

# Summary of decisions requested

## Proposed Regional Plan for Northland

March 2018



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# A Introduction

## Guide to the summary of decisions requested

The Resource Management Act 1991 (RMA) requires the Northland Regional Council to prepare a report summarising all the decisions requested by people who made a submission on the Proposed Regional Plan (the Plan).

There are 315 submissions.

The decisions requested have been summarised by provision, following the same format as the Proposed Regional Plan. Where a decision requested is more general it is summarised at the a higher level. For example, a decision requested on stock exclusion rules without reference to any particular rule has been summarised at the start of the stock exclusion rules under 'general submissions on stock exclusion'.

We have not produced a report summarising decisions requested by submitter.

### What does a 'Summary' mean?

The report is made up of concise summaries of the decisions requested in submissions. The report is not intended to be a summary of the submissions in their entirety and does not include reasons for the request or other supporting material included in the submissions. The original submission should be read to fully understand the issues raised by a submitter.

Where the decision requested is unclear, this is stated, and the reader ought to refer to the original submission.

Many submissions included a request for 'any such consequential amendments' or similar. Such requests have not been included in the summary of decisions requested as consequential changes can be made in response to any submission.

Some submissions include the statement 'or similar relief' (or words to that effect) after the amendment sought. These statements have generally not been included because an amendment similar to that sought is within the scope of all submissions

### Position

Three classifications have been used to denote a submitters position in relation to their submission point:

- *Support* - submitter supports the provision(s) (or part of) entirely or submitter clearly states they support with some minor amendments.
- *Amend* - submitter requests any amendment, including deleting the provision(s) (or part of).
- *Unclear*- unclear whether submitter is requesting a change or supports the the provision(s) (or part of).

### Requested amendments to text

Where a submission requests amendments to the text of provisions in the Plan, this is generally identified with a ~~striketrough~~ for deleted text and underlining for inserted text. Unchanged text is in *italics*.

Some submissions quote substantial sections or parts of the Plan. Generally only proposed changes to the Plan text is included. Some unchanged Plan text may be included as context for the requested changed, otherwise unchanged text is generally not shown and indicated with the use of ellipses [...].

### Grouping submissions

Where two or more submission points are the same, the submitter names are recorded against the one point.

## Submissions on the Introduction

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited	Support	Retain the Section 32 Analysis as the basis for formulation of the Plan
Bay of Islands Planning Limited	Support	Retain formatting of Plan and the exclusion of extraneous material, subject to the recommended improvements sought through other submissions.
New Zealand Transport Agency	Amend	Include relevant parts of s32 assessment within Plan.
Transpower	Amend	<p>Amend the Introduction as follows:</p> <p><del>..... It is important to note that the Plan does not include all matters that are relevant in the consideration of applications for resource consents. It contains policies that translate higher level provisions (for example, provisions in the Regional Policy Statement) with more specificity. It does not include policies that attempt to repeat or paraphrase higher level provisions. This means that the policies in the Plan must be read in conjunction with the Regional Policy Statement and National Policy Statements.</del></p> <p><u>Of relevance to the region and regional plan are the higher level provisions within the Regional Policy Statement and National Policy Statements. Under the RMA, the Northland Regional Council is required to give effect to the National Policy Statements and the Regional Policy Statement.</u></p>

# B Definitions

## General submissions on definitions

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Seeks that the plan is reviewed and that terminology which is used in the plan, but which is not commonly used or which may be inconsistently applied or interpreted, be defined.
Beef and Lamb NZ	Amend	Include definitions for the following terms: zone of reasonable mixing, toxicant, lowland river, Hill country river, river classes, farm environment plan.
Far North District Council	Support	General support for definitions (subject to amendments).
Haititaimarangi Marae 339 Trust	Amend	All definitions should be clearly identified (highlighted) in the provisions of the plan.
King G	Amend	Insert definitions from the Resource Management Act.
King G	Amend	Insert definitions of each activity type. e.g. Permitted and Discretionary etc.
Minister of Conservation	Amend	Add further definitions, in addition to include the "Craft Risks Management Standard – Biofouling" thresholds, such as (but not limited to) hull, niche areas, goose barnacles, algal growth.
New Zealand Geothermal Association	Amend	State explicitly that definitions in the RMA apply in interpreting the plan unless otherwise stated.
New Zealand Transport Agency	Amend	Add diagram which shows the relationship between all the wetland definitions to enable a clearer understanding (Constructed Wetland; Induced Wetland, Natural Wetland, Reverted Wetland, Wetland).

## Definitions

Submitter	Definition	Position	Summary of decision requested
Fonterra GBC Winstone	Ambient air quality	Amend	Amend as follows:  <i>The general quality of the surrounding air, reflecting the cumulative effect of all <u>existing</u> activities, both anthropogenic and natural.</i>



Submitter	Definition	Position	Summary of decision requested
Tegel Foods Ltd	Ambient air quality	Support	Retain definition as notified
Transpower	Abrasive blasting	Support	Retain definition as notified
New Zealand Transport Agency	Activities sensitive to air discharges (new)	Amend	<p>Add a new definition to support new rules regarding road and rail tunnels.</p> <p><u>Activities sensitive to air discharges</u></p> <p><u>Activities sensitive to reduced air quality. Includes:</u></p> <ul style="list-style-type: none"> <li>• <u>dwelling</u>s;</li> <li>• <u>care centres</u>;</li> <li>• <u>hospitals</u>;</li> <li>• <u>healthcare facilities with an overnight stay facility</u>;</li> <li>• <u>educational facilities</u>;</li> <li>• <u>marae</u>;</li> <li>• <u>community facilities</u>;</li> <li>• <u>entertainment facilities</u>; and</li> <li>• <u>visitor accommodation</u>.</li> </ul>
Horticulture New Zealand	Agrichemicals	Amend	Amend definition to include the following words at the end <u>and vertebrate toxic agents (VTAs.)</u>
Minister of Conservation	Agrichemicals	Amend	<p>Amend as follows:</p> <p><u>Any substance, whether inorganic or organic, man-made or naturally occurring, modified or in its original state, that is used to eradicate, modify or control living organisms. Including adjuncts and animal remedies, but excluding fertilisers and vertebrate toxic agents.</u></p>
Royal Forest and Bird Protection Society NZ  Ravensdown Limited	Agrichemicals	Support	Retain definition as worded
Refining New Zealand	Aids to navigation	Amend	<p>Retain definition, with following amendments:</p> <p><u>All marks and signs in aid of marine navigation, including (but not limited to) navigation aids, and ski access lane markers, artificially lit buoys and fixed and floating structures.</u></p>

Submitter	Definition	Position	Summary of decision requested
Horticulture New Zealand	Allocation limit	Amend	<p>Amend to read:</p> <p><u>The maximum amount of resource use available, which allows freshwater objectives to be met.</u></p> <p><u>The allocation limits for freshwater quantity</u> <del>A type of freshwater quantity limit.</del> Allocation limits set in this plan are in Policy D.4.16 'Allocation limits for rivers' and Policy D.4.17 'Allocation limits for aquifers'.</p>
Horticulture New Zealand	Ambient air quality	Amend	<p>Amend definition to read:</p> <p><u>The air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.</u></p>
Minister of Conservation	Anti-fouling system (new)	Amend	Add a definition for "Anti-fouling system".
Minister of Conservation	Approved kauri disposal landfill (new)	Amend	Insert definition, such as: <u>An approved landfill is one that is approved by MPI for the disposal of contaminated kauri material</u>
Horticulture New Zealand	Artificial watercourse	Amend	<p>Insert the following text at the end of the definition:</p> <p><u>Artificial water courses are not constructed wetlands.</u></p>
Heritage NZ	Archaeological site (new)	Amend	<p>Insert as follows (or words to the effect):</p> <p><u>In terms of s.6 of the Heritage New Zealand Pouhere Taonga Act 2014, means any place in New Zealand (including buildings, structures or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. Modifications to archaeological sites as defined above require consent (an authority) from Heritage New Zealand Pouhere Taonga.</u></p> <p><u>Note: Under the RMA definition of 'Historic Heritage' the term 'Archaeological Site' is not limited to pre-1900 activity and may include evidence of archaeological significance such as sites of later activity of heritage interest (e.g. former World War II army camps).</u></p> <p><u>Note: (ii) Installing signs into pre-1900 built heritage sites may require an Authority from Heritage New Zealand.</u></p>



Submitter	Definition	Position	Summary of decision requested
			<i>Note: (iii) Nineteenth Century buildings and structures above and below ground are archaeological sites and may require an Authority depending upon the nature of the works proposed.</i>
Minister of Conservation	Artificial watercourse	Amend	Amend as follows:  <i>A man-made channel constructed in or over land for carrying water and includes an irrigation canal, water supply race, canal for the supply of water for electricity power generation and farm drainage canals. It does not include a channel constructed in or along the path of any historical or existing river or stream or through a historic or existing wetland.</i>
New Zealand Transport Agency	Artificial watercourse	Amend	Amend as follows:  <i>A man-made channel constructed in or over land for carrying water and includes an irrigation canal, <u>road side drains and water tables</u>, water supply race, canal for the supply of water for...</i>
Royal Forest and Bird Protection Society NZ	Artificial watercourse	Support	Retain as notified.
Horticulture New Zealand	Artificial wetland (new)	Amend	Add a new definition:  <i><u>Artificial wetlands are wetlands specifically created to provide ecosystem services, or provide habitat for plants and animals which are adapted to wet conditions. Artificial wetlands are not natural wetlands or constructed wetlands.</u></i>  Where the plan includes 'constructed wetlands' as wetlands, replace with 'artificial wetlands'.
Northpower	Authorised	Amend	Amend as follows:  <i>Expressly allowed by a: national environmental standard or other regulations, <del>or</del> a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent, and includes any structures that, at the time they were erected or placed, could lawfully be erected or placed without the need for any resource consent.</i>
Horticulture New Zealand	Authorised	Amend	Amend definition of authorised by adding to clause 2) ' <i><u>including permitted activities</u></i> '.

Submitter	Definition	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Authorised	Support	Retain definition as worded
Top Energy	Authorised	Amend	<p>Amend definition of 'authorised' as follows:</p> <p><i>Expressly allowed by a:</i></p> <p><i>1) national environmental standard or other regulations, or</i></p> <p><i>2) a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or</i></p> <p><i>3) a resource consent. <u>or</u></i></p> <p><i><u>4) that existed prior to 30 June 2004.</u></i></p>
Kaipara District Council  Whangarei District Council	Bank full edge (new)	Amend	Insert definition for 'Bank full edge'.
Royal Forest and Bird Protection Society NZ	Beach scraping	Amend	<p>Amend definition as follows:</p> <p><i>The transfer of <del>material (generally sand and other loose material such as stones and shells)</del> from the lower part of the foreshore (beach), <del>usually by mechanical equipment</del>, to re-distribute the sand to the upper beach/dune system, in order to repair or restore natural dune protection.</i></p>
GBC Winstone	Biodiversity off-setting (new)	Amend	<p>Add a new definition:</p> <p><u><i>Measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.</i></u></p> <p><u><i>No Net Loss means:</i></u></p> <p><u><i>in relation to effects on indigenous biodiversity, no overall reduction biodiversity, as measured by type, amount and condition.</i></u></p> <p><u><i>Environmental Compensation:</i></u></p>

Submitter	Definition	Position	Summary of decision requested
			<i>Means measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate avoidance, minimisation, remediation and mitigation measures have been taken. Environmental compensation can comprise positive actions which result in at least no net loss for some identified values, but not for other values or a financial contribution towards council projects to improve biodiversity, a conservation programme or the protection of an area of indigenous biodiversity that has different values to that being lost.</i>
Minister of Conservation	Biodiversity offsetting (new)	Amend	Insert the definition of 'biodiversity offsetting' used in the Northland Regional Policy Statement
New Zealand Defence Force	Biofouling	Amend	<p>Consolidate the definitions relating to fouling under the term 'biofouling'. This includes microfouling, slime layer, macrofouling and biofouling.</p> <p>Ensure the terms used are consistent with:</p> <ul style="list-style-type: none"> <li>• The international level of fouling and Craft Risk Management Standard.</li> <li>• Those used in the Auckland Unitary Plan .</li> </ul>
Far North District Council	Biosolids	Support	Retain definition as notified.
First Gas Limited	Bore	Support	Retain of the definition as notified.
The oil companies	Bore	Support	Retain of the definition as notified.
Royal Forest and Bird Protection Society NZ	Catchment plan	Amend	Delete definition because it is not used in the plan
Whangarei Harbour Catchment Group	Catchment plan	Support	Retain definition as notified.
Kaipara District Council Whangarei District Council	Channel (new)	Amend	Insert definition for 'Channel'.

Submitter	Definition	Position	Summary of decision requested
GBC Winstone	Cleanfill	Amend	Amend as follows:  <u><i>This does not include the placement of overburden material as part of any quarrying activity.</i></u>  <i>Natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:...</i>
Royal Forest and Bird Protection Society NZ	Coastal dune restoration	Amend	Amend the definition to " <u><i>Coastal dune restoration programme</i></u> "
Auckland Council	Coastal hazard management area	Amend	Amend this definition to use a more relevant term such as 'dune protection area' or 'coastal riparian management area'.
Royal Forest and Bird Protection Society NZ	Coastal hazard management area	Amend	Amend clause 2) as follows:  ...  <u><i>2) the land between the coastal marine area and the bottom of the landward side of all sand dunes within the coastal environment.</i></u>
CEP Services Matawhi Limited	Coastal hazard management area	Amend	Increase the width of the coastal hazard area to reflect actual and potential hazards, including changes to those hazards due to climate change, based on a minimum width of 20 metres.
National Institute of Water and Atmospheric Research Limited	Coastal water (new)	Amend	Insert new definition as follows:  <u><i>Seawater within the outer limits of the territorial sea and includes -</i></u>  <u><i>(a) seawater with a substantial fresh water component; and</i></u>  <u><i>(b) seawater in estuaries, fiords, inlets, harbours or embayments.</i></u>
Johnston J	Community controlled organisation	Amend	Amend the name of the definition so that it correctly describes the types of organisations that are cited in the definition as they are not always "community controlled".
Fonterra	Compost	Amend	Amend the definition of "Compost" as follows:

Submitter	Definition	Position	Summary of decision requested
			<i>Any combination of solid or semi-solid vegetable, <del>and animal and dairy processing waste</del> that has fully decomposed and matured to a stabilised product.</i>
NZ Pork Industry Board	Compost	Amend	<p>Amend the definition of 'Compost' as follows:</p> <p><i>Any combination of solid or semi-solid vegetable and animal waste that has fully decomposed and matured to a stabilised product. For the purposes of this plan, compost does not contain human sewage, <del>dead animals or animal parts.</del></i></p> <p>OR in the alternative C.6.3.3 should be amended to include this method of disposal and associated discharge.</p>
Northland Fish and Game	Conspicuous change in the colour or visual clarity (new)	Amend	<p>Insert the following new definition:</p> <p><u><i>Conspicuous change in the colour or visual clarity means 20% or greater change in the visual clarity of the receiving waters at the downstream edge of the reasonable mixing zone.</i></u></p>
Federated Farmers	Constructed wetland	Amend	<p>Amend the definition as follows:</p> <p>...</p> <p><i>This <del>does not</del> includes induced wetland, <u>but not</u> reverted wetland or wetland created for conservation purposes; for example, as a requirement of resource consent. <del>Examples of</del> Constructed wetlands includes wetlands created and subsequently maintained principally for or in connection with...</i></p>
Fonterra Top Energy Waiaua Bay Farm Limited	Constructed wetland	Support	Retain definition as notified.
GBC Winstone	Constructed wetland	Amend	<p>Amend as follows:</p> <p><del>Constructed</del> <u>Man-made</u> wetland</p> <p>...</p> <p><i>3) a wetland has been previously constructed legally. This does not include induced wetland, reverted wetland or wetland created for conservation purposes; for example, as a requirement of resource consent.</i></p>

Submitter	Definition	Position	Summary of decision requested
			<p>Examples of <del>constructed</del> <u>man-made</u> wetlands includes wetlands created and subsequently maintained principally for or in connection with...</p> <p>....</p> <p>4) other artificial wetland and waterbodies including open drainage channels (that are authorised, such as those in drainage schemes) and engineered soil conservation structures. A <del>constructed</del> <u>man-made</u> wetland may contain emergent indigenous vegetation such as mangroves, rushes and sedges.</p> <p>Note:</p> <p>1) — "<del>Constructed wetland</del>" is the same as "<del>man-made wetland</del>" in the Regional Policy Statement.</p> <p>....</p>
MLP LLC	Constructed wetland	Support	Retain definition of 'Constructed wetland' as notified.
Northland Fish and Game	Constructed wetland	Amend	<p>Amend the definition as follows:</p> <p>...</p> <p><i>This does not include induced wetland, reverted wetland or wetland created for conservation purposes; for example, as a requirement of resource consent, <u>land management agreement registered under the Land Transfer Act 1952 (or 2017), or protected private land (under Reserves Act 1977, Queen Elizabeth the Second National Trust Act, or Conservation Act 1987).</u></i></p>
New Zealand Transport Agency	Constructed wetland	Amend	<p>Amend definition as follows:</p> <p><i>...This does not include induced wetland, reverted wetland, <u>roadside drainage channels</u> or wetland created for conservation purposes; for example, as a requirement of resource consent.</i></p>
Royal Forest and Bird Protection Society NZ	Constructed wetland	Amend	<p>Change definition to 'man made wetland' in order to be consistent with RPS.</p> <p>Remove "and engineered soil conservation structures" as inconsistent with RPS and is not addressed elsewhere in the plan.</p>
The oil companies	Contaminant of concern (new)	Amend	If it is considered necessary include a definition of "contaminants of concern" to the effect that these are target contaminants that have been identified by way



Submitter	Definition	Position	Summary of decision requested
			of a PSI or which are most likely to be present given the nature of the activities on site and which are, within the NZ guideline set, called the "contaminants of concern".
The oil companies	Contaminated Land	Support	As notified, retain use of RMA definition for contaminated land.
Horticulture New Zealand	Contractor	Amend	Amend last sentence to read: <i><u>It does not include an employee or owner, occupier, manager or management company.</u></i>
Kaipara District Council Whangarei District Council	Core local infrastructure (new)	Amend	Insert a definition for all district council or territorial authority infrastructure.
Johnston J	Council controlled organisation (new)	Amend	Include a new definition.
Minister of Conservation	Craft Risks Management Standard – Biofouling (new)	Amend	Include the thresholds in section 2.2 of the Ministry for Primary Industries' "Craft Risks Management Standard – Biofouling".
Bainbridge J Dairy NZ Rayonier New Zealand	Cultivation	Support	Retain definition as notified.
Gailey B	Cultivation	Amend	<i><u>The disturbance of earth by machinery in preparation for planting or replanting of <del>pasture or crops</del> crops or pasture and the harvesting of root crops and tubers.</u></i>
Horticulture New Zealand	Cultivation	Amend	Delete definition as notified and replace with a definition of land preparation.
Man O'War Dairies Limited	Cultivation	Support	Retain exclusion of direct drilling and no-till methods from definition.

Submitter	Definition	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Cultivation	Amend	<p>Amend definition to read:</p> <p><i>The disturbance of earth by machinery in preparation for planting or replanting pasture or crops, <u>and includes:</u></i></p> <p><i>1) direct drilling and no-till practices, or</i></p> <p><i><u>but does not include:</u></i></p> <p><i>2) mechanical land preparation associated with plantation forestry.</i></p>
Landcorp Farming Limited	Dairy Support Cattle	Amend	Amend the definition of dairy support cattle to clarify that only stock of two years of age and over are captured by the definition.
Horticulture New Zealand	Dam	Amend	<p>Amend as follows:</p> <p><i>A structure intended primarily to retain or control surface water flows to form a reservoir, including a weir, <u>or water storage facilities, but does not include a stopbank or a constructed wetland.</u></i></p>
New Zealand Transport Agency	Dam	Amend	<p>Amend as follows:</p> <p><i>A structure intended primarily to retain or control surface water flows to form a reservoir, including a weir, but excluding a stopbank, <u>culverts, rain gardens and culvert headwalls.</u></i></p>
First Gas Limited	Dewatering	Amend	<p>Amend as follows:</p> <p><i>The removal <u>or diversion</u> of groundwater from an excavation that has perforated below the groundwater table in an aquifer.</i></p>
The Oil Companies	Dewatering	Support	Retain as notified.
Horticulture New Zealand	Direct or high connectivity aquifer (new)	Amend	<p>Insert new definition:</p> <p><i><u>An aquifer where river depletion after a period of 90 days at the maximum pumping rate is greater than 60 percent of the pumped groundwater volume</u></i></p>
Far North District Council	District council infrastructure (new)	Amend	Insert new definition:

Submitter	Definition	Position	Summary of decision requested
			<p><u>All infrastructure constructed, operated and maintained in accordance s.101B of the Local Government Act 2002</u></p> <p>OR similar relief.</p>
Bay of Islands Planning Limited  Carrington Resort Jade LP	Domestic type wastewater	Amend	Amend definitions to provide for distinction between public and private systems.
Tegel Foods Ltd	Domestic type wastewater	Support	Retain as notified.
GBC Winstone	Dust sensitive area	Amend	<p>Amend as follows</p> <p><u>... 7) wetlands and indigenous habitat areas significant bird areas and significant marine mammal and seabird areas, and...</u></p>
Pipiwai Titoki Advocacy for Community Health and Safety Group  Horticulture New Zealand	Dust sensitive area	Support	Retain as notified.
Tegel Foods Ltd	Dust sensitive area	Amend	<p>Delete definition and replace with:</p> <p><u>Activities sensitive to reduced air quality includes:</u></p> <ul style="list-style-type: none"> <li>• <u>Residential dwellings and associated garden areas, and</u></li> <li>• <u>Care centres and hospitals, and</u></li> <li>• <u>Schools, and</u></li> <li>• <u>Community buildings and grounds, including places of worship and marae, and</u></li> <li>• <u>Orchards, sensitive crops and commercial growing areas</u></li> </ul>
Bay of Islands Planning Limited  Broadspectrum NZ Ltd  Carrington Resort Jade LP	Earth	Support	Retain as notified.

Submitter	Definition	Position	Summary of decision requested
Bay of Islands Planning Limited  Broadspectrum NZ Ltd  Carrington Resort Jade LP  KiwiRail  Rayonier New Zealand  Tegel Foods Ltd	Earthworks	Support	Retain as notified.
First Gas Limited	Earthworks	Amend	Amend as follows:  <i>The mechanical disturbance of the surface of the land by excavation, cutting and filling, blading, ripping, contouring, or placing or replacing earth, <u>from the time soil is first disturbed on a site until the time the site is stabilised</u>, but does not include:</i>  4) construction, <u>repair or maintenance</u> of a bores.  ...  9) <u>thrusting, boring, trenching, backfilling or mole ploughing associated with pipe laying and maintenance of existing pipework.</u>
GBC Winstone	Earthworks	Amend	Amend as follows:  <i>The mechanical disturbance of the surface of the land by excavation, cutting and filling, blading, ripping, contouring, or placing or replacing earth, <u>and quarrying</u> but does not include: ...</i>
Horticulture New Zealand	Earthworks	Amend	Delete cultivation in exclusion 3) and replace with <u>land preparation</u> .
Landcorp Farming Limited	Earthworks	Amend	Amend so that any earthworks associated with farm track maintenance be exempt from the definition of earthworks.
Ministry for Primary Industries	Earthworks	Amend	Amend as follows:  .....

Submitter	Definition	Position	Summary of decision requested
			<p><u>9) earthworks associated with the harvesting of indigenous timber in accordance with an annual logging plan approved under the Forests Act 1949.</u></p> <p>Or any similar wording.</p>
NZ Pork Industry Board	Earthworks	Amend	<p>Amend as follows:</p> <p><i>The mechanical disturbance of the surface of the land by excavation, cutting and filling, blading, ripping, contouring, or placing or replacing earth, but does not include:...</i></p> <p><u>9) The burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 is a permitted activity to avoid delay in responding to a biosecurity threat.</u></p>
Royal Forest and Bird Protection Society NZ	Earthworks	Amend	<p>Delete the exclusion for earthworks associated with a plantation forestry activity.</p> <p>Either amend the rules to provide for maintenance and protection of indigenous biodiversity from earthworks activities, or amend the definition as follows:</p> <p><i>"...does not include:</i></p> <p><u>X) any destruction or damage to indigenous vegetation."</u></p>
Spark New Zealand Trading Ltd	Earthworks	Amend	<p>Amend as follows:</p> <p><i>The mechanical disturbance of the surface of the land by excavation, cutting and filling, blading, ripping, contouring, or placing or replacing earth, but does not include:</i></p> <p>...</p> <p><i>8. planting trees, <u>or</u></i></p> <p><u><i>9. boring, drilling or thrusting up to 250mm diameter</i></u></p>
The Oil Companies	Earthworks	Amend	<p>Amend as follows:</p> <p><i>...8. planting trees, <u>or</u></i></p> <p><u><i>9. Maintenance, repair and replacement of underground infrastructure or utilities.</i></u></p>

Submitter	Definition	Position	Summary of decision requested
Bainbridge J Beef and Lamb NZ Royal Forest and Bird Protection Society NZ	Effectively excluded	Support	Retain as notified.
Dairy NZ	Efficiency (new)	Amend	A new Schedule X, which defines efficiency and sets out efficiency Good Management Practices, be inserted into the plan. Insert the following <u>'as defined in Schedule X'</u> .
Irrigation New Zealand	Efficient use of water (new)	Amend	Add definition for what is meant by efficient use.
Northland Fish and Game	Effluent (new)	Amend	Include the following definition:  <u>A liquid that may include solid components discharged as a waste that originates from:</u>  <u>(a) on-site wastewater systems and mobile toilets;</u>  <u>(b) community sewerage schemes;</u>  <u>(c) agricultural activities;</u>  <u>(d) an industrial or trade process;</u>  <u>(e) but excludes solid waste.</u>
Beef and Lamb NZ	Ephemeral watercourse (new)	Amend	Include the following new definition:  <u>A defined active bed of 1m width or wider, which is intermittently flowing and where the bed is predominantly unvegetated and comprises sand, gravel, boulders or sedimentary material.</u>
Dairy NZ Federated Farmers Landcorp Farming Limited	Ephemeral watercourse (new)	Amend	Include the following new definition:  <u>Streams that flow continuously for at least three months between March and September but do not flow all year.</u>
Northland Fish and Game	Ephemeral watercourse (new)	Amend	Add the following:



Submitter	Definition	Position	Summary of decision requested
			<i><u>Ephemeral watercourse means a water body which typically only contains flowing and/or standing water following significant rainfall events or extended periods of above average rainfall.</u></i>
Minister of Conservation	Environmental compensation (new)	Amend	Include the definition of 'environmental compensation' used in the Northland Regional Policy Statement
Landcorp Farming Limited	Erosion Control Plan	Amend	Amend the definition of erosion control plan for clarity, and provide guidance to landowners regarding what is expected. Recognise that where landowners already have a Farm Environment Plan, it will be deemed to be an approved plan to the extent that it addresses the matters it covers.
Royal Forest and Bird Protection Society NZ	Erosion control plan	Support	Retain as notified.
Egg Producers Federation New Zealand	Farm (new)	Amend	Add a definition for "farm"
New Zealand Deer Farmers Association	Farm Environment Plan (new)	Amend	NZDFA-Northland notes that a definition of a Farm Environmental Plan and its criteria should be provided and considers that there are working drafts from other regional plans (Southland and Waikato) or an operational definition in Hawkes Bay that could be modified for Northland.
Landcorp Farming Limited	Farm Wastewater	Amend	Exclude supplementary feed from the definition.
Horticulture New Zealand	Farm Wastewater	Amend	Add the following text to the end of the definition:  <i><u>Farm wastewater does not include Horticulture wastewater.</u></i>
NZ Pork Industry Board	Farm wastewater	Amend	Amend as follows:  <i><u>All wastewater from a farm dairy, dairy yard, feed pad, standoff area, stock yard, sale yard, wintering barn, loafing pad, calf rearing barn, piggery (excludes outdoor pig farming), poultry farm, or any other stock yard...</u></i>

Submitter	Definition	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Farm wastewater	Amend	It is not clear why “farm wastewater” is included in the definition of “wastewater”. The more specific rule applies – permitted farm wastewater... so do the Wastewater rules apply?
Tegel Foods Ltd	Farm Wastewater	Support	Retain as notified.
Tegel Foods Ltd	Farm wastewater storage facilities	Support	Retain as notified.
Ravensdown Limited	Fertiliser (new)	Amend	<p>Add the following:</p> <p><u>Any substance (whether in solid or fluid form) that is described as or held out to be for, or suitable for sustaining or increasing the growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soils: nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chloride, sodium as major nutrients; or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, selenium as minor nutrients or fertiliser additives., and includes non-nutrient attributes of the materials used in fertiliser; but does not include substances that are plant growth regulators that modify the physiological functions of plants.</u></p>
Horticulture New Zealand	Fertiliser (new)	Amend	<p>Add the following:</p> <p><u>a) means a substance or biological compound or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly, animals through the application to plants or soil of—</u></p> <p><u>(i) nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or</u></p> <p><u>(ii) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or</u></p> <p><u>(iii) fertiliser additives; and</u></p> <p><u>(b) includes non-nutrient attributes of the materials used in fertiliser; but</u></p> <p><u>c) does not include substances that are plant growth regulators that modify the physiological functions of plants.</u></p>

Submitter	Definition	Position	Summary of decision requested
First Gas Limited	Flaring (new)	Amend	Add a new definition for flaring: <i><u>Combustion method to dispose of gas.</u></i>
New Zealand Transport Agency	Flood defence	Amend	Amend as follows:  <i>Means any structure or equipment, including any bund, weir, spillway, floodgate, bank, stopbank, retaining wall, rock or erosion protection structure or groyne, that is designed to have the effect of stopping, diverting, controlling, restricting or otherwise regulating the flow, energy or spread of water, including floodwaters, in or out of a water body or artificial watercourse.</i>  AND  Any changes required to this definition pending changes to Rules C.2.1.5 and C.2.1.11
Tegel Foods Ltd	Flood defence	Support	Retain as notified.
CEP Services Matawhi Limited	Flood hazard area	Amend	Expand the definition to explain the allowance to be made for the impact of climate change expected over the next 100 years to the flood hazard area.
Tegel Foods Ltd	Flood hazard areas	Amend	Delete and replace with:  <i><u>Land where there is at least a 1% chance of river flooding occurring annually.</u></i>
The oil companies	Flood hazard areas	Amend	Retain the definition of Flood hazard areas except to the extent they are amended to provide clarity that any unmapped areas will not be regulated except through a plan change as follows;  <i>Note: <del>In catchments where the</del> <u>The known</u> spatial extent of these areas <del>have</del> been mapped by the regional council, <del>they and these</del> are referred to as mapped 100-year flood hazard areas. These flood plains have been adjusted to account for projected climate change effects, including higher storm rainfall intensity. They are available to view on the regional council's website. <u>As more areas are identified, they will be added by way of Plan Change.</u></i>
Whangarei District Council	Foreshore (new)	Amend	Include a definition for 'foreshore'.

