through industry programmes. ^{180.29}

~~**POL TANK 19** In catchments that do not meet objectives for dissolved nutrients specified in Schedule 26, the Council will ensure landowners, landowner collectives and industry groups have nutrient management plans according to the priority order in Schedule 28.~~ ^{124.54, 126.20, 135.25, 210.40}

Sediment Management

POL TANK 20 The Council will reduce adverse effects on freshwater and coastal aquatic ecosystems from eroded sediment, and from the phosphorus associated with this, by prioritising the following mitigation measures;

- a) regulating cultivation, ~~stock access~~ and vegetation clearance activities; ^{35.83, 124.32, 88.13, 140.5 consequential}
- b) targeting priority areas and activities for sediment loss management where there is high sediment loss risk and working with land managers to identify and manage critical source areas of contaminants at both property and catchment scale;
- c) informing land managers where land is vulnerable to erosion, using tools such as SedNet and LUC; and providing information about measures that reduce soil loss;
- d) recognising the benefits provided by tree planting and retirement of land for erosion control as well as for mitigating climate change effects and improving indigenous biodiversity by;
 - (i) targeting resources where multiple objectives can be met;
 - (ii) and supporting landowners to retire land, establish forests where appropriate, and plant trees on land with high actual or potential erosion risk;

Recommended changes to Proposed Plan Change 9

- e) Supporting and encouraging improved riparian management across all TANK catchments. ^{195.45}

Land Use Change and Nutrient Losses

POL TANK 21 The Council will ~~regulate production land use change to manage the remedy or mitigate~~ the potential impact of ~~increases in~~ diffuse discharge of nitrogen on freshwater quality objectives ~~by regulating land and water use changes that modelling indicates are likely to result in increased nitrogen loss~~ (modelled on an annual, whole of ~~property or whole of farm or collective enterprise~~ basis) and in making decisions on resource consent applications, the Council will take into account:

- a) whether freshwater quality objectives or targets are being met in the catchment where the activity is to be undertaken ~~as a result of modelled nitrogen losses from the land use change~~;
- b) where any relevant TANK Industry Programme or Catchment Collective is in place the extent to which the changed ~~production~~ land use activity is consistent with the Industry Programme or Collective outcomes, mitigation measures and timeframes;
- c) any mitigation measures required, ~~(including those where model results are not available)~~ and timeframes by which they are to be implemented that are necessary to ensure the actual or potential ~~nitrogen~~ contaminant loss occurring from the property, in combination with other ~~nitrogen~~ contamination losses in the catchment will be consistent with meeting ~~2040~~ freshwater ~~quality target attribute states in Schedule 26 objectives~~ ^{consequential}, including performance in relation to industry good practice, efficient use of nutrients and minimisation of nutrient losses;

and will;

- d) avoid land use change that will result in increased nitrogen loss that contributes to water quality ~~objectives and target attribute states~~ in Schedule 26 for dissolved nitrogen not being met. ^{210.37, 210.42, 180.31, 135.27, 195.46, 54.73 et al consequential}

Stock Exclusion

~~**POL TANK 22** — The Council will regulate the exclusion of cattle, deer and pigs from rivers, lakes and wetlands, and when considering an application for resource consent or when making decisions about stock exclusion in Industry or Catchment Collective Plans or when making decisions about Farm Environment Plan requirements to take into account the following matters:~~

- ~~a) — assessment of sources, scale and significance of adverse effects of sediment, phosphorus, nitrogen and bacterial inputs to the water body that could effectively or efficiently be reduced by stock exclusion, bridging or culverting;~~
- ~~b) — identifying whether there are alternative measures to meet water quality outcomes and improve ecosystem health, including by managing bank erosion or reducing sediment losses to water in contributing areas, altering land uses, or providing reticulated water for stock;~~
- ~~e) — whether stock exclusion is practicable in the circumstances including in relation to:
 - ~~(i) — total costs of stock exclusion measures compared to expected water quality benefit; assessed in (a) and other possible adverse effects including stock welfare;~~
 - ~~(ii) — technical or practical challenges of any works required for stock exclusion to be effective;~~
 - ~~(iii) — potential costs and benefits provided by alternative measures compared to stock exclusion.~~~~

^{35.83, 124.32, 88.13, 140.5.}

Industry Programmes and Catchment ~~Management~~Collectives ^{29.14, 194.41, 58.22}

POL TANK 23 The Council will support the establishment and operation of Industry Programmes and Catchment Collectives and:

- a) ~~support development of industry good practice by industry groups and support provision of~~ ^{ensure any} relevant information or expertise for making sustainable land management decisions ~~is available to farm operators land managers~~; ^{consequential}

Recommended changes to Proposed Plan Change 9

- b) support local investigation and water monitoring programmes where information gaps exist;
- c) support development and use of ~~catchment scale~~ models that assist in identification and management of critical source areas;
- d) support collective catchment and farm scale decision making to meet freshwater objectives and encourage local solutions and innovative and flexible responses to water quality issues; ^{58.22, 194.41, 29.14, 129.15 and 129.16 et al}
- e) ~~work with water permit holders to encourage and support establishment of catchment collectives that address both freshwater quality objectives and stream flow management through environmental management programmes as specified in Schedule 30 and Schedule 36 and within the timeframes specified in Schedule 28.~~ ^{210.140 and 216, .222}

POL TANK 24 The Council will continue to work with farm operators landowners, industry groups and other stakeholders to manage land and water use activities so that they meet 2040 objectives for freshwater/aquatic ecosystems by: ^{194.41, 58.22, consequential}

- a) further supporting the development of **Industry Programmes** that contribute to meeting applicable freshwater objectives and that;
 - (i) identify practices that contribute to meeting applicable freshwater objectives;
 - (ii) specify timeframes for completion or adoption of measures to reduce mitigate contaminant losses;
 - (iii) ensure individual performance under an Industry Programme is monitored audited;
 - (iv) provide annual reports to the Council on progressive implementation of measures identified in Industry Programmes established under Schedule 30 and progress towards meeting applicable objectives for water quality;
 - (v) promote adoption of good industry management practice;
 - (vi) ensure that Industry Programmes are consistent with the requirements of Schedule 30;
- b) supporting farm operators landowners to establish **Catchment Collectives** to develop and implement environmental management plans that contribute to meeting applicable freshwater objectives and that;
 - (i) identify and adopt measures at a property scale and, collectively with other farm operators land managers, identify and adopt measures at a catchment scale that reduce contaminant losses or remedy or mitigate the effects of land use on freshwater objectives;
 - (ii) specify timeframes for completion or adoption of measures to reduce mitigate contaminant losses; ^{135.29}
 - (iii) ensure individual performance under a catchment collective is monitored;
 - (iv) provide annual reports to the Council on progressive implementation of measures identified in landowner Catchment Collectives established under Schedule 30 and progress towards meeting applicable objectives for water quality;
 - (v) promote adoption of good management agricultural practice;
 - (vi) ensure programmes prepared by a Catchment Collective are consistent with the requirements of Schedule 30;
- c) Approving any Landowner Catchment Collective or Industry Programme developed under Schedule 30;
- d) Auditing Catchment Landowner Collective or Industry Programmes prepared and approved under Schedule 30 including auditing of member properties. ^{Consequential, 180. 135.29 et al}

POL TANK 25 Where a farm operator landowner is not part of an Industry Programme or Catchment Collective, the Council will require development and implementation of a **Freshwater Farm Environment Plan for the farm.** ^{194.41, 58.22}

Management and compliance.

POL TANK 26 Where farm operators individuals are members of a **Catchment Collective** or **Industry Programme** but do not undertake their activity in accordance with the approved plan prepared in accordance with Schedules 28 or 30, or do not follow the agreed terms of membership of a Catchment Collective or Industry Programme the Council will;

Recommended changes to Proposed Plan Change 9

- a) provide a conflict resolution service;
- b) where a ~~farm operator n individual~~ is no longer, or is deemed through conflict resolution processes not to be, a member the Council will;
- c) require the development of a Freshwater Farm Plan for that property within 6 months or;
- d) require an application for a land use consent to be made;
- e) take appropriate enforcement action. ^{194.41, 58.22}

Timeframes; Water and Ecosystem Quality

POL TANK 27 The Council will develop an implementation plan for this Plan Change with industry groups, landowners, water permit holders, tangata whenua, and other stakeholders and to ensure that the ~~farm operator~~land owners and lease holders are engaged in industry or landowner Catchment Collective programmes or have prepared freshwater farm plans farm environmental plans within the timeframes in Schedule 28 and to ensure reporting (as specified in Schedule 30) on the milestones in Table 1 below. ^{120.102, 180.35, 126.21, 135.32, 123.61, 120.117, 124.32, 195.51 consequential}

Table 1: Milestones and Timeframes

Action	Activity	Milestone	Output to be reported on
Stock and Riparian Land Management			
1; Stock exclusion and Riparian planting	Stock excluded from rivers in flat and rolling hill country Riparian margins planted	Stock excluded by 2023	Km of stream with stock exclusion Km of riparian margins planted
2; Stock exclusion and sediment mitigation	Stock access and sediment mitigation in hill country managed through environmental programme or farm plan	According to priority set out in Schedule 28 <u>9</u>	Soil erosion and critical source area mitigation measures and timeframes for implementation
3; Riparian management	Shading and planting in Karamū catchment and Heretaunga plains	200km of waterway subject to planting programmes	River and streams in Karamū catchment with riparian planting for shade
Wetlands			
4; wetland management and improvement	Protection and restoration of existing wetlands	100ha in 5 years and 200ha in ten years from operative date	Hectares of protected and restored wetland
	Reinstatement or creation of additional wetland	100 ha reinstated or additional wetland	Hectares of new wetland
Nutrient Management			
5; Nutrient management	Nutrient management plans	<u>Farms have plans</u> according to priority set out in Schedule 28	Number of <u>farms properties</u> subject to nutrient plan

Amendments to table - 35.83, 124.32, 88.13, 140.5. consequential

5.10.4 Policies: Stormwater Management

Urban Stormwater Infrastructure

POL TANK 28 The adverse effects of stormwater quality and quantity on aquatic ecosystems and community well-being arising from existing and new urban development (including infill development) industrial ~~or and~~ trade premises and associated infrastructure, will be reduced or mitigated no later than 1 January 2025, by: ^{203.13}

- a) Requiring, through consent conditions, measures to help achieve the target attribute states in Schedule 26: ^{120.137, 127.22, 123.16, 210.49}
- b) ~~a)~~ Local Authorities adopting an integrated catchment management approach to the collection, treatment and discharge of stormwater; ^{63.33, 207.53}
- c) ~~b)~~ requiring stormwater to be discharged into a reticulated stormwater network where such a network is available or will be made available as part of the development;
- d) ~~b)~~ requiring ~~increased~~ retention or detention of stormwater, while not exacerbating flood hazards; ^{63.35, 207.53}
- e) ~~b)~~ having particular regard to significant values of the receiving environment being either a TANK estuarine system, outstanding waterbody or wetland; ^{126.22}
- f) ~~b)~~ taking into account site specific constraints including areas with high groundwater and, source protection zones; ~~and/or an outstanding water body~~
- g) ~~b)~~ taking into account the collaborative approach of HBRC, Napier City and Hastings District councils in managing urban growth on the Heretaunga Plains as it relates to stormwater management;
- h) ~~b)~~ taking into account the effects of climate change when providing for new and upgrading existing infrastructure;
- i) ~~b)~~ adopting, ~~where practicable~~, a good practice approach to stormwater management including adoption of Low Impact Design for stormwater systems; ^{123.62}
- j) ~~b)~~ amending district plans, standards, codes of practice and bylaws to specify design standards for stormwater reticulation and discharge facilities through consent conditions, that will achieve the freshwater objectives set out in this plan;
- k) ~~b)~~ developing and making available to the public advice about good stormwater management options (including through HBRC's guidelines);
- l) ~~b)~~ encouraging, through education and public awareness programmes, greater uptake and installation of measures that reduce risk of stormwater contamination;
- m) ~~b)~~ requiring, no later than 1 January 2025, the preparation and implementation of a site management plan and good site management practices on industrial and or trade premises with a high risk of stormwater contamination in the TANK catchments and those in the high priority areas: ^{10.4}
 - (i) of the Ahuriri catchment;
 - (ii) of the Karamū River and its tributaries;
 - (iii) of land over the unconfined aquifer; and
 - (iv) within identified drinking water Source Protection Zones.

Source Control

POL TANK 29 Sources of stormwater contamination and contaminated stormwater will be reduced by:

- a) specifying requirements for the design and installation of stormwater control facilities on sites where there is a high risk of freshwater contamination arising from either the direct discharge of stormwater to freshwater, the discharge of stormwater to land where it might enter water or the discharge to a stormwater or drainage network;
- b) requiring the implementation of good site management practices on all sites where there is a risk of stormwater contamination arising from the use, or storage of contaminants including the management of solid contaminants and debris to avoid these entering stormwater; ^{233.16}
- c) controlling, and if necessary avoiding, activities that will result in water quality standards not being able to be met.

Recommended changes to Proposed Plan Change 9

Dealing with the Legacy

POL TANK 30 Aquatic ecosystem health improvements and community wellbeing and reduced stormwater contamination will be achieved by HBRC working with the Napier City and Hastings District Councils requiring discharges from stormwater networks to meet:

- a) ~~water quality objectives (where they are degraded by stormwater) and the identification of measures that ensure stormwater discharges will achieve at least:~~
- ~~(i) the 80th percentile level of species protection in receiving waters by 1 January 2025; and~~
 - ~~(ii) the 95th percentile level³ of species protection by 31 December 2040.~~^{10.5, 123.64, 132.92, 162.23, 135.35, 210.51}
- and
- a) ~~b) except as in (a) above,~~ the 2040 target attribute states management objectives in Schedule 26 for freshwater and estuary health through resource consent conditions, including requirements;
- (i) to apply the Stream Ecological Valuation methodology to inform further actions;
 - (ii) to install treatment devices within the drainage network where appropriate;
 - (iii) to avoid solid contaminants and debris entering stormwater;^{233.18}
 - (iv) for stream planting/re-alignment for aquatic ecosystem enhancement;
 - (v) for wetland creation, water sensitive design and other opportunities for increasing stormwater infiltration where appropriate;
 - (vi) recognise existing and planned investments in stormwater infrastructure.
- b) for attributes not accounted for in Schedule 26, the ANZECC Guidelines 2018 will be used to achieve, after reasonable mixing:^{63.36}
- (i) the 80th percentile level of species protection in receiving waters by 1 January 2025; and
 - (ii) the 95th percentile level of species protection by 31 December 2040.

Consistency and Collaboration; Integration of city, district and regional council rules and processes.

- a) To assist in achieving the freshwater quality objectives 2040 target attribute states in this ~~Plan~~Schedule 26A^{consequential}, HBRC, with the Napier City and Hastings District Councils will, no later than 1 January 2025, implement similar stormwater performance standards including through the adoption of:
- b) good practice engineering standards;
 - c) consistent plan rules and bylaws;
 - d) shared information and approaches to education and advocacy;
 - e) shared information and processes for monitoring and auditing individual site management on sites at high risk of stormwater contamination;
 - f) consistent levels of service for stormwater management and infrastructure design;
 - g) an integrated stormwater catchment management approach;
 - h) undertaking a programme of mapping the stormwater networks and recording their capacity;
 - i) aligning resource consent processes and having joint hearings to achieve integrated management of proposals for urban activities particularly in respect of stormwater, water supply and wastewater provisions and implementation of the Heretaunga Plains Urban Development Strategy (2017).

Ahuriri Catchment

- a) The Council will support the development of a Te Whanganui a Orotū (Ahuriri Estuary)^{consequential} Integrated Catchment Management Plan by;
- b) improving the quality of freshwater entering the Te Whanganui a Orotū (Ahuriri Estuary)^{consequential} through the measures included in this plan; and
- c) carrying out investigations to help better understand processes and functions occurring within the estuary and its connected freshwater bodies.

³ ANZECC Guidelines 2018 (Australia and New Zealand Guidelines for Fresh and Marine Water Quality)

Recommended changes to Proposed Plan Change 9

5.10.5 Policies: [Monitoring and Review](#)

POL TANK 33 The Council will recognise and support monitoring according to mātauranga Māori and will recognise and support local scale monitoring to assess ecosystem health and mauri including water quality in relation to identified values and its contribution to:

- a) understanding local ecosystem health and land and water use impacts on it;
- b) enabling kaitiaki and resource users' responsibilities for sustainable freshwater management to be met;
- c) assessing effectiveness of mitigation measures adopted to meet freshwater objectives;
- d) understanding state and trends of local water quality;
- e) adding to the regional knowledge about environmental state and trends; by;
- f) developing protocols and procedures for monitoring appropriate to the purpose of the monitoring;
- g) providing assistance and advice;
- h) supporting the provision of monitoring materials;
- i) collating and reporting on data as appropriate.

POL TANK 34 Council will meet regularly with representatives from TANK stakeholder groups to:

- a) review and report on the TANK implementation plan;
- b) identify issues arising and develop measures to enable their resolution.

POL TANK 35 The Council will monitor and report on the effectiveness of the TANK water quality management policies and rules and to assist in making decisions about reviewing or changing this management framework, the Council will:

- a) continue to monitor instream water quality and review and report on the progress towards and achievement of the water quality objectives in Schedule 26 and according to Objectives 2 and 3 of this Plan in its regular State of the Environment monitoring;
- b) monitor and report on the state of riparian land and wetlands, and carry out regular ecosystem habitat assessments, including native fish monitoring and through the application of mātauranga Māori tools and approaches when they are developed;
- c) monitor the progress towards the milestones listed in [Policy POL TANK 27](#), according to timeframes specified in Schedule 28 and collate and report annually on information about;
- d) the nature and extent of the mitigation measures being adopted to meet water quality and/or quantity outcomes through Catchment Collectives, Industry Programmes and Farm Plans;
- e) the establishment of Catchment Collectives and assess progress in implementing the measures specified in their environment plans;
- f) the preparation of Farm Environment Plans and assess progress in implementing the measures specified in that plan;
- g) work with Industry Groups to collate information annually on the functioning and success of any Industry Programme in implementing measures specified in the Industry Programme;
- h) along with the Napier City Council and Hastings District Council, report annually on progress towards the improvement of the stormwater network, including reporting on the preparation of Site Management Plans for activities at risk of contaminating stormwater in urban areas;

And

- ~~i) commence a review of these provisions within ten years of <operative date> in accordance with section 79 of the RMA.~~^{-195.59, 135.38}

Recommended changes to Proposed Plan Change 9

5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits

Heretaunga Plains Aquifer Management

POL TANK 36 The Council recognises the actual and potential adverse effects of groundwater abstraction in the Heretaunga Plains Groundwater Quantity Area Water Management Unit on:

- a) groundwater levels ~~and aquifer depletion~~^{123.72};
- b) flows in connected surface waterbodies;
- c) flows of the Ngaruroro River;
- d) groundwater quality through risks of sea water intrusion ~~and water abstraction~~^{123.72};
- e) tikanga and mātauranga Māori;

and will adopt a staged approach to groundwater management that includes;

- f) avoiding further adverse effects by not ~~allowing granting new consents to take and use groundwater new water use~~^{63.4, 99.12}
- g) reducing existing levels of water use;
- h) mitigating the adverse effects of groundwater abstraction on flows in connected water bodies;
- i) gathering information about actual water use and its effects on stream depletion;
- j) monitoring the effectiveness of stream flow maintenance and habitat enhancement schemes;
- k) including plan review directions to assess effectiveness of these measures.

POL TANK 37 In managing the allocation and use of groundwater in the Heretaunga Plains Groundwater Quantity Area Water Management Unit, the Council will;

- a) adopt an interim allocation limit 90 million cubic meters per year based on ~~the A~~actual and ~~R~~reasonable water use ~~prior to 2017~~^{99.105};
- b) avoid re-allocation of any water that might become available within the interim groundwater allocation limit or within the limit of any connected water body until there has been a review of the relevant allocation limits within this plan;
- c) manage the Heretaunga Plains Groundwater Quantity Area Water Management Unit as an over-allocated management unit and prevent any new allocations of groundwater;
- d) when considering applications in respect of existing consents due for expiry, or when reviewing consents, to;
 - (i) allocate groundwater the basis of the maximum quantity that is able to be abstracted during each year or irrigation season expressed in cubic meters per year;
 - (ii) apply an assessment of ~~a~~Actual and ~~r~~Reasonable use ~~that reflects land use and water use authorised in the ten years up to August 2017~~^{194.50} (except as provided by ~~Policy POL TANK 50~~);
- e) mitigate stream depletion effects on lowland streams by providing for stream flow maintenance and habitat enhancement schemes.