Submitter	Definition	Position	Summary of decision requested
Egg Producers Federation New Zealand	Free-range poultry (new)	Amend	Include a definition for Free-range poultry.
Tegel Foods Ltd	Free-range poultry (new)	Amend	Add definition as follows:  <i><u>The commercial raising of poultry where birds are housed in either stationary, permanent or moveable structures or buildings which enable them to have access to the outdoors.</u></i>
CEP Services Matauwhi Limited	Fully allocated	Amend	Revise the definition of 'fully allocated' to allow for changes to the hydrology regime due to climate change over the next 100 years.
Royal Forest and Bird Protection Society NZ	Fully allocated	Amend	Change the word to "over-allocation" and retain the definition.
CEP Services Matauwhi Limited	Functional need	Amend	Revise the definition to include the need for there to be a functional need to be demonstrated for the particular location proposed.
First Gas Limited	Functional need	Amend	Amend as follows:  <i><u>When an activity (including structures) is dependent on having its location in a specific location to operate, including in the coastal marine area to operate and in the beds of lakes and rivers.</u></i>
Fonterra GBC Winstone New Zealand Transport Agency	Functional need	Support	Retain as notified.
Royal Forest and Bird Protection Society NZ	Functional need	Amend	Amend to include the underlined words: " <i><u>When an activity (including structures) is dependent due to its technical or operational requirements on having its location in the coastal marine area to operate...</u></i> "  Otherwise retain the definition as notified.
Transpower	Functional need	Amend	Amend as follows:

Submitter	Definition	Position	Summary of decision requested
			<i>When an activity (including structures) is dependent on having its location in the coastal marine area to operate. This excludes, but is not limited to, dwellings and guest houses, hotels, motels, cafes, restaurants and shops.</i>
First Gas Limited	Geotechnical bore (new)	Amend	Add a new definition for geotechnical bore:  <u>Any bore constructed to provide information about soil, sediment or rock.</u>
New Zealand Geothermal Association	Geothermal surface feature (new)	Amend	Add the following definition for a geothermal surface feature:  <u>Means a surface manifestation of geothermal processes or discharges. It includes geothermal springs, steam-fed features, geothermal mineral deposits and landforms that are remnants of geothermal processes or discharges such as hydrothermal eruption craters'.</u>
Northland Fish and Game	Good management practices (new)	Amend	Insert the following definition:  <u>Good management practices means practices, procedures or tools (including rules) that are effective at achieving the desired performance while providing for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated.</u>  <u>A defined set of good management practices includes the assumptions in the Overseer Best Practice Data Input Standards.</u>
Ravensdown Limited	Good management practice (new)	Amend	Insert the following definition:  <u>Practices, procedures or use of tools which are effective at achieving the desired performance while providing for environmental responsibility. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminate. Support is given to identifying these as: "Industry Agreed Good Management Practices" being the practices described in the document entitled 'Industry-agreed Good Management Practices relating to water quality' - dated September 2015.</u>

Submitter	Definition	Position	Summary of decision requested
Horticulture New Zealand	Ground based spraying	Amend	Amend definition to: <i><u>Any method of application where the equipment from which the agrichemical is emitted is on the ground but does not include hand held spraying.</u></i>
Fonterra	Hard protection structure	Amend	Amend the definition of "Hard protection structure" as follows: <i>A seawall, rock revetment, groyne, breakwater, stopbank, retaining wall or comparable structure that has the primary purpose of protecting property <u>and infrastructure</u> from a coastal hazard, including erosion.</i>
Kaipara District Council Whangarei District Council	Hazardous substances (new)	Amend	Insert definition for 'hazardous substances'.
Fonterra	High risk flood hazard area	Amend	Include the finalised flood hazard maps in the Regional Plan (as Appendix I).
Tegel Foods Ltd	High risk coastal hazard area	Amend	Bring probabilities for coastal and river flooding in line with each other.
GBC Winstone	High risk flood hazard area	Amend	Request that high-risk flood hazard areas are identified on the planning maps.
Tegel Foods Ltd	High risk flood hazard area	Amend	Amend text as follows: <i><del>High risk flood hazard area.</del> <u>High flood hazard area.</u></i>
The oil companies	High risk flood hazard areas	Amend	Amend as follows: <i>Note: <del>In catchments where the</del> <u>The known</u> spatial extent of these areas <del>has</del> <u>have</u> been mapped by the regional council, <del>they and these</del> are referred to as mapped 100-year flood hazard areas. These flood plains have been adjusted to account for projected climate change effects, including higher storm rainfall intensity. They are available to view on the regional council's website. <u>As more areas are identified, they will be added by way of Plan Change.</u></i>  Ensure that all references (throughout the Plan) to these areas in the Rules are to "mapped 10 year flood hazard areas".



Submitter	Definition	Position	Summary of decision requested
Ballance Agri-Nutrients Limited	High risk industrial and trade premises	Amend	<p>Amend as follows:</p> <p>.....</p> <p>4) Chemical manufacture, formulation or bulk storage, recovery, processing or recycling,</p> <p>5) Fertiliser manufacturer or bulk storage, <u>unless undertaken in compliance with the following industry standards:</u></p> <p><u>i. Fertiliser (Corrosive) Group Standard HSR002569; and</u></p> <p><u>ii. Fertiliser (Oxidising) Group Standard HSR002570; and</u></p> <p><u>iii. Fertiliser (Subsidiary Hazard) Group Standard HSR002571; and</u></p> <p><u>iv. Fertiliser (Toxic) Group Standard HSR002572; and</u></p> <p><u>v. FertResearch's Code of Practice for Nutrient Management 2007.</u></p> <p>6) Storage of hazardous wastes including waste dumps or dam tailings associated with mining activities,</p> <p>.....</p>
Fonterra	High risk industrial and trade premises	Amend	<p>Amend as follows:</p> <p><i>An industrial or trade premise used for any of the following purposes and stores, uses or generates contaminants in the industrial or trade process at the site which are exposed to rain or stormwater:</i></p> <p>...</p> <p>4) chemical manufacture, formulation or bulk storage, recovery, processing or recycling <u>(excluding premises that store chemicals for use on site),</u></p> <p>...</p>
GBC Winstone	High risk industrial and trade premises	Amend	<p>Amend as follows</p> <p><u>The High-Risk Activity Area of a</u>Any premises used for any of the following industrial or trade purposes: and trade premises</p> <p>.....</p>

Submitter	Definition	Position	Summary of decision requested
			<p><u>The High-Risk Activity Area is calculated as follows:</u></p> <p><u>The area of land or coastal marine area where a particular high risk industrial or trade activity is being undertaken, which may result in the discharge of environmentally hazardous substances associated with that activity onto or into land or water.</u></p> <p><u>The calculation of the High-Risk Activity Area must be based upon the following areas:</u></p> <ul style="list-style-type: none"> <li>• <u>all roof areas onto which environmentally hazardous substances generated by the activity are deposited;</u></li> <li>• <u>all outdoor storage, handling or processing areas of materials and/or products that may contribute to the quality or quantity of environmentally hazardous substance discharges (including occasional or temporary use of areas);</u></li> <li>• <u>the area at risk from failure of the largest unbunded container used for the activity that may contribute to the quality or quantity of environmentally hazardous substance discharges; and all areas (including roofs) that contribute runoff to the Industrial or trade activity area.</u></li> </ul> <p><u>The calculation of the High-Risk Activity Area excludes the following areas:</u></p> <ul style="list-style-type: none"> <li>• <u>all areas that discharge lawfully into an authorised trade waste system;</u></li> <li>• <u>areas that are not used for or affected by the industrial or trade activity;</u></li> <li>• <u>all indoor or roofed areas which do not discharge onto or into land or water; and</u></li> <li>• <u>areas used for the storage of inert materials, provided that if suspended solids are generated by the materials and entrained in stormwater, the stormwater from such storage areas is treated in accordance with the best practicable option or is otherwise lawfully authorised.</u></li> </ul>
Landcorp Farming Limited	High risk industrial and trade premises	Amend	Clarify that this does not include fertiliser stored on farm (which would then mean the farm would be subject to a series of other rules for high risk and industrial trade premises).
Ravensdown Limited	High risk industrial and trade premises	Amend	<p>Amend clause 5) as follows:</p> <p><u>fertiliser manufacture or bulk storage, excluding those facilities that are fully enclosed and have stormwater collection systems</u></p>

Submitter	Definition	Position	Summary of decision requested
Refining new Zealand	High risk industrial and trade premises	Amend	<p>Retain as notified, with following amendment:</p> <p><i>An industrial or trade premise used for any of the following purposes; and <u>which</u> stores, uses or generates contaminants in the industrial or trade process at the site which are exposed to rain or stormwater:</i></p> <p>...</p> <p><i>7) petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or <u>refinery</u>, or facilities for recovery, reprocessing or recycling petroleum-based materials,</i></p> <p>...</p>
Silver Fern Farms Tegel Foods Ltd Transpower	High risk industrial and trade premises	Support	Retain as notified
The oil companies	High risk industrial and trade premises	Amend	<p>Ensure that service stations, truckstops and commercial refuelling facilities are not considered to be "High Risk Industrial and Trade Premises" under clause 1 of Rule C.6.4.2. This could be achieved by retaining the definition of 'High Risk Industrial and Trade Premises' as proposed but adding an exclusion for service stations, truckstops and commercial refuelling facilities as follows:</p> <p><u>The following are excluded:</u></p> <p><i>1) <u>service stations, truckstops or commercial refuelling facilities.</u></i></p> <p>OR by retaining the definition as proposed and adding a specific exclusion for service stations, truckstops and commercial refuelling facilities to clauses (2) and (7) of the definition of 'High Risk Industrial and Trade Premises'.</p>
Whangarei Harbour Catchment Group	High sediment-yielding land	Support	Retain as notified.
Broadspectrum	Highly erodible land	Amend	Change definition to <u>Erosion Prone Land (Highly Erodible)</u>

Submitter	Definition	Position	Summary of decision requested
Cathcart B	Highly erodible land	Amend	Change description of land use capability classes in definition of 'Highly erodible land' from Roman to Arabic numerals to be consistent with the New Zealand Land Resource Inventory database and the Land Use Capability Handbook, 3 <sup>rd</sup> Edition.
Tegel Foods Ltd	Highly erodible land	Amend	Alter definition to recognise that these soil types are only erodible if they are stripped of vegetation.
Whangarei District Council	Highly treated wastewater (new)	Amend	Insert definition of 'highly treated wastewater'.
Heritage NZ	Historic heritage (new)	Amend	Insert definition as per RMA.
CEP Services Matauwhi Limited	Historic heritage area	Amend	Amend the definitions of 'historic heritage area' and 'historic heritage site' to include such areas and sites on land as well as in the coastal marine area.
Heritage NZ	Historic heritage area	Amend	Amend as follows:  <i>A historic heritage seascape that has been assessed under Policy 4.5.3 of the Regional Policy Statement for Northland and Policy D.2.6 1) of the Regional Plan and is shown in I 'Maps'. The term may include a Historic Area, wāhi tūpuna or wāhi tapu listed under the Heritage New Zealand Pouhere Taonga Act 2014.</i>
Royal Forest and Bird Protection Society NZ	Historic heritage area	Amend	Amend as follows:  <i>A historic heritage <del>area or site</del> seascape that has been assessed under Policy 4.5.3 of the Regional Policy Statement for Northland and is shown in I 'Maps'.</i>
Heritage NZ	Historic heritage site	Amend	Amend as follows:  <i>A historic heritage site that has been assessed under Policy 4.5.3 of the Regional Policy Statement for Northland and Policy D.2.6 1) of the Regional Plan and is shown in I 'Maps'. The term may include a site listed as a Historic Place under the Heritage New Zealand Pouhere Taonga Act 2014.</i>
Royal Forest and Bird Protection Society NZ	Historic heritage site	Amend	Combine the definitions for Historic Heritage Area/Site.

Submitter	Definition	Position	Summary of decision requested
Heritage NZ	Historic heritage site addition (structure or building) (new)	Amend	<p>Insert the following definition:</p> <p><u>Means an extension or increase in floor area, number of stories, or height of a building or structure. It includes the construction of new floors, walls, ceilings, and roofs. It includes 'Seismic Upgrading'. It does not include Historic Heritage Site 'Repair' or 'Maintenance'.</u></p>
Heritage NZ	Historic heritage site alteration (structure or building) (new)	Amend	<p>Insert the following definition:</p> <p><u>Means any changes to the fabric or characteristics of a structure or building involving (but not limited to) the removal and replacement of walls, windows, ceilings, floors or roofs, either internally or externally and includes any sign attached to the structure or building. It includes 'Seismic Upgrading'. It does not include Historic Heritage Site 'Repair' or 'Maintenance'.</u></p>
Heritage NZ	Historic heritage site demolition (structure or building) (new)	Amend	<p>Insert the following definition;</p> <p><u>Means to damage and demolish a building or structure resulting in complete or significant loss of heritage form and fabric. The temporary dismantling of parts of a building or structure for the purposes of 'Seismic Upgrading' does not constitute 'Demolition' or 'Partial Demolition'.</u></p>
Heritage NZ	Historic heritage site maintenance (structure or building) (new)	Amend	<p>Insert the following definition;</p> <p><u>Means the ongoing protective care of a place. It does not include 'Seismic Upgrading'.</u></p>
Heritage NZ	Historic heritage site partial demolition (new)	Amend	<p>Insert the following definition;</p> <p><u>Means to demolish a substantial part of any building or structure. Partial demolition includes façade retention which normally involves the demolition of the rear or a substantial part of a building or structure and the retention of the front or main façade and the construction of a new building or structure behind the preserved façade. The temporary dismantling of parts of a building or structure for the purposes of 'Seismic Upgrading' does not constitute 'Demolition' or 'Partial Demolition'.</u></p>

Submitter	Definition	Position	Summary of decision requested
Heritage NZ	Historic heritage site repair (new)	Amend	Insert the following definition;  <i><u>Means the restoration to good or sound condition of any existing structure or building (or any part of an existing structure or building) for the purpose of its maintenance. It does not include 'Seismic Upgrading'.</u></i>
Heritage NZ	Historic heritage site setting (new)	Amend	Insert the following definition;  <i><u>Means an area of land (including land covered by water) surrounding a place or site of heritage significance which is essential for retaining and interpreting the places' heritage significance.</u></i>
Horticulture New Zealand	Horticulture wastewater (new)	Amend	Insert the following definition;  <i><u>Horticulture wastewater includes wastewater from vegetable washing and greenhouses and may include sediment and residues from the activity, but does not include animal effluent or animal products.</u></i>
Horticulture New Zealand	Horticulture wastewater system (new)	Amend	Insert the following definition;  <i><u>Horticulture wastewater system includes detention ponds and structures for storing and treating horticulture wastewater but they are not classed as constructed wetlands.</u></i>
New Zealand Transport Agency  The Oil Companies	Impervious area	Support	Retain as notified.
Horticulture New Zealand	Impervious area	Amend	Amend the definition of impervious area by adding to the list of exclusions:  6) <i><u>artificial crop protection structures</u></i>
First Gas Limited	Incineration device	Amend	Amend as follows:  <i><u>Note: this does not apply to equipment associated with flaring</u></i>
Tegel Foods Ltd	Incineration device	Amend	Amend as follows:  <i><u>A device made from non-combustible materials designed to burn waste that:</u></i>  ...



Submitter	Definition	Position	Summary of decision requested
			<p>2) has a grate and lid or spark arrestor, <u>and</u></p> <p>3) <u>is not intended to generate energy</u></p>
Royal Forest and Bird Protection Society NZ	Indigenous vegetation (new)	Amend	<p>Insert the following:</p> <p><u>Indigenous vegetation means vegetation that is native to New Zealand.</u></p>
CEP Services Matauwhi Limited	Induced wetland	Amend	Remove the reference to induced wetlands being artificial from the definition.
Federated Farmers	Induced wetland	Amend	<p>Amend the as follows:</p> <p><i>Are wetlands that have formed naturally on ecological sites where wetlands did not previously exist, as a result of human activities such as construction of roads and railways bunds. While such wetlands have not been constructed for a specific purpose, they can be considered to be artificial in many cases given they arise through physical alteration of hydrology through mechanical modification. Induced wetlands are a type of <del>constructed</del> natural wetland.</i></p>
GBC Winstone	Induced wetland	Amend	Include a definition of Ecological Sites to clarify the definition
Ministry for Primary Industries  Northland Fish and Game	Induced wetland	Support	Retain as notified.
Fonterra  Top Energy	Induced Wetland	Amend	Delete the definition of 'induced wetland'.
Far North District Council	Industrial wastewater treatment plant (new)	Amend	Insert a definition for 'industrial wastewater treatment plant'.
Minister of Conservation  New Zealand Transport Agency	Intermittently flowing river	Support	Retain as notified.

Submitter	Definition	Position	Summary of decision requested
Irrigation New Zealand	Irrigation application efficiency (new)	Amend	Add definition:  <i><u>The volume of water stored in the plant root zone following irrigation, as a percentage of the total volume applied.</u></i>
Horticulture New Zealand	Land drainage	Amend	Amend as follows:  <i>The activity of <del>managing</del> lowering the water level in the soil (<del>including lowering, and seasonal water storage</del>) to achieve productive land use, <del>and to</del> facilitate the stability of land or structures.</i>
Landcorp Farming Limited	Land drainage	Support	Assume submitter wishes definition to be retained as notified.
Royal Forest and Bird Protection Society NZ	Land drainage	Amend	Amend as follows:  <i>The activity of lowering the water level in the soil to achieve productive land use, to facilitate the stability of land or structures <u>or to increase the productive capacity of land for agriculture.</u></i>
Horticulture New Zealand	Land drainage scheme	Support	Retain as notified.
New Zealand Transport Agency	Land drainage scheme	Amend	Amend as follows:  <i>All drainage channels or land drainage works relating to a particular land drainage system vested in a council or a group of landowners who have assumed control of the scheme pursuant to Section 517Z of the Local Government Act 1974 <u>or road controlling authority.</u></i>
Horticulture New Zealand	Land preparation (new)	Amend	Add the following:  <i><u>Land preparation means the disturbance of soil by machinery for planting, replanting, tending or harvesting pasture or crops. Land preparation includes blading, contour ploughing, ripping, mounding, stepping, contouring, bunding and sediment control measures and drainage associated with horticultural crops but does not include direct drilling or mechanical land preparation associated with plantation forestry.</u></i>
Northland Fish and Game	Lake (new)	Amend	Add the following:

Submitter	Definition	Position	Summary of decision requested
			<u>A body of fresh water which is entirely or nearly surrounded by land.</u>
Minister of Conservation	Length overall (new)	Amend	Add the following:  <u>The maximum length of a vessel's hull measured at the Plimsoll line.</u>
Durham G	Light fouling	Amend	Amend to define light fouling using photographs and video.
Minister of Conservation	Light fouling	Amend	Amend definition so it is consistent with that in the Northland Regional Pest and Pathway Management Plan.
New Zealand Defence Force	Light fouling	Amend	Amend the definition to better align with the "Level of Fouling" scale:  <i>A slime layer, and any extent of barnacles and small patches (up to 100mm in diameter) of visible macrofouling totalling less than <u>or equal to</u> 5% of the normally wetted hull and niche areas.</i>
CEP Services Matauwhi Limited	Livestock	Amend	Revise the definition of 'livestock' to apply to all farmed livestock.
Beef and Lamb NZ  Tegel Foods Ltd	Livestock	Support	Retain as notified
Ravensdown Limited	Livestock	Amend	Include sheep within the definition of livestock.  Review the livestock exclusion provisions of the PRP and specifically exclude sheep if necessary from those provisions.
CEP Services Matauwhi Limited	Livestock crossing point	Amend	Amend the definition so that the entry and exit points to a livestock crossing point are no wider than 5 metres, and the route to and from the livestock crossing point is the most direct practical route, and so that a livestock crossing point excludes stock crossing through the waterbody, and excludes foreshore and seabed crossings.
CEP Services Matauwhi Limited	Livestock crossing point	Amend	Such revision of the livestock crossing rules that are necessary for consistency with the revised definition.

Submitter	Definition	Position	Summary of decision requested
Landcorp Farming Limited	Livestock crossing point	Support	Assume submitter wishes the definition to be retained as notified.
Far North District Council  Refining New Zealand	Maintenance dredging	Support	Retain as notified
Johnson A	Maintenance dredging	Unclear	Submitter comments that maintenance dredging is usually covered under a condition of a wider consent e.g. capital dredging. Unclear exactly what changes are sought to the plan.
Johnson A	Maintenance dredging	Amend	Amend definition to include maintenance dredging around existing structures with built-up silt deposits from the accumulation of sediment.
Minister of Conservation	Marine Pathways Designated Place (new)	Amend	Define "Marine Pathways Designated Place", using the same definition as in the PMPMP.
Fire and Emergency NZ	Materially damaged	Support	Retain definition of materially damaged in so far as it is a definable, measurable extent.
Far North District Council	Minimum flow	Amend	Amend as follows:  <i>Minimum flows set in this plan are in Policy D.4.14 'Minimum flows for rivers', Policy D.4.15 'Minimum levels for lakes and wetlands' and D.4.19 'Exceptions to minimum flows or levels'</i>
New Zealand Transport Agency	Minor reclamation (new)	Amend	Add new definition:  <u>Minor reclamation:</u>  <u>A reclamation created adjoining an existing reclamation as part of maintenance, repair or upgrading a reclamation's seawall. Includes:</u> <ul style="list-style-type: none"> <li>• <u>the "standing up" of a sloping seawall or bund to a more vertical form; and</u></li> <li>• <u>the reconstruction of an existing vertical seawall.</u></li> </ul>
Horticulture New Zealand	Modified watercourse (new)	Amend	Include a definition for modified water course:  <u>A modified water course is where a channel is or has been constructed in or along the path of a historical or existing river or stream. Modified water courses are not a constructed wetland.</u>

Submitter	Definition	Position	Summary of decision requested
GBC Winstone	Mooring	Amend	Amend the definition to include a definition of pile moorings and trot moorings (in a similar manner to the definition of 'swing moorings').
Royal Forest and Bird Protection Society NZ	Native dune vegetation	Amend	<p>Amend the definition as required to address concerns with clarity of the definition, including by:</p> <ul style="list-style-type: none"> <li>• Deleting the words "a particular" so that the sentence reads "<i>Indigenous plant species that grow naturally in <del>a particular</del> dune systems</i>".</li> <li>• Clarify reference to "both zones"</li> <li>• Clarify restoration plantings are covered.</li> </ul>
Federated Farmers	Native woody vegetation (new)	Amend	Include a definition which clearly identifies the size, characteristics, etc of the vegetation.
Whangarei District Council	Native woody vegetation (new)	Amend	Insert definition of 'Native woody vegetation'
Haititaimarangai Marae 339 Trust	Natural character (new)	Amend	<p>Include the following definition for the natural character of rivers, lakes and wetlands:</p> <p><i><u>The Natural Character of rivers lakes and wetlands may include such attributes and characteristics as:</u></i></p> <p><i><u>a) natural elements, processes and patterns, chemical, biophysical, ecological, geological, geomorphological and morphological aspects;</u></i></p> <p><i><u>b) natural landforms;</u></i></p> <p><i><u>c) the natural movement of water and sediment including hydrological and fluvial processes;</u></i></p> <p><i><u>d) places that are wild and scenic;</u></i></p> <p><i><u>e) a range of natural character from pristine to modified.</u></i></p>
Dairy NZ	Natural wetland	Amend	<p>Adopt RMA definition:</p> <p>.... <i><u>'but does not include:</u></i></p> <p><i><u>1) a constructed wetland</u></i></p> <p><i><u>2) wet pasture, damp gully heads or where water temporarily ponds after rain or pasture containing patches of rushes.</u></i></p> <p><i><u>Note the regional council's wetland mapping indicates the extents of known wetlands - these can be found on the regional council's website.</u></i></p>

Submitter	Definition	Position	Summary of decision requested
Federated Farmers	Natural wetland	Amend	Amend as follows:  <i>Any wetland including <del>induced and</del> reverted wetland, regardless of whether if it is dominated by indigenous vegetation, but does not include:</i>  <i>1) a constructed wetland, or</i>  <i>2) wet pasture, damp gully heads, <u>artificial wet horticulture production land</u> or where water temporarily ponds after rain or pasture containing patches of rushes.</i>
Fonterra GBC Winstone Ministry for Primary Industries MLP LLC Northland Fish and Game Top Energy Waiaua Bay Farm Limited	Natural wetland	Support	Retain as notified.
Royal Forest and Bird Protection Society NZ	Natural wetland	Amend	Delete 'natural wetland' in favour of 'wetland' as defined in RMA.
Whangarei District Council	Noise from non-port and wharf related activities (new)	Amend	Insert new definition.
Kaipara District Council Whangarei District Council	Noise sensitive activities (new)	Amend	Insert new definition.
Tegel Foods Ltd	Odour-sensitive area	Amend	Delete and replace with:  <i><u>Activities sensitive to reduced air quality includes:</u></i>  <ul style="list-style-type: none"> <li>• <i><u>Residential dwellings and associated garden areas;</u></i></li> <li>• <i><u>Care centres and hospitals;</u></i></li> <li>• <i><u>Schools;</u></i></li> </ul>

Submitter	Definition	Position	Summary of decision requested
			<ul style="list-style-type: none"> <li><u>Community buildings and grounds, including places of worship and marae;</u></li> <li><u>Orchards, sensitive crops and commercial growing areas</u></li> </ul>
CEP Services Matawhi Limited	Off-stream	Amend	Revise the definition of 'off-stream' so that it excludes wetlands and ephemeral waterbodies.
First Gas Limited Fonterra GBC Winstone Top Energy KiwiRail New Zealand Transport Agency Transpower	Operational need	Support	Retain as notified
Royal Forest and Bird Protection Society NZ	Operational need	Amend	Delete this definition
CEP Services Matawhi Limited	Operational need	Amend	Amend to require consideration of 'operational need' in terms of the proposed location and in terms of considering whether there are other locations that meet the operational need requirements but would have fewer adverse effects.
MLP LLC Waiaua Bay Farm Limited	Other property	Amend	<p>Amend as follows:</p> <p><i>1) Means any land or buildings, or part of any land or buildings, that are:</i></p> <p><i>a) not held under the same allotment, <del>or</del></i></p> <p><i><del>b) not held under the same ownership,</del> and</i></p> <p><i>2) includes a road.</i></p>
New Zealand Transport Agency	Other property	Support	Retain as notified.
Tegel Foods Ltd	Outdoor burning	Support	Retain as notified.

Submitter	Definition	Position	Summary of decision requested
Horticulture New Zealand	Passive discharge	Amend	Amend as follows:  <i>The movement of contaminants <u>from contaminated land that are</u> entrained in soil or groundwater from the location of a discharge to another property through groundwater or surface water movement. <u>Passive discharges do not include diffuse discharges from other land.</u></i>
Refining new Zealand	Passive discharge	Amend	Amend as follows:  <i>The movement of contaminants entrained in soil or groundwater <del>from the location of a discharge to another property</del> through groundwater or surface water movement.</i>
The oil companies	Passive discharge	Support	Retain as notified.
Royal Forest and Bird Protection Society NZ	Passive discharge	Amend	Amend as follows:  <i><u>Diffuse discharge: Is the movement of contaminants entrained in soil or from diffuse contaminants on the surface of land to a groundwater aquifer, river, lake or wetland through the movement of groundwater or surface water runoff.</u></i>
Beef and Lamb NZ	Pastoral landuse	Amend	Amend the definition so that it is clear to a reasonably informed but lay person what it is intended to cover, and amend or remove the second part of the definition. i.e.  <i><del>It excludes those forested areas which achieve 100% canopy closure or other woody vegetation which prevents pastoral growth</del></i>
Ravensdown Limited	Pastoral landuse	Support	Retain as notified.
Tegel Foods Ltd	Pastoral landuse	Amend	Amend as follows:  <i>Means effective grazing area <del>and includes all contiguous land areas in herbaceous species</del> including isolated trees. It excludes those forested areas which achieve 100% canopy closure or other woody vegetation which prevents pastoral growth.</i>
CEP Services Matauwhi Limited	Permanently flowing river or drain	Amend	Delete all the words from the definition after "permanently contain water".