POL TANK 38 The Council will restrict the re-allocation of groundwater^{29.24} to holders of permits to take and use water in the Heretaunga Water Management Unit issued before 2 May 2020 and will review permits or allocate water according to the plan policies and rules either:

- a) upon expiry of the consent; or
- b) in accordance with a review of all applicable permits within ten years of <the operative date>; whichever is the sooner.

Flow maintenance

POL TANK 38 ~~When assessing applications to take groundwater in the Heretaunga Plains Water Management Unit the Council will:~~

- a) ~~either;~~
 - (i) ~~require abstraction to cease when an applicable stream flow maintenance scheme trigger is~~

Recommended changes to Proposed Plan Change 9

- reached;-
- of
- ~~(ii) enable consent applicants to develop or contribute to stream flow maintenance and habitat enhancement schemes that;~~
- ~~1. contribute flow to lowland rivers where groundwater abstraction is depleting stream flows; and~~
 - ~~2. improve oxygen levels and reduce water temperatures;~~
- b) ~~assess the relative the contribution to stream depletion from groundwater takes and require stream depletion to be off-set equitably by consent holders while providing for exceptions for the use of water for essential human health; and~~
- e) ~~enable permit holders to progressively and collectively through Water User Collectives develop and implement flow maintenance and habitat enhancement schemes as water permits are replaced or reviewed, in the order consistent with water permit expiry dates.~~

To mitigate the stream depletion effects of groundwater takes in the Heretaunga Plains Groundwater Quantity Area the Council will:

- a) consult with iwi and other relevant parties to investigate the environmental, technical, cultural, social^{180.42} and economic feasibility of options for stream flow maintenance and habitat enhancement schemes including water storage and release options and groundwater pumping and discharge options that:
- (i) maintain stream flows in lowland rivers above trigger levels where groundwater abstraction is depleting stream flows, and
 - (ii) improve oxygen levels and reduce water temperatures.
- b) determine the preferred solutions taking into account whether:
- (i) wide-scale aquatic ecosystem benefits are provided by maintaining stream flow across multiple streams
 - (ii) multiple benefits can be met including for flood control and climate change resilience
 - (iii) the solutions are efficient and cost effective
 - (iv) scheme design elements to improve ecological health of affected water bodies have been incorporated
 - (v) opportunities can be provided to improve public access to affected waterways.
- c) develop and implement a funding mechanism that enables the Council to recover the costs of developing, constructing and operating stream flow maintenance and habitat enhancement schemes from permit holders, including where appropriate.
- (i) management responses that enable permit holders to manage local solutions and
 - (ii) develop any further plan change within an agreed timeframe if necessary to implement a funding solution.
- d) where schemes are operational, either
- (i) require abstraction to cease when applicable stream flow maintenance trigger is reached;
- or
- (ii) require permit holders to contribute to and participate in the scheme
- e) ensure that stream flow maintenance and habitat enhancement schemes are constructed and operating within ten years of the operative date of the Plan while adopting a priority regime according to the following criteria:
- (i) solutions that provide wide-scale benefit for maintaining stream flow across multiple streams
 - (ii) solutions that provide flow maintenance for streams that are high priority for management action because of low oxygen levels.
- f) review as per POL TANK 42 if no schemes are found to be feasible. ^{129.2, 194.53}

POL TANK 40 When assessing applications for a stream flow maintenance and habitat enhancement scheme the Council will have regard to:

- a) opportunities for maximising the length of waterbodies where habitat and stream flow is maintained or

Recommended changes to Proposed Plan Change 9

- enhanced;
- b) any improvements to water quality, especially dissolved oxygen, and ecosystem health as a result of the stream flow maintenance and habitat enhancement schemes;
- c) the duration and magnitude of adverse effects as a consequence of flow maintenance scheme operation;
- d) the extent to which the applicant has engaged with mana whenua.;
- e) ~~and will;~~
 - ~~(i) allow site to site transfer of water to enable the operation of a flow enhancement scheme;~~
 - ~~(ii) enable water permit holders to work collectively to develop and operate stream flow maintenance and habitat enhancement schemes consistent with the requirements of Schedule 36~~
 - ~~(iii) impose consent durations of 15 years that are consistent with the term for groundwater takes affected by stream flow maintenance requirements, except where stream flow maintenance is being provided by significant water storage infrastructure in which case consent duration is consistent with the scale of the infrastructure.~~ Consequential to POL TANK 39

POL TANK 41 The Council will ~~remedy/mitigate~~^{99.16} the stream depletion effects of groundwater takes in the Heretaunga Plains Water Management Unit on the Ngaruroro River, in consultation with mana whenua, land and water users and the wider community through:

- a) further investigating the environmental, technical, cultural, social,^{180.42} and economic feasibility of a water storage and release scheme to off-set the cumulative stream depletion effect of groundwater takes; and
- b) if such a scheme is feasible, ~~to develop~~ing options for funding, construction and operation of such a scheme including through a targeted rate;
or
- c) if such a scheme is not feasible, ~~to review~~ing alternative methods and examine the costs and benefits of those.

Groundwater management review

POL TANK 42 After water has been re-allocated and consents reviewed in accordance with ~~Policies POL TANK 36 - 38~~, the Council will commence a review of these provisions within ten years of <operative date> in accordance with Section 79 of the RMA and will determine:

- a) the amount of water allocated in relation to the interim allocation limit;
- b) the total annual metered groundwater use for the Heretaunga Plains Groundwater Quantity Area Water Management Unit during the ten years prior to the time of review;
- c) if any changes in the relationship between groundwater abstraction and the flows of rivers and groundwater levels have occurred;
 - (i) the extent of any stream flow maintenance, augmentation, or and^{194.58} habitat enhancement schemes including in relation to;
 - (ii) the length of stream subject to flow maintenance;
 - (iii) the extent of habitat enhancement including length of riparian margin improvements, and new or improved wetlands;
 - (iv) the magnitude and duration of stream flow maintenance scheme operation;
 - (v) trends oxygen and temperature levels in affected streams.

And will;

- d) In relation to plan objectives and adverse effects listed in Policy POL TANK 36, assess;
 - (i) the effects of the groundwater takes on stream flows;
 - (ii) effectiveness of any^{29.27} stream flow maintenance, augmentation, or habitat enhancement^{194.58} schemes in maintaining water flows, groundwater levels^{29.27} and improving water quality;
 - (iii) effectiveness of habitat enhancement including through improved riparian management and wetland creation in meeting freshwater objectives;

Recommended changes to Proposed Plan Change 9

- e) review the appropriateness of the allocation limit in relation to the freshwater objectives;
- f) develop a plan change to ensure any over-allocation is phased out.

Recommended changes to Proposed Plan Change 9

5.10.7 Policies: Surface Water Low Flow Management

Flow Management Regimes; Tūtaekurī, Ahuriri, Ngaruroro and Karamū

POL TANK 43 The Council will manage river flows and lake or wetland water levels affected by surface water abstraction activities, including groundwater abstraction in Zone 1, during low flow periods so that they meet objectives for aquatic ecosystem health, mauri, tikanga Māori values, and other instream values by;

For the **Ngaruroro River**;

- a) maintaining the existing minimum flows for the Ngaruroro River and its tributaries;
- b) reducing the effects of abstraction from the mainstem and connected groundwater in Zone 1 by reducing the allocation limit for consumptive use at times of low flow^{129.3} for the Ngaruroro River;
- c) establishing allocation limits for the river, connected groundwater in Zone 1 and tributaries to account for the cumulative effects of all abstraction and provide water for abstraction at a reasonable ~~security-~~reliability of supply;
- d) establishing a limit for groundwater abstraction in the upper Ngaruroro Catchment based on existing ~~a~~Actual and ~~r~~Reasonable use until more information about the nature and extent of that resource is available.

For the **Tūtaekurī River**;

- e) increasing the minimum flow for the Tūtaekurī River and the Mangaone tributary and maintaining the minimum flow for the Mangatutu tributary;
- f) reducing the effects of abstraction from the mainstem and connected groundwater in Zone 1 by reducing the allocation limit for consumptive use at times of low flow^{129.3} for the Tūtaekurī River;
- g) establishing allocation limits for the river, connected groundwater in Zone 1 and tributaries to account for the cumulative effects of all abstraction and provide water for abstraction at a reasonable ~~security-~~reliability of supply;
- h) establishing a limit for groundwater abstraction in the upper Tūtaekurī Catchment based on existing ~~a~~Actual and ~~r~~Reasonable use until more information about the nature and extent of that resource is available.

For the **Karamū River**;

- i) maintaining existing flow management regimes for the Karamū River and its tributaries and contributing lakes and wetlands affected by groundwater abstraction and surface water abstractions;
- j) establishing allocation limits for all abstraction year round^{129.4} for the river and tributaries to account for the cumulative effects of all abstraction and provide water for abstraction at a reasonable ~~security-~~reliability of supply.

For the **Ahuriri Catchment Freshwater Streams**;

- k) establishing limits for ground and surface water abstraction based on existing ~~a~~Actual and ~~r~~Reasonable use until more information about the nature and extent of that resource is available.

Paritua ~~and~~ Karewarewa Streams

POL TANK 44 The Council ~~will~~recognises the connectivity between ground and surface water abstraction on the flows in the Paritua ~~and~~ Karewarewa Streams and their tributaries, ~~acknowledges~~s the contribution of flows from these streams to the flows in the Awanui Stream, Karamū River and the Heretaunga Plains Groundwater Quantity Area Water Management Unit, and their importance to local marae and will work with water permit holders, landowners and tangata whenua to, ^{120.49, 123.79, 195.66}

- a) further refine the Heretaunga Plains Aquifer Model to improve model outputs for this catchment;
- b) investigate opportunities for wetland creation to improve hydrological functioning and water quality in the river, especially during low flows;
- c) improve riparian management to provide shade, reduce macrophyte growth, increased dissolved

Recommended changes to Proposed Plan Change 9

- oxygen levels and decrease water temperature;
- d) carry out resource investigations to understand natural stream flow regimes and feasible options for remediation including;
 - (i) managed aquifer recharge;
 - (ii) flow enhancement from groundwater;
 - (iii) streambed modification to reduce losses to groundwater in highly conductive reaches;
- e) enable and support water permit holders and landowners to collectively manage the maintenance of specified flows in the Paritua/Karewarewa Streams;
- f) provide for water to be diverted from the Ngaruroro for the enhancement of flows in the Paritua Stream.

General Water Allocation Policies

POL TANK 45 When assessing applications to take water the Council will;

- a) provide that the ~~taking and use abstraction~~ of water that has been taken and impounded or stored at times of high flow ~~and stored~~ and released for subsequent use, is not subject to allocation limits; ^{58.26}
- b) require water meters to be installed for all water takes authorised by a water permit and water use to be recorded and reported via telemetry provided that telemetry will not normally be required where the consented rate of take is less than 5l/sec ~~or where there are technical limitations to its installation;~~ ^{123.80, 203.19}
- c) ensure water allocation from tributaries is accounted for within the total allocation limit for the relevant zone and that the total abstraction from any tributary does not exceed 30% of the MALF for that tributary unless otherwise specified in Schedule 31;
- d) offset the stream depletion effects of any groundwater takes in Zone 1, that were not previously considered stream depleting, by managing them as if they were in the Heretaunga Plains Groundwater Quantity Area Water Management Unit; and
 - (i) require contributions to an applicable lowland stream enhancement programme at a rate equivalent to the stream depletion effect consistent with Policy POL TANK 39;
 - or
 - (ii) require the water take to cease when the minimum flow for the affected river is reached if a permit holder does not contribute under clause (i) where there is an applicable lowland stream enhancement; and
 - (iii) allow further technical assessments to determine the extent of stream depletion effect.

Water Use and Allocation – Efficiency

POL TANK 46 The Council will ensure efficient management of the allocation of water available for abstraction by:

- a) ensuring allocation limits and allocations of water for abstraction are calculated with known ~~security~~ reliability of supply;
- b) ensuring water is allocated to meet Aactual and Rreasonable ~~requirements-use~~ ^{29.61, 194.64};
- c) encouraging and supporting flexible management of water by permit holders so that the allocatable water can be used efficiently and within specified limits;
- d) on-going data collection and monitoring of water resources and water use to better understand patterns of water availability and water use and further develop efficient and effective water management provisions.

POL TANK 47 When considering applications for resource consent, the Council will ensure water is allocated and used efficiently by:

- a) ensuring that the ~~technical means of using use of~~ water is are physically efficient through;
 - (i) allocation of water for irrigation end-uses based on soil, climate and ~~plant crop~~ needs;
 - (ii) requiring the adoption of good practice water use technology and processes that minimise

Recommended changes to Proposed Plan Change 9

- the amount of water ~~lost from the soil profile wasted~~; and^{59.11, 60.10, 118.2}
 - (iii) the use of water meters;
 - b) using the IRRICALC water demand model ~~if available for the land use being applied for (or otherwise by a suitable equivalent approved by Council)~~^{192.13} that utilises crop type, soil type and climatic conditions^{8.44} to determine efficient water allocations for irrigation uses;
 - c) allocating water for irrigation on the basis of an 80% minimum water application efficiency, ~~standard of 80%~~ and 95% reliability of supply ~~on a reliability standard that meets demand 95% of the time~~;^{59.14, 66.12, 118.3, 58.27, 201.43}
 - d) requiring all non-irrigation water takes (except as provided by POL TANK Policy-50 for municipal and papakāinga supplies) to show how water use efficiency of at least 80% is being met and is consistent with any applicable industry good practice;
 - e) requiring new water takes and irrigation systems to be designed and installed in accordance with industry codes of practice and standards;
 - f) requiring irrigation and other water use systems to be maintained and operated to ensure on-going efficient water use in accordance with ~~any~~^{29.30} applicable industry codes of practice.

Water Use Change/Transfer

POL TANK 48 When considering any application to change the water use specified by a water permit, or to transfer a point of take to another point of take, ~~to consider~~ the Council will take into account:

- a) changes to the nature, location, scale and intensity of effects on:
 - (i) total water use
 - (ii) specified minimum flows and levels or other water users' access to water
 - (iii) the water body values listed in Schedule 25 and in the objectives of this Plan
 - (iv) the patterns of water use over time, including changes from seasonal use to water use occurring throughout the year or changes from season to season
 - (v) water quality^{132.77, 132.109, 195.69}
- and will consider declining applications:
- b) ~~declining applications~~ where the transfer is to another water quantity area management zone unless;
 - (i) new information provides more accurate specification of applicable zone boundaries;
 - (ii) where the lowland tributaries of the Karamū River are over-allocated, whether the transfer of water take from surface to groundwater provides a net beneficial effect on surface water flows;
 - c) to change/transfer water away from irrigation of the versatile land of the Heretaunga Plains for primary production especially food production, except where a change of use and/or transfer is for;
 - (i) a flow enhancement or ecosystem improvement scheme, subject to clause (a); or
 - (ii) the efficient delivery of water supplies and to meet the communities' human health needs for water supply, including for marae and papakāinga, subject to clause (a)^{3.19}
 - d) in over-allocated quantity areas, to transfer allocated but unused water
 - e) for a change of use from frost protection to any other end use.^{210.69}
- ~~a) effects on specified minimum flows and levels or other water users' access to water resulting from any changes to the rates or volume of take;~~
 - ~~b) any alteration to the nature, scale and location of adverse effects on the water body values listed in Schedule 25 and in the objectives of this Plan;~~
 - ~~e) effects of the alteration to the patterns of water use over time, including changes from seasonal use to water use occurring throughout the year or changes from season to season;~~
 - ~~d) except where a change of use and/or transfer is for the purpose of a flow enhancement or ecosystem improvement scheme, declining applications to transfer water away from irrigation end uses in order to protect water availability for the irrigation of the versatile land of the Heretaunga Plains for primary production especially the production of food;~~
 - ~~e) in Water Quality Management Units that are over-allocated, ensuring that transfers do not result in~~

Recommended changes to Proposed Plan Change 9

- ~~f) increased water use and to prevent the transfer of allocated but unused water;~~
- ~~f) declining applications for a change of use from frost protection to any other end use;~~
- ~~g) enabling the transfer of a point of take and change of water use to municipal water supplies, including for marae and papakāinga, (not including transfer to industrial uses above 15m³/day) from any other use for the efficient delivery of water supplies and to meet the communities' human health needs for water supply, subject to clause (b).~~

Water Allocation - Permit Duration

POL TANK 49 When ~~considering making decisions about~~ applications ~~for resource consent~~ to take and use water, the Council will set common expiry dates ~~for water permits to take water in each water management zone,~~ that enables consistent and efficient management of the resource, and will set durations that provide a periodic opportunity to review effects of the cumulative water use and to take into account potential effects of changes in:

- a) knowledge about the water bodies;
- b) over-allocation of water;
- c) patterns of water use;
- d) development of new technology;
- e) climate change effects;
- f) ~~efficacy of~~ flow enhancement and aquifer recharge^{29.32} schemes and any riparian margin upgrades; and the Council;
- g) will impose consent durations of 15 years according to specified water quantity area Management Unit expiry dates. Future dates for expiry or review of consents within that catchment are every 15 years thereafter.;
- h) will impose a consent duration of up to 30 years for municipal supply ~~consistent with the most recent HPUDS~~^{63.13, 207.13} and will impose consent review requirements that align with the expiry of all other consents in the applicable quantity area management unit;
- i) will impose a consent duration for significant water storage infrastructure that is consistent with the scale of infrastructure.^{99.17, 99.107, 180.45, 193.8}
- j) may grant consents granted within three years prior to the relevant common catchment expiry date with a duration to align with the second common expiry date, except where the application is subject to section 8.2.4 of the RRMP).

Water Allocation - Priority

POL TANK 50 In making decisions about resource consent applications for municipal and papakāinga water supply the Council will ensure the water needs of future community growth are met within water limits and;

- a) allocate water for population and urban development projections for the area according to estimates provided by the HPUDS (2017) to 2045;
- b) calculate water demand according to existing and likely residential, non-residential, and non-residential (e.g. schools, hospitals, commercial and industrial)^{63.14, 207.14} demand within the expected reticulation areas; and
 - (i) require that water demand and supply management plans are developed and adopted and industry good practice targets for water infrastructure management and water use efficiency including whether an Infrastructure Leakage Index of 4 or better can be achieved;
 - (ii) seek that the potential effects of annual water volumes are reflected in level of water supply service and reliability of supply objectives in asset management plans and bylaws for water supply;
- c) work collaboratively with Napier City and Hastings District Councils to;
 - (i) develop an integrated planning approach ~~thorough HPUDS~~ that gives effect to the National Policy Statements within the limits of finite resources;

Recommended changes to Proposed Plan Change 9

- (ii) develop a good understanding of the present and future regional water demand and opportunities for meeting this;
- (iii) identify communities at risk from low water reliability or quality and investigate reticulation options.

POL TANK 51 When making water shortage directions under Section 329 of the RMA, occurring when rivers have fallen below minimum flows and water use has decreased or ceased according to permit conditions, the Council will establish and consult with an emergency water management group that shall have representatives from Napier Council, ~~and~~ Hastings District Councils, Fire and Emergency New Zealand~~NZ Fire Service~~, Hawke's Bay District Health Board, iwi authorities and Ministry of Primary Industries^{13.12}, to make decisions about providing for water uses in the following priority order;

- a) water for the maintenance of public health;
- b) water necessary for the maintenance of animal welfare;
- c) water essential for community well-being and health;
- d) water essential for survival of horticultural tree crops;
- e) uses where water is subject to seasonal demand for primary production or processing;
- f) uses for which water is essential for the continued operation of a business, not provided for by (e) except where water is subject to seasonal demand for primary production or processing.^{135.48}
- g) The following uses will not be authorised under a water shortage direction:
- h) use of water not associated with the continued operation of a business or community well-being;
- i) non-essential amenity uses such as private swimming pools and car washing.