Submitter	Definition	Position	Summary of decision requested
Minister of Conservation	Permanently flowing river or drain	Amend	Delete definition.
Tegel Foods Ltd	Permanently flowing river or drain	Amend	Amend as follows:  <i>Permanently flowing river <del>or drain</del>: Rivers, <u>and</u> streams <del>and drains</del> that permanently contain water and are wider than one metre at any point within or immediately adjacent to the boundary of a property. Width and depth is measured when the river, <del>or stream or drain</del> is at its annual fullest flow without overtopping its banks.</i>
Rayonier New Zealand	Plantation forestry	Support	Retain as notified.
Horticulture New Zealand	Potentially contaminated land	Amend	Amend as follows:  <i>The part of a site where an activity or industry described in the Ministry for the Environment's Hazardous Activities or Industries List(1) has been or is being undertaken but excludes any site where a detailed site investigation (2) has been completed and reported and which demonstrates that any contaminants in or on the site are at, or below, background concentrations, <u>or a site where the NESCS 2011 Clause 8 does not require an assessment to be undertaken for the activity.</u></i>
New Zealand Transport Agency	Potentially contaminated land	Amend	Clarify how this definition relates to contaminated land.
The oil companies	Potentially contaminated land	Amend	Retain as notified.
Egg Producers Federation New Zealand	Poultry farming (new)	Amend	Add a new definition for poultry farming
Tegel Foods Ltd	Poultry farming (new)	Amend	Insert:  <i><u>The commercial raising of poultry for meat and egg consumption and for breeding purposes. Includes free-range poultry farming.</u></i>
Egg Producers Federation New Zealand	Poultry hatchery (new)	Amend	Add a new definition for poultry hatchery

Submitter	Definition	Position	Summary of decision requested
Tegel Foods Ltd	Poultry hatchery (new)	Amend	Insert:  <u>A commercial operation where eggs are incubated and hatched in a controlled environment.</u>
Far North District Council	Primary treatment	Support	Retain as notified.
Far North District Council	Property	Amend	Insert a definition, or note, regarding interpretation of the word "property" in rule C.6.4.2(2), to the effect that property includes district council infrastructure.
Landcorp Farming Limited	Property	Amend	Either delete reference to adjacent land in the same ownership or include an area limit - so that larger sites in the same ownership are not prejudiced. Amend as follows:  <i>i) One or more allotments contained in a single certificate of title, and also includes all <u>immediately adjacent land up to 1 ha in size</u> that is in the same ownership but contained in separate certificate(s) of title.</i>
Mace CR	Property	Amend	Amend so that it reads:  <u>One or more allotments contained in a single certificate of title.</u>  Alternatively, without derogating from the above submission point, amend proposed rule C.1.2.5(3) so that it reads as follows:  <u>3) the mooring is located within 2 kilometers of the property.</u>
MLP LLC  Waiaua Bay Farm Ltd	Property	Amend	Amend as follows:  <i>One or more allotments contained in a single certificate of title, and also includes all adjacent land that is in the same ownership but contained in separate certificates of title.</i>  OR  <i>One or more allotments contained in a single certificate of title, and also includes <u>immediately-all adjacent land up to 1 ha in size</u> that is in the same ownership but contained in separate certificate(s) of title.</i>
The oil companies	Property	Support	Retain as notified.

Submitter	Definition	Position	Summary of decision requested
CEP Services Matauhi Limited	Public amenity area	Amend	Revise the definition to include unformed road reserves, especially those unformed road reserves that are on the edge of waterbodies or the coastal marine area.
Minister of Conservation	Public amenity area	Amend	Amend definition to exclude nature reserves, scientific reserves, and wildlife management areas or areas which require access permits or permission.  OR apply definition only to recreation reserves, historic reserves, commercial public amenity areas such as camping grounds, golf courses and gardens open to public for a fee and amenity areas within conservation parks and scenic reserves.
New Zealand Transport Agency	Public amenity area	Support	Retain as notified.
The oil companies	Public stormwater network	Support	Retain as notified.
GBC Winstone	Quarrying (new)	Amend	Insert the following:  <u>A place where open surface extraction of rock material from the ground occurs, including the removal and placement of overlying earth, and the stacking, crushing, conveying, storing, depositing and treatment of the excavated material and the removal and placement of unwanted materials.</u>
Horticulture New Zealand	Reasonable mixing zone (new)	Amend	Insert the following :  <u>When determining the size of the zone of reasonable mixing, minimise the size of the area where the relevant water quality standards are breached. The zone shall not occupy more than two-thirds of the wetted channel width at flood flows (estimated Q95) for that location and be larger than:</u>  <u>(a) for river and artificial watercourse locations with flowing water present at all times;</u>  <u>(i) no longer than 10 times the width of the wetted channel (but not less than 50 metres), or</u>  <u>(ii) 200 metres along the longest axis of the zone if the wetted channel is greater than 30 metres, or</u>  <u>(iii) the distance downstream at which downstream at which mixing of contaminants has occurred across the full width of the surface water body, but which must not be less than 50 metres.</u>

Submitter	Definition	Position	Summary of decision requested
Far North Holdings Limited	Reclamation	Amend	Amend to include sea walls or similar retaining structures.
New Zealand Transport Agency	Reclamation	Support	Retain as notified.
Yachting NZ	Recognised anchorages (new)	Amend	Insert the following:  <i><u>means an anchorage which is referred to in cruising guides, pilot books and similar publications as being suitable shelter for small/large craft in adverse weather"</u></i>
Yachting NZ	Recognised recreational anchorages (new)	Amend	Insert the following:  <i><u>means an anchorage (refer Recognised Recreational Anchorages Maps) of value to the boating community because of its shelter, holding, amenity and/or significant recreational values</u></i>
Fire and Emergency NZ	Regionally Significant Infrastructure	Support	Retain a reference to regional and district council water storage, trunk lines and treatment plants within or through cross reference to the Regional Policy statement in the definition of Regionally Significant Infrastructure as proposed.
First Gas Limited	Regionally Significant Infrastructure	Amend	Include the definition of regionally significant infrastructure within the Plan, rather than a reference.  Amend the definition of regionally significant infrastructure:  <i>Regionally significant infrastructure includes: . . . .</i>  <i>1) Energy, water, communication</i>  <i>(a) <del>Main</del> Pipelines and incidental equipment and facilities for the distribution or transmission of natural or manufactured gas or petroleum, including delivery points and storage facilities;</i>
Johnston J	Regionally Significant Infrastructure	Amend	Amend the definition so that it is more certain by (a) ensuring that the documents that it references are easier to find, and (b) that they do not change over the life of the plan.
Horticulture New Zealand	Regionally Significant Infrastructure	Amend	Amend the definition of regionally significant infrastructure by adding:

Submitter	Definition	Position	Summary of decision requested
			<i><u>For the purposes of this Plan irrigation scheme infrastructure is regionally significant infrastructure.</u></i>
KiwiRail New Zealand Transport Agency  Refining New Zealand  Spark New Zealand Trading Ltd  Transpower  Northpower	Regionally significant infrastructure	Support	Retain as notified.
New Zealand Defence Force	Regionally significant infrastructure	Amend	Include wording from Regional Policy statement in Plan and amend definition to include defence facilities.
The Oil Companies	Registered contaminated site	Amend	Provide clarification as to what is meant by a "registered" contaminated site, noting that this should only include land where investigations have confirmed the presence of contamination and that register should specifically refer to contaminated land, not to a contaminated site.
Federated Farmers	Reverted wetland	Amend	Amend the definition as follows:  <i>Where a wetland reverts over time (for example, stock exclusion allows a wetland to revert to a previous wetland state) and it has exhibited the features of a wetland for 6 months. In this instance, the wetland has not been purposefully constructed by mechanical change to hydrological conditions. Reverted wetlands are a type of natural wetland.</i>
Fonterra  Top Energy	Reverted wetland	Amend	Delete the definition of reverted wetlands.
GBC Winstone	Reverted Wetland	Amend	Amend definition to clarify whether the definition of 'Reverted wetland' applies to an area that was a wetland, naturally became or was drained to become pasture and has subsequently reverted to wetland. Alternatively, is it only a wetland that has been degraded by grazing or some other activity, and since

Submitter	Definition	Position	Summary of decision requested
			that activity has now ceased, and the wetland has reverted to a more natural state i.e. increased biodiversity or vegetation.
Northland Fish and Game	Reverted wetland	Support	Retain as notified.
Northland Fish and Game	River (new)	Amend	Add the following definition for River:  <u>A continually or intermittently flowing body of fresh water, and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).</u>
Russell Landcare Trust	River (new)	Amend	Add definition for 'river'.
Far North District Council	Secondary treatment	Support	Retain definition as notified.
Heitage NZ	Seismic upgrading (new)	Amend	Insert the following;  <u>Means structural works required to meet relevant earthquake-prone buildings legislation and related Council policy.</u>
Royal Forest and Bird Protection Society NZ	Sensitive groundwater	Amend	Clarify and simplify the definition
The Oil Companies	Sensitive groundwater	Amend	Retain the definition of 'sensitive groundwater' with the exemption of the deletion of clause  (iv) (preference) OR amend Clause 2(a) of Rule C.6.8.2 so that the Drinking Water Standards do  not apply where proximity to surface water is the only criteria not met, as follows:  ...  (v) where there is a difference in contaminant concentrations in 2)a)iii) and iv), the most  restrictive concentration applies, and/or

Submitter	Definition	Position	Summary of decision requested
			<i>(vi) for contaminants of concern in sensitive groundwater where proximity to surface water is the only criteria not met, then assessment against C.8.2.6 (2)(b) only is required.</i>
LaBonte' A & R	Shellfish beds (new)	Amend	Insert the following:  <i><u>Where living and dead specimens of bivalve species cover 30% or more of the seabed in imaging surveys covering 100 m2 or more, contribute 30% or more by weight or volume to the catch in a single grab sample or dredge tow.</u></i>
Alspach R	Significant wetland	Unclear	Submitter notes the definition of significant wetland is quite broad and subjective.
CEP Services Matauwhi Limited	Significant wetland	Amend	Reproduce Appendix 5 from the Regional Policy Statement in section H, Appendices, of the proposed Plan.
Cathcart B	Significant wetland	Amend	Delete sub-section 5 from definition of significant wetland.  Remove all references to 'pakihi' in Northland
Federated Farmers	Significant wetland	Amend	Amend the definition as follows:  <i><u>A natural wetland that has been identified and mapped as a significant wetland in accordance with triggers the significance criteria in the Regional Policy Statement, Appendix 5 – "Areas of significant indigenous vegetation and significant habitats of indigenous fauna in terrestrial, freshwater and marine environments".</u></i>  ...
Fonterra Top Energy	Significant wetland	Amend	Retain the definition of significant wetland as notified and identify significant wetlands on the planning maps.
GBC Winstone	Significant wetland	Amend	Amend as follows  <i><u>A natural wetland that triggers the significance criteria in the Regional Policy Statement, Appendix 5X – "Areas of significant indigenous vegetation and significant habitats of indigenous fauna in terrestrial, freshwater and marine environments" in the Regional Policy Statement for</u></i>

Submitter	Definition	Position	Summary of decision requested
			<p><i>Northland (2016). This includes wetlands comprising indigenous vegetation exceeding any of the following area thresholds:</i></p> <p><i>1) saltmarsh greater than 0.5 hectare in area, or</i></p> <p><i>2) shallow water (lake margins and rivers) less than two metres deep and greater than 0.5 hectare in area, or</i></p> <p><i>3) swamp greater than 0.4 hectare in area, or</i></p> <p><i>4) bog greater than 0.2 hectare in area, or</i></p> <p><i>5) pakihi (including gum land and iron stone health and) greater than 0.2 hectare in area, or</i></p> <p><i>6) marsh, fen, ephemeral wetlands or see page/flush greater than 0.05 hectares in area.</i></p> <p><i>Note: 1) If there is any doubt over wetland extent use: Landcare Research, Published 2014: A vegetation tool for wetland delineation in New Zealand. This report is available on Landcare Research's website.</i></p> <p><i>2) The regional council's wetland mapping indicates the extents of known wetlands – these can be found on the regional council's website. The extent of all known wetlands can be found on Planning Map X.</i></p> <p><i>The purpose of this mapping is to help locate and identify different wetland types. The maps do not form part of the regional plan.</i></p>
Landcorp Farming Limited	Significant wetland	Amend	<p>Amend as follows:</p> <p><i>A natural wetland that triggers the significance criteria in the Regional Policy Statement, Appendix 5 – "Areas of significant indigenous vegetation and significant habitats of indigenous fauna in terrestrial, freshwater and marine environments". This includes <u>natural</u> wetlands comprising indigenous vegetation exceeding any of the following area thresholds: ....</i></p>
Ministry for Primary Industries	Significant Wetland	Support	Supports definition (assumed submitter wishes it to be retained).
MLP LLC	Significant wetland	Amend	<p>Amend as follows:</p> <p><i>A natural wetland that triggers the significance criteria in the Regional Policy Statement, Appendix 5 – "Areas of significant indigenous vegetation and significant habitats of indigenous fauna in terrestrial, freshwater</i></p>



Submitter	Definition	Position	Summary of decision requested
			<p>and marine environments". This includes <u>natural</u> wetlands comprising indigenous vegetation exceeding any of the following area thresholds:</p> <p>...</p>
Ngāwhā Generation Ltd	Significant wetland	Amend	<p>Change "significant wetland" definition such that wetlands identified on the Northland Regional Council "Biodiversity Wetlands" maps in the Ngāwhā geothermal field location are specified as "significant wetlands".</p> <p>This can be achieved by:</p> <ol style="list-style-type: none"> <li>1) Deleting the significant wetland definition; or</li> <li>2) Amending the significant wetland definition such that it refers to areas specifically mapped for the Regional Plan; or</li> <li>3) Adding the following to the significant wetland definition: <u>Notwithstanding the above definition, significant wetlands in the vicinity of the Ngāwhā Geothermal System are those shown in the figure below:</u> [map included in submission]</li> </ol>
Northland Fish and Game	Significant wetland	Amend	<p>Amend the definition as follows:</p> <p><i>A <del>natural</del> wetland that triggers the significance criteria in the Regional Policy Statement Appendix 5 – "Areas of significant indigenous vegetation and significant habitats of indigenous fauna in terrestrial freshwater and marine environments." or any wetland identified in Appendix XX (Significant Wetlands in Northland). This includes wetlands comprising indigenous vegetation exceeding any of the following area thresholds: ...</i></p> <p>Schedule and map significant wetlands in the proposed plan.</p>
Royal Forest and Bird Protection Society NZ	Significant wetland	Support	Retain as notified.
Waiaua Bay Farm Ltd	Significant wetland	Amend	<p>Amend as follows:</p> <p><i>A natural wetland that triggers the significance criteria in the Regional Policy Statement, Appendix 5 – "Areas of significant indigenous vegetation and significant habitats of indigenous fauna in terrestrial, freshwater and marine environments". This includes <u>natural</u> wetlands comprising indigenous vegetation exceeding any of the following area thresholds: ...</i></p>

Submitter	Definition	Position	Summary of decision requested
Heritage NZ	Site or area of significance to tangata whenua (new)	Amend	<p>Add new definition as follows:</p> <p><u>A place or area of significance to Northland Māorias defined in Policy D.1.5 and shown in I 'Maps'. It may include any wāhi tūpuna or wāhi tapu area listed under the Heritage New Zealand Pouhere Taonga Act 2014; recorded archaeological sites of significance to Māori; or places identified in the Waitangi Treaty Settlement process.</u></p>
Minister of Conservation	Small vessels not requiring anti-fouling system (new)	Amend	Add a definition to separate out the small recreational craft that do not require an anti-fouling system.
Horticulture New Zealand	Smoke sensitive area	Amend	Add to the list of smoke sensitive areas - <u>5) Commercial orchards and vegetable growing</u>
Tegel Foods Ltd	Smoke sensitive area	Amend	<p>Amend as follows:</p> <p><del>Smoke sensitive area:</del></p> <p><u>Areas listed below that are sensitive to outdoor burning:</u></p> <p>1) Residential buildings and associated garden areas, and</p> <p>...</p>
Horticulture New Zealand	Stormwater (new)	Amend	<p>Insert definition as follows:</p> <p><u>Runoff that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or runoff from the external surface of any structure as a result of precipitation and including any contaminants contained therein.</u></p>
Tegel Foods Ltd	Stormwater interceptor	Amend	<p>Replace with a definition for Secondary Containment System and Stormwater Treatment System:</p> <p><u>Secondary containment system: A system that is specifically designed and capable of containing deliberate or accidental releases (spills) of hazardous substances or other contaminants used on the site from stormwater discharges.</u></p> <p><u>Stormwater treatment system: A system that is specifically designed to reduce concentrations of such substances in the stormwater prior to discharge, to levels that will not result in contamination of either</u></p>

Submitter	Definition	Position	Summary of decision requested
			<i><u>water or sediments that is likely to result in adverse effects on aquatic life or to affect the suitability of the waters for specific defined purposes.</u></i>
The Oil Companies	Stormwater interceptor	Amend	Amend as follows:  ...  <i>1. Containing deliberate or accidental releases (<u>credible</u> spills) of hazardous substances or other contaminants used on the site from stormwater discharges; ...</i>
Fonterra The Oil Companies	Stormwater collection system	Support	Retain as notified.
Horticulture New Zealand	Stormwater collection system	Amend	Amend to:  <i><u>The network of devices designed to capture, detain, treat, transport and discharge stormwater, including but not limited to kerbs, intake structures, pipes, soak pits, sumps, swales and constructed ponds and wetlands, and that serves more than one property.</u></i>
Landcorp Farming Limited	Stormwater collection system	Amend	For reasons set out by the submitter regarding rules C.6.4.2 and C.6.4.3, amend the definition of stormwater collection system to only refer to systems over which the landowner or authority has control, and to note that farm drains are excluded.
The Oil Companies	Stormwater interceptor system	Amend	Amend as follows:  <i>A system that is specifically designed and capable of:</i>  <i>1. Containing deliberate or accidental releases (<u>credible</u> spills) of hazardous substances or other contaminants used on the site from stormwater discharges; and</i>  ...
New Zealand Transport Agency	Stormwater interceptor	Support	Retain as notified.
Transpower	Stormwater interceptor	Amend	Amend as follows:  <i>A system that is specifically designed and capable of:</i>

Submitter	Definition	Position	Summary of decision requested
			<del>1) containing deliberate or accidental releases (spills) of hazardous substances or other contaminants used on the site from stormwater discharges, and</del>  <del>2) in the event of stormwater contamination by a hazardous substance or other contaminant, reduce concentrations of such substances in the stormwater prior to discharge, to levels that will not result in contamination of either water or sediments that is likely to result in adverse effects on aquatic life or to affect the suitability of the waters for specific defined purposes.</del>
CEP Services Matawhi Limited	Structure	Amend	Amend to include buildings, etc, that are fixed to the seabed and/or foreshore.
First Gas Limited	Structure	Amend	Amend as follows:  <del>Structure (in rules relating to the coastal marine area)</del>
Fonterra	Structure	Amend	Delete definition.
GBC Winstone	Structure	Support	Retain as notified.
Northpower	Structure	Amend	Amend as follows:  <u>A building, equipment, device, pipeline, electricity line and telecommunications lines structure or site, or other facility which is fixed to land. It includes components that enable an asset to function and a structure which is fixed to another structure, which is fixed to land.</u>
Royal Forest and Bird Protection Society NZ	Supplementary allocation	Amend	Delete definition.
New Zealand Transport Agency	Surface water	Support	Retain as notified.
Haititaimarangi Marae 339 Trust	Tangata whenua entity (new)	Amend	Include a definition of the term “tangata whenua entity” to include hapū, whānau, rūnanga, iwi or any combination of these entities or alternative relief to achieve the same outcome.
New Zealand Defence Force	Temporary military training activities (new)	Amend	Add new definition:  <u>Temporary military training activities</u>

Submitter	Definition	Position	Summary of decision requested
			<u>A temporary activity undertaken for defence purposes. Defence purposes are those in accordance with the Defence Act 1990.</u>
Far North District Council	Toxic-contaminant (new)	New	Insert definition of toxic contaminant.
Kaipara District Council Whangarei District Council	Trade waste (new)	Amend	Insert definition of 'Trade waste'.
Landcorp Farming Limited	Treated farm wastewater (new)	Amend	Insert definition of 'Treated farm wastewater'.
Landcorp Farming Limited	Untreated farm wastewater (new)	Amend	Insert definition of 'Untreated farm wastewater'.
Bay of Islands Planning Limited Broadspectrum NZ Ltd Carrington Resort Jade LP Top Energy Landcorp Farming Limited New Zealand Transport Agency Rayonier New Zealand	Vegetation clearance	Support	Retain as notified
CEP Services Matauwhi Limited	Vegetation clearance	Amend	Amend definition to apply to all vegetation types and to set appropriate restrictive limits to the extent of clearance allowed under each of the identified exceptions to the rule.
First Gas Limited	Vegetation Clearance	Amend	Amend as follows: <u>Vegetation <del>Clearance</del> Removal</u>

Submitter	Definition	Position	Summary of decision requested
			<p><i>The cutting, burning, crushing or destruction of native woody vegetation or native dune vegetation, but does not include clearing:</i></p> <p>...</p> <p><i>5) vegetation around <del>public network</del> utility networks and <u>Regionally Significant Infrastructure</u>.</i></p>
GBC Winstone	Vegetation Clearance	Amend	Amend to include a definition or description of native woody vegetation
Horticulture New Zealand	Vegetation clearance	Amend	<p>Amend as follows:</p> <p><u>Indigenous vegetation clearance</u></p> <p><i>The cutting, burning, crushing or destruction of <del>native indigenous</del> woody vegetation or <del>native indigenous</del> dune vegetation, but does not include clearing:</i></p> <p><i>1) plantation forestry, or</i></p> <p><i>2) vegetation that is part of an understory of a plantation forest or immediately adjacent to a plantation forest, or</i></p> <p><i>3) hedges, <u>shelter belts</u> and amenity plants, or</i></p> <p><i>4) vegetation along fences and around dams and ponds, or</i></p> <p><i>5) vegetation around public utility networks, or</i></p> <p><i>6) vegetation that impedes or is likely to impede flood flows,</i></p> <p><i>7) vegetation for the maintenance of roads and tracks, <u>or</u></i></p> <p><i>8) <u>scattered trees, shrubs or regenerating bush amongst pasture or horticultural crops, or</u></i></p> <p><i>9) <u>vegetation that is infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.</u></i></p>
Ministry for Primary Industry	Vegetation Clearance	Amend	<p>Amend as follows:</p> <p>...</p>

Submitter	Definition	Position	Summary of decision requested
			<p><u>8) vegetation that is from an area of land subject to, and managed in accordance with, a registered sustainable forest management plan or permit and the harvest is in accordance with an annual logging plan approved under the Forests Act 1949.</u></p> <p>Or any similar wording.</p>
Northland Fish and Game	Vegetation clearance	Amend	<p>Amend as follows:</p> <p><i>The <u>clearance</u>, cutting, burning, crushing or destruction of <del>native</del> woody vegetation (<u>exotic or indigenous</u>) or native dune vegetation, but does not include the clearing: ...</i></p>
Royal Forest and Bird Protection Society NZ	Vegetation clearance	Amend	<p>Remove all exclusions and deal with them in rules.</p> <p>Amend the definition as follows: <i>The <u>removal</u>, cutting, burning, crushing or destruction of "vegetation".</i></p> <p>Alternatively if the exclusions are retained, amend as follows:</p> <p><i>The <u>removal</u>, cutting, burning, crushing or destruction or modification of <del>native</del> woody vegetation or <del>native dune</del> vegetation, but does not include clearing:</i></p> <p><i>1) plantation forestry, or</i></p> <p><i>2) vegetation that is part of an understory of a plantation forest or immediately adjacent to a plantation forest <u>in circumstances where such vegetation clearance is authorised under the National Environmental Standard for Plantation Forestry 2017</u>, or</i></p> <p><i>3) hedges and amenity plants, or</i></p> <p><i>4) vegetation along <u>existing</u> fences and <del>around</del> <u>within 1m of existing</u> dams and artificial ponds, or</i></p> <p><i>5) vegetation <del>around</del> <u>within 1 m of existing</u> public utility networks, or</i></p> <p><i>6) vegetation that impedes or is likely to impede flood flows,</i></p> <p><i>7) vegetation for the maintenance of <u>existing</u> roads and tracks.</i></p>
Transpower	Vegetation clearance	Amend	<p>Amend as follows:</p> <p>...</p>

Submitter	Definition	Position	Summary of decision requested
			<i>5) vegetation that compromises the safe and efficient operation, maintenance and upgrade of <del>around</del> public utility networks (including the National Grid as defined in the National Policy Statement for Electricity Transmission 2008), or</i>
Horticulture New Zealand	Vertebrate toxic agent	Amend	Add the following words:  ..... (but not defined <u>or managed</u> ) in NZS 8409:2004 Management of Agrichemicals.
Minister of Conservation	Vertebrate toxic agent	Amend	Amend definition to:  <u>Vertebrate toxic agents are trade name products used to kill, control, or limit the viability of vertebrate pests such as rabbits and possums. The definition of VTA includes products that have a negative effect on reproduction, but it does not include attractant or repellent substances that are not toxic.</u>
Yachting NZ	Vessel	Amend	Delete the definition of "Vessel" and instead adopt a definition of "Ship" as follows:  <u>"has the same meaning as in Section 2 of the Maritime Transport Act 1994".</u>
Minister of Conservation	Vessel length (new)	Amend	Insert new definition - 'vessel length':  <u>For registered vessels, this means the registered length. For non-registered vessels, this means length overall.</u>
GBC Winstone Tegel Foods Ltd	Wastewater	Support	Retain as notified.
Ravensdown Limited	Wastewater	Amend	Delete definition.
National Institute of Water and Atmospheric Research Limited,  Northland Fish and Game	Water (new)	Amend	Insert new definition 'water' as follows:  <u>(a) means water in all its physical forms whether flowing or not and whether over or under the ground:</u>  <u>(b) includes fresh water, coastal water, and geothermal water:</u>  <u>(c) does not include water in any form while in any pipe, tank, or cistern.</u>



Submitter	Definition	Position	Summary of decision requested
Northland Fish and Game	Water body (new)	Amend	Insert new definition for 'water body' as follows:  <u>Fresh water or geothermal water, in a river, lake, stream, pond, wetland, or aquifer, or any part thereof that is not located within the coastal marine area.</u>
CEP Services Matauwhi Limited	Wetland	Amend	Add a cross-reference to the other definitions that rely on this definition of "wetland".
Federated Farmers	Wetland	Support	Retain definition but include the following note after each wetland definition:  <u>See also: Constructed wetland, Induced wetland, Natural wetland, Reverted wetland, Significant wetland.</u>
Gailey B	Wetland	Amend	Defined wetlands as <i>natural, man-made or seasonal</i> .  A seasonal wetland should be in existence long enough to hold a variety of wetland dependent life.
GBC Winstone	Wetland	Support	Retain definition and adopt a consistent approach to RMA definitions (either refer to the RMA or list them in the Plan)
Herbert P	Wetland	Amend	Replace with the following definition of wetland from Wikipedia;  <u>A Wetland is a land area that is saturated with water, either permanently or seasonally, such that it takes on the characteristics of a distinct ecosystem. The primary factor that distinguishes wetlands from other land forms or water bodies is the characteristic vegetation of aquatic plants, adapted to the unique hydric soil.</u>  <u>(Hydric soil is soil which is permanently or seasonally saturated by water, resulting in anaerobic conditions, as found in wetlands.)</u>
Horticulture New Zealand	Wetland	Amend	Amend the definition by adding:  <u>For the purposes of this plan wetlands are natural wetland, reverted wetlands, induced wetlands artificial wetland, and significant wetland but does not include constructed wetland.</u>
Ministry for Primary Industries	Wetland	Support	Retain as notified.

Submitter	Definition	Position	Summary of decision requested
Northland Fish and Game			
Royal Forest and Bird Protection Society NZ	Wetland	Support	Retain and add note or indicate that it is a definition from the RMA.
CEP Services Matauwhi Limited	Wetland enhancement	Amend	<p>Revise the definition so that it:</p> <ul style="list-style-type: none"> <li>• refers to a net gain/no net loss in wetland ecological values, and</li> <li>• is clear that changing the natural type of wetland is not wetland enhancement.</li> </ul>
Ministry for Primary Industries	Wetland enhancement	Support	Supports definition (assumed submitter wishes it to be retained).
Royal Forest and Bird Protection Society NZ	Wetland enhancement	Amend	<p>Amend as follows:</p> <p><i>Action likely to increase the area or function of a wetland <u>while protecting the existing wetland values.</u> where there is either:</i></p> <p><i>1) a net gain of ecological values, or</i></p> <p><i>2) no net loss in ecological values and benefits to either water quality or hydrological flows.</i></p>
Fonterra	Zone of reasonable mixing (new)	Amend	<p>Include a definition as follows:</p> <p><u>The lesser of:</u></p> <p><u>1) a distance 200 metres downstream of the point of discharge if the bed width of the surface water body is greater than 30 metres at the point of discharge, or</u></p> <p><u>2) a distance equal to seven times the bed width of the surface water body, but which shall not be less than 50 metres, or</u></p> <p><u>3) the distance downstream at which mixing of contaminants has occurred across the full width of the surface water body, but which must not be less than 50 metres, or</u></p> <p><u>4) in relation to lakes, a distance 20 metres from the point of discharge.</u></p>
GBC Winstone	Zone of reasonable mixing (new)	Amend	Include a definition as follows

Submitter	Definition	Position	Summary of decision requested
			<p><u>The zone of reasonable mixing for lakes, rivers and wetlands are the least of:</u></p> <p><u>1) a distance 200 metres downstream of the point of discharge if the bed width of the surface water body is greater than 30 metres at the point of discharge, or</u></p> <p><u>2) a distance equal to seven times the bed width of the surface water body, but which shall not be less than 50 metres, or</u></p> <p><u>3) the distance downstream at which mixing of contaminants has occurred across the full width of the surface water body, but which must not be less than 50 metres, or</u></p> <p><u>4) in relation to lakes, a distance 20 metres from the point of discharge.</u></p>

# C Rules

## General submissions on rules

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited  Carrington Resort Jade LP  Far North Holdings Limited	Support	Retain the bundling of rules for activities
Bay of Islands Planning Limited  Far North Holdings Limited  Carrington Resort Jade LP	Amend	Amend the Plan to use consistent terminology throughout in respect of references to the Coastal Commercial Zone and Commercial Coastal Zone.
Bay of Islands Planning Limited  Far North Holdings Limited  Carrington Resort Jade LP	Amend	Amend the name for "General Coastal Zone" to "General Marine Zone"
Bay of Islands Planning Limited  Carrington Resort Jade LP  Far North Holdings Limited	Amend	Amend the plan to clarify that sites of significance to tangata whenua will only be included in the plan through a variation or a plan change
Bay of Islands Planning Limited  Far North Holdings Limited	Amend	Amend the Plan to use consistent terminology throughout in respect of significant areas, using "area of significant value " or to like effect for the generic term.
Bay of Islands Maritime Park Inc	Amend	Include all rule statements as rules.

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Revise all rules to ensure that all relevant special areas are adequately protected.
CEP Services Matauwhi Limited	Amend	Revise rules on special areas to also apply to outstanding natural landscapes;
CEP Services Matauwhi Limited	Amend	Extend all rules applying to significant ecological areas to also include all areas of high and outstanding natural character mapped in the Regional Policy Statement.
CEP Services Matauwhi Limited	Amend	Revise all rules in the proposed Plan on activities that could adversely affect the natural character of rivers, lakes, wetlands and their margins to ensure that effects on natural character is an explicit matter of consideration. This may require some rules to be changed from permitted or controlled to, at a minimum, restricted discretionary.
CEP Services Matauwhi Limited	Amend	Change all controlled activity rules to restricted discretionary activity rules, with the matters of control stated in the controlled activity rules becoming matters of discretion in these restricted discretionary activity rules.
CEP Services Matauwhi Limited	Amend	<p>Amend rules in sections C.2 , C.3, C.4 and C.5 to address the following points;</p> <ul style="list-style-type: none"> <li>• recognising and providing for the preservation of the natural character of rivers, lakes, wetlands and their margins;</li> <li>• protecting fish passage, especially upstream, by preventing works in rivers during fish migration periods;</li> <li>• not including protection of riparian indigenous vegetation;</li> <li>• setting water abstraction limits that do not take into account changes to the hydrology regime as a result of climate change,</li> <li>• provide for inappropriate permitted activity structures in wetlands;</li> <li>• allow dams in wetlands and ephemeral flow paths;</li> <li>• do not include a process for refusing consent for the renewal of existing dams that are inappropriate;</li> <li>• does not adequately provide for a continuation of the natural flow variability that the in-stream ecosystem had adapted to.</li> </ul>
Donald A	Support	Retain the rules for protecting historic heritage and managing effects on it. Retain the activity status for changes to historic heritage.
Egg Producers Federation New Zealand	Amend	Remove policies D.4.1, D.4.2, D.4.3, D.4.16, D.4.17 and insert as a 'rule' in section C. New rules will need to be rephrased so that they are understood

Submitter	Position	Summary of decision requested
Gailey B	Unclear	The relief sought is unclear. Expresses concern over the compliance costs.
Haititaimarangai Marae 339 Trust	Amend	All rules in the Plan should be set with a view to maintaining the values of freshwater bodies and that water quality is maintained or enhanced
Heritage NZ	Amend	Amend C (rules) to create a two-tier system when Category B Historic Heritage Sites and Areas have been added arising from qualitative assessment and further research of the 'List of Sites For Category A and B Historic Heritage Sites and Historic Heritage Areas' contained in the Clough, Rod; Brown, Adina, <i>Northland Coastal and Freshwater Heritage Survey: Identification of Historic Heritage Resources Methodology</i> Report, November 2015. This is in addition to any other previously unidentified historic heritage that is nominated for assessment. The C. Activities Rules should enable Category A items to be given greater recognition and protection (e.g. Prohibited Activity status for PRP Rule C.1.1.20) while enabling appropriate protection for Category B Historic Heritage Sites and Areas.
Mentor A	Support	Retain rules that manage adverse effects on biodiversity.
Morrison G & P	Amend	Replace <i>regional councils compliance manager</i> with <i>Information Supporting and Compliance Officer / Manager</i> .
Morrison G & P	Amend	Review and reduce the number of rules requiring that council be notified of an activity taking place.
New Zealand Defence Force	Support	Retain the reference to RMA activities in each rule, subject to corrections.
New Zealand Transport Agency	Amend	Requirements for pre-works notification should, in each instance, be clearly linked to s35 monitoring (or similar). Ideally these would also be linked to achieving an objective or policy of the Plan.
New Zealand Transport Agency	Amend	Add cross referencing to link policies that are intended to act as assessment criteria to specific rules.
New Zealand Transport Agency	Amend	Make clear what objectives and policies in the RPS and other higher order documents are relied on as the policy framework in support of the rules.
Ngai Takoto Iwi	Support	Approve the policy and rules with consideration of the proposed submission.

Submitter	Position	Summary of decision requested
Te Kopu - Pacific Indigenous & Local Knowledge Centre of Distinction	Amend	<p>Unclear exactly what changes are sought but submitter appears to want the plan to cover:</p> <ul style="list-style-type: none"> <li>a) Rules to regulate and manage discharges to air</li> <li>b) Rules to prohibit certain discharges</li> <li>c) Rules that allow for ongoing use of customary practice that would not otherwise be permitted including ahi kaa</li> <li>d) Protection of medicinal plants and native flora and fauna from adverse effects from traffic air discharges</li> <li>e) Require modelling of discharges and likely effects on ambient concentrations, where necessary for resource consent applications.</li> <li>f) Review as needed to reflect changes in national guidelines and standards, and best practice, or where ambient monitoring shows a need for changed provisions.</li> </ul>
Ravensdown Limited	Amend	Amend the plan by changing discretionary activity rules to discretionary activity rules for activities that do not comply with permitted activity conditions, particularly when the effects of the activity are known, and the Council's discretion can properly be restricted to the permitted activity condition not met.
Te Runganga o Ngati Rehia	Support	Where it is clear that Tangata Whenua will be adversely affected, such as by the destruction or modification of a wahi tapu, provisions for protection in the Plan are justified and sufficient.
Top Energy	Amend	Amend plan makes to make it clear that a successful application for consent (where rules are bundled) would result in the issue of a number of different resource consents – e.g. a land use consent, a water permit and a discharge permit.
Transpower	Amend	<p>Highlight to plan users the existence of the national environmental standards and explain the relationship between the standards and the proposed plan rules. Add the following to the Plan:</p> <p><u>National Environmental Standards</u></p> <p><u>National environmental standards are also prepared by central government. They can prescribe technical standards, methods or other requirements for environmental matters. The current National Environmental Standards include:</u></p> <p><u>[list of current National Environmental Standards];</u></p> <p><u>The same National Environmental standards are enforced by all Councils throughout New Zealand, both regional and district. The rules in a National Environmental Standard prevail over the</u></p>

Submitter	Position	Summary of decision requested
		<i><u>equivalent rules of the plan. In some circumstances, councils can impose stricter standards than the national standard, if the standard provides that a rule may be more stringent.</u></i>



# C.1 Coastal activities

## General submissions on coastal activities

Submitter	Position	Summary of decision requested
Moana NZ	Amend	That the Coastal Plan provide for a purpose-built Oyster Industry loading and unloading facility on the Kawakawa River.
New Zealand Defence Force	Amend	Insert new rule permitting temporary use and associated occupation of the CMA. Alternatively, insert a new permitted activity rule for the occupation and use of the CMA for temporary military training activities.  Insert corresponding rule for occupation and use that does not meet the permitted activity standards.
Northport Ltd	Amend	Rename the Coastal Commercial Zone adjacent to Northport and the Refinery 'Coastal Commercial Port Zone'.
Primrose B	Support	Retain the proposed relaxation of the current general Regional Coastal Plan prohibition on mangrove removal and reclamation in MM1 areas.
Ricketts G and F	Amend	Amend the Proposed Regional Plan as necessary remove the requirement to re-consent activities in the CMA or if re-consenting is required, it should only be at 20 year intervals.
Te Hui Amorangi Ki Te Tokerau Trust Board	Amend	Provide consequential amendments to provisions for dredging and disposal, structures, mangrove removal and reclamations to enable appropriate development.
Whangarei District Council	Amend	Amend the Proposed Plan to include effects on High Natural Character Areas as matters of control/discretion for controlled and restricted discretionary activities within the CMA

### C.1.1 General structures

#### General submissions on coastal structures

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited	Amend	Include a rule in section C.1.1 to apply to hard protection structures which are not located in areas classified as 'enclosed waters'.
Bream Bay Coastal Care Trust	Unclear	Opposes any hard structures within the boundaries of Ruakaka Wildlife Refuge and all other wildlife refuges in Northland

Submitter	Position	Summary of decision requested
CEP Services Matauhi Limited	Amend	Amend all rules applying to mapped historic heritage areas or sites to also apply where there are historic heritage areas or sites in the vicinity of the proposed activity;
CEP Services Matauhi Limited	Amend	Add further standards to all permitted activity structure rules to provide protection for ecological, natural character and landscape values.
Bay of Islands Planning Limited  Far North Holdings Limited	Amend	<p>Amend the rules within section C.1.1 of the Plan using the 'principles' outlined on the attached sheet to the submission or alternative approach to similar effect. Detail included in submission but main suggestions (for example as they relate to C.1.1.1) include:</p> <ul style="list-style-type: none"> <li>• Differentiate by zone and by type of structure where appropriate;</li> <li>• Use rule title to be more specific about types of structure and application, e.g. include 'all zones' or 'General Coastal and Mooring Zones'</li> <li>• Amend description to include all prerequisites and conditions;</li> <li>• This rule could differentiate between four different groups of structures, namely 'structures associated with provision of infrastructure' which would include items 3 to 8; 'small scale boat launching and retrieval structures' which would cover items 9, 11-13; larger wharves and jetties in items 14 and 15; and hard protection structures. Separation into individual rules would allow better follow through into subsequent rules covering the same activities which should use the same descriptions.</li> </ul>
Far North Holdings Limited	Amend	Include a new rule to provide for new structures in a General Coastal or Moorings Zone.
First Gas Limited	Amend	<p>Add a new rule (mirrors wording of current rule C.1.22);</p> <p><u>Regionally Significant Infrastructure Structures within a significant marine area – non-complying discretionary activity</u></p> <p><u>In the coastal marine area any structure which supports the functional need of regionally significant infrastructure, and includes:</u></p> <p>1) new structure, or</p> <p>...</p>
Fonterra	Amend	Insert a new rule to provide for existing authorised structures in the coastal marine area that do not comply with Rule C.1.1.7 as a restricted discretionary activity. Matters of discretion should be limited to the reason for the non-compliance and the effects of the non-compliance.
GDC Winstone	Amend	<p>Add a new Rule C.1.1.X – as follows</p> <p><u>New Rule C.1.1x</u></p>

Submitter	Position	Summary of decision requested
		<p><u>Additions and alterations to structures in the Coastal Commercial Zone – Controlled Activity</u></p> <p><u>Additions and alterations to structures in the Coastal Commercial Zone are controlled activities provided:</u></p> <p><u>1) the structure to be altered or added to is authorised, and</u></p> <p><u>2) the addition or alteration is necessary for the safe or efficient operation of the commercial activity undertaken within the zone, and</u></p> <p><u>3) the activity complies with C.1.8 'Coastal works general conditions.</u></p>
Northport Ltd	Amend	<p>Add a new rule:</p> <p><u>C.1.1.14B</u></p> <p><u>New or replacement structures in the Coastal Commercial Port Zone.</u></p> <p><u>A new or replacement structure in the Coastal Commercial Port Zone and its use that is not a permitted activity under any other rule is a controlled activity provided:</u></p> <p><u>1) the activity complies with C.1.8 'Coastal works general conditions'</u></p> <p><u>Matters for control</u></p> <p><u>1) effects on shoreline stability in the vicinity; and</u></p> <p><u>2) adverse interference with natural processes and</u></p> <p><u>3) effects on ecosystem health and</u></p> <p><u>4) public access and effects of disturbance, deposition and discharge associated with construction</u></p> <ul style="list-style-type: none"> <li>• <u>Erection or placement of structures (s12(1)(b))</u></li> <li>• <u>Occupation of space in the common marine and coastal area (s12(2)(a))</u></li> <li>• <u>Damage, destruction or disturbance of the foreshore or seabed (s12(1)(c), (e) and (g)).</u></li> </ul>
Refining New Zealand	Amend	<p>Add new rule:</p> <p><u>C.1.1.13A Existing and new structures in the Coastal Commercial Zone – restricted discretionary activity</u></p> <p><u>A new structure or an existing structure in the Coastal Commercial Zone, that is not a permitted activity or controlled activity under another rule in this Plan, is a restricted discretionary activity, provided:</u></p> <p><u>1) the structure is not within an identified 'Significant Ecological Area' or 'Significant Bird Area'.</u></p> <p><u>Matters of discretion:</u></p>

Submitter	Position	Summary of decision requested
		<p><u>1) Effects on natural processes including effects on shoreline stability in the vicinity.</u></p> <p><u>2) Effects on aquatic ecosystem health.</u></p> <p><u>3) Effects on public access to and along the coastal marine area.</u></p> <p><u>4) Use of the structure.</u></p> <p><u>Notification:</u></p> <p><u>Resource consent applications under this rule are precluded from notification (limited or public).</u></p>
Ruakaka Parish Resident and Ratepayers Association Inc	Amend	Amend coastal rules to better account for large scale structures such as off-shore wind farms.
Spark New Zealand Trading Ltd	Support	<p>Retain following rules as notified:</p> <ul style="list-style-type: none"> <li>• C.1.1.1</li> <li>• C.1.1.2</li> <li>• C.1.1.5</li> <li>• C.1.1.7</li> <li>• C.1.1.9</li> <li>• C.1.1.10</li> <li>• C.1.1.16</li> </ul>
Surfbreak Protection Society	Unclear	The submitter has indicated that they are concerned about rules relating to marina zones and have stated that they would like to speak to these concerns at the hearing. No details on these concerns or the relief sought have been included in the submission.
Top Energy	Amend	<p>Add a new rule:</p> <p><u>C.1.1.X New electricity transmission structures and underground cables outside a significant marine area – restricted discretionary activity.</u></p> <p><u>Matters of discretion:</u></p> <p><u>1) Effects on marine mammals, birds and benthic habitat.</u></p> <p><u>2) Effects on natural processes including effects on shoreline stability in the vicinity of proposed structures.</u></p> <p><u>3) Effects on public access to and along the coastal marine area.</u></p> <p><u>4) Effects on public open space and visual amenity.</u></p> <p><u>5) Effects of disturbance, deposition and discharge associated with construction, including use of heavy machinery.</u></p>

Submitter	Position	Summary of decision requested
		<u>6) Effects on navigation and safety.</u> <u>7) Effects on natural character.</u>
Top Energy	Amend	Add a new rule <u>C.1.1.X New electricity transmission structures and underground cables within a significant marine area – discretionary activity.</u>
Whangarei District Council	Amend	Add a new rule - <u>Structures for core local and regionally significant infrastructure within a significant marine area- discretionary activity"</u>

### C.1.1.1

Existing structures – permitted activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	The addition of a further standard that the existing structure is not located in any mapped special area or in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
GBC Winstone	Amend	Amend as follows: ... 3) <del>Stormwater</del> outlet pipes, and ... 14) wharves and jetties, <u>and moorings in the Coastal Commercial Zone, and</u> ... 15) non-habitable buildings and structures on <u>and attached to</u> wharves and jetties in the Coastal Commercial Zone ...
Far North District Council	Amend	Delete clause 18.
First Gas Limited MLP LLC National Institute of Water and Atmospheric Research Limited	Support	Retain C.1.1.1 as notified.

Submitter	Position	Summary of decision requested
New Zealand Transport Agency		
Fonterra	Amend	<p>Amend Rule C.1.1.1 as follows:</p> <p><i>The following structures in the coastal marine area that:</i></p> <p>...</p> <p><i>are permitted activities:</i></p> <p>3) stormwater <u>and wastewater</u> outlets, pipes <u>and tanks</u>, and</p> <p>...</p> <p>9) jetties <u>and structures</u> up to 10 square metres, and ...</p>
Kaipara District Council Whangarei District Council	Amend	Retain the C.1.1.1 as notified, with the addition of 'wastewater outlet pipes' or similar to the list of existing structures.
Landowners Coalition Inc	Amend	Change date from 30 June 2004 to 1 September 2017.
KiwiRail	Support	Retain clauses (1), (2), (4) and (5) as notified.
Mangawhai Harbour Restoration Society Inc.	Support	Retain C.1.1.1, subject to submitter's requested changes to coastal works general conditions (C.1.8).
Miru M Tinopai RMU Limited	Amend	<p>Amend as follows:</p> <ul style="list-style-type: none"> <li>clause 1) to read <u>the following activities in the coastal marine area that were authorised are permitted activities.</u></li> <li>a new clause 19) to read provided.. <u>the structure is not within an Area of Significance to tangata whenua.</u></li> <li>Delete C.1.1.1(18a)</li> </ul>
Morrison G & P	Amend	<p>Amend clause 18 of rule C.1.1.1 as follows;</p> <p><i>the structure owner can provide, if requested by the regional council:</i></p> <p><i>a) clear written evidence or photographic evidence the structure existed at 30 June 2004 - <u>if possible</u></i></p>
Northport Ltd	Amend	Insert new clause <u>16: All structures in the Commercial Coastal Port Zone</u>
Northpower	Amend	<p>Amend the rule as follows:</p> <p>...</p>

Submitter	Position	Summary of decision requested
		<p><del>6. aerial and submarine electricity line and telecommunications line structures, including site-related components that enable the asset to function, and</del></p> <p><del>7. aerial and submarine telephone cables, and</del></p> <p><del>8. aerial and submarine power cables, and...</del></p>
Refining New Zealand	Amend	<p>Amend rule as follows:</p> <p><del>9) jetties up to 10 square metres, and</del></p> <p>...</p> <p><del>11) boat ramps and concreted slipways less than 15 metres in length and less than four metres in width, and</del></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Add the following condition:</p> <p>...provided:</p> <p><u>19) the structure is not in a high or outstanding natural character area or significant ecological area.</u></p>
Top Energy	Amend	<p>Amend C.1.1 as follows:</p> <p>C.1.1 Existing minor structures – permitted activity</p> <p>The following structures in the coastal marine area that:</p> <p>...</p> <p>are permitted activities:</p> <p>...</p> <p><u>7) aerial and submarine power cables including any support structures, and .....</u></p>
Transpower	Amend	<p>Retain C.1.1.1 as notified subject to the following amendment:</p> <p>The following structures in the coastal marine area that:</p> <p>...</p> <p><u>7) aerial and submarine power cables, including aerial electricity transmission lines, and</u></p> <p>...</p>

### C.1.1.2

Minor structures in a Commercial Coastal Zone and the Whangārei City Centre Marine Zone – permitted activity

Submitter	Position	Summary of decision requested
GBC Winstone	Amend	Rule C.1.1.2 be amended to provide for 'dolphin moorings' as a minor structure in the Commercial Coastal Zone at Portland  OR  Rules C.1.2 – Moorings and anchorage, be amended to recognise and provide for the placement of dolphin moorings in the Commercial Coastal Zone at Portland
First Gas Limited KiwiRail Refining New Zealand	Support	Retain rule C.1.1.2 as notified.
Miru M Tinopai RMU Limited	Amend	Include a new condition 8) with the following text:  <u>8) it (the structure) is not within an Area of Significance to tangata whenua</u>
Northport Ltd	Amend	Amend as follows:  <i>Minor structures in a Commercial Coastal Zone, <u>Commercial Coastal Port Zone</u> and the Whangarei City Centre Marine Zone - permitted activity.</i>  <i>A structure in a <u>Commercial Coastal Port Zone</u> or the Whangarei City Centre Marine Zone.....</i>
Royal Forest and Bird Protection Society NZ	Amend	Add a new condition:  <u>Must not be in an identified significant ecological area or high or outstanding natural character area or outstanding natural landscape.</u>
Whangarei District Council	Amend	Add a new condition:  <u>There is no restriction on public use of the structure</u>



### C.1.1.3

#### Temporary coastal structure – permitted activity

Submitter	Position	Summary of decision requested
CEP Services Matauhi Limited	Amend	Amend C.1.1.3 to add a further standard that the existing structure is not located in any mapped special area or in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Heritage NZ	Amend	Rule C.1.1.3 be retained but C.1.1.3(9) be modified as follows:  <i>9) It is not in a mapped Site or Area of Significance to Tangata Whenua or a Historic Heritage Area (refer I 'Maps'), and</i>
KiwiRail	Support	Retain C.1.1.3 as notified.
Mangawhai Harbour Restoration Society Inc.	Support	Retain C.1.1.3, subject to submitter's requested changes to coastal works general conditions (C.1.8).
Miru M Tinopai RMU Limited	Amend	Amend clause 2) to read <i>the regional council's compliance manager, tangata whenua and the regional council's harbourmaster...</i>
New Zealand Transport Agency	Amend	Amend C.1.1.3 as follows:  <i>6) it is not in the coastal marine area for a period exceeding a total of 30 days or part days during a 12 month period, inclusive of the placement and removal, except that temporary structures associated with maintenance, repair, reconstruction, alteration, extension or construction works (including scaffolding and fencing) of regionally significant infrastructure must be in place for no longer than the duration of the construction project or 40 working days, whichever is the lesser).</i>  ...  <i>8) it does not prevent existing public access to and along the foreshore; and OR provide an exemption to this condition for structures necessary for maintenance of infrastructure.</i>
Refining New Zealand	Amend	Amend rule as follows:  ...  <i>3) it does not exceed an area of 10 square metres (excluding any anchor(s) and anchor line(s) and any structure being used for construction or maintenance purposes); or the area of an existing legally authorised structure plus 5 percent, with a maximum area of 5 percent</i>

Submitter	Position	Summary of decision requested
		<p><i>of the area of the existing structure being outside the horizontal footprint of the existing structure (if the temporary structure is located on and/or adjacent to an existing authorised structure), and</i></p> <p><i>4) it does not exceed a two metre vertical projection above the surface of the water or foreshore <u>on the spring tide</u> (excluding any structure being used for construction or maintenance purposes), and</i></p> <p>...</p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Add a condition:</p> <p><i><u>The activity is not within an identified significant ecological area mapped significant ecological areas or Important Bird Areas</u></i></p>

### C.1.1.4

#### Aids to navigation – permitted activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Add and additional clause that existing structure is not located in any mapped special area or in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Heritage NZ	Amend	<p>Retain C.1.1.4 with following amendment:</p> <p><i>2) It is not in a mapped Site or Area of Significance to Tangata Whenua <u>or a Historic Heritage Area</u> (refer I 'Maps'), and</i></p>
Northport Ltd Refining New Zealand	Support	Retain rule as notified.
Miru M Tinopai RMU Limited	Amend	Amend clause 3) to read <i>the regional council's compliance manager, <u>tangata whenua</u> and the regional council's harbourmaster...</i>
Miru M Tinopai RMU Limited	Amend	Insert new clause 5) to read <i><u>any structure (aid) does not exceed 10 square metres.</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule to enable Council to consider effects on birds and change rule to a Restricted discretionary activity.

### C.1.1.5

#### Signs – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc  Eastern Bay of Islands Preservation Society	Amend	Amend rule to allow for ecological protection and education signs (e.g. rahui, marine reserves and mangrove boardwalk interpretation)
Far North Holdings Limited	Amend	Include an additional in Rule C.1.1.5 to the effect:  <i>5) by the operator of a facility in the Coastal Commercial Zone or a Marina in the Marina Zone displaying information and safety material relating to the safe and efficient operation of the facility</i>
First Gas Limited  Fonterra  KiwiRail  Northland Fish and Game  Northport Ltd	Support	Retain C.1.1.5 as notified.
Landowners CoalitionInc	Amend	Increase the maximum sign size to 4m2 and the total combined area of all signs on the structure must not exceed ten square metres.
New Zealand Transport Agency	Amend	Retain C.1.1.5 as notified, subject to following amendments:  ...  <i>6) if the sign is on the exterior of an authorised structure and the sign relates directly to goods, services or facilities operated at or on the structure, then:</i>  ...  <i>b) <u>except for road signage installed by a road controlling authority</u>, the sign (or any part of the sign) must not be reflective, flashing or neon, and</i>  ...
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to exclude lighting of signs except for safety reasons using up/down lights only.

Submitter	Position	Summary of decision requested
		Reduce the total size in condition 6)e) to limit effects on natural character.
Top Energy	Amend	Amend Rule C.1.15 as follows:  <i>A sign in the coastal marine area, placed:</i>  <i>1) by a statutory authority directly relating to information or safety matters concerning the coastal marine area, or</i>  <i>2) to fulfill a regulatory or legislative requirement <u>including cable markers on the sea floor</u>, or .....</i>

### C.1.1.6

#### Monitoring and sampling equipment – permitted activity

Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc.	Support	Retain C.1.1.6, subject to submitter's requested changes to coastal works general conditions (C.1.8)
Miru M Tinopai RMU Limited	Amend	Amend C.1.1.6 as follows: <ul style="list-style-type: none"> <li>9) the regional council's compliance manager, <u>tangata whenua</u> and the regional council's harbourmaster...</li> <li>Delete "and must include" at the end of C.1.1.6(9).</li> </ul>
National Institute of Water and Atmospheric Research Limited	Amend	Amend text as follows:  <i>Monitoring or sampling equipment in the coastal marine area is a permitted activity, provided:</i>  <i>1) it is not for <u>marine-based</u> aquaculture activities, and</i>  ...
New Zealand Transport Agency	Support	Retain C.1.1.6(3)(a) as notified
Northland Fish and Game	Support	Retain C.1.1.6 as notified.
Northport Ltd	Amend	Add to clause 2) .... <u>foreshore (excluding telemetry equipment associated with regionally significant infrastructure)</u> ,

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	<p>Add conditions to:</p> <ul style="list-style-type: none"> <li>• prevent disturbance of birds during bird breeding periods</li> <li>• prevent disturbance of the sea floor or indigenous vegetation in significant ecological areas</li> <li>• prevent impacts of outstanding natural character, features and landscape values.</li> </ul>
Whangarei District Council	Amend	That condition 6) is amended by deleting the requirement to provide a 24 hour free phone contact number.
Yachting NZ	Amend	Amend C.1.1.6 by reference to Recognised Anchorage and Recognised Recreational Anchorage definitions
Yachting NZ	Amend	Amend rule – monitoring and sampling equipment shall not be established in a Recognised Anchorage or Recognised Recreational Anchorage as a permitted activity – that activity to be non-complying.

### C.1.1.7

Reconstruction, maintenance or repair of a structure – permitted activity

Submitter	Position	Summary of decision requested
Fonterra	Amend	<p>Amend Rule C.1.1.7 as follows:</p> <p><i>The reconstruction, maintenance or repair of a structure, or part of a structure, in the coastal marine area is a permitted activity, provided:</i></p> <p><i>1) the structure is authorised, and</i></p> <p><i>2) <del>there is no increase in the structure's footprint, length, width, and height</del> <u>is not increased by more than 5%, and</u></i></p> <p><i>3) <del>there is no change to the location of the structure does not change by more than 5% and there is no change to form of the structure, and</del></i></p> <p>...</p>
GBC Winstone	Amend	<p>Amend Rule C.1.1.7 as follows:</p> <p><i>The reconstruction, maintenance or repair of a structure, or part of a structure, in the coastal marine area is a permitted activity, provided: .....</i></p> <p><i><u>6) any upgrading and minor alterations including removal works to structures in the Coastal Commercial Zone that does not materially increase the footprint, height, or external envelope of the structure.</u></i></p>

Submitter	Position	Summary of decision requested
		<del>6-7</del> 7) the reconstruction, maintenance or repair complies with C.1.8 'Coastal works general conditions'.
Heritage NZ	Amend	<p>Retain C.1.1.7 as notified but C.1.1.7 (5) be modified as follows:</p> <p><i>5) in the case of maintenance and repair of a Historic Heritage Site (refer I 'Maps'), <del>the materials used for maintenance and repair of the structure must match the existing structure in form and appearance, and work shall be in accordance with Historic Heritage Site Repair (structure or building) and Historic Heritage Site Maintenance (refer B 'Definitions'), and must not result in any of the following:</del></i></p> <p><i><u>(a) changes to the existing surface treatment of fabric, painting of any previously unpainted surface, or the rendering of any previously un-rendered surface;</u></i></p> <p><i><u>(b) the use of abrasive or high-pressure cleaning methods, such as sand or water blasting;</u></i></p> <p><i><u>(c) the affixing of scaffolding to the building or structure;</u></i></p> <p><i><u>(d) changes to the design, texture, or form of the fabric;</u></i></p> <p><i><u>(e) changes to the extent, floor levels, location of internal walls, form, proportion and scale of the building or structure;</u></i></p> <p><i><u>(f) the use of materials other than those the same as the original or most significant fabric, or the closest equivalent; or</u></i></p> <p><i><u>(g) earthworks or disturbance of land or the foreshore or seabed being undertaken where archaeological site controls apply, and</u></i></p>
Far North District Council  Far North Holdings Limited  First Gas Limited  KiwiRail  MLP LLC  National Institute of Water and Atmospheric Research Limited  New Zealand Transport Agency  Northland Fish and Game	Support	Retain rule C.1.1.7 as notified

Submitter	Position	Summary of decision requested
Northport Ltd Transpower Whangarei District Council		
Johnston J	Amend	Change the status of the activity to a discretionary activity.
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Retain C.1.1.7 as notified, subject to following amendment:</p> <p>...</p> <p>1) <i>The structure is <u>(or was, when first constructed)</u> authorised; and</i></p> <p>2) <i>There is no increase in the structure's <u>original</u> footprint, length, width and height; and</i></p> <p>3) <i>There is no change to the <u>original</u> location and form of the structure; and...</i></p>
Miru M Tinopai RMU Limited	Amend	<p>Insert a new clause</p> <p>7) <u>the structure is not within an Area of Significance to tangata whenua.</u></p>
Northpower	Amend	<p>Amend the rule as follows:</p> <p><i>The reconstruction, <u>replacement</u> maintenance or repair of a structure, or part of a structure, in the coastal marine area is a permitted activity, provided:</i></p> <p>...</p> <p><i>6. the reconstruction, <u>replacement</u> maintenance or repair complies with C.1.8 'Coastal works general conditions'.</i></p>
Refining New Zealand	Amend	<p>Amend rule as follows:</p> <p><i>C.1.1.7 Reconstruction, maintenance, <u>minor upgrade</u> or repair of a structure – permitted activity</i></p> <p><i>The reconstruction, maintenance, <u>minor upgrade</u> or repair of a structure, or part of a structure, in the coastal marine area is a permitted activity, provided:</i></p> <p><i>1) the structure is authorised, and</i></p> <p><i>2) there is no <u>more than a 5%</u> increase in the structure's footprint, length, width, and height <u>from that existing at 5 September 2017</u>, and</i></p> <p><i>3) there is no <u>material</u> change to the location and form of the structure, and</i></p>

Submitter	Position	Summary of decision requested
		<p>...</p> <p><i>Note: The reconstruction, maintenance, minor upgrade or repair works authorised by this rule shall include the construction and retention of temporary scaffolding and weather protection wrap for the duration of the reconstruction, maintenance, minor upgrade or repair works.</i></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend rule as follows:</p> <ul style="list-style-type: none"> <li>• Amend condition 4) <i>"it is not a reconstruction of Historic Heritage Site (refer I-Map, and"</i></li> <li>• Add a new condition specifying that access to the site for reconstruction, maintenance or repair works must not cause any modification to an outstanding landscape, natural character or significant ecological area.</li> <li>• Add a new condition to exclude the activity in significant ecological areas. Non compliance with this condition leads to a restricted or full discretionary activity.</li> </ul>
Top Energy	Amend	<p>Amend Rule C.1.1.7 as follows:</p> <p><i>C.1.1.7 <u>Replacement, Reconstruction, maintenance or repair of a structure</u> – permitted activity</i></p> <p><i>The <u>replacement</u>, reconstruction, maintenance or repair of a structure, or part of a structure, in the coastal marine area is a permitted activity, provided:</i></p> <p>...</p> <p><i>6) the <u>replacement</u>, reconstruction, maintenance or repair complies with C.1.8 'Coastal works general conditions'.</i></p>

### C.1.1.8

Maintenance, repair or removal of hard protection structures – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council MLP LLC Northland Fish and Game Whangarei District Council	Support	Retain rule C.1.1.8 as notified



Submitter	Position	Summary of decision requested
Fonterra	Amend	Amend Rule C.1.1.8 as follows:  ...  <i>3) the maintenance or repair is contained within the form of the existing authorised structure and <del>there is no increase in</del> length, width, or height of the structure <u>is not increased by more than 5%.</u></i>
KiwiRail	Amend	Amend rule as follows:  ...  <i>1) the regional council 's compliance manager is given at least 10 working days' notice (in writing or by email) of the <u>removal</u> work starting, and</i>  ...
Hayes	Amend	Amend rule to: <ul style="list-style-type: none"> <li>• refer to existing structures not 'authorised' structures</li> <li>• remove requirement for 10 working days as it is impracticable for flood protection structure maintenance</li> </ul>
Miru M Tinopai RMU Limited	Amend	Amend clause 1) to include tangata whenua in the notification list (after compliance manager).
Morrison G & P	Amend	Amend rule C1.1.8 as necessary to allow the size of stop banks to be changed to respond to tidal rise and global warming. This should be undertaken in conjunction with council staff and should be a permitted activity.
New Zealand Transport Agency	Amend	Amend C.1.1.8 (to be consistent with C.1.1.7(2)) as follows:  ...  <i>3) the maintenance or repair is contained within the form of the existing authorised structure and there is no increase in <u>footprint</u>, length, width, or height of the structure.</i>
Northport Ltd	Amend	Amend as follows:  <i>1) the regional council's compliance manager <u>and the Harbourmaster</u> is given 10 working days notice (in writing or by email).</i>
Refining New Zealand	Amend	Amend rule as follows:  ...