Takes not subject to any restrictions are:

- j) firefighting uses;
- k) non-consumptive uses;

Over-Allocation

POL TANK 52 The Council will phase out over-allocation by;

- a) preventing any new allocation of water (not including any reallocation in respect of permits issued before 2 May 2020, or high flow allocations);^{29.34, 99.19, 180.47, 193.9, 194.72}
- b) for applications in respect of existing consents due for expiry or when reviewing consents, to;
 - (i) allocate water according to Actual and Reasonable use demonstrated actual and reasonable need^{194.72} (except as provided for by POL TANK Policy 50)
 - (ii) impose conditions that require implementation of industry good management practice for efficiency of water use gains to be made, including through altering the volume, rate or timing of the take, and requesting providing information to verify efficiency of water use relative to industry good practice standards;^{82.12}
- c) provide for, within the duration of the consent, meeting water efficiency standards where hardship can be demonstrated;
- d) reducing the amount of water permitted to be taken without consent, including those provided for by Section 14 (3)(b) of the RMA, except for authorised uses existing before 2 May 2020;
- e) encouraging voluntary reductions, site to site transfers (subject to clause (f)) or promoting water augmentation/harvesting;
- f) prevent site to site transfers of allocated but unused water that does not meet the definition of aActual and R use;
- g) enabling and supporting permit holders to develop flexible approaches to management and use of allocatable water within a management zone including through catchment collectives, water user groups, consent or well sharing or global water permits;
- h) enabling and supporting the rostering of water use or reducing the rate of takes in order to avoid water use restrictions at minimum or trigger flows.

Recommended changes to Proposed Plan Change 9

Frost Protection

POL TANK 53 When considering applications to take water for frost protection, the Council will avoid, remedy or mitigate actual and potential effects of the take on its own or in combination with other water takes;

- a) from groundwater in the Heretaunga Plains Groundwater Quantity Area Water Management Unit on;
 - (i) neighbouring bores and existing water users;
 - (ii) connected surface water bodies;
 - (iii) water quality as a result of any associated application of the water onto the ground where it might enter water;
- b) from surface water on;
 - (i) instantaneous flow in the surface water body;
 - (ii) fish spawning and existing water users;
 - (iii) applicable minimum flows during November to April;
 - (iv) water quality as a result of any associated application of the water onto the ground where it might enter water;

By;

- c) requiring applicants to demonstrate non-water reliant alternatives have been investigated and provide evidence as to why they are not appropriate:^{8.45}
- d) ~~e~~taking into account any stream depletion effects of groundwater takes;
- e) ~~d~~imposing limits in relation to minimum flows or groundwater levels;
- f) ~~f~~requiring water metering, monitoring and reporting use of water for frost protection.

Recommended changes to Proposed Plan Change 9

5.10.8 Policies: High Flow Allocation

Adverse Effects - Water Damming

POL TANK 54 When assessing applications to dam water and to take water from the dam impoundment, the Council will avoid, remedy or mitigate adverse effects of;

- a) potential changes to water quality arising from subsequent changes to land use activities that may occur as a result of water being allocated for take and use from the dam and whether relevant freshwater quality objectives can be met;
- b) the dam and any associated lake or reservoir, and any effects of the volume, velocity, frequency, and duration of flow releases from the dam, either by itself or cumulatively with other storage structures or dams, on;
 - (i) the uses and values for any water body identified in the objectives or Schedule 25;
 - (ii) water levels and flows in connected water bodies, including lakes and wetlands;
 - (iii) water quality, including effects on temperature and management of periphyton in connected water bodies;
 - (iv) river ecology and aquatic ecosystems, including passage of fish and eels, indigenous species habitat and riparian habitat, including in relation to the storage impoundment;
 - (v) groundwater recharge;
 - (vi) downstream land, property and infrastructure at risk from failure of the proposed dam;
 - (vii) other water users;
 - (viii) downstream river bed stability, including through sediment transfer and management of vegetation in river beds;
- c) whether there are practicable alternatives;

and, except as prohibited by [Policy POL TANK 58](#), will limit the amount of flow alteration so that the damming of surface water either on its own or in combination with other dams or water storage in a catchment does not cumulatively adversely affect the frequency of flows above three times the median flow by more than a minor amount and provided that any dam in combination with other dams or high flow takes shall not cause changes to the river flow regime that are inconsistent with specified flow triggers.

Adverse Effects - Water Take and Storage

POL TANK 55 When assessing applications to take water for off-stream storage or to take water from the impoundment the Council will avoid remedy or mitigate adverse effects of;

- a) potential changes to water quality arising from subsequent changes to land use activities as a result of water being allocated for take and use from the impoundment and whether relevant freshwater quality objectives can be met;
- b) the magnitude, frequency, duration and timing of water takes either by itself or cumulatively with other storage structures or dams, on;
 - (i) the uses and values for any water body identified in the objectives;
 - (ii) water levels and flows in connected water bodies, including lakes and wetlands;
 - (iii) water quality, including effects on temperature and management of periphyton in connected water bodies;
 - (iv) river ecology and aquatic ecosystems, including passage of fish and eels, indigenous species habitat and riparian habitat, including in relation to the storage impoundment;
 - (v) groundwater recharge;
 - (vi) downstream land, property and infrastructure at risk from failure of the proposed storage structure;
 - (vii) other water users;

and will limit the amount of flow alteration so that the taking of surface water does not cumulatively adversely affect the frequency of flows above three times the median flow by more than a minor amount and provided that;

Recommended changes to Proposed Plan Change 9

- (viii) the high flow take ceases when the river is at or below the median flow;
- (ix) such high flow takes do not cumulatively exceed the specified allocation limits;
- (x) any takes to storage existing as at 2 May 2020 will continue to be provided for within new allocation limits and subject to existing flow triggers.

Benefits of Water Storage and Augmentation

POL TANK 56 The Council will recognise beneficial effects of water storage and augmentation schemes, including water reticulation in the TANK catchments and out-of-stream- storage, and when considering applications for resource consent will take into account the nature and scale of the following criteria;

- a) benefits for aquatic organisms and other values in Schedule 25 or in relation to the objectives of this plan in affected water bodies;
- b) whether water availability is improved or the level to which the security of supply for water users is enhanced;
- c) whether the proposal provides for the productive potential of un-irrigated land or addresses the adverse effects of water allocation limits on land and water users, especially in relation to primary production on versatile land;
- d) whether the proposal provides benefits to downstream water bodies at times of low flows provided through releases from storage or the dam;
- e) the nature and scale of potential ecosystem benefits provided by the design and management of the water storage structure, its margins and any associated wetlands;
- f) benefits for other water users including recreational and cultural uses and any public health benefits;
- g) other community benefits including improving community resilience to climate change;
- h) whether the proposal provides for renewable electricity generation.

POL TANK 57 The Council will carry out further investigation to understand the present and potential future regional water demand and supply including for abstractive water uses and environmental enhancement and in relation to climate [prior to the review of the planning provisions as per POL TANK 42^{63.17, 207.17}](#). It will consider water storage options according to the criteria in [Policy POL TANK 56](#) in consultation with local authorities, tangata whenua, industry groups, resource users and the wider community when making decisions about water augmentation proposals in its Annual and Long Term Plans.

POL TANK 58 The Council will protect the instream water values and uses identified in Objectives 11 and 12 for the Ngaruroro and Tūtaekurī Rivers and their tributaries, the Taruarau, Omahaki, Mangatutu and Mangaone Rivers by prohibiting the construction of dams on the mainstem of those rivers.

High Flow Reservation

POL TANK 59 The Council will allocate 20% of the total water available at times of high flow in the Ngaruroro or Tūtaekurī River catchments [as specified in Schedule 32^{108.5}](#) for abstraction, storage and use for the following activities;

- a) contribution to environmental enhancement that is in addition to any conditions imposed on the water storage proposal;
- b) improvement of access to water for domestic use by marae and papakāinga;
- c) the use of water for any activity, provided that;
 - (i) it includes contribution to a fund managed by the Council in consultation with mana whenua; and
 - (ii) the fund will be used to provide for development of Māori wellbeing;
 - (iii) the contribution to the fund is proportional to the amount of reserved water being taken and any commercial returns resulting from the application
- d) the development of land returned to a Post-Settlement Governance Entity (PSGE) through a Treaty Settlement.

Recommended changes to Proposed Plan Change 9

And in making decisions on applications to take and store this water the Council will;

- e) require information to be provided that demonstrates how the activity will provide for Māori economic, cultural or social well-being;
- f) have regard to the views of any affected PSGE or iwi authority arising from consultation about the application and any assessment of the potential to provide part, or all of the 20% high flow allocation;
- g) have regard to any relevant provisions for the storage and use of high flow allocation water for Māori development in any joint iwi/hapū management plans relevant to the application (where more than one PSGE, iwi/hapū is affected, the iwi management plan must be jointly prepared by the affected iwi/hapū).

POL TANK 60 When making decisions about resource consent applications to take and store high flow water, the Council will take into account the following matters:

- a) whether water allocated for development of Māori well-being is still available for allocation;
- b) whether there is any other application to take and use the high flow allocation for development of Māori well-being relevant to the application;
- c) the scale of the application and whether cost effective or practicable options for taking and using the high flow allocation for Māori development can be incorporated into the application;
- d) the location of the application and whether cost effective or practicable options for including taking and using water for Māori development can be developed as part of the application;
- e) whether there has been consultation on the potential to include taking and using all or part of the water allocated for Māori development into the application;
- f) whether it is the view of the applicant that a joint or integrated approach for the provision of the high flow water allocated to Māori development is not appropriate or feasible, and the reasons why this is the case.

Climate change

POL TANK 61 The Council will require decisions on land and water management to consider:

- a) The effects on climate change on aquatic ecosystems, indigenous biodiversity, trout and salmon, ^{58.5} freshwater bodies, water supply, human health, primary production and infrastructure from the predicted:
 - (i) Increases in intensity and frequency of rainfall;
 - (ii) effects of rainfall on erosion and sediment loss;
 - (iii) increases in sea level and the effects of salt water intrusion;
 - (iv) increasing frequency of water shortages;
 - (v) increasing variability in river flows.
- b) the amount of information available
- c) the scale and probability of adverse effects, particularly irreversible effects, as a consequence of acting or not acting;
- d) the timeframes relevant to the activity; and
- e) how to improve community resilience for changes. ^{201.2, 132.83, 120.78}

Recommended changes to Proposed Plan Change 9

Chapter 6 New Regional Rules

Amend; Summary of Existing Rules to insert a new Section 6.10

6.10 TANK Catchments specific rules	Classification	Page (to come)
6.10.1 Use of Production Land		
Rule TANK 1 Use of Production Land	Permitted	
Rule TANK 2 Use of Production Land	Controlled	
Rule TANK 3 Stock Access	Permitted	
Rule TANK 4 Stock Access	Restricted Discretionary	
Rule TANK 5 Use of Production Land (land use change)	Controlled	
Rule TANK 6 Use of Production Land (land use change)	Restricted Discretionary	
6.10.2 Take and Use of Water		
Rule TANK 7 Take and use of surface water	Permitted	
Rule TANK 8 Take and use of groundwater	Permitted	
Rule TANK 9 Take and use groundwater (Heretaunga Plains)	Restricted Discretionary	
Rule TANK 10 Take and use ground or surface water	Restricted Discretionary	
Rule TANK 11 Take and use water	Discretionary	
Rule Tank 12 Take and use water	Prohibited	
Rule Tank 13 Take and use water (high flow)	Discretionary	
Rule Tank 14 Damming water	Discretionary	
Rule Tank 15 Take and use water (from an impoundment)	Discretionary	
Rule Tank 16 Take and use water (from an impoundment)	Non-complying	
Rule Tank 17 Damming water	Prohibited	
Rule TANK 18 Stream flow maintenance	Discretionary	
6.10.3 Discharge of Stormwater		
Rule Tank 19 Stormwater	Permitted	
Rule Tank 20 Stormwater	Restricted Discretionary	
Rule Tank 21 Stormwater	Controlled	
Rule Tank 22 Stormwater	Restricted Discretionary	
Rule Tank 23 Stormwater	Discretionary	

Recommended changes to Proposed Plan Change 9

Insert the following rules as new Section 6.10

6.10 Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment Rules (TANK)

6.10.1 Use of Production Land

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
TANK 1 Use of Producti on Land	The use of production farm land where: (a) 20 or more hectares of the farm is arable land use; or (b) 5 or more hectares of the farm is horticultural land use; or (c) 20 or more hectares of the farm is pastoral land use; or (d) 20 or more hectares of the farm is a combination of any 2 or more of the land uses described above on farm properties or farming enterprises in the TANK	Permitted	a) The farm property or farming enterprise land area has less than 75% plantation forest cover ³⁴ . b) Either; (i) The owner or manager of the farm operator property or enterprise is either a member of a TANK Industry Programme or a member of a TANK Catchment Collective within the timeframes specified in Schedule 28 and accordance with the requirements of Schedule 30; Or; (ii) The farm operator property or enterprise owner or manager of the property shall prepare a <u>Freshwater Farm Environment Plan</u> in accordance with the requirements of Schedule 30 and within the timeframes specified in Schedule 28; and the <u>Freshwater Farm Environment Plan</u> is being implemented and; 1. the Council shall be provided with the <u>Freshwater Farm Environment Plan</u> upon request; 2. information about the implementation of the mitigation measures identified for the property farm shall be supplied to the Council on request. c) <u>Where a farm is in a high priority catchment for total nitrogen concentration or nitrogen yield as shown on the Planning Maps for Schedule 28 the freshwater farm plan shall include in accordance with Schedule 30</u>	

³ The National Environmental Standards; Plantation Forestry also apply where there is plantation forest. This rule only applies if a property has less than 75% plantation forest cover

Recommended changes to Proposed Plan Change 9

	<p>catchments that are greater than 10 hectares pursuant to Section 9(2) RMA and associated non-point source discharges pursuant to Section 15 of the RMA</p> <p>135.50,29.37, 180.53</p>		<p>the:</p> <p>(i) nitrogen loss rate (kg/ha/year) and</p> <p>(ii) nitrogen loss rate target ^{110, 123, 210, 126, et al}</p>	
<p>TANK 2 Use of Producti on Land</p>	<p>The use of farm production land where:</p> <p>(a) 20 or more hectares of the farm is arable land use; or</p> <p>(b) 5 or more hectares of the farm is horticultural land use; or</p> <p>(c) 20 or more hectares of the farm is pastoral land use; or</p> <p>(d) 20 or more hectares of the farm is a combination of any 2 or more of the land uses described above on farm properties or</p>	<p>Controlled</p>	<p>The activity does not meet <u>the</u> conditions (b) of Rule TANK 1.</p>	<ol style="list-style-type: none"> 1. The freshwater water quality objectives and targets in Schedule 26 for the catchment where the activity is being undertaken and any measures required to reduce the actual or potential contaminant loss occurring from the property, taking into account their costs and likely effectiveness and including performance in relation to industry good practice and requirements for; <ol style="list-style-type: none"> a) Efficient use of nutrients and minimisation of nutrient losses, b) Wetland management c) Riparian management d) Management of farm wastes e) Management of stock including in relation to water ways and contaminant losses to ground and surface water f) Measures required to maintain or improve the physical and biological condition of soils so as to reduce risks of erosion, movement of soil into waterways, and damage to soil structure g) Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply 2. Nature and scale of actual and potential contamination loss from the property in relation to the objectives specified in Schedule 26 3. Timeframes for any alternative mitigation measures 4. Duration of consent

Recommended changes to Proposed Plan Change 9

	<p>farming enterprises that are greater than 10 hectares in the TANK catchments pursuant to Section 9(2) RMA and associated non-point source discharges pursuant to Section 15 of the RMA. 35.50, 29.37, 180.53</p>			<ol style="list-style-type: none"> 5. Lapsing of consent 6. Review of consent conditions; 7. The collection, recording, monitoring and provision of information concerning the exercising of the consent <p>Consent applications will generally be considered without notification and without the need to obtain written approval of affected persons</p>
<p>TANK 3 Stock Access 124.32, 129</p>	<p>Stock Access to rivers lakes and wetlands</p>	<p>Permitted</p>	<p>(a) The entry into or over the bed of any river lake or wetland by cattle, deer and pigs is a permitted activity provided that; (i) stock are at a stocking rate less than 18su/ha in the paddock adjacent to the river the stock have access to; and (ii) The slope over 60% or more of the paddock is greater than 15 degrees of slope. (b) Rivers that are crossed by formed stock races are bridged or culverted by 31 May 2023. (c) The entry into or over the bed of any river, lake or wetland by cattle, deer and pigs not permitted by condition (a) is a permitted activity until 31 May 2023. (d) For rivers, conditions (a) to (c) apply only to rivers with an active formed channel.</p>	
<p>TANK 4 Stock Access</p>	<p>Stock Access to rivers lakes and wetlands</p>	<p>Restricted-Discretionary</p>	<p>The activity does not meet any one of the conditions (a) – (d) of Rule TANK 3.</p>	<ol style="list-style-type: none"> 1. An assessment of sources, scale and significance of adverse effects of sediment, phosphorus, nitrogen and bacterial inputs to the waterbody that could be effectively or efficiently reduced by stock exclusion, bridging or culverting 2. Alternative measures to meet water quality outcomes and improve ecosystem health, including by managing bank erosion or reducing sediment losses to water in contributing areas,

Recommended changes to Proposed Plan Change 9

				<p>altering land uses, or providing reticulated water for stock;</p> <p>3. Whether stock exclusion is practicable in the circumstances including in relation to;</p> <p>a) total costs of stock exclusion measures compared to expected water quality benefit as assessed in relation to matter 1 and other possible adverse effects including stock welfare</p> <p>b) technical or practical challenges of any works required for stock exclusion to be effective</p> <p>c) potential costs and benefits provided by alternative measures compared to stock exclusion</p> <p>4. Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply</p> <p>5. Timeframes for any alternative mitigation measures</p> <p>6. Duration of consent</p> <p>7. Lapsing of consent</p> <p>8. Review of consent conditions;</p> <p>9. The collection, recording, monitoring and provision of information concerning the exercising of the consent</p>
<p>TANK 5 Use of Producti on Land</p>	<p><u>A change in land use</u> The changing of a use of production land on farm properties or farming enterprises that are greater than 10 hectares in the TANK catchments pursuant to Section 9(2) RMA and associated non- point source discharges</p>	<p>Controlled</p>	<p>a) <u>A change in land use types means a change from one leaching level to a higher leaching level as shown in Table 1 of Schedule 29</u></p> <p>b) a) A change in land use is a Any change to the production land use activity <u>from what existed commencing after on 2 May 2020</u></p> <p>c) The <u>change in land use</u> is over more than <u>10ha</u> 10% of the property or farming enterprise area.</p> <p>d) The <u>owner of the production land subject to the changed land use is a member of subject to a Catchment Collective which has a Catchment Collective Plan Programme</u> meeting the requirements of Schedule 30<u>AB</u> by a <u>TANK Catchment Collective which meets the requirements of Schedule and 30BA.</u></p> <p>e) The Council may require information to be provided about production land use changes (note that the Schedule 30 requires collectives to record land use changes-</p>	<p>1. Modelling using Overseer, or alternative model approved by Council to demonstrate the change in land use activity will be consistent with the requirements of <u>Policy POL TANK 21.</u></p> <p>2. The measures being undertaken by the TANK Landowner Catchment Collective in undertaking measures to meet water quality objectives, <u>including measures required as a result of the proposed land use change.</u> ^{37, 131.8, 122.68}</p> <p>3. 2-<u>Measures to be undertaken on the property which contribute to meeting ,including how the effect of the new land use activity on contributing to the water quality objectives is-being collectively addressed</u> including by;</p> <p>a) Efficient use of nutrients and minimisation of nutrient losses,</p> <p>b) Wetland management</p> <p>c) Riparian management</p> <p>d) Management of farm wastes</p> <p>e) Management of stock including in relation to waterways and contaminant losses to ground and surface water</p>

Recommended changes to Proposed Plan Change 9

	pursuant to Section 15 of the RMA		-	<p>f) Measures required to maintain or improve the physical and biological condition of soils so as to reduce risks of erosion, movement of soil into waterways, and damage to soil structure</p> <p>g) Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply</p> <p>4. 3. Timeframes for any alternative mitigation measures</p> <p>5. 4. Duration of consent</p> <p>6. 5. Lapsing of consent</p> <p>7. 6. Review of consent conditions</p> <p>8. 7. The collection, recording, monitoring and provision of information including Overseer or alternative model files,</p> <p><u>If water quality limits and targets in Schedule 26 are being met in the catchment, consent applications in that catchment will be considered without public notification and without the need to, obtain written approval of affected persons. Consent applications will generally be considered without notification and without the need to obtain written approval of affected persons.</u></p>
TANK 6 Use of Producti on Land	<u>A change in land use type</u> The changing of a use of production land on farm properties or farming enterprises that are greater than 10 hectares in the TANK catchments pursuant to Section 9(2) RMA and associated non-point source discharges	Restricted Discretionary	<p>a) The activity does not meet the conditions of TANK 5.</p> <p>b) Any change to a production land use activity over more than 10ha of the property or enterprise area commencing after 2 May 2020 that results in the annual nitrogen loss increasing by more than the applicable amount shown in Table 2 in Schedule 29.</p> <p><u>b) The change in land use type is a change to the activity from what existed on 2 May 2020.</u></p> <p><u>c) The change in land use type is over more than 10ha of the property or farming enterprise area.</u></p>	<p>1. Modelling using Overseer, or alternative model approved by Council to demonstrate the change in land use activity will be consistent with the requirements of <u>Policy POL TANK 21.</u></p> <p>2. <u>The measures being undertaken by any relevant Catchment Collective to meet water quality objectives, including measures required as a result of the proposed land use change.</u></p> <p>3. Whether water quality limits and targets in Schedule 26 are being met in the catchment where the new activity is to be undertaken.</p> <p>4. The extent to which the land use change will affect the ability to meet water quality objectives.</p> <p>5. Any measures required to reduce the actual or potential contaminant loss occurring from the property, taking into account their costs and likely effectiveness and including performance in relation to industry good practice and requirements for;</p>

Recommended changes to Proposed Plan Change 9

	<p>pursuant to Section 15 of the RMA</p>			<ul style="list-style-type: none"> a) Efficient use of nutrients and minimisation of nutrient losses, b) Wetland management c) Riparian management d) Management of farm wastes e) Management of stock including in relation to waterways and contaminant losses to ground and surface water f) Measures required to maintain or improve the physical and biological condition of soils so as to reduce risks of erosion, movement of soil into waterways, and damage to soil structure g) Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply <u>irrespective of any treatment process for the Registered Drinking Water Supply</u> ^{207.45} 6. Timeframes for any alternative mitigation measures 7. Duration of consent 8. Lapsing of consent 9. Review of consent conditions 10. The collection, recording, monitoring and provision of information including Overseer or alternative model files <u>If water quality limits and targets in Schedule 26 are being met in the catchment, consent applications in that catchment will be considered without public notification and without the need to, obtain written approval of affected persons.</u>
--	---	--	--	---

Recommended changes to Proposed Plan Change 9

6.10.2 Water – Take and Use

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
TANK 7 Surface Water take	The take and use of surface water in the TANK water <u>quantity areas Management-Zones</u> including under Section 14(3)(b) of the RMA <u>and from a dam or water impoundment</u> . ^{194.83}	Permitted	<p>a) Any take first commencing after 2 May 2020 is not from any of the following: Maraekakaho Water Management Unit Quantity Areas Ahuriri Water Management Unit Quantity Areas Awanui Stream Water Quantity Area and its tributaries Poukawa Water Management Unit Quantity Areas Louisa Stream Water Quantity Area and its tributaries Paritua-Karewarewa Water Quantity Area.^{132.21}</p> <p>b) The take does shall not exceed 5 cubic metres per day per any one property except: (i) Takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day and to meet the reasonable needs of animals for drinking water; (ii) <u>Takes to meet reasonable domestic needs</u>^{4 17.7} _ (iii) <u>Takes for stock drinking water</u>^{129.8} (iv) Takes occurring for a period of less than 28 days within any 90 day period, the total volume taken on any property shall not exceed 200 cubic metre per 7 day period.</p> <p>c) The taking of water does shall not cause any stream or river flow to cease.</p> <p>d) Fish, including eels, shall be prevented from entering the reticulation system.</p> <p>e) The activity shall not cause changes to the flows or levels of water in any connected wetland.</p> <p>f) The take shall not prevent from taking water any other lawfully established efficient groundwater take, or any lawfully established surface water take, which existed prior to commencement of the take.</p>	

⁴ Refer to Glossary for definition of “reasonable domestic needs”.

Recommended changes to Proposed Plan Change 9

			<p>g) <u>The rate of take shall not exceed 10% of the instantaneous flow⁵ at the point of take.</u>^{123.102}</p> <p>A Means of Compliance for Condition d)</p> <p>Installation of a screen or screens on the river intake that has a screen mesh size not greater than 3 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times.</p> <p><u>Note – Conditions a) and b) do not apply to the take and use of water for emergency or training purposes in accordance with RMA Section 14(3)(e).</u>^{13.13}</p>		
TANK 8 Groundwater take.	The take and use of groundwater in the TANK Water Management Zones including under Section 14(3)(b) of the RMA	Permitted	<p>a) Any take first commencing after 2 May 2020 is not from the Poukawa <u>Water Quantity Area Freshwater Management Unit (quantity)</u></p> <p>b) There is only one point of take per property and the take does not exceed 5 cubic metres per day except;</p> <p>(i) Takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day and to meet the reasonable needs of animals for drinking water.^{129.9}</p> <p>(ii) <u>Takes to meet reasonable individual domestic needs⁶</u>^{17.7}</p> <p>(iii) <u>Takes for stock drinking water needs</u>^{129.9}</p> <p>(iv) Takes occurring for a period of less than 28 days within any 90 day period, the total volume taken on any property shall not exceed 200 cubic metre per 7 day period.</p> <p>(v) The taking of water for <u>non-consumptive uses including</u> aquifer testing is not restricted limited to 20 cubic metres per day^{203.17, 203.18, 203.22, 210.89}</p>		

⁵ The taking of water for an individual's reasonable domestic needs and the reasonable needs of an individual's animals drinking water is not restricted by this rule.

⁶ Refer to Glossary for definition of "reasonable domestic needs".

Recommended changes to Proposed Plan Change 9

			<p>c) The rate of take shall not exceed 10 l/s other than aquifer testing for which the rate of take is not restricted.</p> <p>d) The take shall not prevent from taking water, any other lawfully established efficient groundwater take, or any lawfully established surface water take, which existed prior to commencement of the take.</p> <p>e) The take shall not cause changes to the flows or levels of water in any connected wetland.</p> <p>f) Backflow of water or contaminants into the bore shall be prevented.</p> <p><u>Note – Conditions a) and b) do not apply to the take and use of water for emergency or training purposes in accordance with RMA Section 14(3)(e).</u>^{13,13}</p>		
<p>TANK 9</p> <p>Groundwater Take – Heretaunga Plains</p>	<p><u>Replacement of an existing Resource Consent to Take of water from the Heretaunga Plains Groundwater Quantity Area Management Unit where Section 124 of the RMA applies (applies to existing consents)</u> 63.20 207.22.</p>	<p>Restricted Discretionary</p>	<p>a) The activity does not comply with the conditions of Rule TANK 8.</p> <p>b) An application is either for the continuation of a water take and use previously authorised in a permit that was issued before 2 May 2020 or is a joint or global application that replaces these existing water permits previously held separately or individually.</p> <p>Actual and Reasonable Re-allocation</p> <p>c) The quantity taken and used for irrigation, other than provided for under d), is the aActual and #Reasonable amount.^{194.85}</p> <p>d) The quantity taken and used for municipal, community and papakāinga water supply is:</p> <p>(i) the quantity specified on the permit being renewed; or</p> <p>(ii) any lesser quantity applied for.</p> <p>e) Other than as provided in (c) or (d) the quantity taken and used is the least of:</p> <p>(i) — the quantity specified on the permit due for renewal or</p> <p>(ii) — any lesser quantity applied for</p> <p>(iii) — the maximum annual water use in any one year within the 10 years preceding 1 August</p>	<p>1. The extent to which the need for water has been demonstrated and is aActual and #Reasonable provided that the quantities assessed or calculated may be amended after taking account of:</p> <p>a. the completeness of the water permit and watermeter data record;</p> <p>b. the climate record for the same period as held by the Council (note: these records will be kept by the Council and publically available) and whether that resulted in water use restrictions or bans being imposed;</p> <p>c. effects of water sharing arrangements</p> <p>d. crop rotation/development phases</p> <p>2. The extent to which the application was subject to programmed or staged completion of authorised major infrastructure developments over time.</p>	<p><u>Applications may be considered without notification and without the need to obtain the written approval of affected persons in accordance with section 94(1)(b) of the RMA. Applications may be notified if special circumstances exist in terms of section 95B(10) of the RMA or upon review of a consent. In considering whether or not special circumstances exist and to notify upon review, the Council will include consideration of whether an</u></p>

Recommended changes to Proposed Plan Change 9

			<p style="color: red;">2017 (including as demonstrated by accurate water meter records).^{194.85}</p> <p>Stream Flow Maintenance Scheme</p> <p style="color: red;">f) The take is subject to a stream depletion calculation.- The water permit holder either:</p> <p style="color: red;">(i) —contributes to or develops an applicable stream maintenance and habitat enhancement scheme that complies with the requirements of Schedule 36 at a rate equivalent to the stream flow depletion (in l/sec) which will be calculated using the Stream Depletion Calculator and based on the allocated amount of water.</p> <p style="color: red;">or</p> <p style="color: red;">(ii) The water take ceases when the flow in the affected stream fall below the specified trigger level in Schedule 31.^{129.10}</p> <p style="color: red;">g) Any take authorised under clause (d) is not subject to conditions (f) in respect of that part of the total allocated amount used for essential human health.</p> <p>General Conditions</p> <p>g) A water meter is installed.</p> <p>h) Back flow of water or contaminant entry into the bore shall be prevented.</p> <p>Advisory Note:</p> <p>Any application to change water use as specified under (c) (d) or (e) may trigger a consent requirement under Rules TANK 5 or 6.</p>	<ol style="list-style-type: none"> 3. Previous history of exercising the previous consent. 4. The quantity, rate and timing of the take, including rates of take and any other requirements in relation to any minimum or trigger flow or level given in Schedule 31 and rates of take to limit drawdown effects on neighbouring bores. 5. Where the take is in a Source Protection Zone <u>Source Protection Extent</u>^{63.22, 207.24}, the actual or potential effects of the rate of take and volume abstracted on the quality of source water for the water supply and any measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply irrespective of any treatment including notification requirements to the Registered Drinking Water supplier 6. For applications to take water for municipal, community and papakāinga water supply; <ol style="list-style-type: none"> a. provisions for demand reduction and asset management over time so that water use is at reasonable and justifiable levels including whether an Infrastructure Leakage Index of 4 or better will be achieved b. Rate and volumes of take limited to the projected demand for the urban area provided in the HPUDS 2017. c. water demand based on residential and non-residential use 	<p style="color: red;"><u>applicable stream flow maintenance scheme exists.</u></p> <p style="color: red;">29.31, 194.70, 208.15, 238.17</p>
--	--	--	--	---	--

Recommended changes to Proposed Plan Change 9

				<p>including for schools, rest homes, hospitals commercial and industrial demand ^{63.23, 207.25} within the planned reticulation areas</p> <p>d. any Source Protection Zone or extent (as specified in Schedule 35) and</p> <p>i. any proposed changes to provisional protection areas and</p> <p>ii. the impacts of any changes to restrictions on land or water use activities in the protection area.</p> <p>7. Measures to achieve efficient water use or water conservation and avoid adverse water quality effects including the method of irrigation application necessary to achieve efficient use of the water and avoid adverse water effects through ponding and runoff and percolation to groundwater.</p> <p>8. The effects of any water take and use for frost protection on the flows in connected surface water bodies.</p> <p>9. For applications other than irrigation, municipal, community or papakāinga water supply or frost protection, measures to ensure that the take and use of water meets an efficiency of use of at least 80%</p> <p>10. Management of bores including means of backflow prevention and ensuring well security.</p> <p>11. Information to be supplied and</p>	
--	--	--	--	---	--

Recommended changes to Proposed Plan Change 9

				<p>monitoring requirements including timing and nature of water metering data reporting and the installation of telemetered recording and reporting</p> <p>12. The duration of the consent (Section 123 of the RMA) as provided for in Schedule 33 timing of reviews and purposes of reviews (Section 128 of the RMA).</p> <p>14. Lapsing of the consent (Section 125(1) of the RMA).</p> <p>15. Stream flow depletion amount in litres per second calculated using the Stream Depletion Calculator</p> <p><u>Review of permit and new conditions to be imposed in respect of contribution to a stream flow maintenance and habitat enhancement scheme, when applicable.</u>^{129.11}</p>	
--	--	--	--	---	--

Recommended changes to Proposed Plan Change 9

<p>TANK 10</p> <p>Surface and groundwater water takes (abstraction at low flows)</p>	<p><u>Replacement of an existing Resource Consent To take and use water where Section 124 applies (applies to existing consents). 63.24, 207.26</u></p>	<p>Restricted Discretionary</p>	<p>a) The take is not from the Heretaunga Plains <u>Groundwater Quantity Areas Management Unit (quantity)</u>.</p> <p>b) The taking and use of water from surface or groundwater water bodies does not comply with conditions of TANK 7, or TANK 8.</p> <p>c) Where the take was previously subject to a condition restricting the take at flows that are higher than the applicable flow specified in Schedule 31, the higher flow will continue to apply. <u>For all other takes, the flows specified in Schedule 31 apply.</u>^{129.13}</p> <p>d) An application is either for the continuation of a water take and use previously authorised in a permit that was issued before 2 May 2020 or is a joint or global application that replaces these existing water permits previously held separately or individually.</p> <p>Actual and Reasonable Re-allocation</p> <p>e) The quantity taken and used <u>for irrigation, other than provided for by f)</u>, is the Actual and Reasonable amount.^{194.88}</p> <p>f) The quantity taken and used for municipal, community and papakāinga water supply is:</p> <p>(i) the quantity specified on the permit being renewed; or</p> <p>(ii) any lesser quantity applied for.</p> <p>g) Other than as provided in (e) or (f), the quantity taken and used is the least of:</p> <p>(i) the quantity specified on the permit due for renewal; or</p> <p>(ii) any lesser quantity applied for;</p> <p>(iii) the maximum annual water use in any one year within the 10 years preceding 2 May 2020 (including as demonstrated by accurate water meter records).^{194.88}</p>	<ol style="list-style-type: none"> 1. The extent to which the need for water has been demonstrated and is aActual and rReasonable provided that the quantities assessed or calculated may be amended after taking account of: <ol style="list-style-type: none"> a. the completeness of the water permit and water meter data record; b. the climate record for the same period as held by the Council (note: these records will be kept by the Council and publically available) and whether that resulted in water use restrictions or bans being imposed; c. effects of water sharing arrangements d. crop rotation/development phases 2. Previous history of exercising the previous consent. 3. The quantity, rate and timing of the take, including rates of take and any other requirements in relation to any relevant minimum flow or level or allocation limit given in Schedule 31. 4. Where the take is in a Source Protection Zone Source Protection Zone <u>or Source Protection Extent</u>^{63.25, 207.27}, the actual or potential effects of the rate of take and volume abstracted on the quality of source water for the water supply and any measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply irrespective of any treatment including notification requirements to the Registered 	<p><u>Applications may be considered without notification and without the need to obtain the written approval of affected persons in accordance with section 94(1)(b) of the RMA. Applications may be notified if special circumstances exist in terms of section 95B(10) of the RMA or upon review of a consent. In considering whether or not special circumstances exist and to notify upon review, the Council will include consideration of whether an applicable stream flow maintenance scheme exists.</u></p> <p>29.31, 194.70, 208.15, 238.17</p>
---	---	--	--	--	--

Recommended changes to Proposed Plan Change 9

			<p>Surface Water Quantity Area Management (quantity)</p> <p>h) Any take from groundwater in Zone 1 authorised as at 2 May 2020 in any surface Water Quantity Area Management Unit (quantity) is subject to a stream depletion calculation. either;</p> <p>(iv) a restriction in water flow when the applicable minimum flow is reached in the relevant zone (as shown in Schedule 31);</p> <p>Or</p> <p>(v) the take complies with conditions (f) and (g) of rule TANK 9 where there is an applicable scheme.^{129,14}</p> <p>General Conditions</p> <p>i) A water meter is installed.</p> <p>j) Fish and eels are prevented from entering the reticulation system.</p> <p>k) Back flow of water or contaminants into any bore shall be prevented.</p> <p>Advisory Note:</p> <p>Any application to change water use as specified under (c) (d) or (e) may trigger a consent requirement under Rules TANK 5 or 6.</p> <p>Means of Compliance for Condition (j)</p> <p>Installation of a screen or screens on the river intake that has a screen mesh size not greater than 3 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times.</p>	<p>Drinking Water supplier</p> <p>5. For applications to take water for municipal, community and papakāinga water supply;</p> <p>a. provisions for demand reduction and asset management over time so that water use is at reasonable and justifiable levels including whether an Infrastructure Leakage Index of 4 or better will be achieved.</p> <p>b. Rate and volumes of take limited to the projected demand for the urban area provided in the HPUDS 2017.</p> <p>c. water demand based on residential and non-residential use including for schools, rest homes, hospitals commercial and industrial demand ^{63.26, 207.28} within the planned reticulation areas</p> <p>6. The location of the point(s) of take</p> <p>7. The effects of any water take and use for frost fighting on the natural flow regime of the river.</p> <p>8. Information to be supplied and monitoring requirements including timing and nature of water meter data reporting and the installation of telemetered recording and reporting.</p> <p>9. For applications other than irrigation, municipal, community or papakāinga water supply or frost protection , evidence that the take and use of water meets an efficiency of use of at least 80%</p>	
--	--	--	--	---	--

Recommended changes to Proposed Plan Change 9

				<p>10. Measures to achieve efficient water use or water conservation and avoid adverse water quality effects including the method of irrigation application necessary to achieve efficient use of the water and avoid adverse water effects through ponding and runoff and percolation to groundwater.</p> <p>11. Management of bores and other water take infrastructure including means of backflow prevention.</p> <p>12. Measures to prevent fish from entering the reticulation system.</p> <p>13. The duration of the consent (Section 123 of the RMA) as provided for in Schedule 33 timing of reviews and purposes of reviews (Section 128 of the RMA).</p> <p>14. Lapsing of the consent (Section 125(1) of the RMA).</p> <p>15. For takes from Zone 1 in the Ngaruroro and Tūtaekurī <u>Water Quantity Areas Management Zones- review of permit and new conditions to be imposed in respect of contribution to a Stream flow maintenance and habitat enhancement scheme, when applicable.</u> Contribution to services or works for the maintenance of river flows associated with groundwater abstraction and stream depletion in relation to takes subject to condition (h) provided in respect of the performance of conditions and administration charges (Section 108 of the RMA).^{129,14}</p>	
--	--	--	--	---	--

Recommended changes to Proposed Plan Change 9

<p>TANK 11 Groundwater and Surface water take (low flow)</p>	<p>The take and use of surface (low flow allocations) or groundwater</p>	<p>Discretionary</p>	<p>a) The activity does not comply with the conditions of Rules <u>TANK 7, TANK 8</u>,^{203.23} TANK 9 or TANK 10 <u>where relevant</u>.^{129.15}</p> <p>b) Either</p> <p>(i) The application is either for the continuation of a water take and use previously authorised in a permit that was issued before 2 May 2020 or is a joint or global application that replaces these existing water permits previously held separately or individually in the following Management Units (quantity);</p> <ul style="list-style-type: none"> i. Ahuriri ii. Poukawa iii. Ngaruroro groundwater iv. Tūtaekuri groundwater v. Horotaunga Plains <p>or</p> <p>(ii) The total amount taken, either by itself or in combination with other authorised takes in the same water quantity area management unit does not cause the total allocation limit in the relevant quantity area management unit as specified in Schedule 31 to be exceeded except this clause does not apply to takes for:</p> <p>or</p> <p>(iii) <u>The take is for:</u></p> <ul style="list-style-type: none"> <u>i. frost protection; or</u>^{194.74} <u>ii. takes of water associated with and from or</u>^{123.106} dependant on release of water from a water storage impoundment, <u>or managed aquifer recharge scheme</u>^{29.42}; <u>or</u> <u>iii. Water takes that are non-consumptive.</u>^{129.16, 203.23} 	<p>Refer also to RRMP Rule 31, which is amended as part of this Plan Change and Rule TANK 18.</p>	
--	---	-----------------------------	---	--	--