Submitter	Position	Summary of decision requested
		<p><i>3) the maintenance or repair is contained within the form of the existing authorised structure and there is involves no more than a 5% increase in length, width, or height of the existing authorised structure.</i></p> <p>...</p>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to prevent activities during the during bird breeding period and to address access to the site.

### C.1.1.9

#### Additions and alterations to structures – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council GBC Winstone KiwiRail Northland Fish and Game Whangarei District Council	Support	Retain C.1.1.9 as notified.
First Gas Limited	Amend	Amend Rule C.1.1.9: <i>An addition or alteration to the following structures in the coastal marine area is a permitted activity:</i> <u>(x) pipelines and ancillary equipment</u>
Miru M Tinopai RMU Limited	Amend	Amend rule to include two new conditions: <u>7) it (the structure) is not within an Area of Significance to tangata whenua, and</u> <u>8) the structure complies with New Zealand Standards</u>
New Zealand Transport Agency	Amend	Retain C.1.1.9 as notified, subject to following amendment: <i>3) bridge footpaths, bridge side rails, bridge road seal, bridge road signs, bridge road lighting, and cables or pipes attached to bridges, and network utility structures.</i>

Submitter	Position	Summary of decision requested
Northpower	Amend	<p>Amend the rule as follows:</p> <p><i>An addition or alteration to the following structures in the coastal marine area is a permitted activity:</i></p> <p><i>1. aerial telecommunications <u>line</u> cables or aerial electricity <del>transmission lines</del>, and:</i></p> <p><i>a) the additions or alterations will not <u>require additional support structures</u> as a result <del>in an</del> of an increase in the design voltage, and</i></p> <p><i>b) the new or altered cables or lines will not be lower in height above the foreshore or seabed, and...</i></p>
Northport Ltd	Amend	<p>Amend as follows:</p> <p><i>1) aerial <u>and submarine</u> telecommunications cables or aerial <u>and submarine</u> electricity transmission lines....</i></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Add a condition to prevent activities during the bird breeding period and to address access to the site.</p> <p>Restrict the structures under condition 3) to no change in footprint or increase in light spread.</p>
Top Energy	Amend	<p>Amend C.1.1.9 as follows:</p> <p><i>Additions and alterations to structures – permitted activity</i></p> <p><i>An addition or alteration to the following structures in the coastal marine area is a permitted activity:</i></p> <p>...</p> <p><i>2) <u>underground cables provided the additions or alterations will not result in an increase in the design voltage, and</u></i></p> <p>....</p>
Transpower	Amend	<p>Retain C.1.1.9 subject to the following amendments:</p> <ul style="list-style-type: none"> <li>Amend Rule C.1.1.9, to provide specific references to Regulation 10 of the NESETA. Such reference could be inserted as a note to the relevant rule, or in the introduction to C.1 Coastal Activities, as follows: <p><i><u>Clause 1 within Rule C.1.1.9 relating to increasing voltage, does not apply to the increase in voltage in relation to an existing National Grid line (existing at 14 January 2010) that forms part of the National Grid. These activities are covered by Regulation 10 of the Resource Management (National Environmental Standards for Electricity Transmission Activities).</u></i></p> </li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Remove Clause 1)b) relating to height.</li> </ul>

### C.1.1.10

#### Removal of structures - permitted activity

Submitter	Position	Summary of decision requested
Fonterra GBC Winstone	Amend	Amend Rule C.1.1.10 as follows:  <i><u>Demolition or Removal of structures – permitted activity</u></i>  ...
Heritage NZ	Amend	Retain rule C.1.1.10 but C.1.1.10 2) be modified as follows:  <i>2) The structure is not a historic heritage Site <u>or in a Historic Heritage Area</u> (refer I 'Maps').</i>
Far North District Council First Gas Limited MLP LLC National Institute of Water and Atmospheric Research Limited New Zealand Transport Agency Northland Fish and Game Northport Ltd Whangarei District Council	Support	Retain rule C.1.1.10 as notified
Miru M Tinopai RMU Limited	Amend	Add two new conditions to read:  <i>3) <u>it (the structure) is not within an Area of Significance to tangata whenua, and</u></i>  <i>4) <u>if it is located within an Area of Significance, tangata whenua are to be notified for consultation prior to any removal</u></i>
Refining New Zealand	Amend	Amend rule as follows:

Submitter	Position	Summary of decision requested
		<i>The demolition or removal of a structure (excluding a hard protection structure) in the coastal marine area, including the disturbance and discharges directly associated with the works, is a permitted activity, provided:</i>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend rule as follows:</p> <ul style="list-style-type: none"> <li>2) <i>it is not a reconstruction of Historic Heritage Site (refer I 'Map', and</i></li> <li>Add a condition to prevent activities during the during bird breeding period and to address access to the site.</li> </ul>

#### C.1.1.11

Structures for scientific, research, monitoring or education purposes – controlled activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Amend the rule from controlled activity to a restricted discretionary activity, with the listed matters of control becoming matters of discretion.
Heritage NZ	Amend	<p>Retain Rule C.1.1.11 with following amendments:</p> <p>3) <i>It is not in a mapped Site or Area of Significance to Tangata Whenua <u>or a Historic Heritage Area</u> (refer I 'Maps'), and</i></p> <p>4)</p> <p><i>f) Historic heritage areas:</i></p>
Mangawhai Harbour Restoration Society Inc. New Zealand Transport Agency Northland Fish and Game	Support	Retain C.1.1.11 as notified.
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the rule to a discretionary activity or exclude the activities in Significant and Outstanding areas so that any activity within those areas requires a discretionary or non-complying consent.</p> <p>Add a condition to prevent construction activities during the during bird breeding period.</p>

Submitter	Position	Summary of decision requested
Yachting NZ	Amend	Amend C.1.1.11 by reference to Recognised Anchorage and Recognised Recreational Anchorage definitions.
Yachting NZ	Amend	Amend rule – structures for scientific, research, monitoring or education purposes shall not be established in a Recognised Anchorage or Recognised Recreational Anchorage as a controlled activity – that activity shall be non-complying.

### C.1.1.12

#### Structures in the Whangārei City Centre Marine Zone – controlled activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Amend the rule from controlled activity to a restricted discretionary activity, with the listed matters of control becoming matters of discretion.
Royal Forest and Bird Protection Society NZ	Amend	Add matter of control for: <ul style="list-style-type: none"> <li>• effects on significant indigenous biodiversity (using RPS criteria)</li> <li>• effects on natural character</li> </ul>

### C.1.1.13

#### Existing structures in a Commercial Coastal Zone or Marina Zone – controlled activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Amend the rule from controlled activity to a restricted discretionary activity, with the listed matters of control becoming matters of discretion
Far North Holdings Limited Bay of Islands Planning Limited	Amend	Amend rules in C.1.1 or such other rule as may result from other submissions to include facilities in a Marina Zone provided for public use as permitted activities.
GBC Winstone Marsden Maritime Holdings Riverside Drive Marina	Support	Retain C.1.1.13 as notified.

Submitter	Position	Summary of decision requested
Northport Ltd	Amend	Amend as follows:  <i>Existing structures in a Commercial Coastal Zone, <u>Commercial Coastal Port Zone</u>, or Marina Zone - controlled activity.</i>  <i>An existing authorised structure in a Commercial Coastal Zone, <u>Commercial Coastal Port Zone</u> or Marina Zone...</i>
Refining New Zealand	Amend	Amend as follows:  <i>An existing <del>authorised</del> structure in a Commercial Coastal Zone or Marina Zone, that is not a permitted activity..</i>
Royal Forest and Bird Protection Society NZ	Amend	Amend rule as follows: <ul style="list-style-type: none"> <li>• Clarify in the rule title that this applies to authorised structures</li> <li>• Add matter of control for: effects on significant indigenous biodiversity (using RPS criteria)</li> <li>• Add matter of control for: effects on natural character.</li> </ul>

#### C.1.1.14

Structures in a Marina Zone, Whangārei City Centre Marine Zone or Coastal Commercial Zone – discretionary activity

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited Far North Holdings Limited	Amend	Amend by including a new rule to provide for new structures in a General Coastal or Moorings Zone
Bay of Islands Planning Limited Far North Holdings Limited	Amend	Amend by making replacement, additions or alterations and removal of authorised structures, including refuelling facilities, in the Coastal Commercial Zone that are not permitted activities a Restricted Discretionary Activity.
GBC Winstone	Amend	Amend heading and text as follows  <i>Structures in the Marina Zone, Whangareī City Centre Marina Zone or Coastal Commercial Zone – <del>discretionary activity</del> – <u>restricted discretionary activity</u></i>  ...  <i><u>Matters of discretion</u></i>

Submitter	Position	Summary of decision requested
		<u>1) Effects in natural processes including effects on shoreline stability in the vicinity;</u> <u>2) Effects on aquatic ecosystem health;</u> <u>3) Effects on public access to and along the coastal marine area;</u> <u>4) Use of the structure.</u>
Marsden Maritime Holdings  Riverside Drive Marina	Support	Retain C.1.1.14 as notified.
Northport Ltd	Amend	Amend rule as follows: <ul style="list-style-type: none"> <li>• Amend numbering to read C.1.1.14 A</li> <li>• Add <u>8) controlled activity under C.1.1.14 B Structures in the Coastal Commercial Port Zone.</u></li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule as follows: <ul style="list-style-type: none"> <li>• Exclude new marinas in Mangawhai harbour</li> <li>• Include policies which set out the protection required in Important Bird Areas and for the NZ Fairy Tern required under Policy 11 of the NZCPS.</li> <li>• Provide a non-complying activity status for new marinas in these areas.</li> </ul>
Top Energy	Amend	Amend Rule C.1.1.14 as follows:  <i>C.1.1.14 Structures in a Marina Zone, Whangārei City Centre Marine Zone or Coastal Commercial Zone – discretionary activity</i>  ...  <i>in a Marina Zone, Coastal Commercial Zone or the Whangārei City Centre Marine Zone that is not a:</i>  ...  <u>8) restricted discretionary activity under C.1.1.XX.</u>
Upperton T	Amend	Ensure that impact on public interests are part of the evaluation.



### C.1.1.15

#### Existing structures (other) – discretionary activity

Submitter	Position	Summary of decision requested
First Gas Limited Heritage NZ	Support	Retain rule as notified.
Fonterra	Amend	Amend Rule C.1.1.15 as follows:  <i>An existing authorised structure in the coastal marine area, that is not a:</i>  ...  <del>6) permitted activity under C.1.1.7 'Reconstruction, maintenance or repair of a structure – permitted activity', or</del>
Larcombe M	Unclear	Unsure - submitter states that an illegal structure was given retrospective resource consent in Opuha.
Northport Ltd	Amend	Add <u>10) controlled activity under C.1.1.14B 'Structures in the Coastal Commercial Port Zone.'</u>
Royal Forest and Bird Protection Society NZ	Support	Amend rule title as follows:  <i>Existing <u>authorised</u> structures (other) – discretionary activity</i>
Top Energy	Amend	Amend Rule C.1.1.15 as follows:  <i>Existing structures (other) – discretionary activity An existing authorised structure in the coastal marine area, that is not a:</i>  ....  <u>10) restricted discretionary activity under C.1.1.XX.</u>

### C.1.1.16

#### Structures outside significant marine areas – discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain rule C.1.1.16 clause (13) as notified

Submitter	Position	Summary of decision requested
CEP Services Matauwahi Limited	Amend	The addition of a further special areas in clause 11 of the rule, including Significant Ecological Areas, Significant Bird Areas, Significant Marine Mammal Areas, High Natural Character Areas, and any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Fonterra	Support	Retain Rule C.1.1.16 as notified.
Heritage NZ	Amend	Retain rule C.1.1.16 as notified but modify C.1.1.16 12) as follows:  <i>12) there is no removal, <u>demolition, partial demolition, or replacement of a mapped Historic Heritage Site or part of a Historic Heritage Site (refer I 'Maps'), and</u></i>
New Zealand Transport Agency	Amend	Retain C.1.1.16 as notified, subject to following amendment:  <i>C.1.1.16 <u>New Structures outside significant marine areas – discretionary activity</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Exclude structures in IBA and significant ecological areas under condition 11.  Delete the reference to " <i>operational need</i> " in condition 13).
Transpower	Amend	Amend C.1.1.16 as follows  <i>In a Mooring Zone or the General Coastal Zone any structure that is not a:</i>  ...  <i>is a discretionary activity, provided:</i>  ....  <i><u>10a) the structure has a functional or operational need to be located in the coastal marine area.</u></i>  ...  <i>12) there is no removal, demolition or replacement of a mapped Historic Heritage Site or part of a Historic Heritage Site (refer I 'Maps'); <del>and</del></i>  <i><del>13) the structure has a functional or operational need to be located in the coastal marine area.</del></i>
Upperton T	Amend	New structure outside permitted zones to be publicly notified,

Submitter	Position	Summary of decision requested
Yachting NZ	Amend	Amend C.1.1.16 by reference to Recognised Anchorage and Recognised Recreational Anchorage definitions (replace "11) b) Regionally Significant Anchorage" with "Recognised Anchorages and Recognised Recreational Anchorages"

### C.1.1.17

#### Hard protection structures – discretionary activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Support the excluded areas and would like to see this list extended to include areas of high natural character and areas of significant ecological value.
CEP Services Matauwhi Limited	Amend	Change rule C.1.1.17 to a noncomplying activity.
Far North District Council	Amend	Insert assessment criteria or amendment to D.6.2 requiring consideration of the effects of the structure on land not owned by the applicant (or similar relief).
Heritage NZ New Zealand Transport Agency	Support	Retain C.1.1.17 as notified.
Kaipara District Council	Amend	Retain C.1.1.17 as notified, but add assessment criteria OR amendment to D.6.2 to require consideration of the effects of the hard protection structure on land not owned by the applicant, or similar relief.
Landowners Coalition Inc	Amend	Amend rule to make hard protection structures permitted activities.
Refining New Zealand	Amend	Amend rules as follows:  ...Note: A hard protection structure directly associated with a <del>reclamation</del> for regionally significant infrastructure is excluded from this rule and is covered by C.1.1.18 'Hard protection structures <del>associated with</del> <del>reclamations associated with</del> regionally significant infrastructure'...
Royal Forest and Bird Protection Society NZ	Amend	Add condition excluding this activity from significant ecological areas

### C.1.1.18

Hard protection structures for reclamations associated with regionally significant infrastructure – discretionary activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Add a further clause to this rule that the hard protection structure is not located in a special area or in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Far North District Council	Amend	Amend as follows:  <i>"A hard protection structure that is directly associated with <u>the protection of regionally significant infrastructure or a reclamation for regionally significant infrastructure</u> is a discretionary activity."</i> Or similar relief.
First Gas Limited	Amend	Amend as follows:  <i>A hard protection structure that is directly associated with <del>a reclamation for</del> regionally significant infrastructure is a discretionary activity.</i>
Kaipara District Council Whangarei District Council	Amend	Amend rule to allow for hard protection structures associated with regionally significant infrastructure and 'core local infrastructure'.
KiwiRail New Zealand Transport Agency Northport Ltd Northpower	Support	Retain C.1.1.18 as notified.
Landowners Coalition Inc	Amend	Amend rule to make hard protection structures permitted activities.
Refining NZ	Amend	Amend rule as follows:  <i>C.1.1.18 Hard protection structures <del>for reclamations</del> associated with regionally significant infrastructure – <del>discretionary</del> <u>controlled</u> activity</i>  <i><del>A hard protection structure that is directly associated with a reclamation for regionally significant infrastructure is a discretionary activity.</del></i>

Submitter	Position	Summary of decision requested
		<p><u>Any:</u></p> <p><u>1) new hard protection structure, or</u></p> <p><u>2) existing unauthorised hard protection structure, or</u></p> <p><u>3) extension or addition to a hard protection structure,</u></p> <p><u>that is associated with regionally significant infrastructure is a controlled activity.</u></p> <p><u>Matters of control:</u></p> <p><u>1) effects on shoreline stability in the vicinity, and</u></p> <p><u>2) effects on aquatic ecosystem health, and</u></p> <p><u>3) effect on public access, and</u></p> <p><u>4) effects of any disturbance, deposition and discharge associated with construction, and</u></p> <p><u>5) consistency with identified regional council-endorsed documents.</u></p>
Royal Forest and Bird Protection Society NZ	Amend	Add condition excluding this activity from significant ecological areas and all other significant marine areas.

### C.1.1.19

Hard protection structures in areas with significant values – non-complying activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc Heritage NZ	Support	Retain C.1.1.19 as notified.
Landowners Coalition Inc	Amend	Amend rule to make hard protection structures permitted activities.
Royal Forest and Bird Protection Society NZ	Amend	<p>Retain rule. Ensure it covers new structures in significant ecological areas by excluding these from the discretionary rules above.</p> <p>Add new objective and policy direction for significant indigenous biodiversity, outstanding natural character and outstanding natural landscapes and features to give effect to the NZCPS.</p>

### C.1.1.20

#### Removal, demolition or replacement of a Historic Heritage Site – non-complying activity

Submitter	Position	Summary of decision requested
GBC Winstone	Amend	Change status to a permitted activity
Heritage NZ	Amend	<p>Retain C.1.1.20 be retained but modify as follows:</p> <p><i>Removal, demolition, <u>partial demolition</u> or replacement of a Historic Heritage Site – non-complying activity</i></p> <p><i>The replacement, removal (including relocation) or demolition (including <u>partial demolition</u>) of a mapped Historic Heritage Site or part of a Historic Heritage Site (refer I 'Maps'), is a non-complying activity.</i></p> <p>Assuming that Category A and B items are accepted through the HNZPT submission, then Rule C.1.1.20 should include consideration of Prohibited Activity status for Category A items with non-complying for Category B.</p>
Royal Forest and Bird Protection Society NZ	Support	<p>Retain rule as notified.</p> <p>Add new objective and policy direction to recognise and provide for historic heritage consistent with section 6 of the Act.</p>

### C.1.1.21

#### Structures with no functional or operational need – non-complying

Submitter	Position	Summary of decision requested
Auckland Council Fonterra Upperton T	Support	Retain C.1.1.21 as notified.
Royal Forest and Bird Protection Society NZ	Amend	<p>Retain rule but limit to functional need (delete operational need).</p> <p>Add new objective and policy direction recognising that structures that do not have a functional need for location in the coastal marine area generally should not be located there, to give effect to the NZCPS Policy 6(2)(d).</p>

## C.1.1.22

## Structures within a significant marine area – non-complying activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Amend as follows:  <i>"Structures within a significant marine area <u>excluding structures for district council and regionally significant infrastructure</u>" or similar relief.</i>
Kaipara District Council	Amend	Amend C.1.1.22 to provide for core local infrastructure as a discretionary activity, rather than non-complying.
Heritage NZ Refining New Zealand	Support	Retain rule C.1.1.22 as notified.
Royal Forest and Bird Protection Society NZ	Amend	Amend rule as follows:  <i>Structures within a significant marine area – non-complying activity</i>  ...  <i><u>13) Significant Ecological Area</u></i>  <i><u>14) Important Bird Area</u></i>  ...  <i><u>23) prohibited activity under C.1.3.14 'Aquaculture in areas with significant values – prohibited activity'.</u></i>  Add new objective and policy direction for consideration of non-complying activities that may adversely affect protected areas to give effect to the NZCPS.
Top Energy	Amend	Amend Rule C.1.1.22 as follows:  <i>Structures within a significant marine area – non-complying activity</i>  ...  <i><u>23) restricted discretionary activity under C.1.1.XX.</u></i>  <i><u>24) discretionary activity under C.1.1.XX.</u></i>
Yachting NZ	Amend	Amend C.1.1.22 by reference to Recognised Anchorage and Recognised Recreational Anchorage definitions. (Replace "8) Regionally Significant Anchorage" with "Recognised Anchorages and Recognised Recreational Anchorages")

## C.1.2 Moorings and anchorage

### General submissions on moorings and anchorage

Submitter	Position	Summary of decision requested
Claydon C	Amend	<p>Confirm in Plan that the allowance in a resource consent for 14 days between emptying a vessels holding tank takes precedence over proposed 10 day limit (if it's included in final Plan).</p> <p>AND</p> <p>Confirm that where the Plan permits a longer interval than a resource consent between emptying a vessels holding tank, the longer allowance of the two shall apply in all cases.</p>
GDC Winstone	Amend	<p>Add a new rule as follows:</p> <p><u>C.1.1.X New moorings in the Coastal Commercial Zone – controlled activity</u></p> <p><u>A new mooring is a controlled activity provided:</u></p> <p><u>1) it is located in the Coastal Commercial Zone.</u></p> <p><u>2) the activity complies with C.1.8 'Coastal works general conditions'.</u></p> <p><u>Matters of control</u></p> <p><u>1) The availability of space within the Coastal Commercial Zone.</u></p> <p><u>2) The location of the mooring.</u></p> <p><u>3) The type, size and construction of the mooring.</u></p>
Johnston J	Unclear	<p>The submitter comments on the implications of no longer having a non-complying activity for existing moorings outside of mooring zones. It is unclear if the submitter is seeking relief.</p>
Landowners Coalition Inc	Amend	<p>Moorings that existed before 1 September 2017 be treated as a permitted mooring, whether authorised or not.</p>
Lang R	Amend	<p>Permit moorings in existence before 1991.</p>
Te Runanga o Whaingaroa	Unclear	<p>General comment that the current number of permitted moorings in Whangaroa Harbour is at its limit.</p>



### C.1.2.1

Vessels not underway – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain rule C.1.2.1 as notified
CEP Services Matawhi Limited	Amend	<p>Make amendments as necessary to avoid the following unintended consequences:</p> <ul style="list-style-type: none"> <li>Under the rule vessels anchoring in a bay during the day and moving elsewhere during the day could be subject to its provisions.</li> <li>Clause 5 provides structure owners with powers that are inconsistent with the general right to public access within the coastal marine area.</li> </ul>
New Zealand Defence Force	Amend	<p>Amend C.1.2.1 as follows:</p> <p><i>1) Securing a vessel to land (<del>seabed, foreshore or shore</del>),...</i></p> <p>OR</p> <p><i>3) placing a vessel in contact with the land (<u>seabed, foreshore or shore</u>) (deliberately or unintentionally),</i></p> <p>AND/OR</p> <p>Review references to "land" throughout the Plan and ensure consistency of use, possibly clarifying in definitions.</p> <p>AND</p> <p>Ensure language used aligns with rule C.1.2.10.</p>
New Zealand Defence Force	Amend	<p>Amend C.1.2.1 to cover associated disturbance under RMA s12(1)(c).</p> <p>OR</p> <p>Include a permitted activity rule for minor disturbance of the foreshore and seabed.</p>
Northport Ltd	Amend	<p><i>Add 7) <u>the vessel (including its anchor) is not anchored within the Coastal Commercial Port Zone or a commercial shipping channel.</u></i></p> <p>Include commercial shipping channels on plan maps.</p>
Philbrick B	Amend	<p>Delete rule C.1.2.1 and replace with:</p> <p><i><u>The temporary anchoring, mooring or grounding of small ships<sup>1</sup>, within the mare and coastal area are permitted activities provided that:</u></i></p>

Submitter	Position	Summary of decision requested
		<p><u>a) the ship does not remain anchored or moored or grounded at any given place in the marine and coastal area for more than 60 consecutive days, or part days, after which the ship must not be re-anchored, moored or grounded within 1000 metres of that place for 3 days (72 hours)</u></p> <p><u>b) exclusions to the rule are only be reason of:</u></p> <p><u>i) bad weather<sup>2</sup>, accident or emergency, or</u></p> <p><u>ii) necessity of carrying on important repairs to the ship or ship's equipment, or</u></p> <p><u>iii) if the ship is secured to an authorised mooring or berth.</u></p> <p><sup>1</sup> <u>In this rule ship has the same meaning as in the Maritime Transport Act</u></p> <p><sup>2</sup> <u>In this rule bad weather means weather which, in the considered opinion of the ship's master (skipper), would make it unsafe to move or re-secure the ship in the conditions prevailing.</u></p>
Ricketts G and F	Amend	The submitter expresses opposition to clause 3 of rule C.1.2.5 however the relief sought is unclear. The submitter states the rule is too prescriptive and restrictive and should at least be subject to a discretion available to be exercised on reasonable grounds.
Thornton P	Amend	<p>Include the following exclusion in the rule:</p> <p><u>Clauses 4a and 4b do not apply to any vessel anchored within one nautical mile of a property containing a dwelling owned or occupied by the owner of that vessel.</u></p>
Yachting NZ	Amend	<p>Delete condition 4) and replace with:</p> <p><u>4) the vessel is not:</u></p> <p><u>a) in an enclosed water the vessel is anchored for no more than 60 consecutive calendar days or part days and does not re-anchor within that enclosed water within 3 calendar days. (This rule does not apply to vessels anchoring in the outer Bay of Islands and outer Whangaroa Harbour between 1 November and 31 March or vessels actively being used in the construction, maintenance, repair of structures), and</u></p> <p><u>b) in the outer Bay of Islands and Whangaroa Harbour between 1 November and 31 March, the vessel is anchored for no more than 60 consecutive calendar days or part days in one location and does not re-anchor within that location within 3 calendar days. This rule does not apply to vessels actively being used in the construction, maintenance, repair of structures).</u></p>

## C.1.2.2

## Vessels – sewage management – permitted activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Amend the rule or the definition of 'sewage holding tank' to include the use of chemical toilets.
Aquaculture NZ Auckland Council Durham G Parua Bay Oysters	Support	Retain C.1.2.2 as notified.
Claydon C	Amend	Amend rule C.1.2.2 by deleting the 10 night limit (clause 2) and replace with condition that people cannot sleep aboard a vessel with full holding tanks.
Miru M Tinopai RMU Limited	Amend	Include a new clause 5) that reads <i>5) <u>the vessel(s) are not within an Area of Significance to tangata whenua</u></i>
Philbrick B	Amend	Delete rule C.1.2.2.
Te Runanga o Whaingaroa	Amend	Amend to give more assurance that an adequate level of monitoring that will be undertaken. There is little reference to greywater discharge from vessels. Submitter is also concerned about the permitted distance for a discharge off-shore and from a marine farm.
Yachting NZ	Amend	Delete conditions 2), 3) and 4) of the rule.