Recommended changes to Proposed Plan Change 9

<p>TANK 12 Groundwater and Surface water take</p>	<p>The take and use of surface or groundwater</p>	<p>Prohibited</p>	<p>a) The activity does not comply with the conditions of Rule TANK 11 No application may be made for this activity</p>		
<p>TANK 13 Taking water – high flows</p>	<p>The taking and use of surface water at times of high flow (including for storage in an impoundment)</p>	<p>Discretionary</p>	<p>a) —The activity does not comply with the conditions of RRMP 67 and 68.^{129.17} a) The take on its own or in combination with other authorised takes is still available for allocation within the limits specified in both columns (D) and (E) of Schedule 32 b) The activity either on its own or in combination with other activities does not cause the flow regime of the river to be altered by more than the amount specified in Schedule 32.</p>	<p>Note: The construction of dams greater than 4 metres in height and holding more than 20,000 m3 will also need a Building Consent. Dams smaller than this are exempt from the Building Act provisions.</p>	
<p>TANK 14 Damming water</p>	<p>The erection or placement of any dam or weir or other barrier structure, Damming of surface waters and discharge from dams except as prohibited by Rule TANK 17^{129.18}</p>	<p>Discretionary</p>	<p>i. The activity does not comply with the conditions of RRMP 67 or RRMP 68.^{129.19} Except as prohibited by Rule TANK 17, the activity either on its own or in combination with other dam or discharge activities in the same water quantity area management zone does not cause the flow regime of the river to be altered by more than the amount specified in Schedule 32.</p>		
<p>TANK 15 Take and use from storage</p>	<p>Take and use from a dam or water impoundment</p>	<p>Restricted Discretionary</p>	<p>a) The activity does not comply with <u>the conditions of Rule TANK 7.</u>^{63.32, 207.34} b) The activity either on its own or in combination with other dam or discharge activities in the same water management zone does not cause the flow regime of the river to be altered by more than the amount specified in Schedule 32 <u>The activity will not result in a change of land use that requires consent under Rules TANK 5 or 6.</u> c)</p>	<p><u>1. The location, quantity, rate and timing of the take.</u> <u>2. Measures to avoid adverse water quality effects.</u> <u>3. Measures to ensure that the take and use of water meets an efficiency of use of at least 80%.</u> <u>4. Information to be supplied and monitoring requirements including timing and nature of water metering data reporting and the installation of telemetered recording and reporting.</u> <u>5. The duration of the consent having</u></p>	

Recommended changes to Proposed Plan Change 9

				<p><u>regard to POL TANK 49.</u></p> <p><u>6. Lapsing of the consent.</u></p> <p><u>7. Review of consent conditions.</u></p>	
TANK 15a <u>Take and use from storage</u>	<u>Take and use from a dam or water impoundment</u>	<u>Discretionary</u>	a) <u>The activity does not comply with the conditions of Rule TANK 15.</u>		
TANK 16	Damming, take and use at high flow or take from a dam or water impoundment	Non-complying	a) The activity does not comply with the conditions of Rules TANK 13- 15.		
TANK 17 Damming water	Construction of dams or the damming of water	Prohibited	<p>b) The construction of dams or the damming of water on the mainstem of the following rivers</p> <p>(i) Ngaruroro River</p> <p>(ii) Taruarau River</p> <p>(iii) Omahaki River</p> <p>(iv) Tūtaekurī River:</p> <p>(v) Mangaone River</p> <p>(vi) Mangatutu River</p> <p>No application may be made for these activities.</p>		
TANK 18 Stream Flow Maintenance and Habitat Enhancement Scheme	Transfer and Discharge of groundwater into surface water in the Heretaunga Plains Water Quantity Area Management unit (quantity)	Restricted ^{99.27, 180.61} Discretionary	<p>a) The transfer and discharge of water is managed according to the applicable requirements of Schedule 36. The activity does not comply with the conditions of RRMP Rule 31.^{63.34, 207.36}</p> <p><u>The activity will not result in a change of land use that triggers Rules TANK 5 or 6.</u>^{123.113}</p>	<p><u>1. Location, quantity, rate, duration and timing of discharge.</u></p> <p><u>2. Flood mitigation measures.</u></p> <p><u>3. Compliance monitoring including monitoring for water quality.</u></p> <p><u>4. Measures or methods required for meeting the receiving water quality targets in Schedule 26.</u>^{123.113}</p> <p><u>5. The duration of the consent having regard to POL TANK 49.</u></p> <p><u>6. Lapsing of the consent.</u></p> <p><u>7. Review of consent conditions.</u></p>	

Recommended changes to Proposed Plan Change 9

<p><u>TANK 18a</u></p> <p><u>Stream Flow Maintenance and Habitat Enhancement Scheme</u></p>	<p><u>Discharge of groundwater into surface water in the Heretaunga Plains Water Quantity Area</u></p>	<p><u>Discretionary</u></p>	<p><u>The activity does not comply with the conditions of TANK Rule 18.</u></p>		
---	--	-----------------------------	---	--	--

6.10.3 Stormwater

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 19 Small scale stormwater diversion and discharge activities 129.21</p>	<p>The diversion and discharge of stormwater into water, or onto land where it may enter water from any new or existing and lawfully established: <u>(a) any activity with less than 1000 m² impervious arearesidential-activities;</u> <u>(b) non-industrial or trade premise;</u> <u>(c) industrial or trade premise with less than 1,000 m² of impervious areas;</u> <u>(d) rural building.</u></p>	<p>Permitted</p>	<p>a) The diversion and discharge shall not;</p> <ul style="list-style-type: none"> (i) cause any permanent bed scouring or bank erosion of land or any water course at or beyond that point of discharge (ii) cause or contribute to flooding of any property (iii) cause any permanent reduction in the ability of the receiving environment to convey flood flows (iv) contain hazardous substances or, be from a site used for the storage, use or transfer of hazardous substances (v) contain drainage from a stockyard (vi) cause to occur or contribute to any of the following after reasonable mixing: <ul style="list-style-type: none"> i. production of conspicuous oil or greasefilms, scums or foams, or floatable or suspended materials ii. any emission of objectionable odour iii. any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks) iv. any freshwater becoming unsuitable for consumption by farm animals (vii) cause to occur or contribute to the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water (viii) cause to occur or contribute to the discharge of microbiological contaminants including sewage, blackwater, greywater or animal effluent. <p>b) The property cannot connect to a current or</p>	

Recommended changes to Proposed Plan Change 9

			<p>planned reticulated stormwater network.</p> <p>c) Any structure associated with the point of discharge or diversion is maintained in a condition such that it is clear of debris, does not obstruct fish passage and is structurally sound.</p> <p>d) The person who discharges or diverts, or who causes the discharge or diversion to occur, shall provide such information upon request by the Council to show how Condition (a) will be met or has been met.</p>	
<p>TANK 20 Small scale stormwater diversion and discharge activities <small>129.21</small></p>	<p>The diversion and discharge of stormwater into water, or onto land where it may enter water from any new or existing and lawfully established: <u>any activity with less than 1000 m2 impervious arearesidential activities; non-industrial or trade premise; industrial or trade premise with less than 1,000 m2 of impervious areas; rural building.</u></p>	<p>Restricted Discretionary</p>	<p>a) The activity does not comply with the conditions of Rule TANK 19; <u>and</u></p> <p>b) <u>the activity is not from an industrial or trade premise.</u></p>	<ol style="list-style-type: none"> 1. Location of the point of diversion and discharge including its catchment area. 2. Volume, rate, timing and duration of the discharge, in relation to a specified design rainfall event. 3. Effects of the activity on downstream flooding. 4. Contingency measures in the event of pipe capacity exceedance. 5. Actual or likely adverse effects on fisheries, wildlife, habitat or amenity values of any surface water body. 6. Actual or likely adverse effects on the potability of any ground water. 7. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier. 8. <u>The timing of future planned reticulated networks.</u> <small>207.58, 63.40</small> 9. 7. The actual or potential effects of the activity on the water quality objectives set out in Schedule 26. 10. <u>Compliance with any relevant industry codes of practice or guidelines</u> <small>203.26</small> 11. <u>When required, the efficacy of a Stormwater Management Plan (Schedule 34) including measures adopted to minimise the risk of contaminants of concern entering stormwater to assist in meeting Schedule 26 targets including:</u> <ol style="list-style-type: none"> a. <u>Installation of stormwater management devices including as detailed in table 3.1 of the Hawke's Bay</u>

Recommended changes to Proposed Plan Change 9

				<p><u>Regional Council Industrial Stormwater Waterway Design Guidelines.</u></p> <p>b. <u>Alignment with relevant industry guidelines and best practice standards.</u></p> <p>12. 9. Duration of the consent.</p> <p>13. 10. A compliance monitoring programme.</p> <p>14. 11. Bonds or Administrative charges.</p>
<p>TANK 21 Stormwater activities <u>Diversion and discharge from local authority networks</u></p>	<p>Diversion and discharge of stormwater from an existing or new local authority managed stormwater network into water, or onto land where it may enter water</p>	<p>Controlled</p>	<p>a) The diversion and discharge shall not;</p> <ul style="list-style-type: none"> (i) cause any permanent bed scouring or bank erosion of land or any water course at or beyond that point of discharge (ii) cause or contribute to flooding of any property (iii) cause any permanent reduction in the ability of the receiving environment to convey flood flows (iv) contain hazardous substances or, be from a site used for the storage, use or transfer of hazardous substances (v) Contain drainage from a stockyard (vi) cause to occur or contribute to any of the following after reasonable mixing: <ul style="list-style-type: none"> i. production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials ii. any emission of objectionable odour iii. any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks) iv. any freshwater becoming unsuitable for consumption by farm animals v. cause to occur or contribute to the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water vi. cause to occur or contribute to the 	<ul style="list-style-type: none"> 1. The efficacy of the Integrated Catchment Management Plan including, but not limited to: <ul style="list-style-type: none"> a. Its contribution to achieving water quality objectives b. its implementation programme and milestones, c. The comprehensiveness and reliability of the monitoring regime d. The use of low impact stormwater design methods 2. The actual or potential effects of the activity on the water quality objectives set out in Schedule 26 including for aquatic ecosystem health, mahinga kai, contact recreation and Māori customary use. 3. The characteristics of the proposed discharge and its effects on the receiving environment 4. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier. 5. Duration of the consent 6. Review of consent conditions 7. Compliance monitoring 8. Administrative charges

Recommended changes to Proposed Plan Change 9

			<p>discharge of microbiological contaminants including sewage, blackwater, greywater or animal effluent.</p> <p>b) An application for resource consent must include an Integrated Catchment Management plan that includes;</p> <p>c) A monitoring programme to assess existing stormwater discharge quality and level of impact on receiving water quality standards</p> <p>(ii) Identification of the spatial extent of the stormwater network to which the application for consent relates</p> <p>(iii) Identification of the priority streams or catchments where stormwater discharges currently result in receiving water quality below the standards specified in Schedule 26</p> <p>(iv) A programme of mitigation measures including timeframes and milestones for the enhancement of streams identified in (b)(iii),</p> <p>(v) Identification of any industrial or trade sites, that use, store or produce the discharge of any contaminant of concern (as defined in Table 3.1 of Hawke's Bay Waterway Guidelines Industrial Stormwater Design);</p> <p>(vi) Identification of sites within catchments that have a high risk of contaminants entering the stormwater network or land where it might enter surface or groundwater, including industrial and trade premises and areas subject to new urban development.</p> <p>(vii) For sites identified in (b)(vi), a programme to ensure Urban Site Specific Stormwater Management Plans are prepared and implemented so that stormwater quality risks are managed. (Schedule 34)</p> <p>(viii) Identification of areas at risk of flooding, and</p>	
--	--	--	---	--

Recommended changes to Proposed Plan Change 9

			<p>where levels of service to protect communities from flooding are not being met provide information about how this will be managed.</p> <p>(ix) The potential effects of climate change on infrastructure capacity and a description of any planned mitigation measures including the identification of secondary flow paths and the capacity of the receiving environment.</p> <p>(x) Identification of measures to demonstrate how discharges shall not cause scouring or erosion of land or any water course beyond the point of discharge</p> <p>(xi) Where the stormwater network (or part thereof) or discharge locations are situated within a Source Protection Zone of a registered drinking water supply, a description of measures to prevent or minimise adverse effects on the quality of the source water for the registered drinking water supply or any increase in the risk of unsafe drinking water being provided to persons and communities from the drinking water supply</p> <p>(xii) Description of measures to demonstrate how the discharge shall not contain hazardous substances or contaminants (including wastewater) and shall not cause any of the following to occur after reasonable mixing:</p> <ul style="list-style-type: none"> i. production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; ii. any emission of objectionable odour; iii. Any conspicuous change in colour or visual clarity of the receiving water; iv. any freshwater becoming unsuitable for consumption by farm animals; v. the destruction or degradation of any habitat, mahinga kai, plant or animal in any 	
--	--	--	--	--

Recommended changes to Proposed Plan Change 9

<p>TANK 22 Stormwater <u>discharge</u> <u>from</u> <u>industrial</u> <u>and trade</u> <u>premises</u> 129.21</p>	<p>Discharge of stormwater to water or onto land where it may enter water from any industrial or trade premises with 1,000 m² or more of impervious areas</p>	<p>Restricted discretionary</p>	<p style="text-align: center;">water body or coastal water. ^{129.24}</p> <p>a) An application for resource consent must include an Urban Site Specific Stormwater Management Plan (Schedule 34) ^{207.60, 63.43}</p> <p>b) The diversion and discharge;</p> <p>(i) shall not cause permanent bed scouring or bank erosion of land or alter the natural course of any water body</p> <p>(ii) shall not cause or contribute to flooding of any property,</p> <p>(iii) shall not cause any permanent reduction in the ability of the receiving environment to convey flood flows</p> <p>(iv) shall not contain hazardous substances</p> <p>c) The diversion and discharge shall not cause any of the following to occur after reasonable mixing:</p> <p>(i) production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials</p> <p>(ii) any emission of objectionable odour</p> <p>(iii) any conspicuous change in colour or the visual clarity</p> <p>(iv) result in any freshwater becoming unsuitable for consumption by farm animals</p> <p>d) the diversion and discharge shall not cause to occur or contribute to:</p> <p>(i) the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water</p> <p>(ii) the discharge of microbiological contaminants, including sewage, blackwater, greywater or animal effluent.</p> <p>e) There is no reticulated stormwater network at the property boundary</p> <p>f) Any structure associated with the point of discharge or diversion is maintained in a condition such that it is clear of debris, does not obstruct fish</p>	<ol style="list-style-type: none"> 1. The efficacy of the Urban Site Specific^{207.61} Stormwater Management Plan (Schedule 34) including measures adopted to minimise the risk of contaminants of concern entering stormwater <u>to assist in meeting Schedule 26 targets</u> including:^{210.103} <ol style="list-style-type: none"> a. Installation of stormwater management devices including as detailed in table 3.1 of the Hawke's Bay Regional Council Industrial Stormwater Waterway Design Guidelines. b. Alignment with relevant industry guidelines and best practice standards. 2. Water quality standards in the discharge in relation to any contaminants being used on site and specific methods for treating these. 3. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier 4. The characteristics of the proposed discharge and its effects on the receiving environment 5. Duration of the consent 6. Review of consent conditions 7. Compliance monitoring.
---	---	--	--	--

Recommended changes to Proposed Plan Change 9

			passage and is structurally sound.	
TANK 23 Stormwater activities	The diversion and discharge of stormwater into water, or onto land where it may enter water.	Discretionar y	The activity does not comply with Rules TANK 19 to TANK 22	The Council may at any time, by written notice to the owner or occupier (following a reasonable period of consultation), review a consent in light of new information that has become available or any change in circumstances that has occurred, and vary any condition of consent as a consequence.

Recommended changes to Proposed Plan Change 9

Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6)

Proposed Plan Change 9 proposes changes to Chapter 6 of the RRMP and make consequential changes to the rules and to insert new provisions relevant to the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments. The amendments subject to the Proposed Plan Change are shown below in bold with new text underlined and text to be deleted shown in strikeout. (Note Only the text shown underlined and in **bold** can be the subject of submissions)

6.3.1 Bore Drilling & Bore Sealing

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>1 Bore drilling Refer POL 17, 21, 27, 75</p>	<p>The drilling, construction, and alteration of bores.⁵</p>	<p>Controlled</p>	<p>a. The bore shall be cased and sealed to prevent aquifer cross-connection, and leakage from the ground surface into ground water.</p> <p>b. <u>The bore is not located within a Source Protection Zone</u></p>	<p>a. Bore location, diameter, depth. b. Bore screen slot size, length, depth and diameter. c. Well head completion. d. Backflow prevention. e. Information requirements, including bore logs, hydraulic head levels and aquifer tests. f. Duration of consent. g. Lapsing of consent. h. Review of consent conditions. i. Compliance monitoring.</p>	<p>Applications will generally be considered without notification, without the need to obtain the written approval of affected persons.</p>

⁵ For the purposes of this Plan, a 'bore' is defined as any pipe, cylinder or hole inserted into the ground that either

- i. is created for the purpose of accessing underground water, oil or gas, or
- ii. penetrates a confined aquifer, or
- iii. in any way causes the release of water from a confined aquifer, or
- iv. is created for the purpose of exploring water, oil or gas resources.

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>2 Bore drilling that does not comply with Rule 1 Refer POL 17, 21, 27, 75</p>	<p>The drilling, construction, or alteration of bores that does not comply with Rule 1.</p>	<p>Restricted discretionary</p>		<p>a. Bore location diameter, depth. b. Bore screen slot size, length, depth and diameter. c. Bore head completion. d. Backflow prevention. e. Information requirements, including bore logs, hydraulic head levels and aquifer tests. f. <u>In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, the actual or potential effects of the bore and bore drilling on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including advising any affected notification requirements to the Registered Drinking Water supplier of intent to drill prior to the activity occurring, the maintenance of the bore and the well head, including decommissioning the bore where necessary</u> g. In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, information to confirm compliance with conditions (a) to (f) shall be provided to the Council. ^{129,28} h. g. Duration of consent. i. h. Lapsing of consent. j. i. Review of consent conditions. k. j. Compliance monitoring.</p>	

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>3 Unwanted or leaking bores Refer POL 21</p>	<p>The existence of any bore that is no longer wanted or is leaking water, oil or gas.</p>	<p>Non-complying</p>			
<p>4 Decommissioning of bores Refer POL 75</p>	<p>The decommissioning or sealing of bores.</p>	<p>Permitted</p>	<p>a. Decommissioned bores shall be backfilled and sealed at the surface to prevent contamination of groundwater. b. Decommissioned holes and bores intersecting groundwater shall be sealed to prevent the vertical movement of groundwater, and to permanently confine the groundwater to the specific zone (or zones) in which it originally occurred. c. Backfill materials, where used between permanent seals, shall consist of clean sand, coarse stone, clay or drill cuttings. The material shall be non toxic. d. Decommissioning shall be undertaken by a suitably qualified person. e. The Council shall be advised of any bores that are decommissioned. f. <u>Where the bore is in a Source Protection Zone, information to confirm compliance with conditions (a) to (d) shall be provided to the Council upon request</u> 119.12</p>		

Recommended changes to Proposed Plan Change 9

6.3.2 Feedlots & Feedpads

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>5 Feedlots & feedpads⁶ <i>Refer POL 71</i></p>	<p>The use of land for the purposes of operating a feedlot⁷ or feedpad⁸.</p>	<p>Permitted</p>	<p>a. The land used for the feedlot or feedpad shall be managed in a manner that prevents any seepage of contaminants into groundwater^{9,10}.</p> <p>b. The feedlot or feedpad shall be located no less than 20 m from any surface water body.</p> <p>c. The feedlot or feedpad shall be located no less than:</p> <ul style="list-style-type: none"> i. 150 metres from a residential building or any other building being part of a place of assembly on another site ii. 50 metres from a property boundary, and iii. 20 metres from a public road. <p>d. Runoff from the surrounding catchment area is prevented from entering the feedlot or feedpad.</p> <p><u>e. The feedpad or feedlot is not located in a Source Protection Zone</u></p>		

⁶ Rule 5 only address the use of land for a feedlot or feedpad (and thus, the effects associated with having a high density of animals on one site). Any discharges of contaminants associated with the operation of a feedlot or feedpad, e.g. the use of stock feed and the management of animal effluent, are addressed under rules in sections 6.4 and 6.6 of this Plan. Any discharge of contaminants associated with the operation of a feedlot or feedpad, such as the disposal of animal wastes and the bedding material or the runoff of manure during heavy rainfall are addressed under Rules in Sections 6.4 and 6.6. Any discharge of contaminants to air are covered in Rule 21.