## C.1.2.3

## New swing moorings in a Mooring Zone – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain rule C.1.2.3 as notified

Submitter	Position	Summary of decision requested
Northport Ltd		
Miru M Tinopai RMU Limited	Amend	Include a new clause 5) that reads <i>5) <u>the swing mooring(s) are not within an Area of Significance to tangata whenua</u></i>

#### C.1.2.4

Existing mooring in a Mooring Zone – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain rule C.1.2.4. as notified

#### C.1.2.5

Existing swing mooring outside Mooring Zone – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Link this provision to a policy preventing the proliferation of moorings and other structures in sensitive locations. Such locations include more than areas of outstanding landscape or natural character values.
CEP Services Matauwhi Limited	Amend	The addition of a further standard that the existing mooring is not located in any mapped special area or in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Lang G	Amend	Delete subsections 3) a) and b) and 5).
Auckland Council Durham G Matauri Trustee Limited	Support	Retain C.1.2.5 as notified.
Mace C		Amend rule C.1.2.5. as follows:

Submitter	Position	Summary of decision requested
		<p>...</p> <p><del>3) the mooring is:</del></p> <p><del>a) the only mooring associated with a property, and</del></p> <p><del>3b) the mooring is located within a two kilometres of the property, and</del></p> <p>...</p>
Miru M Tinopai RMU Limited	Amend	<p>Include a new clause 8) that reads</p> <p>8) <u>the swing mooring(s) are not within an Area of Significance to tangata whenua</u></p>
MLP LLC	Amend	Amend rule C.1.2.5 as follows:
		<p><del>3) the mooring is:</del></p> <p><del>a) the only mooring associated with a property, and</del></p> <p><del>3b) the mooring is located within a two kilometres of the property, and</del></p> <p>...</p> <p>OR</p> <p>...</p> <p><del>3) the mooring is:</del></p> <p><del>3a) the there is only one mooring associated with a property with a coastal frontage less than 500m and for a property with coastal frontage exceeding 500m no more than one mooring per 500m of coastal frontage, and</del></p> <p><del>3Ab) the mooring is located within a two kilometres of the property, and</del></p> <p>...</p>

### C.1.2.6

Relocation of a mooring by the Harbourmaster – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain C.1.2.6 as notified.

Submitter	Position	Summary of decision requested
Durham G		
CEP Services Matauwhi Limited	Amend	Add a further standard that the existing mooring is not located in any mapped special area or in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Yachting NZ	Amend	Reference to "Regionally Significant Anchorage" should be deleted and replaced with "Recognised Anchorages and Recognised Recreational Anchorages".

### C.1.2.7

Maintenance and repair of moorings – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G MLP LLC	Support	Retain rule C.1.2.7 as notified.

### C.1.2.8

New mooring in a Mooring Zone with limited shore-based facilities – restricted discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain C.1.2.8 as notified.
Bay of Islands Maritime Park Inc	Amend	Add to matters of discretion: <i><u>the ability to create a mooring that is secure in poor weather and sea conditions</u></i>
CEP Services Matauwhi Limited	Amend	Add to matters of discretion: <i><u>effects on the characteristics and qualities of any nearby special area.</u></i>

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Add to matters of discretion:  <i><u>the need for the integrated management of any associated land use effects outside the CMA</u></i>
Kaipara District Council	Amend	Add to matters of discretion:  <ul style="list-style-type: none"> <li>• <i><u>the need for the integrated management of any associated land use effects outside the Coastal Marine Area</u></i>;</li> <li>• <i><u>'the effect of the location of the Mooring Zone on established community uses in the area'</u></i></li> </ul>
Royal Forest and Bird Protection Society NZ	Oppose	Add a matter of discretion for: effects on indigenous biodiversity.

### C.1.2.9

Placement or relocation of a mooring and the occupation of space – discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain C.1.2.9 as notified.
GBC Winstone	Amend	Amend rule to provide for the following new rule as follows  <i><u>8) C.1.1.X New moorings in the Coastal Commercial Zone – controlled activity....</u></i>
Upperton T	Amend	Don't allow new moorings outside designated mooring areas.

### C.1.2.10

Vessels not underway and sewage management – discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain C.1.2.10 as notified.

Submitter	Position	Summary of decision requested
New Zealand Defence Force	Amend	Amend C.1.2.10 to cover associated disturbance under RMA s12(1)(c).
Yachting NZ	Amend	<p>Amend rules to recognise and allow for discharge of sewage from ships in line with the Resource Management (Marine Pollution) Regulations 1998 as a permitted activity. The distance and depth dimensions should be:</p> <p><u>a. provide for discharge of untreated sewage from a ship as a permitted activity provided it is:</u></p> <p><u>i. more than 500 m (0.27 MN) from Mean High Water Springs; and</u></p> <p><u>ii. greater than 5 m water depth; and</u></p> <p><u>iii. more than 500 m (0.27 NM) from a marine farm, marine reserve or mataitai reserve.</u></p> <p><u>b. provide for discharge of Grade A sewage from a ship as a permitted activity provided it is:</u></p> <p><u>i. more than 100 m (0.27 NM) from a marine farm.</u></p> <p><u>c. provide for discharge of Grade B sewage from a ship as a permitted activity provided it is:</u></p> <p><u>i. more than 500 m (0.27 MN) from Mean High Water Springs; and</u></p> <p><u>ii. more than 500 m (0.27 NM) from a marine farm, marine reserve or mataitai reserve.</u></p>

### C.1.2.11

Moorings in significant areas – non-complying activity

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain C.1.2.11 as notified.
CEP Services Matauwhi Limited	Amend	The expansion of the special areas listed in the rule to include all other special areas and any area which meets any of the criteria for significance listed in Appendix 5
Heritage NZ	Amend	<p>Retain C.1.2.11 as notified with following amendment:</p> <p>...</p> <p><u>4) Historic Heritage Area.</u></p>



Submitter	Position	Summary of decision requested
		<u>5) Site or Area of Significance to Tangata Whenua.</u>
Royal Forest and Bird Protection Society NZ	Amend	Amend rule to make new moorings in significant ecological areas a non-complying activity.
Yachting NZ	Amend	Reference to "Regionally Significant Anchorage" should be deleted and replaced with "Recognised Anchorages and Recognised Recreational Anchorages".

### C.1.3 Aquaculture

#### General submissions on aquaculture rules

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Include a new restricted discretionary activity rule in the plan for small scale and short duration aquaculture outside areas with significant or outstanding values. Suggested matters of discretion could include the following:</p> <p><u>'The regional Council restricts its discretion to the following matters:</u></p> <p><u>a) Measures to avoid, remedy or mitigate the adverse effects of the activity on:</u></p> <p><u>i Ecology</u></p> <p><u>ii Natural character</u></p> <p><u>iii Cultural values</u></p> <p><u>iv Recreation</u></p> <p><u>b) Area of the common marine and coastal area occupied by the activity</u></p> <p><u>bb) Cumulative effects arising from other aquaculture activities</u></p> <p><u>bc) The total area being utilised for aquaculture research in the region</u></p> <p><u>c) Use of underwater lighting</u></p> <p><u>d) Antifoulant management on structures – for example the use of antifoulants cleaning methods and associated discharges</u></p> <p><u>e) Navigation safety requirements</u></p> <p><u>f) Duration of the activity</u></p> <p><u>g) Requirements to remove all structures, organisms and other items from the area if the operation is closed</u></p> <p><u>h) Use of feed additives in the coastal marine area</u></p>

Submitter	Position	Summary of decision requested
		<p><i>i) Monitoring and reporting requirements</i></p> <p><i>j) Management of biosecurity risks'</i></p> <p>Add new policy to provide support for this rule along the lines of the Auckland Unitary Plan F2.15.3:</p> <p><i>6) Provide for aquaculture research trials in appropriate locations and of a limited scale and duration</i></p>
<p>Far North District Council</p> <p>Kaipara District Council</p> <p>Whangarei District Council</p>	Amend	Unclear but seeks, as a matter of discretion, for all applications for new aquaculture activities or extensions, <i>'the need for the integrated management of any associated land use effects outside the Coastal Marine Area'</i> .
Johnston J	Unclear	The submitter comments that it appears that Treaty Settlements are directing the NRC to put to one side their evidential analysis and recommendations to promote sustainable development under the RMA, and instead provide exemptions, whereby development and some activities (i.e. aquaculture) can be approved when undertaken by Marae or Iwi/hapu for their self-interest or for their own purposes (not as kaitiaki), that would otherwise not be approved if proposed by any other party.
Landowners Coalition Inc	Amend	<p>The "sites of significance to Tangata Whenua" be better defined.</p> <p>Marae-based aquaculture be treated in all respects in the same manner as other applications.</p>
<p>Mataka Residents Association</p> <p>Robinia Investments Ltd</p> <p>Paroa Bay Station</p>	Amend	<p>Amend the aquaculture provisions to align with aquaculture provisions in the Operative Coastal Plan (as amended by Plan Change 4).</p> <p>Oppose those parts of the Proposed Plan which seek to relax the provisions applying to aquaculture in the Bay of Islands under the current Operative Plan, as established through Plan Change 4.</p> <p>Amend the rules so that Outstanding Natural Landscapes are protected in the same manner as Outstanding Natural Character areas.</p>
Moana NZ	Amend	Amend section C.1.3 (ie section C.1.3.2 to section C.1.3.14) to include s12(1)(d) & s14(3) within the RMA activities section of the rule.
NZ Oyster Industry Association	Amend	That rules C.1.3.2 to C.1.3.14 are amended to specifically refer to RMA s12(1)(b) and s14(3). (Note the relief sought refers to s12(1)(d) but it is meant to refer to 12(1)(b)).

Submitter	Position	Summary of decision requested
Patuharakeke Te Iwi Trust Board	Amend	Add "Effects on Sites and Areas of Significance to Tangata Whenua" as a matter of control and matter of discretion to all controlled and discretionary activity rules for aquaculture.
Ricketts G and F	Amend	In addition to the current prohibited areas of aquaculture, the balance of the Bay of Islands should also be a prohibited area for commercial aquaculture.
Scrumptious Fruit	Amend	All aquaculture resource consent applications must be publicly notified.
Te Runganga o Ngati Rehia	Amend	Remove or amend prohibition areas where Hapu and Iwi wish to develop aquaculture.
Westpac Mussels Distributors Limited	Amend	Add a new rule so that changing the type of species farmed in existing consented marine farms is a controlled activity.
Westpac Mussels Distributors Limited	Amend	Add a new rule so that changing the method of farming of species currently farmed in existing consented marine farms is a controlled activity.
Yachting NZ	Amend	The full content of Plan Change 4 (wording, objectives, policies, rules and aquaculture prohibited zones) be carried over as written into the Northland Regional Plan.

### C.1.3.1

Re-consenting aquaculture (not finfish) – controlled activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Retain the rule but amend the matters of control in rule C.1.3.1 as follows:</p> <p><i>Matters of <u>control</u> discretion:</i></p> <p><i><del>1. Effects on marine mammals, birds and benthic habitat.</del></i></p> <p><i><u>1. Measures to avoid, remedy or mitigate significant adverse effects on reefs and/or biogenic habitat underneath and within 20 metres of the marine farm.</u></i></p> <p><i><u>1A. Management practices to minimise marine mammal and seabird interactions with the marine farm, including entanglement</u></i></p> <p><i><del>2. Effects on food (plankton) availability in the water.</del></i></p>

Submitter	Position	Summary of decision requested
		<p><del>3. The risk of introducing or spreading marine pests</del> <u>Management of biosecurity risks.</u></p> <p><del>4. Lighting.</del></p> <p>5. Noise.</p> <p>6. Integrity of the structure.</p> <p><u>7. Navigation safety, including the provision of navigation warning devices and signs in accordance with the Maritime Transport act 1994 and any successor legislation.</u></p> <p>8. The need to upgrade, replace or remove any derelict or disused structures.</p> <p>9. The mechanism to recover the full cost of the repair or removal of abandoned or derelict farms and reinstatement of the environment.</p>
Auckland Council  National Institute of Water and Atmospheric Research Limited	Support	Retain Rule C.1.3.1 as notified.
Bay of Islands Maritime Park Inc	Amend	Extend the matters of discretion to include impacts on sedimentation.
CEP Services Matauwhi Limited	Amend	Add Significant Bird Areas and Significant Marine Mammal Areas to clause 2 of the rule.
Far North District Council	Amend	Request that the following matter of discretion be added:  <u>Effect of proposed activity on the use of any public boat ramp and parking, and whether there is sufficient existing boat ramp and parking available.</u>
Heritage NZ	Amend	<p>Retain C.1.3.11 as notified but modify as follows:</p> <p>2) no part of an area of occupation is in a mapped (refer I 'Maps'):</p> <p>...</p> <p><u>e) Historic Heritage Area, and</u></p> <p>...</p> <p>Matters of Discretion:</p> <p>...</p> <p>10) <u>Effects on historic heritage that has not yet been assessed for significance.</u></p>

Submitter	Position	Summary of decision requested
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Re-consenting existing aquaculture in an Aquaculture Exclusion Area to be fully discretionary activity.
Moana NZ	Amend	<p>C.1.3.1 be amended as follows:</p> <p>...</p> <p>4) <i>there is no change, <u>that is more than minor</u>, to the activities as authorised by the existing, expired or lapsed coastal permit (other than a decrease in the area of occupation).</i></p> <p>...</p> <p><i>The RMA activities this rule covers:</i></p> <ul style="list-style-type: none"> <li>• <i>Occupation of space in the common marine and coastal area (s12(2)(a)).</i></li> <li>• <i>Damage, destruction or disturbance of the foreshore or seabed (s12(1)(c), (e) and (g)).</i></li> <li>• <i><u>Erect, reconstruct, place, alter, extend, remove or demolish any structures or any part of a structure on the foreshore or seabed (s12(1)(b)).</u></i></li> <li>• <i>Deposition onto the foreshore or seabed (s12(1)(d)).</i></li> <li>• <i><u>Taking and use of coastal waters (s14(3)(a)).</u></i></li> <li>• <i>Discharge of contaminants (s15(1)(a)).</i></li> </ul>
Moana NZ	Amend	Amend Rule C.1.3.1 to clearly allow a vessel mooring within the farm as part of the controlled activity.
NZ Oyster Industry Association	Amend	<p>Amend rule to clearly allow a vessel mooring within the farm as part of the controlled activity and as follows:</p> <p>...</p> <p>4) <i>there is no change, <u>that is more-than-minor</u>, to the activities ...</i></p> <p>...</p> <p><i><u>Erect, reconstruct, place, alter, extend, remove or demolish any structures or any part of a structure on the foreshore or seabed (s12(1)(b)).</u></i></p> <p><i><u>Taking and use of coastal waters (s14(3)(a)).</u></i></p>
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule to make re-consenting in outstanding landscapes a discretionary activity.

Submitter	Position	Summary of decision requested
		If the activity is considered in an outstanding landscape provide for public notification in recognition that these landscapes are of national importance.
Scrumptious Fruit	Amend	Make re-consenting aquaculture a non-complying activity.
Tautari R Patuharakeke Te Iwi Trust Board	Amend	Amend rule to include "Effects on Sites and Areas of Significance to Tangata Whenua" as a matter of control.
Westpac Mussels Distributors Limited	Amend	Amend C.1.3.1 as follows:  <i>4) There is no change to the activities as authorised by the existing, expired or lapsed coastal permit (other than a decrease in the area of occupation, <u>minor changes to the types of species farmed, minor changes to the methods of farming or minor realignments</u>)"</i>
Westpac Mussels Distributors Limited	Support	Support the preclusion of applications to re-consent existing aquaculture activities for public and limited notification. It is assumed submitter wishes this to be retained.
Westpac Mussels Distributors Limited	Amend	Matters of discretion for controlled and restricted discretionary aquaculture activities should be expanded to include:  (a) Whether the activity is located in a significant or outstanding area;  (b) Any existing investment in marine farming structures and equipment; and  (c) The positive effects of aquaculture including social and economic benefits.

### C.1.3.2

Re-consenting aquaculture (not finfish) in a significant or outstanding area – restricted discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	Retain the rule but amend the matters of discretion as follows:  <i>Matters of discretion:</i>  <u>1. Measures to avoid, remedy or mitigate the effects of the aquaculture activity on the values and characteristics which make the Significant Ecological Area, Outstanding Natural Feature, Area of</u>

Submitter	Position	Summary of decision requested
		<p><u>Outstanding Natural Character, or Site or Area of Significance to Tangata Whenua in which the aquaculture activity is located, outstanding or significant.</u></p> <p><del>Effects on outstanding natural character, outstanding natural features and significant marine ecology.</del></p> <p><del>2. Effects on marine mammals, birds and benthic habitat.</del></p> <p><u>2. Measures to avoid, remedy or mitigate significant adverse effects on reefs and/or biogenic habitat underneath and within 20 metres of the marine farm.</u></p> <p><u>2A. Management practices to minimise marine mammal and seabird interactions with the marine farm, including entanglement</u></p> <p><del>3. Effects on food (plankton) availability in the water.</del></p> <p><del>4. The risk of introducing or spreading marine pests</del> Management of biosecurity risks.</p> <p><del>5. Lighting.</del></p> <p><del>6. Noise.</del></p> <p><del>7. Integrity of the structure.</del></p> <p><u>8. Navigation and safety, including the provision of navigation warning devices and signs in accordance with the Maritime Transport act 1994 and any successor legislation.</u></p> <p><del>9. The need to upgrade, replace or remove any derelict or disused structures.</del></p> <p><del>11. Effects on Sites and Areas of Significance to Tangata Whenua.</del></p> <p><del>12. The mechanism to recover the full cost of the repair or removal of abandoned or derelict farms and reinstatement of the environment.</del></p>
Auckland Council National Institute of Water and Atmospheric Research Limited	Support	Retain Rule C.1.3.2 as notified.
Bay of Islands Maritime Park Inc	Amend	Change the activity status to full discretionary.
CEP Services Matauwhi Limited	Amend	Add Significant Bird Areas and Significant Marine Mammal Areas to clause 2 of rule C.1.3.2.
Far North District Council	Amend	Request that the following matter of discretion be added:

Submitter	Position	Summary of decision requested
		<i><u>Effect of proposed activity on the use of any public boat ramp and parking, and whether there is sufficient existing boat ramp and parking available.</u></i>
Heritage NZ	Amend	<p>Retain rule C.1.3.2 but be modified as follows:</p> <p>...</p> <p><i>4) Site or Area of Significance to Tangata Whenua <u>or Historic Heritage Area</u></i></p> <p>...</p> <p><i>Matters of Discretion</i></p> <p>...</p> <p><i>10) Effects on Sites and Areas of Significance to Tangata Whenua.</i></p> <p><i><u>11) Effects on Historic Heritage Areas.</u></i></p> <p><i><del>112) The mechanism to recover the full cost of the repair or removal of abandoned or derelict</del></i></p> <p><i>farms and reinstatement of the environment.</i></p> <p><i><u>13) Effects on historic heritage that has not yet been assessed for significance.</u></i></p>
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	<p>Amend in accordance with Rule 31.4.10(d) of the Operative Plan so that re-consenting existing aquaculture in an Aquaculture Exclusion Area is a fully discretionary activity.</p> <p>Amend so re-consenting existing aquaculture in a Significant Ecological Area, Outstanding Natural Feature, Area of Outstanding Natural Character, or Site or Area of Significance to Tangata Whenua is also a fully discretionary activity.</p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the rule to include consenting in outstanding landscapes.</p> <p>Add a matter of control for effects on outstanding landscapes.</p> <p>Add a matter for control for restoration and rehabilitation of natural character</p>
Ruakaka Parish Resident and Ratepayers Association Inc	Amend	Amend to allow the public to make submissions on these activities.
Scrumptious Fruit	Amend	Re-consenting aquaculture should be a non-complying activity.



Submitter	Position	Summary of decision requested
Tautari R	Amend	Amend rule to include "Effects on Sites of Significance to Tangata Whenua" as a matter of discretion.
Westpac Mussels Distributors Limited	Amend	Change activity status to a controlled activity.
Westpac Mussels Distributors Limited	Support	Support the preclusion of applications to re-consent existing aquaculture activities for public and limited notification. It is assumed submitter wishes this to be retained.
Westpac Mussels Distributors Limited	Amend	<p>Matters of discretion for controlled and restricted discretionary aquaculture activities should be expanded to include:</p> <p>(a) Whether the activity is located in a significant or outstanding area;</p> <p>(b) Any existing investment in marine farming structures and equipment; and</p> <p>(c) The positive effects of aquaculture including social and economic benefits.</p>

### C.1.3.3

#### Realignment of existing aquaculture – restricted discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Retain rule C.1.3.3 but amend the matters of discretion as follows:</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> <li><u>1. Measures to avoid, remedy or mitigate the adverse effects of the aquaculture activity on the values and characteristics which make the Significant Ecological Area, Outstanding Natural Feature, Area of Outstanding Natural Character, or Site or Area of Significance to Tangata Whenua in which the aquaculture activity is located, outstanding or significant.</u></li> <li><i>Effects on outstanding natural character, outstanding natural features and significant marine ecology</i></li> <li><i>2. Effects on Sites and Areas of Significance to Tangata Whenua.</i></li> <li><i>3. Effects on marine mammals, birds and benthic habitat.</i></li> <li><i>4. Effects on food (plankton) availability in the water.</i></li> </ol>

Submitter	Position	Summary of decision requested
		<p><u>2. Measures to avoid, remedy or mitigate significant adverse effects on reefs and/or biogenic habitat underneath and within 20 metres of the marine farm.</u></p> <p><u>3. Management practices to minimise marine mammal and seabird interactions with the marine farm, including entanglement.</u></p> <p><u>4. Effects on benthic values and the seabed underneath the marine farm associated with the proposed anchoring system.</u></p> <p><u>4A. In the newly occupied space, net adverse effects on marine mammals and seabirds taking into account benefits from the space relinquished from the existing authorised area.</u></p> <p>5. Management of biosecurity risks <del>The risk of introducing or spreading marine pests.</del></p> <p>6. Lighting</p> <p>7. Noise.</p> <p>8. Integrity of the structure.</p> <p><u>9. Navigation and safety, including the provision of navigation warning devices and signs in accordance with the Maritime Transport act 1994 and any successor legislation.</u></p> <p>10. The need to upgrade, replace or remove any derelict or disused structures.</p> <p>11. The mechanism to recover the full cost of the repair or removal of abandoned or derelict farms and reinstatement of the environment.</p> <p><u>12. Requirements to surrender consent for space no longer occupied as a result of realignment</u></p>
Auckland Council  National Institute of Water and Atmospheric Research Limited	Support	Retain C.1.3.3 as notified.
Bay of Islands Maritime Park Inc	Amend	<p>Add to the matters of discretion:</p> <p><u>Impacts on areas of high natural character, impacts on sedimentation, cumulative impacts on seabed ecology, impacts on marine recreational users (e.g. kayakers, yacht users).</u></p>
Far North District Council	Amend	Request that the following matter of discretion be added:

Submitter	Position	Summary of decision requested
		<u>Effect of proposed activity on the use of any public boat ramp and parking, and whether there is sufficient existing boat ramp and parking available.</u>
Heritage NZ	Amend	<p>Retain C.1.3.3 but be modified as follows:</p> <p><i>Matters of Discretion:</i></p> <p>...</p> <p><u>12) Effects on Historic Heritage Areas.</u></p> <p><u>13) Effects on historic heritage that has not yet been assessed for significance.</u></p>
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Delete rule or amend so that it does not apply within an Aquaculture Exclusion Area, Significant Ecological Area, Outstanding Natural Feature, Area of Outstanding Natural Character, Mooring Zone, or Site or Area of Significance to Tangata Whenua.
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the rule heading by replacing "existing" with "<u>authorised</u>".</p> <p>Add a matter of discretion to give effect to Policy 11 of the NZCPS.</p>
Tautari R	Amend	Amend rule to include "Effects on Sites of Significance to Tangata Whenua" as a matter of discretion.
Upperton T	Amend	Amend C.1.3.3 to include in matters of discretion the restriction of vessels to anchor, especially in recognised storm anchorages.
Westpac Mussels Distributors Limited	Amend	<p>Matters of discretion for controlled and restricted discretionary aquaculture activities should be expanded to include:</p> <p>(a) Whether the activity is located in a significant or outstanding area;</p> <p>(b) Any existing investment in marine farming structures and equipment; and</p> <p>(c) The positive effects of aquaculture including social and economic benefits.</p>
Westpac Mussels Distributors Limited	Amend	Change activity status to a controlled non-notified activity.
Westpac Mussels Distributors Limited	Amend	Delete subpart 1), 3) and 4) of C.1.3.3.

### C.1.3.4

#### Extensions to authorised aquaculture – restricted discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council National Institute of Water and Atmospheric Research Limited Parua Bay Oysters	Support	Retain rule C.1.3.4 as notified
Bay of Islands Maritime Park Inc	Amend	Add to matters of discretion: <u>Impacts on areas of high natural character, impacts on sedimentation, cumulative impacts on seabed ecology, impacts on marine recreational users (e.g. kayakers, yacht users).</u>
Far North District Council	Amend	Request that the following matter of discretion be added: <u>Effect of proposed activity on the use of any public boat ramp and parking, and whether there is sufficient existing boat ramp and parking available.</u>
Heritage NZ	Amend	Retain rule C.1.3.4 but modified as follows: <i>Matters of Discretion:</i> .... <u>11) Effects on historic heritage that has not yet been assessed for significance.</u>
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Support	Retain the requirement that this rule does not apply within an Aquaculture Exclusion Area, Significant Ecological Area, Outstanding Natural Feature, Area of Outstanding Natural Character, Mooring Zone, or Site or Area of Significance to Tangata Whenua.
Patuharakeke Te Iwi Trust Board Inc	Amend	Include Effects on Sites and Areas of Significance to Tangata Whenua as a matter of discretion
Royal Forest and Bird Protection Society NZ	Amend	Delete rule so that this becomes a fully discretionary activity or non-complying activity.  Include policies which give effect to the RPS and NZCPS Policies 11, 13, 14 and 15.

Submitter	Position	Summary of decision requested
Westpac Mussels Distributors Limited	Amend	Matters of discretion for controlled and restricted discretionary aquaculture activities should be expanded to include: <ul style="list-style-type: none"> <li>(a) Whether the activity is located in a significant or outstanding area;</li> <li>(b) Any existing investment in marine farming structures and equipment; and</li> <li>(c) The positive effects of aquaculture including social and economic benefits.</li> </ul>
Westpac Mussels Distributors Limited	Amend	Amend so that minor extensions to authorised aquaculture activities as proposed in this rule be controlled (non-notified) activities.
Westpac Mussels Distributors Limited	Amend	Delete subpart 2) and 4) of C.1.3.4.
Yachting NZ	Amend	Reference to “Regionally Significant Anchorage” should be deleted and replaced with “Recognised Anchorages and Recognised Recreational Anchorages”. Matters of discretion should include effects on recreational and amenity values.

### C.1.3.5

#### Re-consenting finfish aquaculture – discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	Amend rule C.1.3.5 as follows: <p><i>Re-consenting finfish aquaculture – <u>restricted</u> discretionary activity</i></p> <p><i>An application for a new coastal permit for finfish aquaculture to replace a coastal permit is a <u>restricted</u> discretionary activity, provided:</i></p> <ul style="list-style-type: none"> <li><i>1) the application is made within one year of the coastal permit for the aquaculture activity expiring or lapsing.</i></li> <li><i>2) there is no change to the activities as authorised by the existing, expired or lapsed coastal permit (other than a decrease in the area of occupation).</i></li> </ul> <p><i>Matters of discretion:</i></p> <p><i><u>The Northland Regional Council restricts its discretion to the following matters:</u></i></p>

Submitter	Position	Summary of decision requested
		<p><u>1. Measures to avoid, remedy of mitigate the adverse effects of the aquaculture activity on the values and characteristics which make the Significant Ecological Area, Outstanding Natural Feature, Area of Outstanding Natural Character, or Site or Area of Significance to Tangata Whenua in which it is located.</u></p> <p><u>2. Management of effects on water quality and benthic values.</u></p> <p><u>3. Use of antibiotics, therapeutants and antifouling.</u></p> <p><u>4. Management of underwater lighting to reasonably minimise effects on amenity.</u></p> <p><u>5. Management of lighting structures to reasonably minimise effects on amenity.</u></p> <p><u>6. Management of odour to reasonably minimise effects on amenity.</u></p> <p><u>7. Measures to avoid, remedy of mitigate significant adverse effects on reefs and/or biogenic habitat.</u></p> <p><u>8. Management practices to minimise marine mammal and seabird interactions with the marine farm, including entanglement.</u></p> <p><u>9. Management of biosecurity risks.</u></p> <p><u>10. Noise.</u></p> <p><u>11. Integrity of the structure.</u></p> <p><u>12. Navigation and safety, including the provision of navigation warning devices and signs in accordance with the Maritime Transport act 1994 and any successor legislation.</u></p> <p><u>13. The need to upgrade, replace or remove any derelict or disused structures.</u></p> <p><u>14. The mechanism to recover the full cost of the repair or removal of abandoned or derelict farms and reinstatement of the environment.</u></p>
Auckland Council Bay of Islands Maritime Park Inc Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Support	Retain rule C1.3.5. as notified.
Royal Forest and Bird Protection Society NZ	Amend	That this is not re-consented in significant and outstanding areas.

Submitter	Position	Summary of decision requested
		Include policies which give effect to the RPS and NZCPS Policies 11, 13, 14 and 15.

### C.1.3.6

#### New aquaculture outside areas with significant values – discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Bay of Islands Maritime Park Inc Heritage NZ Parua Bay Oysters	Support	Retain rule C.1.3.6 as notified.
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Retain the requirement that this rule does not apply within an Aquaculture Exclusion Area, Significant Ecological Area, Outstanding Natural Feature, Area of Outstanding Natural Character, Mooring Zone, or Site or Area of Significance to Tangata Whenua.
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule to ensure the new aquaculture is not undertaken within areas of: <ul style="list-style-type: none"> <li>significant indigenous biodiversity based on the criteria in the RPS</li> <li>outstanding natural features and landscapes</li> </ul>
Upperton T	Amend	Do not allow semi-permanent private commercial activity in the Bay of Islands, Rangihoua Bay and in Whangaruru harbour areas.
Westpac Mussels Distributors Limited	Amend	Amend so that new aquaculture outside areas with significant values is a restricted discretionary (non-notified) activity.  Include following matters of discretion:  (a) Whether the activity is located in a significant or outstanding area;  (b) Any existing investment in marine farming structures and equipment; and

Submitter	Position	Summary of decision requested
		(c) The positive effects of aquaculture including social and economic benefits.
Yachting NZ	Amend	Reference to "Regionally Significant Anchorage" should be deleted and replaced with "Recognised Anchorages and Recognised Recreational Anchorages".