⁷ For the purposes of this Plan, a 'feedlot' is defined as an area of land upon which animals are kept and fed, for more than 15 days in any 30 day period, where the stocking density or feedlot structure (e.g. a concrete pad) precludes the maintenance of pasture or ground cover.

⁸ For the purposes of this Plan, a 'feedpad' is defined as an area of land to which animals are brought for supplementary feeding on a regular basis, where the stocking density or feedpad structure precludes the maintenance of pasture or ground cover.

⁹ Sealing - The Council will accept, as one means of compliance with condition (a), the construction of a sealing layer with a permeability of no greater than 10⁻⁹ m/s (0.00000001 m/s).

¹⁰ **Compliance** – At any time Council may request information from the operator of a feedlot or feedpad to confirm compliance with condition (a).

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>6 Feedlots & feedpads that do not comply with Rule 5¹¹ <i>Refer POL 17, 20, 47, 48, 71</i></p>	<p>The use of land for the purposes of operating a feedlot or feedpad, in a manner which does not comply with Rule 5.</p>	<p>Restricted discretionary</p>		<p>a. The conditions which the activity cannot comply with, and the related environmental effects. b. Duration of consent. c. Lapsing of consent. d. Review of consent conditions. e. Compliance monitoring.</p>	

¹¹ Rule 6 only address the use of land for a feedlot or feedpad (and thus, the effects associated with having a high density of animals on one site). Any discharges of contaminants associated with the operation of a feedlot of feedpad, e.g. the use of stock feed and the management of animal effluent, are addressed under rules in sections 6.4 and 6.6 of this Plan. Any discharge of contaminants associated with the operation of a feedlot or feedpad, such as the disposal of animal wastes and the bedding material or the runoff of manure during heavy rainfall are addressed under Rules in Sections 6.4 and 6.6. Any discharge of contaminants to air are covered in Rule 21.

Recommended changes to Proposed Plan Change 9

6.3.3 Vegetation Clearance and Soil Disturbance Activities

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>7</p> <p>Vegetation clearance and soil disturbance¹²</p> <p>^{29a}</p> <p><i>Refer to POL 3, 67, 71</i></p>	<p>Vegetation clearance¹³ or soil disturbance¹⁴ activities.</p>	<p>Permitted</p>	<p>a. All cleared vegetation, disturbed soil or debris shall be deposited or contained to reasonably prevent the transportation or deposition of disturbed matter into any water body¹⁵.</p> <p>b. Vegetation clearance or soil disturbance shall not give rise to any significant change in the colour or clarity of any adjacent water body, after reasonable mixing.</p> <p>c. No vegetation clearance shall occur within 5 metres of any permanently flowing river, or any other river with a bed width in excess of 2 metres, or any other lake or wetland, except that this condition shall not apply to:</p>		

¹² Rule 7 does not apply to the trimming, felling, or removing of any tree or vegetation or earthworks, in relation to an existing high voltage electricity transmission lines. Refer to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

^{29a} Rule 7 does not apply to the harvesting, vegetation clearance and soil disturbance associated with plantation forestry activities. Refer to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

¹³ "Vegetation clearance" means the cutting, burning, clearing or destruction (including destruction by spraying) of trees, shrubs, or plants.

¹⁴ "Soil disturbance" means the disturbance of soil by any means including blading, contouring, ripping, discing, root raking, moving, ploughing, removing, cutting and blasting. Vegetation clearance and soil disturbance exclude:

- The normal maintenance of legally established structures, roads, tracks, railway lines and river beds.
- The clearance of grasses, forest thinning, and agricultural and horticultural crops.
- The clearance of isolated or scattered regrowth on productive pasture.
- The clearance of any indigenous vegetation understorey beneath plantation forests.
- The clearance of noxious weeds covered by the Regional Plant Pest Management Strategy prepared under the Biosecurity Act, 1993.
- Non-motorised soil disturbance activities.
- Thrusting, boring, trenching or mole ploughing associated with cable or pipe laying or a network utility operation.
- Soil disturbance undertaken by a mine or quarry operation which either had a valid mining licence at the date the Proposed Regional Resource Management Plan was publicly notified (15 April 2000) or is lawfully established.
- Cultivation and grazing.
- Foundations works for structures.
- Construction and maintenance of fences and drains.

¹⁵ Explanation of Rule 7 (a): In considering whether condition (a) in Rule 7 has been met, Council shall have regard to recognised Industry Codes of Practice, Best Practice Guidelines and Environmental Management Plans relevant to and adopted in carrying out the activity.

NOTE: 10 kg/m² of dry soil is equivalent to 5 mm depth assuming a specific gravity of 2 kg/litre.

^{32a} NOTE: Rule 7(c) has been deleted to ensure the Regional Plan aligns with the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 and does not conflict with, or duplicate the requirements within those Regulations.

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			<ul style="list-style-type: none"> i. the clearance of plantation forestry established prior to the date of this Plan becoming operative, or ^{32a} ii. the areas identified in Schedule X to this Plan. d. Deposition of soil or soil particles across a property boundary shall not be objectionable or offensive, cause property damage or exceed 10 kg/m². e. Where the clearance of vegetation or the disturbance of soil increases the risk of soil loss the land shall be: <ul style="list-style-type: none"> i. re-vegetated as soon as practicable after completion of the activity, but in any event no later than 18 months with species providing equivalent or better land stabilisation; or ii. retained in a manner which inhibits soil loss. f. <u>In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, there is no clearance of indigenous vegetation within 10m of any rivers except;</u> <ul style="list-style-type: none"> i. <u>where the clearance is part of improvements to riparian management for water quality/biodiversity purposes as specified in the relevant Farm Environment or Catchment Collective Plan;</u> ii. <u>where the clearance is necessary for construction of crossings or installation of a reticulated or network service</u> g) <u>In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments there is no cultivation of land over 20 degrees of slope except where it is less than 10% of the paddock area.</u> h) <u>In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, there is no cultivation of land that results in exposure of bare soil within;</u> <ul style="list-style-type: none"> i. <u>5 m of any river, modified watercourse or drain or lake or wetland where the land is flat to gently rolling (0-7 degrees of slope);</u> ii. <u>10 m of any river, modified watercourse or drain or lake or wetland where the land is moderately rolling</u> 		

Recommended changes to Proposed Plan Change 9

			<p><u>(>7 – 20 degrees of slope);</u></p> <p>iii. <u>15 m of any river, modified watercourse or drain or lake or wetland where the land is over 20 degrees of slope;</u></p> <p>i) <u>Except conditions h(i) – (ii) do not apply:</u></p> <p>i. <u>where cultivation is part of improvements to riparian management for water quality/biodiversity purposes as specified in the relevant Farm Environment or Catchment Collective Plan;</u></p> <p>iv. <u>where the cultivation is in relation to activities permitted by Rule 70.</u></p>		
--	--	--	---	--	--

Recommended changes to Proposed Plan Change 9

6.4.2 Agricultural Activities & Other Activities on Production Land - Discharges to Air/Land/Water

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
12 Stock feed Refer POL 12, 69, 71, 75	The discharge of contaminants into air, or onto or into land arising from the storage, transfer, treatment, mixing or use of stock feed ¹⁶ on production land, including silage.	Permitted¹⁷	<p>a. Any area in the Heretaunga Plains unconfined aquifer (Schedule Va) or the Ruataniwha Plains unconfined aquifer (Schedule IV) which is used for storing stock feed, including silage, and when there is a potential for contamination of groundwater by seepage of contaminants, shall be managed in a manner that prevents such contamination.</p> <p>b. Any discharges to air shall not cause any offensive or objectionable odour, or noxious or dangerous levels of gases, beyond the boundary of the subject property.</p> <p>c. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner.</p> <p>d. The discharge shall not result in any airborne liquid contaminant being carried beyond the boundary of the subject property.</p> <p>e. There shall be no discharge within 20 m of any surface water body.</p> <p>f. There shall be no surface ponding in any area used to store stock feed or feed stock, and no runoff of contaminants into any surface water body.</p> <p>g. There shall be no discharge within 30 m of any bore or well.</p> <p>h. Where the activity is in a Source Protection Zone, information to confirm compliance with conditions (a) to (g) shall be provided to the Council upon request^{139, 119.12}</p>		

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
13 Use of compost, biosolids & other soil	The discharge of contaminants into air, or onto or into land, arising from the storage, transfer, treatment, mixing or	Permitted²¹	<p>c. Any area in the Heretaunga Plains unconfined aquifer (Schedule Va) or the Ruataniwha Plains unconfined aquifer (Schedule IV) which is used for storing organic material and when there is a potential for contamination of ground water by seepage of contaminants, shall be managed in a manner that prevents such contamination.</p> <p>d. Any discharges to air shall not cause any offensive or objectionable</p>		

Recommended changes to Proposed Plan Change 9

<p>condition - ers¹⁸ <i>Refer POL</i> 12, 69, 71, 75</p>	<p>use of compost, biosolids and other (solid or liquid) organic material for soil conditioning purposes¹⁹ including:</p> <ul style="list-style-type: none"> • paunch grass • apex meal • stockyard scrapings • grape marc • compost (except as regulated by Rule 28²⁰) and poultry manure (except as regulated by Rule 11 or 14). 		<p>odour, or noxious or dangerous levels of gases, beyond the boundary of the subject property.</p> <p>e. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner.</p> <p>f. The discharge shall not result in any airborne liquid contaminant being carried beyond the boundary of the subject property.</p> <p>g. There shall be no surface ponding in the area used to store, mix or use the organic material, and no runoff of contaminants into any surface water body.</p> <p>h. There shall be no discharge within 30 m of any bore or well.</p> <p>i. The discharge shall occur no less than 600 mm above the winter ground water table.</p> <p>j. Where material is discharged onto grazed pasture, the application rate shall not exceed 150 kg/ha/y of nitrogen.</p> <p>k. Where material is discharged onto land used for a crop, the application rate shall not exceed the rate of nitrogen uptake by the crop.</p> <p><u>l. Where the activity is in a Source Protection Zone, the storage or processing of compost or bio-solids and other soil conditions does not exceed 100 cubic metres of material.</u></p>		
--	---	--	---	--	--

¹⁶ For the purposes of this Plan, “stock feed” means organic material that can be consumed by farmed animals.

¹⁷ If Rule 12 cannot be complied with, then the activity is a restricted discretionary activity under Rule 30, or a discretionary activity under Rule 52, whichever is relevant.

²¹ If Rule 13 cannot be complied with, then the activity is a restricted discretionary activity under Rule 30, or a discretionary activity under Rule 52, whichever is relevant.

¹⁸ If Council receives complaints about an activity operating under this rule, the Council may request a management plan which sets out how the conditions are being met.

¹⁹ For the purpose of this rule “soil conditioning purposes” means the application of organic material to improve the structure and quality of the soil

²⁰ The composting of more than 100 m³ of compost and raw material per premises is regulated by Rule 28.

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>14 Animal effluent <i>Refer POL</i> 8, 12, 14, 17, 19, 47</p>	<p>The discharge of contaminants into air, or onto or into production land, arising from the management of liquid animal effluent²², including dairy shed effluent, piggery effluent, and poultry farm effluent²³, including associated sludges (except as provided for by Rules 13 & 15).</p>	<p>Controlled²⁴</p>	<p>a. Any area used for storing animal effluent, where there is a potential for contamination of groundwater by seepage of contaminants, shall be managed in a manner that prevents any such contamination.</p> <p>b. Either:</p> <p>i. there shall not be offensive or objectionable odour, or noxious or dangerous levels of gases or other airborne liquid contaminants, beyond the boundary of the subject property, or</p> <p>ii. for discharges of effluent from piggeries, every point of discharge shall be sited so as to meet the requirements of the "Code of Practice - Pig Farming" (New Zealand Pork Industry Board, 1997), in respect of buffer zone distances.</p> <p>c. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner.</p> <p>d. There shall be no runoff of any contaminant into any surface water body.</p> <p>e. There shall be no discharge within 30 m of any bore or well.</p> <p>f. Where effluent is discharged onto grazed pasture, the nitrogen loading rate from the effluent application shall not exceed 150 kg/ha/y of nitrogen.</p> <p>g. Where effluent is discharged onto land covered by a crop, or to be used for cropping purposes, the application rate shall not exceed the rate of nitrogen uptake by the crop.</p> <p>h. <u>The activity is not in a Source Protection Zone</u></p>	<p>a. Amount of effluent per discharge.</p> <p>b. Frequency of discharge.</p> <p>c. Maintenance of vegetative cover.</p> <p>d. Buffer zone requirements.</p> <p>e. Measures to avoid a breach of the environmental guidelines for surface and groundwater quality set out in section 5.4 and 5.6.</p> <p>f. Management of cumulative adverse effects.</p> <p>g. For discharges of effluent from piggeries, use of the best practicable option for minimising discharges of odour beyond the boundary of the subject property.</p> <p>h. Duration of consent.</p> <p>i. Review of consent conditions.</p> <p>j. Compliance monitoring.</p>	<p>Applications may be considered without notification, without the need to obtain the written approval of affected persons, except that written approval of affected neighbours may be required for new consents, but upon renewal the approval of affected neighbours will not be required.</p>

²² For the purposes of this rule, "animal effluent" refers to animal excreta (excluding human waste) that is collected and managed by people, including associated process water and contaminants including associated process water, contaminants and sludges.

²³ Rule 14 covers the discharge of poultry effluent from poultry farms on land associated with the poultry farm, where the discharge is for the purpose of disposal.

²⁴ If Rule 14 cannot be complied with, then the activity is a restricted discretionary activity under Rule 30, or a discretionary activity under Rule 52, whichever is relevant.

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>15</p> <p>Discharge of animal effluent in sensitive catchments <i>Refer POL 8, 17, 19, 20, 47</i></p>	<p>The discharge of contaminants into air, or onto or into production land, arising from the management of liquid animal effluent²⁵, including dairy shed effluent, piggery effluent, and poultry farm effluent in the following catchments as shown in Schedule VIb:</p> <ul style="list-style-type: none"> • Headwaters of Mohaka River • Headwaters of the Ngaruroro River • Maungawhio • Lake Hatuma • Lake Tutira • Heretaunga Plains unconfined aquifer • Ruataniwha Plains unconfined aquifer • Lake Whakaki • Headwaters of the Tutaekuri River • Headwater of the Tukituki River. <p><u>Or in any Source Protection Zone</u></p>	<p>Discretionary</p>			

²⁵ For the purposes of this rule, “animal effluent” refers to animal excreta (excluding human waste) that is collected and managed by people, including associated process water and contaminants including associated process water, contaminants and sludges.

Recommended changes to Proposed Plan Change 9

6.5.1 Water - Discharges to Water

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
31 Discharge of water ²⁶ <i>Refer POL, 71, 79</i>	The discharge of water (excluding drainage water) into water ²⁷ .	Permitted ²⁸	a. The discharge shall not cause or contribute to the flooding of any property, unless written approval is obtained from the affected property owner. b. The discharge shall not cause any scouring or erosion of any land or any watercourse beyond the point of discharge. c. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing ²⁹ . d. <u>The discharge is not a discharge of groundwater into surface water in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments</u>		

ADVISORY NOTE:

1. **Discharge of water onto or into land** - Note that the discharge of water onto or into land is not restricted by the RMA.

²⁶ Rule 31 does not apply to the discharge of water into water in relation to an existing high voltage electricity transmission activity. Refer to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

²⁷ Discharges of sediment to surface water bodies as a result of scouring are covered by Rule 49.

²⁸ If Rule 31 cannot be complied with, then the activity is a discretionary activity under Rule 52.

²⁹ See Glossary for definition of "after reasonable mixing".

Recommended changes to Proposed Plan Change 9

6.6.2 Drainage Water - Discharges to Land/Water

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>32 Discharge of drainage water (gravity flow systems) Refer POL 71, 72, 79</p> <p>123.118, 124.30, 129.29, 180.64, 210.106,</p>	<p>The diversion and discharge of drainage³⁰ water into water or onto or into land, from a gravity flow system (without pumping).</p>	<p>Permitted³¹</p>	<p>a. There shall be no adverse flooding effects on any property owned or occupied by another person, as a result of any discharge from the drainage activity.</p> <p>b. The discharge shall not cause any scouring or erosion of any land or any water course beyond the point of discharge.</p> <p>c. The activity shall not adversely affect any wetland³².</p> <p>d. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing.</p> <p>e. Any discharge of water arising from a drainage system shall be to the same catchment³³ as that to which the water would naturally flow.</p> <p>f. Any suspended solids in the discharge shall comply with Policy 72 except in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments.</p> <p>g. <u>10 years after the operative date of PC9, After ten years after 2 May 2020 in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, dissolved nutrient and sediment concentrations in the receiving water after reasonable mixing shall not increase as a result of the discharge when measuring:</u></p> <p style="margin-left: 40px;"><u>i DIN</u></p> <p style="margin-left: 40px;"><u>ii DRP</u></p> <p style="margin-left: 40px;"><u>iii suspended sediment.</u></p>		

³⁰ 'Drainage' means the activity of lowering the water table to achieve productive land use to facilitate stability of land or structures, or to achieve some other resource use activity. This generally involves the diversion of water.

³¹ If Rule 32 cannot be complied with, then the activity is a discretionary activity under Rule 52.

³² For the purposes of this Plan the term 'wetland' does NOT include:

- wet pasture land
- artificial wetlands used for wastewater or stormwater treatment
- farm dams and detention dams
- land drainage canals and drains
- reservoirs for firefighting, domestic or municipal water supply
- temporary ponded rainfall
- artificial wetlands.

³³ 'Catchment' means the total area from which a single water body collects surface and subsurface runoff.

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>New RRMP rule 33A Drainage water</p> <p>123.118, 124.30, 129.29, 180.64, 210.106,</p>	<p>The diversion and discharge of land drainage water from an existing pumped drainage system (small scale)</p>	<p>Permitted</p>	<p>a) the discharge is in a Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments</p> <p>b) The pumped drainage system existed at 2 May 2020</p> <p>c) The land area being serviced by the drainage network is less than 10ha</p> <p>d) There shall be no increase in flooding on any property owned or occupied by another person, as a result of any discharge from the drainage activity.</p> <p>e) The discharge shall not cause any scouring or erosion of any land or any watercourse beyond the point of discharge.</p> <p>f) The activity shall not result in changes to water levels in any connected wetland</p> <p>g) The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°Celsius from normal seasonal water temperature fluctuations, after reasonable mixing.</p> <p>h) Any discharge of water arising from a drainage system shall be to the same catchment as that to which the water would naturally flow.</p> <p>i) After ten years after 2 May 2020 in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, dissolved nutrient and sediment concentrations in the receiving water after reasonable mixing shall not increase as a result of the discharge when measuring:</p> <p>— i DIN</p> <p>— ii DRP</p> <p>— iii suspended sediment</p>		

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>33 Discharge of drainage water (pumped systems)</p> <p>Refer POL 71, 72, 79</p> <p>123.118, 124.30, 129.29, 180.64, 210.106,</p>	<p>The diversion and discharge of drainage³⁴ water into water or onto or into land, from a pumped system³⁵.</p>	<p>Controlled³⁶</p>	<p>a. There shall be no adverse flooding effects on any property owned or occupied by another person, as a result of the drainage activity.</p> <p>b. The discharge shall not cause any scouring or erosion of any land or any water course beyond the point of discharge.</p> <p>c. The activity shall not adversely affect any wetland.</p> <p>d. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing.</p> <p>e. Any discharge of water arising from a drainage system shall be to the same catchment³⁷ as that to which the water would naturally flow.</p> <p>f. Any suspended solids in the discharge shall comply with Policy 72 except in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū water quality management units</p> <p>g. After ten years after 2 May 2020 in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū water quality management units, dissolved nutrient and sediment concentrations in the discharge water are no more than in the receiving water at the point of discharge as measured by:</p> <p>i. DIN</p> <p>ii. DRP</p> <p>iii. suspended sediment.</p>	<p>a. Location of discharge.</p> <p>b. Rate of pumping.</p> <p>c. Time of pumping.</p> <p>d. Flood mitigation measures.</p> <p>e. Duration of consent.</p> <p>f. Review of consent conditions.</p> <p>g. Compliance monitoring.</p> <p>h. For activities carried out in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, <u>monitoring water quality to categorise the nature and extent (concentration and loads) of contaminants in the drainage water:</u></p> <p>i. measures or methods required for meeting the receiving water quality standards.</p> <p>ii. Monitoring for water quality</p>	<p>Applications will generally be considered without notification or the need to obtain the written approval of affected persons.</p>

³⁴ 'Drainage' means the activity of lowering the water table to achieve productive land use to facilitate stability of land or structures, or to achieve some other resource use activity. This generally involves the diversion of water.

³⁵ While the discharge of drainage water by gravity flow is a permitted activity, the discharge of drainage water from a pumped system requires a resource consent due to the potential adverse environmental effects of greater water flow, generated by a pumped system. The consent authority may require the ability to control the water flow from time to time, such as through temporary cessation of pumping or other means.

³⁶ If Rule 33 cannot be complied with, then the activity is a discretionary activity under Rule 52.

³⁷ 'Catchment' means the total area from which a single water body collects surface and subsurface runoff.

Recommended changes to Proposed Plan Change 9

6.6.4 Domestic Sewage - Discharges to Land

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>37 New³⁸ sewage systems</p> <p><i>Refer POL 16, 71, 75</i></p>	<p>Except as provided for in Rule 35 or Rule 36, the discharge of contaminants (including greywater) onto or into land, and any ancillary discharge of contaminants into air, from a new sewage system.</p>	<p>Permitted</p>	<p>a. Where the wastewater receives no more than advanced primary treatment, the discharge shall be onto or into a property with a land area of no less than 2500m².</p> <p>aA. Where the wastewater receives more than advanced primary treatment then:</p> <p>i. the discharge shall be onto or into a property with a land area of no less than 1000m²; and</p> <p>ii. the net site area to discharge volume ratio shall not be less than 1.5 m² per litre per day ³⁹.</p> <p>b. The rate of discharge of sewage (including greywater) shall not exceed 2 m³/d, averaged over any 7 day period.</p> <p>c. The treatment and disposal system shall be designed to cater for the peak daily loading.</p> <p>d. The discharge shall not occur over the Heretaunga Plains or Ruataniwha Plains unconfined aquifer as shown in Schedule IV.</p> <p>e. The discharge and land treatment field shall not be within 20 m of any surface water body (including any stormwater open drain or roadside drain), or any tile drain or within 1.5 metres of any property boundary.</p> <p>eA. The system shall be designed and installed in accordance with the requirements specified in Figure 6.</p> <p>f. There shall be no surface ponding as a result of the discharge, or direct discharge into any water body.</p> <p>g. The discharge shall be distributed evenly over the entire disposal area.</p> <p>h. There shall be no increase in the concentration of pathogenic organisms in any surface water body as a result of the discharge.</p> <p>i. At the time of installation and commencement, the discharge shall not occur within 30 m of any bore drawing groundwater from an unconfined aquifer into which any contaminant may enter as a result of the discharge.</p> <p>j. The point of discharge shall be no less than 600 mm above the highest seasonal groundwater table.</p> <p>k. The discharge shall not result in, or contribute to, a breach of the</p>		

Recommended changes to Proposed Plan Change 9

			<p>“Drinking Water Quality Standards for New Zealand” (Ministry of Health, 2005 (Revised 2008)) in any groundwater body after reasonable mixing.</p> <p>i. The discharge shall not cause any emission of offensive or objectionable odour, or release of noxious or dangerous gases (including aerosols) beyond the boundary of the subject property or on any public land.</p> <p>m. For discharges using pit privies:</p> <p>i. the privy shall be constructed in soil with an infiltration rate not exceeding 150 mm/h, and</p> <p>ii. the privy shall not be the primary wastewater system for any permanently occupied dwelling.</p> <p>n. The system shall be designed, constructed, operated and maintained in a manner which ensures that there is no clogging of the disposal system or soils.</p> <p>nA. The discharge shall not be into a trench or bed disposal system constructed in category 5 or 6⁴⁰ soil except where wastewater receives at least secondary treatment.</p> <p>o. Where the wastewater receives secondary treatment or better, the discharge shall not exceed 20 g/m³ of BOD, and 30 g/m³ of suspended solids.</p> <p>p. The wastewater treatment and land application system shall be maintained in accordance with the manufacturer’s instructions, or if no manufacturer’s instructions exist, in accordance with the best management practice as described in AS/NZS 1547, or TP58: On-site Wastewater Systems: Design and Management Manual (Auckland Regional Council Technical Publication No. 58), or other alternative recognised on-site wastewater design manuals. A schedule of maintenance shall be kept, and this schedule shall be available for inspection by the Regional Council upon request.</p> <p>q. The discharge shall not be disposed of by way of spray irrigation.</p> <p>r. The discharge shall not be into a raised bed.</p> <p>p. The activity is not located in a Source Protection Zone</p>		
--	--	--	---	--	--

³⁸ NOTE: New sewage systems include those systems installed after this Plan becomes operative, as well as those lawfully established sewage systems that have been modified or replaced since 1 January 2012.

³⁹ NOTE: The net site area to discharge volume ratio can be calculated by dividing the net site area by the expected daily wastewater volume. If the answer is less than 1.5, the discharge does not comply with this condition. e.g. a 1000 m² property with a three bedroom home on it with maximum daily discharge volume of 1200 L (6 people at 200 L/p/d) has a ratio of 0.83 (1000/1200). This discharge would not comply with this condition.

Recommended changes to Proposed Plan Change 9

⁴⁰ A category 5 soil is a light clay, permeability (Ksat) can range generally between 0.5 m/d (strongly structured) and <0.06 m/d (weakly structured or massive) and the soil is poorly drained. Clay content of approximately 35-40%. Category 6 soils are medium to heavy clays that are very poorly drained. The permeability of category 6 soils is generally less than 0.06 m/d. Clay content of over 40%.

Recommended changes to Proposed Plan Change 9

6.6.5 Stormwater - Discharges to Land/Water

Insert after the heading;

Rules 42 – 46 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments. Refer to Section 6.10 for the new Tūtaekurī, Ahuriri, Ngaruroro and Karamū rules for stormwater.

6.7.1 Take & Use of Water

Insert after the heading;

Rules 53 – 55 do not apply in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments Refer to Section 6.10 for the new Tūtaekurī, Ahuriri, Ngaruroro and Karamū rules for take and use of water.

6.7.3 Transfer of Water Permits

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
60 Transfer of permits to take & use surface water from a lake <i>Refer POL36</i>	The transfer of a permit to take and use surface water from a lake, to another site.	Permitted	a. The transfer is to another site within the same lake.		
61 Transfer of permits to take & use surface water from a river <i>Refer POL 36, 79</i>	The transfer of a permit to take and use surface water from a river, to another site.	Controlled	a. The transfer is to another site within the same stream management zone, ⁴¹ where the flow is not significantly less than at the original site of abstraction. b. The transfer shall not result in any reduction in the rate of surface water recharge into groundwater. c. The transfer shall not adversely affect any lawfully established surface water abstraction, which existed prior to transfer of the take. d. The transfer shall not result in any increase in adverse effects on aquatic ecosystems or fish passage. e. The transfer is not in any Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment	a. Timing of take. b. Design of intake. c. Duration of consent. d. Review of consent conditions. e. Compliance monitoring. f. Volume of water required by, or reasonable needs of, transferee. g. In the Tukituki River catchment, the efficient use of water having regard to POL TT12.	Consent applications will generally be considered without notification, without the need to obtain the written approval of affected persons.

Recommended changes to Proposed Plan Change 9

<p>62 Transfer of permits to take & use groundwater <i>Refer POL 25, 77</i></p>	<p>The transfer of a permit to take and use groundwater, to another site.</p>	<p>Controlled</p>	<p>a. The transfer is to another site within the same aquifer. b. The transfer is to a location at which the aquifer has the same or greater aquifer transmission and storage characteristics. c. The transfer shall not adversely affect any lawfully established efficient groundwater abstraction,⁴² which existed prior to transfer of the take. d. The transfer shall not cause any reduction in the flow of any river or spring. e. The transfer is not in any Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment</p>	<p>a. Aquifer testing. b. Duration of consent. c. Review of consent conditions. d. Compliance monitoring. e. Volume of water required by, or reasonable needs of transferee. f. In the Tukituki River catchment, the efficient use of water having regard to POL TT12.</p>	<p>Consent applications will generally be considered without notification, without the need to obtain the written approval of affected persons.</p>
---	---	--------------------------	---	---	---

⁴¹ “Stream Management Zone” refers to the reaches of a river and/or its tributaries governed by a single minimum flow site.

⁴² For the purposes of this Plan “efficient abstraction” of groundwater means abstraction by a bore which penetrates an aquifer from which water is being drawn at a depth sufficient to enable water to be drawn all year (i.e. the bore depth is below the range of seasonal fluctuations in groundwater level), with a pump capable of drawing water to the land surface.

Recommended changes to Proposed Plan Change 9

<p><u>Insert new RRMP Rule 62a</u> <u>Transfer of permits to take and use water</u></p>	<p><u>Permanent or temporary transfer of water in accordance with S136(2)(b)(i) of the RMA</u></p>	<p><u>Controlled</u></p>	<p>i) The transfer is not part of stream flow maintenance provided by Rule TANK 18.^{Consequential to Section 15.6.10}</p> <p>ii) <u>The transfer is the whole or any part of the holder's interest in the permit for taking and use of surface or groundwater:</u></p> <p>i. To any person or occupier of the site in respect of which the permit is granted, or^{129.30}</p> <p>ii. To another person on another site</p> <p>iii. To another site^{195.120}</p> <p>iii) <u>The transfer is not between ground and surface water point of take.</u></p> <p>iv) <u>The permit is:-</u></p> <p>i.) within the same catchment to any point downstream (excluding downstream tributaries) of the location to which the permit applies.;</p> <p>ii) for groundwater takes in the Heretaunga Plains Water Management Unit (Quantity), the transfer is to any point downstream of any affected stream;^{14.18, 15.17, 20.17, 29.47, 129.32, 180.66, 208.17, 238.20}</p> <p><u>and</u></p> <p>ii.) the transfer is within the same Water Quantity Area Freshwater Management Unit (Quantity)</p> <p>e. <u>The transfer of a groundwater take is to an existing bore for which pump tests are available and there is no change to increase in the nature and scale of drawdown effects on neighbouring bores or connected water bodies as a result of the transfer</u>^{14.18, 15.17, 20.17, 29.47, 129.33, 180.66, 208.17, 238.20}</p> <p>f. <u>The transfer does not result in an increase in nitrogen loss exceeding the amounts as specified in Table 2 in Schedule 29</u>^{29.63}</p> <p>g. <u>All parties to the transfer shall have metering and reporting at any applicable recording and reporting level except for temporary transfers of less than five days per annum.</u>^{Measurement and Reporting Regulations}</p> <p>h. <u>In fully or over-allocated water quantity areas management units, the transfer shall only be of that part of the permit for which there is a Actual and Reasonable use*</u></p>	<p><u>Insert new RRMP Rule 62a</u> <u>a. Transfer of permits to take and use water</u></p>	
---	--	--------------------------	---	--	--

Recommended changes to Proposed Plan Change 9

			<p>i. <u>The purpose for the water use does not change except:</u></p> <p><u>i. that water takes for irrigation use may be transferred for irrigation of different crops subject to conditions (e) and (f)</u></p> <p><u>ii. for transfers that enable the operation of a flow enhancement scheme (ref Policy 38)</u></p> <p><u>iii. the transfer enables efficient delivery of water supply to meet the communities' human health needs.</u></p> <p>Advisory Notes</p> <p>(iv) Pursuant to s136(3) of the RMA, the transfer has no effect until written notice of the transfer is received by Hawkes Bay Regional Council. The HBRC will accept transfers via any website being managed for this purpose as satisfying this requirement^{129,31}</p> <p>(v) <u>Section 136(5) of the RMA provides that when notification of the transfer has occurred, the permit, or that part of the permit transferred shall be deemed to be cancelled, and the permit or part transferred shall be deemed to be a new permit subject to the same conditions as the original permit.</u></p> <p>j. <u>Note that Rules TANK 5, and 6 or 18 may be triggered as a result of a transfer activity.</u></p>		
<u>Insert new rule 62b</u>	<u>Permanent or temporary transfer of water in accordance with S136(2)(b)(i) of the RMA</u>	<u>Discretionary</u>	<u>a. The transfer is the whole or any part of the holder's interest in the permit for taking and use of surface or groundwater that does not comply with Rule 62a</u>		

ADVISORY NOTE: Notifying transfers of water permits - Pursuant to section 136 of the RMA, the transfer of a water permit has no effect until written notice of the transfer has been received by the HBRC. In addition, section 136 also sets out the requirements for the transfer of a water permit in circumstances that do not comply with the rules above.

Recommended changes to Proposed Plan Change 9

6.8.2 Erection & Placement of Dams & Other Barrier Structures, & Damming of Water

Insert after heading

Rule 69 does not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments. Refer to Section 6.10 for the new Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment rules for dams and damming.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
67 Dams, weirs & other barrier structures in rivers, lakes and artificial water – courses ^{150B} Refer POL 79	The erection or placement of any dam ⁴³ , weir or other barrier structure in, on, under, or over the bed of a river, lake and artificial watercourse, and: any associated damming or diversion of water, and any associated discharge of sediment; and any associated disturbance of the river or lake bed. <u>This permitted activity does not apply to the erection of dams on the mainstem of any river where it is prohibited by Rule TANK 17</u>	Permitted⁴⁴	<ul style="list-style-type: none"> • The catchment area of the <u>new</u> structure shall not exceed 50 hectares. • The volume of water to be stored or retained by the <u>new</u> structure to spill level shall not exceed 20,000 m³. • The height of the structure (as measured vertically from the downstream bed to the crest) shall be no greater than 4 m. • A spillway shall be constructed to prevent the <u>new</u> structure being overtopped during storm events, unless the structure is designed to allow overtopping. • The impounded water shall not encroach onto any property, nor impede any drainage system, beyond the subject property unless agreed to in writing by any affected property owners. • Erection or placement of the structure shall not cause any erosion, scour or deposition beyond the area of erection or placement. • The impounded water shall not cause any erosion or instability of bordering land. • Within rivers and lakes, provision shall be made to maintain existing fish passage within the water body and, where the water body is permanently flowing, provision shall be made to maintain a residual flow immediately downstream of the structure of at least 1.2 l/min per hectare of catchment above the structure, except at times where such flow would not have occurred prior to the construction of the structure. 		

^{150B} Rule 67 does not apply to dams, weirs & other barrier structures in rivers, lakes and artificial watercourses associated with plantation forestry activities. Refer to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

⁴³ Dams - Include stock water dams, Irrigation dams, fire-fighting dams and dams in artificial water courses.

⁴⁴ If Rule 67 cannot be complied with, then the activity is a discretionary activity under Rule 69.

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			<ul style="list-style-type: none"> i. Where the volume of water to be stored or retained by the structure to spill levels exceeds 10,000 m³ and where the structure is located within the catchment of a land drainage or flood control scheme area that is managed by a local authority exercising its powers, functions and duties under the Soil Conservation and River Control Act 1941, the Land Drainage Act 1908, or the Local Government Act 1974 the HBRC shall be informed about the erection or placement of the structure at least 15 working days prior to the commencement of works. j. There shall be no disturbance of any part of the bed covered by water from 1 May to 30 September (fish spawning season) except in relation to the erection of whitebait stands, maimai, and necessary access structures to these. k. In areas of fish spawning there shall be no disturbance of any part of the bed covered by water from 1 May to 30 September (fish spawning season) except in relation to the erection of whitebait stands, maimai, and necessary access structure to these. l. Conditions (a) to (d) do not apply to structures which are located in a land drainage or flood control area that is managed by a local authority exercising its powers, functions and duties under the Soil Conservation and Rivers Control Act 1941, the Land Drainage Act 1908 or the Local Government Act 1974. 		
<p>68 Existing damming of water in rivers and lakes <i>Refer POL 79</i></p>	<p>Any existing damming of water associated with a lawfully established dam⁴⁵, weir, or other barrier structure in, on, under, over the bed of a river, lake or artificial water course</p>	<p>Controlled</p>	<p>a. The impounded water shall not encroach onto any property beyond the subject property, unless agreed to in writing by any affected property owners.</p>	<ul style="list-style-type: none"> a. Stability of the land bordering the dam. b. Residual downstream flow. c. Flood risk in the event of failure. d. Maintenance of structure. e. Duration of the consent. f. Review of consent conditions. g. Compliance monitoring. 	<p>Consent applications will generally be considered without notification without the need to obtain the written approval</p>

Recommended changes to Proposed Plan Change 9

	that is not provided for by Rule 67.				of affected persons.
69 River & lake bed activities that are not expressly regulated by other rules <i>Refer POL 79</i>	Any activity which cannot comply with any of the rules in section 6.8 of this Plan and which is not expressly regulated by other rules in this Plan. <u>This rule does not apply to rivers in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments (refer Rules TANK 13 – 17)</u>	Discretionary			

⁴⁵ Dams - Include stock water dams, Irrigation dams, fire-fighting dams and dams in artificial water courses.

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>69 River & lake bed activities that are not expressly regulated by other rules <i>Refer POL 79</i></p>	<p>Any activity which cannot comply with any of the rules in section 6.8 of this Plan and which is not expressly regulated by other rules in this Plan. This rule does not apply to rivers in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments (refer Rules TANK 13 – 17)</p>	<p>Discretionary</p>			

Delete RRMP Rule 70 from PPC9 as no amendments have been made. This is a consequential amendment to 210.110

Recommended changes to Proposed Plan Change 9

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>71 Activities affecting river control & drainage schemes^{48,49} <i>Refer POL 79</i></p>	<p>Any of the following activities, where they are undertaken by persons other than the local authority or persons acting on their behalf, within a land drainage or flood control scheme area that is managed by a local authority exercising its powers, functions and duties under the Soil Conservation and Rivers Control Act 1941, the Land Drainage Act 1908, or the Local Government Act 1974:</p> <ul style="list-style-type: none"> • The introduction or planting of any plant including any tree in, on, or under the bed of any river, lake or artificial water course, or within 6 metres of the bed <u>except that this provision does not apply to rivers for riparian vegetation established to provide shade in the Karamū catchments.</u> • The erection of any building, fence or other structure in, on, or under the bed of any river, lake or artificial water course, or within 6 metres of the bed. • The deposition of any rock, shingle, earth, debris or other substance in, on, or under the bed of any river, lake or artificial water course, or within 6 metres of the bed. • The reclamation or drainage of the bed of any river, lake or artificial water course. • The undertaking of any other land disturbance activity which impedes access to the bed of any river, lake or artificial water course, or within 6 metres of the bed. • The erection of any structure and the undertaking of any land disturbance activity which interferes with the integrity of any defence against water.⁵⁰ 	<p>Discretionary⁵¹</p>			

Recommended changes to Proposed Plan Change 9

<p>71A Activities affecting river control & drainage schemes^{48,49}</p>	<p><u>The introduction or planting of any plant including any tree in or on the bed of a river, lake or artificial watercourse or within 6 metres of the bed of any river within the Heretaunga Plains Flood Control and Drainage Scheme.</u></p>	<p><u>Permitted</u></p>	<p>f) <u>The planting complies with the planting design, including species, setbacks and density requirements specified in Hawke's Bay Regional Council's Water Way Planting Guide for the Heretaunga Plains Flood Control and Drainage Scheme (date)</u></p>		
--	---	-------------------------	---	--	--

⁴⁷ For the purpose of this Plan the term 'wetland' does NOT include:

- wet pasture land artificial wetlands used for wastewater or stormwater treatment
- farm dams and detention dams land drainage canals and drains
- reservoirs for firefighting, domestic or municipal water supply temporary ponded rainfall
- artificial wetlands.