### C.1.3.7

New aquaculture in an authorised area – discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Amend C.1.3.7 so the activity status is restricted discretionary, and include matters of discretion along the lines of the following (which were contained in the aquaculture NES document for this type of activity):</p> <p><i><u>a) The duration and lapsing of the consent, review conditions, and conditions restricting public access where that is reasonably necessary for safety, security or biosecurity reasons; and</u></i></p> <p><i><u>b) Location, extent, type, scale, anchoring systems and integrity of marine farm structures, including the layout, positioning (including density), lighting and marking of marine farm structures within the marine farm site in relation to:</u></i></p> <p><i><u>i) ensuring continued reasonable public access (including recreational access) in the vicinity of the marine farm; and</u></i></p> <p><i><u>ii) navigational safety, including the provision of navigation warning devices and signs in accordance with the Maritime Transport act 1994 and any successor legislation; and</u></i></p> <p><i><u>c) Timing of occupation; and</u></i></p> <p><i><u>d) Tangata whenua values such as effects on waahi tapu and taonga; and</u></i></p> <p><i><u>e) Management practices to minimise marine mammal and seabird interactions with the marine farm, including entanglement; and</u></i></p> <p><i><u>f) Management of biosecurity risks; and</u></i></p> <p><i><u>g) The genetic effects of escapees on wild populations; and</u></i></p> <p><i><u>h) Cultural effects from the translocation of taonga species; and</u></i></p> <p><i><u>i) Conditions to manage noise; and</u></i></p> <p><i><u>j) Measures to avoid, remedy or mitigate adverse effects on benthic values and the seabed; and</u></i></p>



Submitter	Position	Summary of decision requested
		<p><i>k) Measures to avoid, remedy or mitigate adverse effects on water quality in terms of organic enrichment; and</i></p> <p><i>l) Effects of seabed disturbance; and</i></p> <p><i>m) Use of antibiotics, therapeutants and antifouling; and</i></p> <p><i>n) Management of underwater lighting to reasonably minimise effects on amenity; and</i></p> <p><i>o) Management of lighting of structures to reasonably minimise effects on amenity; and</i></p> <p><i>p) Management of odour to reasonably minimise effects on amenity; and</i></p> <p><i>q) Information, monitoring and reporting requirements; and</i></p> <p><i>r) Administrative charges, bonds or alternative mechanisms to recover the cost of the repair or removal of abandoned or derelict farms and reinstatement of the environment.</i></p>
Auckland Council	Support	Retain rule C.1.3.7 as notified
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Delete rule
Royal Forest and Bird Protection Society NZ	Amend	Clarify the rule - Ensure that this rule does not overlap with rules which seek to avoid new aquaculture in significant and outstanding areas.
Westpac Mussels Distributors Limited	Amend	<p>Amend so that new aquaculture in an authorised area is a restricted discretionary (non-notified) activity..</p> <p>Include following matters of discretion:</p> <p>(a) Whether the activity is located in a significant or outstanding area;</p> <p>(b) Any existing investment in marine farming structures and equipment; and</p> <p>(c) The positive effects of aquaculture including social and economic benefits</p>

### C.1.3.8

#### New aquaculture in a Maori oyster reserve – discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Parua Bay Oysters	Support	Retain rule C.1.3.8 as notified.

### C.1.3.9

#### Extensions to existing aquaculture in areas with significant values – discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Heritage NZ Parua Bay Oysters	Support	Retain rule C.1.3.9 as notified.
Bay of Islands Maritime Park Inc Eastern Bay of Islands Preservation Society	Amend	Change rule classification to non-complying
Mataka Residents Association Paroa Bay Station Robinia Investments Limited Vision Kerikeri	Amend	Delete rule
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule so that extension of existing aquaculture within an area of significant indigenous biodiversity, outstanding natural character, feature and landscapes is a non-complying.  Amend this rule so that extension of existing aquaculture into a significant or outstanding area is not provided for.

Submitter	Position	Summary of decision requested
Upperton T	Amend	Extension of farms in areas with significant values should be publically notified.
Westpac Mussels Distributors Limited	Amend	Amend so that extensions to existing aquaculture in areas with significant values is a restricted discretionary (non-notified) activity.  Include following matters of discretion:  (a) Whether the activity is located in a significant or outstanding area;  (b) Any existing investment in marine farming structures and equipment; and  (c) The positive effects of aquaculture including social and economic benefits
Westpac Mussels Distributors Limited	Amend	Submitter considers it is more appropriate for subparts 10), 11) and 13) to be assessed on a case-by-case basis. It is assumed the submitter wants these clauses deleted.
Yachting NZ	Amend	Reference to "Regionally Significant Anchorage" should be deleted and replaced with "Recognised Anchorages and Recognised Recreational Anchorages". The activity status should be amended to non-complying.

### C.1.3.10

Marae-based aquaculture in areas with significant values – discretionary activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Parua Bay Oysters	Support	Retain rule C.1.3.10 as notified.
Bay of Islands Maritime Park Inc Eastern Bay of Islands Preservation Society	Amend	Change rule classification to non-complying
Johnston J	Unclear	The submitter comments on the inappropriateness of the rule. However, it is unclear if the submitter is seeking relief.

Submitter	Position	Summary of decision requested
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Amend in accordance with Rule 31.4.10(b) of the Operative Plan, including as to non-complying activity status.
Upperton T	Amend	New structures outside the permitted zones should be publicly notified.
Yachting NZ	Amend	Reference to "Regionally Significant Anchorage" should be deleted and replaced with "Recognised Anchorages and Recognised Recreational Anchorages".

### C.1.3.11

Relocation of aquaculture within the Waikare Inlet and Parengarenga Harbour – non-complying activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	Amend the rule so relocation of aquaculture in the Waikare Inlet and Parengarenga Harbour is a discretionary activity and accompanying policy could be provided to provide site specific direction on how this is to be managed.
Auckland Council Bay of Islands Maritime Park Inc Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Support	Retain rule C.1.3.11 as notified.
Royal Forest and Bird Protection Society NZ	Amend	Include policies which give effect to the RPS and NZCPS Policies 11, 13, 14 and 15.

### C.1.3.12

Small scale and short duration aquaculture in areas with significant values – non-complying activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Heritage NZ Parua Bay Oysters	Support	Retain rule C.1.3.12 as notified.
Mataka Residents Association MLP LLC Paroa Bay Station Robinia Investments Limited Royal Forest and Bird Protection Society NZ	Amend	Delete rule
Westpac Mussels Distributors Limited	Amend	Amend so that small scale and short duration aquaculture in areas with significant values is a discretionary activity
Yachting NZ	Amend	Reference to “Regionally Significant Anchorage” should be deleted and replaced with “Recognised Anchorages and Recognised Recreational Anchorages”.

### C.1.3.13

New aquaculture in a Significant Ecological Area in the Kaipara Harbour – non-complying activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Parua Bay Oysters	Support	Retain rule C.1.3.13 as notified.
Royal Forest and Bird Protection Society NZ	Amend	Delete rule

Submitter	Position	Summary of decision requested
Vision Kerikeri	Amend	Delete Rule C1.3.9 and include aquaculture extension in Rule C.1.3.13 and C1.3.14

### C.1.3.14

#### Aquaculture in areas with significant values – prohibited activity

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	Retain C.1.3.14 but add further supporting/enabling policies which encourage new aquaculture in areas that are not identified with significant values.
Auckland Council Bay of Islands Maritime Park Inc Heritage NZ Mataka Residents Association Paroa Bay Station Robinia Investments Limited Upperton T	Support	Retain rule C.1.3.14 as notified.
MLP LLC	Support	Retain rule C.1.3.14 as notified, except for the inclusion of new exemptions to this rule which go beyond what was agreed in the Plan Change 4 process, In particular, the inclusion of a new exemption for small scale and short duration aquaculture in areas with significant values. Amend rule as follows:  <del>18) non-complying activity under rule C.1.3.12 'Small scale and short duration aquaculture in areas with significant values – non-complying activity', or</del>
Royal Forest and Bird Protection Society NZ	Support	Amend the rule so that it covers new aquaculture in areas: which meet the significant criteria in Policy 4.4.1 of the RPS of outstanding natural features and <u>landscapes</u>
Vision Kerikeri	Amend	Submitter supports rule C.1.3.14 and seeks that aquaculture extensions be included in rules C.1.3.13 and C1.3.14. Also that Rule C1.3.9 be deleted.

Submitter	Position	Summary of decision requested
Westpac Mussels Distributors Limited	Amend	Amend so that aquaculture in areas with significant values is a non-complying activity as opposed to a prohibited activity.
Yachting NZ	Amend	Reference to "Regionally Significant Anchorage" should be deleted and replaced with "Recognised Anchorages and Recognised Recreational Anchorages".
Yachting NZ	Amend	The aquaculture prohibited areas agreed via the Plan Change 4 process remain in totality in the new Regional Plan.

### C.1.4 Mangrove removal

#### *General submissions on mangrove rules*

Submitter	Position	Summary of decision requested
Bream Bay Coastal Care Trust	Amend	Opposes the extraction of mangroves as a permitted or controlled activity
CEP Services Matauwhi Limited	Amend	Insert a further non-complying activity rule for mangrove removal within special areas and in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Hicks M	Amend	Insert new rules that require residents living alongside ecologically sensitive areas following unauthorised mangrove removal, to pay for restoration work via targeted rates.
Hicks M	Amend	Amend to limit mangrove removal to work necessary for infrastructure or navigation channels.
Holloway V	Amend	Unclear what the exact decision sought is but submitter opposes any removal of mangroves without discussion with local hapu and Te Runanga-a-iwi O Ngati Kahu officials and opposes any removal of the requirement for obtaining resource consent for mature or seedling mangrove removal.
Jones R	Unclear	<p>The relief sought by the submitter is unclear however they seek the following outcomes;</p> <ul style="list-style-type: none"> <li>• The protection of mangroves as an indigenous species.</li> <li>• The recognition that mangroves contribute to the welfare of people and ecosystems.</li> <li>• The recognition that mangroves provide habitat for native wildlife and a number of threatened species.</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>The recognition that mangroves are important as a carbon sink and a buffer against more frequent and severe weather events and rising sea levels.</li> <li>Any removal of mangroves must be small scale, evidence based, and limited.</li> </ul>
Kaipara District Council	Amend	Support submissions made by Mangawhai Harbour Restoration on mangrove rules.
Landowners Coalition Inc	Amend	Mangrove removal be permitted in all areas.
Larcombe M	Unclear	Submitter states that until the 1970s, the landward side of State Highway 10 through Te Haumi Bay was clear of mangrove but it is now a mangrove forest.
Lourie D	Amend	<p>Add new text after title C.1.4 Mangrove removal:</p> <p><u>Any consents being applied for within a wildlife refuge should be first discussed with DOC and any written approvals will come via operations managers or directors after a thorough assessment is undertaken.</u></p> <p><u>Any consents being amended within a wildlife refuge be publicly notified and should be first discussed with DOC and any written approvals will come via operations managers or directors after a thorough assessment is undertaken.</u></p>
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Add the following new rules covering mangrove removal within the Mangawhai Harbour:</p> <p><i>Mangrove removal in the Mangawhai Harbour Mangrove Management Area – controlled or restricted discretionary activity</i></p> <p><u>The removal and pruning of mangroves in the Mangawhai Harbour Mangrove Management Area that is not:</u></p> <p><u>1) a permitted activity under rule C.1.4.1 ‘Mangrove seedling removal – permitted activity’, or</u></p> <p><u>2) a permitted activity under rule C.1.4.2 ‘Minor mangrove removal – permitted activity’, or</u></p> <p><u>3) a controlled activity under rule C.1.4.3 ‘Mangrove removal – controlled activity’.</u></p> <p><u>is:</u></p> <p><u>a) a controlled activity in areas where a resource consent for mangrove removal has previously been or is currently granted; and</u></p> <p><u>b) a restricted discretionary activity in areas where a resource consent for mangrove removal has not previously been granted.</u></p>



Submitter	Position	Summary of decision requested
		<p><u>provided the activity complies with the mangrove removal and general disturbance conditions in C.1.8 'Coastal works general conditions'.</u></p> <p><u>Matters of control (for areas with a controlled activity status):</u></p> <p><u>1) Method and timing of activities; and</u></p> <p><u>2) Navigation and safety.</u></p> <p><u>Matters of discretion (for areas seaward of the causeways, having a restricted discretionary status):</u></p> <p><u>1) Effects on birdlife.</u></p> <p><u>2) Effects on landscape and visual amenity values.</u></p> <p><u>3) Method and timing of activities.</u></p> <p><u>4) Navigation and safety.</u></p> <p><u>Matters of discretion (for all other areas with a restricted discretionary status):</u></p> <p><u>5) Effects on natural systems and indigenous biodiversity.</u></p> <p><u>6) Effects on navigation and safety.</u></p> <p><u>7) Effects on landscape and visual amenity values.</u></p> <p><u>8) Method and timing of activities</u></p> <p>Refer to the submission for the Proposed Map of the "Mangawhai Harbour Mangrove Management Area" (Schedule 3).</p> <p>Refer to the submission for the Proposed Mangrove Removal Policy for the "Mangawhai Harbour Mangrove Management Area" (Schedule 4)</p>
Mangawhai Harbour Restoration Society Inc.	Amend	Include a new rule classifying mangrove removal in areas where it can be demonstrated that mangroves were not the long term, pre-anthropogenic historic state of the coastal marine area as "controlled" or "restricted discretionary" activities.
Primrose B	Amend	Supports rules that allow mangrove removal and reclamation activities to be applied for rather than prohibited. However the relevant policies (or lack thereof) appear to fetter what the rules appear to allow.
Royal Forest and Bird Protection Society NZ	Amend	Insert a new prohibited activity rule. Some significant ecological areas are identified as such due to their mangrove values in particular. Removal of mangroves from such areas is akin to felling native trees within protected sites, and should be prohibited.

Submitter	Position	Summary of decision requested
Ruakaka Parish Resident and Ratepayers Association	Amend	Add a new discretionary activity rule providing for the removal of mangroves in areas where they:  1. Contribute to the obstruction of the normal flow of water  2. Redirect the directional flow of water
Stone D	Amend	Amend to include provision that DOC should be consulted and have legal involvement in any large mangrove removal. General comment that the RMA should not be altered to avoid resource consent.
Vaughan J	Amend	Removal of seedlings should be a non-discretionary (sic) activity and need to be checked by an approved person. No motorized vehicles or tools should be allowed

#### C.1.4.1

##### Mangrove seedling removal – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council Bainbridge A Bainbridge J KiwiRail	Support	Retain C.1.4.1 as notified.
Bay of Islands Maritime Park Inc	Amend	Any use of mechanical equipment or transport should be a discretionary activity.  The removal of mangrove seedlings on public land should be a discretionary activity
CEP Services Matauwhi Limited	Amend	Delete Rule C.1.4.1.
Far North District Council	Amend	Replace the word 'pneumatophore' with a plain English term.
Federated Farmers	Amend	Retain the rule with the amendment:  ...  <i><del>1) the mangroves are unbranched and less than 60 centimetres tall; and</del></i>

Submitter	Position	Summary of decision requested
Hicks M	Amend	<p>Amend rule as follows:</p> <ul style="list-style-type: none"> <li>• activity status to controlled or discretionary.</li> <li>• require Department of Conservation permission for any mangrove removal in a Department of Conservation Reserve or Refuge.</li> <li>• allow for the regrowth of mangrove seedlings in areas where there has been unauthorised mangrove removal.</li> </ul>
Lourie D	Amend	<p>Amend C.1.4.1 as follows:</p> <p><i>Pulling or cutting mangroves, and the use of motorised machinery to transport people, tools or removed mangrove vegetation, is a permitted activity provided:</i></p> <p>...</p> <p><i>3) The removal is by hand or using <u>electric battery powered hand-held tools</u> <del>(including motorised)</del>, and</i></p>
La Bonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	<p>Amend Rule C.1.4.1 to read as follows:</p> <p><i>Mangrove seedling removal– permitted activity</i></p> <p><i>Pulling or cutting mangroves, and the use of motorised machinery to transport people, tools or removed mangrove vegetation, is a permitted activity provided:*</i></p> <p><i>1) The mangroves are <del>unbranched and</del> less than 60 centimetres tall, and</i></p> <p><i>2) <del>The mangroves are not among the pneumatophores of any other mangrove, and</del></i></p> <p><i>2) The removal is by hand or using hand-held tools (including motorised), and</i></p> <p><i>3) <del>The removal</del> <u>Removal using motorised tools</u> is not undertaken between <del>1 August and 31 March</del> <u>1 September and 28 February</u> (inclusive) to avoid disturbance of birds during breeding, roosting and nesting periods, and</i></p> <p><i>4) The activity complies <u>with</u> C.1.8 'Coastal works general conditions'.</i></p> <p><i>*The submission actually reads "The removal of mangroves is a permitted activity, provided:" which are the words used in the Draft Plan. It's assumed this is an error and the submitter meant to refer to the words in the proposed plan.</i></p>
Minister of Conservation	Amend	<p>Amend rule as follows:</p> <p><i>Pulling or cutting mangroves, and the use of motorised machinery to transport people, tools or removed mangrove vegetation, is a permitted activity provided:</i></p>

Submitter	Position	Summary of decision requested
		<p>Add an additional condition:</p> <p><u>6) In a significant ecological area (refer I Maps) removal is limited to that necessary to maintain or provide access to existing infrastructure</u></p>
Miru M Tinopai RMU Limited	Amend	<p>Insert new clauses 6) and 7) to read</p> <p><u>6) the activity is not within an Area of Significance to tangata whenua, and</u></p> <p><u>7) if it is located within an Area of Significance, tangata whenua are to be notified for consultation prior to any mangrove seedling removal.</u></p>
New Zealand Fairy Tern Charitable Trust	Amend	<p>Amend Rule C.1.4.1 to make mangrove seedling removal a discretionary activity.</p> <p>Do not permit the use of motorised machinery in rule C.1.4.1 and add an additional clause specifying that the use of motorised tools are not permitted.</p>
New Zealand Fairy Tern Charitable Trust	Support	Retain Clause 4 as notified.
New Zealand Transport Agency	Amend	<p>Retain C.1.4.1 as notified, subject to following amendment:</p> <ul style="list-style-type: none"> <li>4) the removal is <del>undertaken</del><u>not between 1 April and 31 July</u><del>August and 31 March</del> (inclusive) to avoid disturbance of birds during breeding, roosting and nesting periods, and</li> <li>Add definition for "pneumatophores" is included OR replace term with "aerial roots".</li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	<p>Identify particular locations where removal of mangrove seedlings is necessary to maintain:</p> <ul style="list-style-type: none"> <li>regionally significant infrastructure</li> <li>public access and recreation</li> <li>cultural values</li> </ul> <p>Provide for removal as a permitted activity:</p> <ul style="list-style-type: none"> <li>only in those particular locations, and</li> <li>only where the locations do not overlap with identified significant ecological areas,</li> <li>outstanding natural features or landscapes or outstanding natural character areas.</li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	The use of motorised machinery to transport people, tools or removed mangrove vegetation should only be provided for in circumstances where it will not adversely affect significant marine areas or the natural character of the coast.

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	Amend the conditions so that mangroves are single-stemmed and unbranched, less than 40cm and removal is only by hand.
Ruakaka Parish Resident and Ratepayers Association	Amend	Amend so that the removal of all mangrove plants (whether branched or not) less than 60cm is permitted.
Ruakaka Parish Resident and Ratepayers Association	Amend	Amend to delete the requirement to avoid working amidst the pneumatophores of other mangrove plants.
Ruakaka Parish Resident and Ratepayers Association	Amend	Clarify whether the provisions of C.1.4.1 regarding use of motorised hand-held machinery are compatible with the requirement of C.2.1.3 Maintenance of the free flow of water.

### C.1.4.2

#### Minor mangrove removal – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council Bainbridge A Bainbridge J Federated Farmers	Support	Retain C.1.4.2 as notified.
CEP Services Matauwhi Limited	Amend	Make the following amendments to table 1; <ul style="list-style-type: none"> <li>• delete boat ramps and jetties clause 2,</li> <li>• delete wharves and marina berths clause 2,</li> <li>• delete artificial watercourse clause 2,</li> <li>• delete roads, railway lines and bridges clause 1.</li> </ul>
Far North Holdings Limited	Amend	Amend item 2) of the 'boat ramps and jetties row in Table 1 to specify 'ten metres of the footprint of the structure'
Fonterra	Amend	Amend Table 1 of Rule C.1.4.2 as follows:  ...

Submitter	Position	Summary of decision requested		
		<div><div>Table 1</div><table><tr><td>Stormwater <u>and wastewater</u> outlets (also refer to C.1.5.6 'Clearing of stormwater pipe outlets – permitted activity)</td><td><del>1) five metres of the stormwater outlet, and</del>  12) the extent of the clearance is limited to that required to create a free-draining path from the stormwater <u>or wastewater</u> outlet to the sea.</td></tr></table></div>	Stormwater <u>and wastewater</u> outlets (also refer to C.1.5.6 'Clearing of stormwater pipe outlets – permitted activity)	<del>1) five metres of the stormwater outlet, and</del>  12) the extent of the clearance is limited to that required to create a free-draining path from the stormwater <u>or wastewater</u> outlet to the sea.
Stormwater <u>and wastewater</u> outlets (also refer to C.1.5.6 'Clearing of stormwater pipe outlets – permitted activity)	<del>1) five metres of the stormwater outlet, and</del>  12) the extent of the clearance is limited to that required to create a free-draining path from the stormwater <u>or wastewater</u> outlet to the sea.			
GBC Winstone	Amend	<div>Amend Table 1 as follows</div> <ul style="list-style-type: none"><li>Boat ramps and jetties...<del>(2) five metres of the footprint</del><u>either side of the structure, and...</u></li><li>Wharves and marina berths...<del>(2) 10 metres of the footprint</del><u>either side of the structure, and</u></li><li><del>Stormwater Authorised</del> outlets...<del>(1) five metres of the stormwater outlet, and</del> <del>(2) 1) the extent of the clearance is limited to that required to create a free-draining path from the authorised stormwater outlet to the sea.</del></li></ul>		
KiwiRail Morrison G & P New Zealand Transport Agency	Support	Retain C.1.4.2 as notified.		
Heritage NZ	Amend	<div>Amend rule C.1.4.2 to controlled and add the following matter of control;</div> <ul style="list-style-type: none"><li><u>Effects on any mapped (refer I 'Maps'):</u><ul style="list-style-type: none"><li><u>Historic Heritage Area or Site</u></li></ul></li></ul>		
Hicks M	Amend	<div>Amend activity status to controlled or discretionary.</div> <div>Amend to require Department of Conservation permission for any mangrove removal in a Department of Conservation Reserve or Refuge.</div>		
La Bonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	<div>Amend Table 1, under heading "All other structures and farm fencing":</div> <div>Restricted to <del>one</del><u>five</u> metres of the footprint of the structure.</div>		
Minister of Conservation	Amend	<div>Add additional condition:</div> <div><u>6) In a significant ecological area removal is limited to that necessary to maintain or provide access to existing infrastructure.</u></div>		

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	<p>Rule should be limited to seedling removal.</p> <p>In providing for removal of mature mangroves, a distinction should be made between:</p> <ul style="list-style-type: none"> <li>• maintenance of existing activities and structures (which could be a permitted activity where not in a protected site, subject to conditions as set out in the table as modified by amendments proposed below) and</li> <li>• removal for the establishment of new activities and structures. This should be a restricted discretionary activity where not in a protected site, with discretion restricted to effects on natural character, biodiversity and coastal hazards; and a non-complying activity in protected sites.</li> </ul> <p>Once this rule is limited to permitted removal of seedlings, add new conditions:</p> <p><i>"X) Must not be in an areas identified on Maps as a significant ecological area, an IBA, outstanding natural character area, outstanding natural landscape or outstanding natural feature.</i></p> <p><i>X) In the Coastal environment, must not be undertaken in indigenous fish spawning period."</i></p> <p>Amend Table 1 to restrict clearance to two metres either side of any structure or watercourse referred to.</p>
Top Energy	Amend	<p>Amend Table 1 as follows:</p> <ul style="list-style-type: none"> <li>• Existing authorised activity - <i>Electricity transmission structures, lines and cables</i></li> <li>• Maximum allowable area of mangrove removal - <i>200m2</i></li> </ul>
Whangarei District Council	Amend	<p>Amend Clause 2 of Table 1 (Boat ramps and jetties) to read: <i>within 5m around the footprint of the structure</i></p> <p>Delete reference to a free-draining path for stormwater outlets (clause 2) and artificial watercourses (clause 3) in Table 1.</p>

### C.1.4.3

Mangrove removal – controlled activity

Submitter	Position	Summary of decision requested
Auckland Council Morrison G & P	Support	Retain rule C.1.4.3 as notified.

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park inc	Amend	Change activity status to discretionary.
CEP Services Matauwhi Limited	Amend	Insert a further clause such that the rule does not apply in any special area, including all those special areas listed in matter of control, and including Areas of High Natural Character and any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
GBC Winstone	Amend	<p>Add a new authorised purpose for removing mangroves as a controlled activity as follows</p> <p><i>The removal and pruning of mangroves to: ...</i></p> <p><u>(4) necessary for the continued use of authorised structures that is not a permitted activity under rule C.1.4.2 'Minor mangrove removal – permitted activity'...</u></p>
Heritage NZ	Amend	<p>Retain rule C.1.4.3 but modify as follows:</p> <p><i>Mangrove removal – <del>controlled</del> restricted discretionary activity</i></p> <p>....</p> <p><i>That is not:</i></p> <p><i>4) a permitted activity under rule C.1.4.1 'Mangrove seedling removal – permitted activity'; or</i></p> <p><i>5) a <del>permitted</del> <u>controlled</u> activity under rule C.1.4.2 'Minor mangrove removal – <del>permitted</del> <u>controlled</u> activity';</i></p> <p><i>Is a <del>controlled</del> <u>restricted discretionary</u> activity.</i></p> <p>....</p> <p><i>Matters of <del>control</del> <u>discretion</u>:</i></p> <p>....</p> <p><i>4) Effects on any mapped (refer I 'Maps'):</i></p> <p>....</p> <p><i>a) Historic <u>Heritage</u> Area or Site</i></p> <p>....</p> <p><i>5) <u>Effects on historic heritage that has not yet been assessed for significance.</u></i></p> <p>Consequential changes may be required to C.1.4.5 (parts 2 and 3) changing references to the activity status.</p>



Submitter	Position	Summary of decision requested
Ko Te Hua Marae (Ngati Whata Hapu) Parapara Marae (Ngati Tara Hapu)	Amend	Amend the rule so that all mangroves above areas of pipi and cockle beds can be removed. [It is assumed that the submitter wants the activity to be a permitted activity.]
Kurmann A	Amend	Permit removal and ongoing harvesting of mangroves above Pipi and Cockle Beds for the purpose of Maori enterprise involving 'organic charcoal'.
La Bonte' A & R	Amend	Amend C.1.4.3 as follows:  <i>The removal and pruning of mangroves to:</i>  ...  <u>(4) provide access along the CMA in areas where existing and/or historical use has been compromised by the spread of mangroves, or</u>  <u>(5) provide recreational sites, in areas historically used for recreation where removal or pruning involves an area no greater than 500 square metres</u>  ...  <i>is a controlled activity.</i>
Mangawhai Harbour Restoration Society Inc.	Amend	Amend C.1.4.3 as follows:  <i>The removal and pruning of mangroves to:</i>  ...  <u>4) enabling or re-establishing existing lawful public access to and along the coastal marine area, or</u>  <u>5) improve the use of educational facilities (e.g. schools), where the area of removal and pruning involves an area no greater than 500 square metres</u>  ...  <i>is a controlled activity.</i>
Royal Forest and Bird Protection Society NZ	Amend	Change activity status to discretionary activity where the activity would occur in a significant ecological area, outstanding natural landscape or feature or outstanding natural character area.  Limit clearance on "private land" to 50 m2 .
Tautari R	Amend	Add <u>effects on tangata whenua and their taonga</u> to the matters of control

Submitter	Position	Summary of decision requested
Patuharakeke Te Iwi Trust Board Inc		

#### C.1.4.4

#### Mangrove removal in the Whangārei city centre marine zone – restricted discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain rule C.1.4.4 as notified
GBC Winstone	Amend	Amend heading and text as follows  <i>Mangrove removal in the Whangarei city centre marine zone and the Coastal Commercial Zone – controlled activity</i>  <i>The removal and pruning of mangroves in the Whangarei city centre marine zone and the Coastal Commercial Zone that is not:...</i>
Heritage NZ	Amend	Add the following:  <i>5) <u>Effects on historic heritage that has not yet been assessed for significance.</u></i>
LaBonte' A & R	Amend	Amend Rule C.1.4.4 to include Mangawhai Harbour and estuary as areas for restricted discretionary activity in locations where it can be demonstrated (through historic aerial photographs and historic records) that mangroves did not occupy the historic CMA.
Royal Forest and Bird Protection Society NZ	Neutral	Nothing - so long as this zone does not overlap with any protected areas.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Delete "Effects on indigenous biodiversity where it affects the ability of tangata whenua to carry out cultural and traditional activities" and replace with <u>effects on tangata whenua and their taonga</u>
Whangarei District Council	Amend	That the matters of discretion allow consideration of the extent to which the structure supports public access, use and enjoyment of the CMA.

### C.1.4.5

#### Mangrove removal – discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain rule C.1.4.5 as notified
Bay of Islands Maritime Park Inc	Amend	Amend to a non-complying activity in areas of high and outstanding natural character areas and areas of high ecological value.
CEP Services Matauwhi Limited	Amend	Insert a further clause such that the rule does not apply in any special area, including Areas of High Natural Character and any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Mangawhai Harbour Restoration Society Inc.	Amend	Amend C.1.4.5 to include reference to new controlled and restricted discretionary rules submitter requests for mangrove removal at Mangawhai. (See "General submissions on mangrove rules" above).
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend rule to specify that removal of mature mangroves within outstanding natural features, landscapes, natural character areas and significant ecological areas is a non complying activity.</p> <p>Include objectives and policies to support the assessment of applications to remove mangroves. These provisions should identify the ecological, natural character and coastal stability values of mangroves and guide decision makers to decline consent where removal would adversely affect those values.</p>
Top Energy	Amend	Identify highly valued areas or areas with high values (in terms of areas of mature mangroves).
Upperton T	Amend	Change C.1.4.5 to a prohibited activity.