⁴⁸ It is important to note that the Hawke's Bay Regional Council owns much of the land within River Control and Drainage Schemes, and thus has landowner rights and responsibilities in relation to this land.

⁴⁹ Any activity permitted by Rules 64 and 65 is not subject to Rule 71.

⁵¹ The ongoing maintenance or repair of any structure authorized by a resource consent pursuant to Rule 71 is permitted pursuant to Rule 64.

⁵⁰ "Defence against water" includes stopbanks and their foundations.

Recommended changes to Proposed Plan Change 9

SCHEDULES

Insert the following new Schedules after Schedule 25

- Schedule 26
- ~~Schedule 27~~
- Schedule 28
- Schedule 29
- Schedule 30
- Schedule 31
- Schedule 32
- ~~Schedule 33~~
- Schedule 34A
- Schedule 34B
- Schedule 35
- Schedule 36

Schedules attached separately.

Chapter 9 Glossary of Terms Used

Insert or amend meanings for the following words and terms into the Glossary. Note that where a term is already included, its meaning is only changed in respect of the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments.

Actual and Reasonable in relation to applications to take and use water means;

- a) no more than the quantity specified on the permit due for renewal or any lesser amount applied for; and the least of either;
- b) the ~~maximum average~~ ^{consequential} annual amount as measured by accurate water meter data in the ten years preceding ~~2 May 2020-1 August 2017 for groundwater takes in the Heretaunga Plains Water Management Unit or in the preceding ten years preceding the 2 May 2020 as applicable elsewhere~~^{82.4} if accurate water meter data is available. (If insufficient or no accurate data is available either clause a) or c) will apply)

or

- c) for irrigation takes, the quantity required to meet the modelled crop water demand for the irrigated area with an efficiency of application of no less than 80% as specified by the IRRICALC water demand model (if it is available for the crop and otherwise with an equivalent method), and to a 95% reliability of supply where the irrigated area is;
 - (i) no more than in the permit due for renewal, or any lesser amount applied for, and in the case of Heretaunga Plains ~~W~~Groundwater ~~Quantity Area-Management Unit~~, is not more than the amount irrigated in the ten years preceding ~~2 May 2020-1 August 2017~~^{82.5}; and
 - (ii) evidence is supplied to demonstrate that the area has, and can continue to be, irrigated and the permit substantially given effect to.

~~**Affected stream** is one which the Stream Depletion Calculator identifies the greatest magnitude of stream depletion caused by that take (a take may cause stream depletion in more than one stream). The stream with the largest effect is the "affected stream".~~^{210.52}

Allocation limit for surface water means the maximum quantity that is able to be allocated in water permits and abstracted ~~for consumptive water use,~~ expressed in litres per second and calculated as the ~~average rate required to abstract the maximum weekly or 28 day volume allocated to each water permit and summed for all water permits in the applicable management unit sum of weekly maximum water permit allocations for a river, or management zone averaged over one month and includes abstraction in Zone 1.~~^{129.40}

Allocation limit for Ggroundwater means the maximum quantity that is able to be allocated in water permits and abstracted during each year, expressed in cubic metres per year, and is calculated as the sum of maximum water permit allocations for the groundwater zone. Allocations for irrigation will be calculated on the basis of the irrigation period of November- May. The Heretaunga Plains Water Management Unit groundwater allocation limit will be addition to water taken and used for frost protection which is expressed as an instantaneous take in litres per second and calculated as the sum of water permit allocations.

Allocation limit for high flow takes means the maximum quantity that is able to be allocated in water permits and abstracted expressed in litres per second as an instantaneous flow and calculated as the sum of the instantaneous flow allocations in water permits for a river or management zone.

~~**Applicable stream flow maintenance scheme** is a stream flow maintenance scheme developed to maintain river flows in an affected stream when the trigger flow is reached. If no scheme is feasible, then there is no applicable scheme.~~^{210.152}

Aquifer testing means taking and using groundwater at a constant rate not exceeding 3 consecutive days in any 28 day period to test attributes and characteristics of an aquifer and/or groundwater. Those characteristics may include transmissivity, storativity and chemical composition. It does not include the taking or use of groundwater where a device is connected to that might result in variability of water flow.

Arable land use is as defined by Part 9 of the RMA.

The use of land to grow any of the following crops for harvest:

(a) grain cereal, legumes, or pulse grain

(b) herbage seed

(c) oilseed

(d) maize grain, maize silage, cereal silage, or mangels

(e) crops grown for seed multiplication

Recommended changes to Proposed Plan Change 9

(f) a crop prescribed in regulations made under section 217M(1)(a) consequential.

Consumptive water use means any use of fresh water that alters the flows and or levels in a water body on either a temporary or permanent basis, but excludes any non-consumptive use where:

- a) the same amount of water is returned to the same water body at or near the location from which it was taken; and
- b) there is no significant delay between the taking and returning of the water.

For the purposes of allocation limits and specified rationing provisions in the rules, the term 'consumptive use' does not apply to water used in hydro-electric power generation or water use or diversions which substantially return the water used to the same water body.^{129,42}

Essential human health needs means the proportion of water supplied to residential and other end users for essential human health needs and will be calculated at a rate of 200l litres per person per day (l/p/d). (Note this is from MFE Guidance being the sum of Drinking 2 l/p/d, Cooking and Food 3 l/p/d, Toilet flushing 80 l/p/d, Bathing and Showering 100l/sec, 23% of washing needs 15 l/p/day, Total 200l/p/d).

Farm Environment Plan means a plan that has been prepared in accordance with the requirements of Schedule 30C by a person with the professional qualifications necessary to prepare such a plan which is implemented by a landowner or on behalf of a landowner.

Farm is as defined by Part 9 of the RMA. A farm where all or part of the farm is—

(a) arable land use; or

(b) horticultural land use; or

(c) pastoral land use; or

(d) other agricultural land use prescribed in regulations made under section 217M(1)(b); or

(e) any combination of the above consequential

Farming Enterprise – as defined in the RMMP but to include Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments.

Farm Operator is as defined by Part 9 of the RMA. The person with ultimate responsibility for the operation of a farm consequential

Forestry Management Plan means a harvest plan or management plan as provided for in the National Environmental Standards for Plantation Forestry; 2017.

Fre³ means the frequency of floods that are three times above the median flow for a river as determined by the Regional Council records.

Hapū (In Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments) means kinship group, section of a large kinship group and the primary political unit in traditional Maori society.

Heretaunga Plains Groundwater Model is a numerical model for the waters of the Heretaunga Plains and meets the requirements for artesian head and stochastic uncertainty analysis as provided for in Schedule 35

Horticultural land use is as defined by Part 9 of the RMA. The use of land to grow food or beverage crops for human consumption (other than arable crops), or flowers for commercial supply consequential

Indigenous vegetation for the purposes of rules regulating removal of vegetation means: means any area of naturally occurring vegetation where the cover of indigenous plants is the same as or greater than exotic plants but excludes any indigenous vegetation which grows beneath plantation forestry.

Infrastructure Leakage Index is a performance indicator of real (physical) water loss from a water supply network of water distribution developed by the International Water Association and included in the New Zealand BenchlossNZ manual and which outlines performance indicators for NZ.

*** PLACEHOLDER* for an irrigation efficiency definition as per Section 15.6.17 of the Hearing Report.**

Kaitiakitanga; add “and in Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments can only be passed down through generations via whakapapa”

Ki uta ki tai – means The movement of water from mountains to sea, through the landscape and the numerous interactions it may have on its journey. Ki uta ki tai acknowledges the connections between the atmosphere, surface water, groundwater, land use, water quality, water quantity, and the coast. It also acknowledges the connections between people and communities, people and the land, and people and water.

Mahinga Kai insert “ and in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments mahinga kai generally refers to

Recommended changes to Proposed Plan Change 9

indigenous freshwater species that have traditionally been used as food, tools, or other resources. Mahinga kai provide food for the people of the rohe and these species give an indication of the overall health of the catchment. For this value, kai would be safe to harvest and eat and knowledge transfer is present (intergenerational harvest). In freshwater management units that are highly valued for providing mahinga kai, the desired species are plentiful enough for long-term harvest and the range of desired species is present across all life stages.

Māori means the aboriginal people of New Zealand that migrated from Hawaiki in successive waves of migration settling throughout the Pacific.

Marae A marae is a fenced-in complex of carved buildings and grounds that belongs to a particular iwi (tribe), hapū (sub tribe) or whānau (family). Māori people see their marae as tūrangawaewae - their place to stand and belong. Maraе are places of refuge for Māori and provide facilities to enable Māori to continue with our own way of life within the total structure of their own terms and values. The marae is an institution from classical Māori society that has survived the impact of western civilisation.

Matauranga Māori means cultural knowledge of the natural world.

Mauri Insert “and in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments Mauri is a spiritual value that expresses itself within the natural world in a particular manner. In the Māori world view, all-natural things have Mauri, both animate and inanimate. Within freshwater environments, the manifestation of healthy mauri is abundant and healthy water and aquatic resources, including the fish, insects, birds and plants that interact with the water.”

Nitrogen loss rate means the modelled nitrogen loss rate for a property using Overseer (or similar alternative nutrient budget model approved by the Hawke’s Bay Regional Council)

Nitrogen loss target means the modelled nitrogen loss rate using Overseer (or similar alternative nutrient budget model approved by the Hawke’s Bay Regional Council) for a property which:

- a) adopts all industry good practice measures for managing nutrient losses and/or
- b) adopts additional mitigation measures to meet applicable water quality targets or objectives for dissolved nutrients.

The Nitrogen loss rate and the nitrogen loss target may be the same for any property. (The effects of some nutrient mitigation measures cannot be modelled within Overseer. This provision also reflects that some properties are already adopting good industry practice – but that this may change over time) 132.111, 120.111, 132.138, 132.111, 120.111, 132.138, 120.118, 123.146, 210.138, 135.61

Papakāinga means a group of houses of three or more, developed on Maori land that has multiple-owners.

Pastoral land use is as defined by Part 9 of the RMA. *The use of land for the grazing of livestock.* consequential

Registered Drinking Water Supply (or Supplies) means a drinking water supply that is recorded in the drinking water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 25 people with drinking water for not less than 60 days in each calendar year

River - defined as in the RMA. This will be interpreted to align with the implementation for Tukituki PC and applies to all flowing permanent and intermittent rivers/creeks, lakes and wetlands. An intermittent river or creek is a waterway that periodically flows and has a defined river bed that is predominantly un-vegetated and comprised of silt, sand, gravel and similar.

Source Protection Zone (SPZ) means an area surrounding the point of take for a registered drinking water supply that provides no fewer than 501 people with drinking water for not less than 60 days in each calendar year where plan provisions apply and includes any provisional Source Protection Zone and is defined by methods specified in Schedule 35 (information about the location of SPZs can be found on the Council’s webpage).

Source Protection Extent is an area surrounding the point of take for a registered drinking water supply that provides no less than 25 and no more than 500 people with drinking water for not less than 60 days in each calendar year and includes any Provisional Source Protection Extent and is defined by methods specified in Schedule 35 (information about the location of these areas can be found on the Council’s webpage).

Stream Depletion Calculator is a publically available tool that the Haawke’s Bay Regional Council has developed to quantify the stream depleting effects of groundwater abstractions in the Heretaunga Plains. The calculator is based on the Heretaunga numerical groundwater model, but enables very rapid stream depletion assessments.

TANK Industry Programme or a TANK Catchment Collective is a group of people meeting the requirements of Schedule 30A and which has a Catchment Collective or Industry Programme that has been prepared in accordance with the

Recommended changes to Proposed Plan Change 9

requirements of Schedule 30B by a person with the professional qualifications necessary to prepare such a Programme

Waka ama is a New Zealand term for the traditional sport used in the Pacific of outrigger canoeing.

Consequential Amendments to Chapter 5 of the Regional Resource Management Plan

As a consequence of the new chapters 5.10 and 6.10, amendments have been made to the following parts of Chapter 5 of the operative plan:

Chapter 5.4 Surface Water Quality. The Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments are excluded from this chapter.

Chapter 5.5 Surface Water Quantity. The Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments are excluded from this chapter.

Chapter 5.6 Groundwater Quality; The Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments are excluded from this chapter.

Chapter 5.7 Groundwater Quantity

The amendments listed above are shown in **bold** text with new insertions underlined and with deletions shown as ~~**bold strikethrough**~~ over the pages that follow. (Note; Submissions can only be made in respect of the amended text).

5.4 Surface Water Quality

Insert under heading

The provisions of Chapter 5.4 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments.

Table 8. Environmental Guidelines – Surface Water Quality Part II - Guidelines that Apply to Specific Catchments

Catchment Area	Faecal Coliforms (cfu/100 ml)	Suspended Solids (mg/l)
Aropaoanui River	200	50
Clive Rivers and tributaries	200	40
Esk River	200	50
Ikanui Stream	200	50
Kopuawhara Stream	200	50
Mangakuri Stream	200	50
Maraetotara River	200	50
Mohaka River	50	10
Ngaruroro River upstream of Fernhill Bridge	50	40
Ngaruroro River between Fernhill Bridge and Expressway Bridge	400	25
Ngaruroro River downstream of the Expressway Bridge	150	25
Opoutama Stream	200	50
Porangahau River	200	50
Puhokio Stream	200	50
Taharua Stream	50	10
Tutaekuri River upstream of Redclyffe Bridge	50	40
Tutaekuri River between Redclyffe Bridge and SH50	400	25
Tutaekuri River downstream of the Expressway Bridge	150	25
Waingonoro Stream	200	50
Waipatiki Stream	200	50
Waipuka Stream	200	50
Wairoa River and tributaries upstream of Frasertown	100	25
Wairoa River at and downstream of Frasertown	200	25

Recommended changes to Proposed Plan Change 9

These guidelines apply after reasonable mixing and disregarding the effect of any natural perturbations that may affect the water body, as set out in Policy 72.

* The figures in Table 8 represent concentrations of contaminants in the water body that should not be exceeded after reasonable mixing.

POL 72A DISCHARGE PERMITS – Matters for consideration in catchments other than the Tukituki River catchment

When considering any application for a discharge the consent authority must 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 effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.
- (2) When considering any application for a discharge the consent authority must have regard to the following matters:
- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of the people and communities as affected by their secondary contact with fresh water; and
 - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of the people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.

Explanation and Reasons

5.4.7A Policy 72A was inserted in accordance with the direction stated in Policy A4 of the National Policy Statement for Freshwater Management 2014 and took effect on 1 August 2014

5.5 Surface Water Quantity

Insert under heading

The provisions of Chapter 5.5 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments

POL 74 IMPLEMENTATION OF ENVIRONMENTAL GUIDELINES - SURFACE WATER QUANTITY

- (a) **Resource Allocation:** To define the allocatable volume as being the difference between the summer 7- day Q95 and the minimum flow.
- (b) To implement the environmental guidelines for surface water quantity predominantly in the process of making decisions on **resource consents** in accordance with section 104 (1)(b) of the RMA, through Table 9.

⁵⁴ NOTE 1: Policy 72A 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.

NOTE 2: Pol 72A(1) 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.

Table 9. Minimum Flow and Allocatable Volumes for Specified Rivers

River name	Minimum Flow Site Name	Minimum Flow (l/s)	Allocatable Volume (m ³ /week)	Map Reference
Awanui Stream	At The Flume	120	0	V21:357613
Awanui Stream	At Paki Paki-Culvert	35	0	V21:351608
Esk River	At Shingle Works	1,400	355,018	V20:432945
Esk River	At SH2	1,000		V20:438939
Irongate Stream	At Clarks Weir	100	0	V21:367666
Karamū River	At Floodgates	1,100	18,023	V21:427708
Karewarewa River	At Turamoe Road	75	-	V21:341622
Louisa Stream	At Te Aute Road	30	0	V21:410625
Mangateretere-Stream	At Napier Road	100	0	V21:438659
Maraekakaho River	At Tait's Road	100	5,443	V21:170668
Maraetotara River	At Te Awanga-Bridge	220	30,971	W21:520664
Ngaruroro River	At Fernhill Bridge	2,400	956,189	V21:330729
Nuhaka River	At Valley Road	80	41,731	X19:225329
Ongaru Drain	Wenley Road	5	0	V21:234653
Pouhokio Stream	At Allens Bridge	80	-	V22:498441
Poukawa Inflow	Site No. 1 (d/s-dam)	10	0	V22:282504
Poukawa Inflow	Site No. 1a (u/s-dam)	10	0	V22:285502
Poukawa Inflow	Site No. 6	3	0	V22:266478
Poukawa Stream	At Douglas Road	20	0	V22:298533
Raupare Stream	At Ormond Road	300	83,844	V21:398713
Te Waikaha Stream	At Mutiny Road	25	-	V22:361572
Trib. of Kauhauroa Stream	(Taylors)	5	0	X19:970397
Tutaekuri River	At Puketapu	2,000	928,972	V21:357812

Recommended changes to Proposed Plan Change 9

Tutaekuri-Waimate	At Goods Bridge	1,200	367,114	V21:384751
Waimaunu Stream	At Duncans	10	15,304	X19:229300

POL 74A Water Permits – Matters for consideration in catchments other than the Tukituki River catchment and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments

- (1) When considering any application the consent authority must have regard to the following matters:
- (a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and
 - (b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.⁵⁵

⁵⁵ NOTE 1: Pol 74A applies to:

(a) any new activity and

Recommended changes to Proposed Plan Change 9

Explanation and Reasons

FF Policy 74A was inserted in accordance with the direction stated in Policy B7 of the National Policy Statement for Freshwater Management 2014 and took effect from 1 August 2014

(b) any change in the character, intensity or scale of any established activity –

that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).

NOTE 2: Pol 74A does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management took effect on 1 July 2011.

5.6 Groundwater Quality

Insert after Heading

The provisions of Chapter 5.6 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments

OBJECTIVES

OBJ 42 No degradation of existing groundwater quality in aquifers ~~in the Heretaunga Plains aquifer system.~~

POLICIES

POL 75 ENVIRONMENTAL GUIDELINES - GROUNDWATER QUALITY

1. Other than in the productive aquifer systems in the Tukituki River catchment **and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments**, to manage the effects of activities affecting the quality of groundwater in accordance with the environmental guidelines set out in Table 10.

Table 10. Environmental Guidelines – Groundwater Quality

CONFINED, PRODUCTIVE AQUIFERS IN THE HERETAUNGA PLAINS AQUIFER — SYSTEM (as shown in Schedule IV)	
1. No degradation	There should be no degradation of existing water quality.
OTHER PRODUCTIVE AQUIFERS	
1. Human consumption	The quality of groundwater should meet the “Drinking Water Quality Standards for New Zealand” (Ministry of Health, 1995) without treatment, or after treatment where this is necessary because of the natural water quality.
2. Irrigation	The quality of groundwater should meet the guidelines for irrigation water contained in the “Australian Water Quality Guidelines for Fresh and Marine Waters” (Australian and New Zealand Environment and Conservation Council, 1998) without treatment, or after filtration where this is necessary because of the natural water quality.

POL 76A Discharge Permits – Matters for consideration in catchments other than the Tukituki River catchment and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments⁵⁶

- (1) When considering any application for a discharge the consent authority must 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 effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.
- (2) When considering any application for a discharge the consent authority must have regard to the following matters:
- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of the people and communities as affected by their secondary contact with fresh water; and
 - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of the people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.

Explanation and Reasons

5.6.5A Policy 76A was inserted in accordance with the direction stated in Policy A4 of the National Policy Statement for Freshwater Management 2014 and took effect on 1 August 2014.

⁵⁶ NOTE 1: Policy 76A 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.

NOTE 2: Pol 76A(1) 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.

NOTE 3: Pol 76A(2) does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 1 August 2014.

5.7 Groundwater Quantity

Insert after the heading

The provisions of Chapter 5.7 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments

POL 78A Water Permits – Matters for consideration in catchments other than the Tukituki River catchment and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments

- (1) When considering any application the consent authority must have regard to the following matters:
- (a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and
 - (b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.⁵⁷

Explanation and Reasons

E 7.4

⁵⁷ NOTE 1: Pol 78A applies to:

- (a) any new activity and
- (b) any change in the character, intensity or scale of any established activity –

that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).

NOTE 2: Pol 78A does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management took effect on 1 July 2011.