### C.1.5 Dredging, disturbance and disposal

#### *General submissions on dredging, disturbance and disposal*

Submitter	Position	Summary of decision requested
Ashby J	Amend	Dredging for the purposes of getting mooring blocks to sit below surface of seabed should allowed at the discretion of the Harbour Master.

Submitter	Position	Summary of decision requested
Bream Bay Coastal Care Trust	Unclear	Consideration should be given to excluding Whangarei Racing Club from training horses on Ruakaka beach
CEP Services Matauwhi Limited	Amend	Insert a further restricted discretionary activity rule providing for maintenance dredging within any special area or any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Johnson A	Amend	Unclear if specific changes to the plan are sought but submitter comments that conditions for dredging consents (capital and maintenance) need to be defined by area and dredge depth, not by volume.
Kaipara District Council Whangarei District Council	Amend	Add new rule to address the effects of vehicle use which does not comply with rule C.1.5.1.
Lourie D	Amend	Add new rule:  <u>C.1.5.14</u>  <u>Recreational and commercial vehicles on beaches – Controlled Activity</u>  <u>Provided</u>  <u>Owners, managers or drivers of the vehicles provide a plan approved by the Department of Conservation Area Office and the Ministry responsible for fisheries to show that precautions have been taken to protect shellfish, shorebirds, dunes and the subsurface life of the foreshore and seabed.</u>
Lourie D	Amend	Insert the methods and procedures to be used to control use of vehicles on beaches, foreshore, seabed and adjacent public land  Insert a list of locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access. and  Insert a list of areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted,
McConchie A	Amend	Dredging primarily for the passage of motorised recreational vessels in Mangawhai Harbour should be prohibited .
McConchie A	Amend	The sale of dredge spoil from Mangawhai Harbour should be prohibited.

Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Add the following new rule to the plan:</p> <p><u>The deposition of dredge spoil in specified locations is a controlled activity, provided:</u></p> <p><u>1) The activity has previously been a consented activity;</u></p> <p><u>2) The locations for deposition are within the areas previously consented;</u></p> <p><u>3) There is no increase to the volume of the deposition activities, compared to the previously consented activity;</u></p> <p><u>4) The deposition of the dredge spoil (and the associated dredging activity) is not undertaken for the purpose of commercial gain (including any part of a commercial business, venture or activity).</u></p> <p><u>Matters of control:</u></p> <p><u>1) The method used to carry out the activity, and</u></p> <p><u>2) Effects on natural processes, including effects on the stability of the foreshore, and</u></p> <p><u>3) Effects on indigenous biodiversity and ecosystems, and</u></p> <p><u>4) Effects on any mapped (refer I 'Maps'):</u></p> <p><u>a) Nationally Significant Surf Breaks and Regionally Significant Surf breaks.</u></p> <p><u>b) Outstanding Natural Feature.</u></p> <p><u>c) Area of Outstanding Natural Character.</u></p> <p><u>d) Historic Heritage Area or Site.</u></p> <p><u>e) Site or Area of Significance to Tangata Whenua.</u></p> <p><u>f) Significant Ecological Area.</u></p> <p><u>g) Significant Bird Area.</u></p>
New Zealand Defence Force	Amend	Insert a new rule under C.1.5 permitting minor disturbance of the foreshore or seabed (e.g. beach landings and digging holes to provide for temporary water takes), subject to appropriate standards.
New Zealand Fairy Tern Charitable Trust	Amend	Amend the dredging rules as necessary to implement Option B as outlined in the Section 32 Report or at the very least roll over the status quo.
Northport Ltd	Amend	<p>Add a new rule:</p> <p><u>C.1.5.12B</u></p>

Submitter	Position	Summary of decision requested
		<p><u>Dredging and disturbance in the Coastal Commercial Port Zone or commercial shipping channels - discretionary activity</u></p> <p><u>The damage, destruction or disturbance of or deposition onto the foreshore or seabed in the Coastal Commercial Port Zone or in a commercial shipping channel that is not a:</u></p> <p><u>1) permitted activity under rule C.1.5.2 'small scale sampling and scientific investigation - permitted activity</u></p> <p><u>2) permitted activity under rule C.1.5.4 'removal of nuisance marine plant debris - permitted activity</u></p> <p><u>3) permitted activity under rule C.1.5.5 'removal or recovery of wrecked vessels - permitted activity</u></p> <p><u>4) permitted activity under rule C.1.5.6 'clearing of stormwater pipe outlets - permitted activity</u></p> <p><u>5) permitted activity under rule C.1.5.7 'clearing artificial water courses - permitted activity</u></p> <p><u>6) permitted activity under rule C.1.5.8 'clearing tidal stream mouths - permitted activity</u></p> <p><u>7) permitted activity under rule C.1.5.9 'burial of dead animals - permitted activity</u></p> <p><u>8) controlled activity under rule C.1.5.10 'maintenance dredging - controlled activity</u></p> <p><u>is a discretionary activity provided it is not in a mapped (refer I Maps)</u></p>
Refining New Zealand	Amend	<p>Add new rule:</p> <p><u>C.1.5.12A Dredging and disturbance activities associated with regionally significant infrastructure – restricted discretionary activity</u></p> <p><u>Dredging activities associated with regionally significant infrastructure that is not within a:</u></p> <p><u>1) Nationally Significant Surfbreak, or</u></p> <p><u>2) Regionally Significant Anchorage, or</u></p> <p><u>3) Outstanding Natural Feature in the coastal marine area, or</u></p> <p><u>4) Area of Outstanding Natural Character in the coastal marine area, or</u></p> <p><u>5) Historic Heritage Area, or</u></p> <p><u>6) Site or Area of Significance to Tangata Whenua,</u></p> <p><u>is a restricted discretionary activity.</u></p> <p><u>Matters of discretion:</u></p>

Submitter	Position	Summary of decision requested
		<u>1) The method used to carry out the activity.</u> <u>2) The timing of the activity in relation to tides, season or other activities.</u> <u>3) Effects on natural processes including effects on the stability of the seabed and nearby shorelines.</u> <u>4) Effects of disturbance, deposition and discharge associated with the activity, and</u> <u>5) Effects on indigenous biodiversity and ecosystems, and</u> <u>6) Navigation and safety (including notification to the regional council's Harbourmaster and Maritime New Zealand).</u>
Russell Landcare Trust	Amend	Add or amend rules to make the following a permitted activity: <ul style="list-style-type: none"> <li>the drawing up sand from the beach for dune restoration</li> <li>use of a digger or other machinery on the beach</li> </ul>
Te Runanga o Whangaroa	Amend	Opposed to burial at sea within the mana moana of Whangaroa. The distance off-shore and monitoring of burials at sea elsewhere needs to be referenced in the plan. Opposed to scattering of ashes for cremation and plan needs to include a rule stating that this must take place at least 2km off-shore.
Vaughan J	Amend	Dredging in the Mangawhai harbour should be made a non-complying activity because of its significant ecological areas
Whangarei District Council	Amend	Amend rules C.1.5.7 (clearing artificial water courses - permitted activity), C.1.5.8 (clearing tidal stream mouths - permitted activity) and C.1.5.10 (maintenance dredging - controlled activity) to address the effects of acid sulphate soils

### C.1.5.1

Activities on foreshore areas and use of vehicles on beaches – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Specify areas where vehicles are not permitted
Bream Bay Coastal Care Trust	Amend	Make vehicles on Ruakaka, Uretiti and Waipu beaches a prohibited activity unless the purpose is for emergencies, lifeguard services, whale stranding, scientific research and monitoring
Far North District Council	Support	Retain rule (including bylaw reference) as notified.

Submitter	Position	Summary of decision requested
Fire and Emergency NZ	Amend	<p>Amend as follows:</p> <p><i>Any <del>recreational</del> activity on the foreshore as well as the disturbance of the foreshore or seabed by the use of vehicles is a permitted activity, provided:</i></p> <p><i>1. <u>It is an emergency services vehicle providing emergency response), or...</u></i></p>
Heritage NZ	Amend	<p>Retain rule C.1.5.1 be retained but amended as follows:</p> <p><i><u>7) the activity complies with C.1.8 'Coastal works general conditions'. there is no damage to a mapped Historic Heritage Area, and</u></i></p> <p><i><u>8) the activity complies with C.1.8 'Coastal works general conditions'</u></i></p>
Kaipara District Council Whangarei District Council	Amend	<p>Amend C.1.5.1 as follows:</p> <ul style="list-style-type: none"> <li>• Clarify jurisdiction of the rule above mean high water springs.</li> <li>• Exclude vehicle use from areas of significant habitat value.</li> </ul>
Lourie D	Amend	<p>Amend C.1.5.1. as follows:</p> <p><i><u>Passive Activities on foreshore areas and use of vehicles on beaches - permitted activity</u></i></p> <p><i>Any <u>passive</u> recreational activity on the foreshore <del>as well as the disturbance of the foreshore or seabed by the use of vehicles</del> is a permitted activity, provided:</i></p> <p>...</p>
MLP LLC Waiaua Bay Farm Limited	Support	Retain C.1.5.1 as notified.
New Zealand Defence Force	Amend	Retain permitted activity rule for use of vehicles on beaches but amend to make it clear the vehicle use is not confined to recreational vehicles and condition (2) doesn't apply to temporary military training activities.
Royal Forest and Bird Protection Society NZ	Support	<p>Retain conditions and add a new condition:</p> <p><i>X) <u>"vehicles do not enter a mapped areas of ecological significance or Important Bird Areas"</u></i></p> <p>Retain the note regarding bylaws.</p>



Submitter	Position	Summary of decision requested
Vision Kerikeri	Amend	Vehicles should be restricted to the area of beach between a road and boat launching area, and to beaches that are designated road.

### C.1.5.2

#### Small-scale sampling and scientific investigation – permitted activity

Submitter	Position	Summary of decision requested
Minister of Conservation	Support	Retain C.1.5.2 as notified.
New Zealand Transport Agency	Amend	<p>Amend C.1.5.2 as follows:</p> <p><del>Small-scale</del> <i>Sampling and scientific investigation – permitted activity</i></p> <p><del>Small-scale</del> <i>Sampling and scientific investigation in the coastal marine area, including any removal of sand, shingle, shell or other natural material is a permitted activity provided:</i></p> <p><i>1) in a mapped Site or Area of Significance to Tangata Whenua (refer I 'Maps'), no more than 0.2 cubic metres of sand, shingle, shell or other natural material is removed in any 24 hour period, and</i></p> <p><i>2) in all other areas, no more than one 0.2 cubic metres of sand, shingle, shell or other natural material is removed in any 24 hour period, and</i></p> <p><i>3) the head size of any drilling equipment used does not exceed 250 millimetres in diameter, and</i></p> <p><i>4) the activity complies with C.1.8 'Coastal works general conditions'.</i></p>

### C.1.5.3

#### Sampling and scientific investigation – permitted activity

Submitter	Position	Summary of decision requested
Heritage NZ	Amend	<p>Retain rule C.1.5.3 with amendment as follows:</p> <p><del>4) the activity complies with C.1.8 'Coastal works general conditions'; the activity is not in a Historic Heritage Area, and</del></p> <p><del>5) the activity complies with C.1.8 'Coastal works general conditions'</del></p>

Submitter	Position	Summary of decision requested
New Zealand Transport Agency	Amend	Delete C.1.5.3 (see submitter's requested change to C.1.5.2 which combines C.1.5.3 into C.1.5.2)
Northport Ltd	Support	Retain rule as notified.

#### C.1.5.4

##### Removal of nuisance marine plant debris – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain rule as notified.
Minister of Conservation	Amend	Amend C.1.5.2 as follows: <ul style="list-style-type: none"> <li><i>The removal of nuisance marine plant debris washed onto a beach where it <u>restricts safe and legally established public walking access</u> <del>to</del>is significantly adversely affecting amenity or access to and use of the beach, is a permitted activity</i></li> <li>Delete “amenity” from the rule.</li> <li>Add a new condition: <i>6) <u>The activity does not cause adverse effects on intertidal shellfish, particularly the juveniles of species such as tuatua and toheroa.</u></i></li> </ul>
Miru M Tinopai RMU Limited	Amend	Add an extra clause to read: <p><i>6) <u>if the activity occurs within an Area of Significance to tangata whenua, tangata whenua are to be notified for consultation prior to any removal.</u></i></p>

#### C.1.5.5

##### Removal or recovery of wrecked vessels – permitted activity

Submitter	Position	Summary of decision requested
Durham G Northport Ltd	Support	Retain rule as notified.
Miru M	Amend	Add extra clauses to read:

Submitter	Position	Summary of decision requested
Tinopai RMU Limited		<p>3) <i>it (the activity) is not within an Area of Significance to Tangata Whenua, and</i></p> <p>4) <i>if it is located within an Area of Significance, tangata whenua are to be notified for consultation prior to any removal'</i></p>
Ngati Ruamahue of Whangaroa	Amend	Insert words requiring Ngati Ruamahue of Whangaroa to be notified of wrecks being removed if it is within their coastal area.

### C.1.5.6

#### Clearing of stormwater pipe outlets – permitted activity

Submitter	Position	Summary of decision requested
GDC Winstone	Amend	<p>Amend C.1.5.6 as follows</p> <p><i>Clearing of <del>stormwater authorised</del> pipe outlets – permitted activity</i></p> <p><i>Clearing material (excluding mangroves) from a <del>stormwater authorised</del> pipe outlet is a permitted activity, provided:</i></p> <p>...</p>
Kaipara District Council	Amend	Amend C.1.5.6 as follows:
Whangarei District Council		<ul style="list-style-type: none"> <li>Increasing the extent of the clearance area to create a free-draining path to the sea to include a 5m buffer.</li> <li>Delete clause 3) <i>there is no disturbance of indigenous or migratory bird nesting sites.</i></li> </ul>
Miru M	Amend	Amend C.1.5.6 as follows:
Tinopai RMU Limited		6) <i>the regional councils compliance manager and tangata whenua are given at least 3 days notice..</i>
Far North District Council	Support	Retain C.1.5.6 as notified.
New Zealand Transport Agency		
KiwiRail		
G & P Morrison	Amend	Delete clause 5 <i>all vegetation and visibly contaminated material is removed from the coastal marine area, and</i>

Submitter	Position	Summary of decision requested
Refining New Zealand	Amend	<p>Amend C.1.5.6 as follows:</p> <p>...</p> <p>4) excavated material is not mounded, banded or deposited in a manner that creates ponding or the diversion of water on the foreshore and the natural contour of the foreshore or seabed is maintained <u>to the extent practicable</u>, and...</p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend C.1.5.6 as follows:</p> <p>Clearing of <u>authorised</u> stormwater pipe outlets – permitted activity</p> <p>Clearing material <del>(excluding mangroves)</del> from an <u>authorised</u> stormwater pipe outlet is a permitted activity, provided:...</p> <p>x) <u>any removal of mangroves complies with Rule C.4.1.2, and</u></p> <p>y) <u>all other vegetation clearance only occurs within 1m of the outlet and is minimised to the extent required to enable the stormwater discharge from the pipe, and</u></p> <p>...</p> <p>5) <u>all removed or cleared vegetation under conditions X and Y, rubbish and visibly contaminated material is removed from the coastal marine area, appropriately disposed of, and ...</u></p>

### C.1.5.7

Clearing artificial water courses – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Above a minimum size this should be a controlled activity so that guidance can be provided on ways to minimise damage to residual ecological values.
Far North District Council Federated Farmers KiwiRail G & P Morrison New Zealand Transport Agency	Support	Retain C.1.5.7 as notified.
Miru M	Amend	Amend C.1.5.7 as follows:

Submitter	Position	Summary of decision requested
Tinopai RMU Limited		6) <i>the regional councils compliance manager <u>and tangata whenua</u> are given at least 3 days notice..</i>
Ngati Ruamahue of Whangaroa	Unclear	Clearing tidal stream mouths is of concern to us, and we would expect to be consulted on this matter.

### C.1.5.8

#### Clearing tidal stream mouths – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc Eastern Bay of Islands Preservation Society	Amend	Change rule to a controlled activity so conditions can be applied to minimise damage to natural and ecological character areas
Far North District Council Whangarei District Council	Support	Retain C.1.5.8 as notified.
Kaipara District Council	Amend	Amend C.1.5.8 as follows: <ul style="list-style-type: none"> <li>Increasing the extent of the clearance area to create a free-draining path to the sea to include a 5m buffer.</li> <li>Delete <del>there is no disturbance of indigenous or migratory bird nesting sites.</del></li> </ul>
Miru M Tinopai RMU Limited	Amend	Amend C.1.5.8 as follows: <p><i>9) if the activity occurs within an Area of Significance to tangata whenua, tangata whenua are to be notified for consultation prior to any clearing tidal stream mouths.</i></p>
New Zealand Transport Agency	Amend	Amend C.1.5.8 as follows: <p><i>2) the clearance is for the purpose of avoiding flooding of adjacent land <u>and infrastructure</u> or releasing impounded water which is stagnant or a health risk, and</i></p>
Royal Forest and Bird Protection Society NZ	Amend	Amend as sought above for rule C.1.5.6.

### C.1.5.9

#### Burial of dead animals – permitted activity

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	Add new condition to C.1.5.9 as follows:  <i>3) The activity avoids adverse effects on all indigenous species</i>
Ngati Ruamahue of Whangaroa	Unclear	The burial of dead animals is of significance to us, and we would expect to be consulted on this matter.

### C.1.5.10

#### Maintenance dredging – controlled activity

Submitter	Position	Summary of decision requested
Far North District Council Kaipara District Council	Amend	Insert new matter of control: <i>7)i) acid sulphate soils</i>
LaBonte' A & R	Amend	Amend Rule C.1.5.10 to include provisions for work carried out by the Mangawhai Harbour Restoration Society or establish a marine zone with rules specific to Mangawhai Harbour that covers existing, on-going, and future restoration and maintenance works in the Harbour.
LaBonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	Revise Rule C.1.5.10 as follows:  <i>Maintenance dredging (<del>excluding disposal of dredge spoil</del>) (<del>excluding the dumping of dredge spoil</del>) is a controlled activity.</i>  ...
Auckland Council Far North Holdings Limited MLP LLC Northport Ltd	Support	Retain C.1.5.10 as notified.
Heritage NZ	Amend	Retain rule C.1.5.10 with amendments as follows:

Submitter	Position	Summary of decision requested
		<p><i>Maintenance dredging – <del>controlled</del> restricted discretionary activity</i></p> <p><i>Matters of <del>control</del> discretion:</i></p> <p>...</p> <p><i>7) Effects on any mapped (refer I 'Maps'):</i></p> <p><i>d) Historic Heritage Area or Site.</i></p> <p><i>8) <u>Effects on historic heritage that has not yet been assessed for significance.</u></i></p> <p>...</p>
Johnson A	Amend	<p>Amend to a permitted rule with the following conditions:</p> <ul style="list-style-type: none"> <li>• Notify the council of an intention to dredge.</li> <li>• A maximum of 500m<sup>3</sup> can be removed from within 200m of an existing consented coastal marine structure in one 12-month period, and a limit of 1.0m below existing level.</li> <li>• Notify the council regularly, recording the loads on a council supplied load sheet which would include any environmental monitoring requirements.</li> </ul>
Refining New Zealand	Amend	<p>Amend rule as follows:</p> <p>...</p> <p><i>4) Effects of disturbance, deposition and discharge associated with the <u>dredging</u> activity, and</i></p> <p>...</p> <p><i>7) Effects on any mapped (refer I 'Maps'):</i></p> <p><i>a) <u>Nationally Significant Surf Break and Regionally Significant Surf break.</u></i></p> <p><i>b) <u>Outstanding Natural Feature.</u></i></p> <p><i>c) <u>Area of Outstanding Natural Character.</u></i></p> <p><i>d) <u>Historic Heritage Area or Site.</u></i></p> <p><i>e) <u>Site or Area of Significance to Tangata Whenua.</u></i></p> <p><i>f) <u>Significant Ecological Area.</u></i></p> <p><i>g) <u>Significant Bird Area</u></i></p>
Royal Forest and Bird Protection Society NZ	Amend	Clarify that the rule only applies to lawfully established activities.

Submitter	Position	Summary of decision requested
		Amend the rule to provide scope for council to decline consent where effects on significant indigenous biodiversity, IBA (see Attachment A) or outstanding natural character are inconsistent with Policy 11 and 13 of the NZCPS.  Amend the notification requirements.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Add the following matter of control to the rule:  <u>Effects on tangata whenua and their taonga.</u>

### C.1.5.11

#### Beach scraping – restricted discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council Far North District Council	Support	Retain rule C.1.5.11 as notified
Heritage NZ	Amend	Retain rule C.1.5.11 with amendments as follows:  <i>Matters of discretion:</i>  ...  <u>7) Effects on historic heritage that has not yet been assessed for significance.</u>  ...
Royal Forest and Bird Protection Society NZ	Amend	Change the activity classification to full discretionary.  Amend the rule to exclude areas of significant indigenous biodiversity, IBA (see Attachment A of submission) and outstanding natural character.  Make the activity a non-complying activity with the support of new objectives and policies to give effect to the NZCPS.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Add the following matter of discretion to the rule:  <u>Effects on tangata whenua and their taonga.</u>



### C.1.5.12

#### Dredging and disturbance activities – discretionary activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	List all other special areas and any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement in the rule following clause 12.
Heritage NZ	Amend	Retain rule C.1.5.12 with amendment as follows: <i>12) Historic Heritage Area <u>or Site</u>, or</i>
LaBonte' A & R	Amend	Amend the rule to provide recognition that dredge material in Mangawhai Harbour is not waste material and is instead used for the purposes of restoration, maintenance and enhancement of the foreshore.
Mangawhai Harbour Restoration Society Inc.	Amend	Amend the rule as a consequence of the New Rule sought by the submitter relating to the non-commercial deposition of dredge spoil (see "General submissions on dredging, disturbance and disposal" above) to better enable environmental maintenance and restoration activities.
Northport Ltd	Amend	<i>Add 9) discretionary activity under rule C.1.5.12 B 'Dredging and disturbance activities in the Coastal Commercial Port Zone or commercial shipping channels.'</i>
Royal Forest and Bird Protection Society NZ	Amend	Amend conditions 9-10) to include further significant and outstanding areas. This must include all significant indigenous biodiversity that meets the RPS criteria, important bird areas as set out in Attachment A are missing and outstanding landscapes under Policy 15 of the NZCPS.

### C.1.5.13

#### Disposal of certain waste in coastal marine area – discretionary activity

Submitter	Position	Summary of decision requested
LaBonte' A & R	Amend	Amend the rule to provide recognition that dredge material in Mangawhai Harbour is not waste material and is instead used for the purposes of restoration, maintenance and enhancement of the foreshore

Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc.	Amend	Amend C.1.5.13 as follows:  <i>The <del>disposal</del> dumping of the following waste from a ship, aircraft or offshore installation in the coastal marine area is a discretionary activity: ...</i>
Northport Ltd Refining New Zealand	Support	Retain rule as notified.

#### C.1.5.14

##### Other dredging and disturbance activities – non-complying

Submitter	Position	Summary of decision requested
Heritage NZ	Support	Retain rule as notified.
LaBonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	The submitter seeks that its activities in restoring and maintaining the Mangawhai Spit are positively enabled by the Plan (rather than non-complying) and requests amendments to Rules C.1.5.10 and C.1.5.13 to positively enable its activities (see submitter's submission points Rules C.1.5.10 and C.1.5.13).
Northport Ltd	Amend	Amend 1) 'C.1.5.12A'  <i>Add 2) discretionary activity under rule C.1.5.12B 'Dredging and disturbance activities in the Coastal Commercial Port Zone or commercial shipping channels.'</i>  Make consequential renumbering.
Refining New Zealand	Support	The non-complying classification of activities unable to meet the requirements of rules C.1.5.12 'Dredging and disturbance activities – discretionary activity', or C.1.5.13 'Disposal of certain waste in coastal marine area – discretionary activity' is broadly appropriate - subject to removal of the following from the planning maps: <ul style="list-style-type: none"> <li>• Mair Bank Significant Ecological Area</li> <li>• Significant Marine Mammal and Seabird Area overlay from the Whangarei Harbour and Bream Bay</li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	Amend to capture areas set out above (C.1.5.12)

## C.1.6 Reclamations

### General submissions on reclamation rules

Submitter	Position	Summary of decision requested
New Zealand Transport Agency	Amend	Add new rule: <u>C.1.6.1A Minor reclamation maintenance and repair</u> <u>Minor reclamation for the purpose of maintaining, repairing or upgrading a lawful reclamation directly associated with infrastructure (controlled activity)</u>
New Zealand Transport Agency	Amend	Add new rule for declamations (discretionary activity)

#### C.1.6.1

#### Unlawful public road reclamation - controlled activity

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain rule as notified.
New Zealand Transport Agency	Amend	Remove method used to carry out the reclamation (as a matter of control) and replace with a matter of control which focuses on any remedial works necessary to mitigate effects.
Royal Forest and Bird Protection Society NZ	Amend	Add condition to exclude unlawful reclamation where it is not consistent with Policy 11, 13 or 15 of the NZCPS. Consider those cases under a discretionary activity  Amend the notification requirements
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Retain matter of control:  3) <i>Effects on tangata whenui and their taonga</i>

### C.1.6.2

#### Unlawful reclamation – discretionary activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Amend to non-complying activity.
Royal Forest and Bird Protection Society NZ	Amend	Activities which are not consistent with Policy 11, 13 and 15 of the NZCPS should be remediated or removed. Provide policy direction consistent with Policies 11, 13 and 15 of the NZCPS

### C.1.6.3

#### Reclamation for regionally significant infrastructure – discretionary activity

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Add a further clause to this rule that the reclamation is not located in a special area or in any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Far North District Council	Amend	The proposed provisions should differentiate activity status for regionally significant infrastructure AND local government infrastructure by amending as follows  <i>... regionally significant infrastructure <u>or local government infrastructure</u>...</i>
First Gas Limited New Zealand Transport Agency Northport Ltd Transpower Northpower	Support	Retain C.1.6.3 as notified.
Kaipara District Council	Amend	Rule should also apply to core local infrastructure (not just regionally significant infrastructure).
Royal Forest and Bird Protection Society NZ	Amend	Provide policy direction to give effect to Policies 11, 13 and 15 of the NZCPS.

Submitter	Position	Summary of decision requested
		Amend the rule so that new regionally significant infrastructure is a non-complying activity in significant and outstanding areas consistent with Policies 11, 13 and 15 of the NZCPS.

#### C.1.6.4

##### Reclamation – discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain rule C.1.6.4 as notified
Bay of Islands Maritime Park Inc	Amend	Amend to non-complying activity.
CEP Services Matauwhi Limited	Amend	Add further special areas to the list of special areas that the rule does not apply to, including Areas of High Natural Character, Significant Bird Areas, Significant Marine Mammal Areas and any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.
Far North District Council	Amend	The proposed provisions should differentiate activity status for regionally significant infrastructure AND local government infrastructure by amending as follows  <i>... regionally significant infrastructure <u>or</u> local government infrastructure...</i>
Heritage NZ	Amend	Retain rule C.1.6.4 with amendment as follows:  <i>5) Historic Heritage Area <u>or</u> Site, or</i>
Primrose B	Support	Retain a discretionary activity rule for new reclamation activity provided that it is not within any mapped 'special' area or covered by other rules. However, requests that specific policy is included in the plan that provides guidance on assessing the appropriateness, or otherwise, of resource consent applications.
Royal Forest and Bird Protection Society NZ	Amend	Amend to include an exclusion from this rule for reclamation in significant indigenous biodiversity areas and outstanding natural features and landscapes consistent with the RPS and Policies 11 and 15 of the NZCPS.

### C.1.6.5

#### Reclamation in areas with significant value – non-complying activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Amend to prohibited activity.
CEP Services Matauwhi Limited	Amend	Add the further special areas to the list in rule C.1.6.5.
Far North District Council	Amend	The proposed provisions should differentiate activity status for regionally significant infrastructure AND local government infrastructure.
Heritage NZ	Support	Retain rule
Kaipara District Council Whangarei District Council	Amend	Amend so that reclamations in areas of significant value associated with the purpose of regionally significant infrastructure or core local infrastructure be considered are a discretionary activity.
New Zealand Transport Agency	Amend	Clarify that consent for a reclamation for new regionally significant infrastructure would be assessed under C.1.6.3 as a discretionary activity and excluded from C.1.6.5.
Northport Ltd	Amend	Amend as follows:  <i>'A reclamation that is not a discretionary activity under <u>rule C.1.6.3 'Reclamation for regionally significant infrastructure</u> or rule C.1.6.4 Reclamation - discretionary activity, is a non-complying activity.</i>
Royal Forest and Bird Protection Society NZ	Amend	Amend to ensure that reclamation in the additional areas set out above (C.1.6.5) are a non-complying activity.

### C.1.7 Marine pests

#### General submissions on marine pests rules

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain rules in C.1.7 subject to amendments.

Submitter	Position	Summary of decision requested
Far North Holdings Limited	Amend	Delete rules (C.1.7) and provisions (including maps) dependent on the Marine Pathways Plan for Northland until the Marine Pathways Plan has been finalised.
LaBonte' A & R	Amend	Insert a new rule in the plan to permit the control of exotic marine species that are a nuisance in estuaries and harbours and where that species is not farmed commercially. The Pacific oyster should be included as a nuisance species.
Mangawhai Harbour Restoration Society Inc.	Amend	Insert the following new rule in the plan:  <u>C.1.7.8 Removal of marine pests – permitted activity</u>  <u>The removal of marine pests (such as pacific oysters) is a permitted activity in areas where the marine pests are not commercially farmed as of the date the Plan becomes operative, provided that the activity complies with C.1.8 'Coastal works general conditions'.</u>
Minister of Conservation	Amend	Include an introduction to 'C.1.7 Marine Pests' similar to that in Chapter 10 of the Northland Regional Pest and Pathway Management Plan.
Minister of Conservation	Amend	Add a new rule between C.1.7.1 and C.1.7.2 as follows:  <u>Manual sample collection for identification purposes or small scale "patch cleaning" of a vessel hull and niche areas or structures (including moveable structures) is permitted provided:</u>  <ol style="list-style-type: none"> <li>1) <u>The anti-fouling system on the hull and niche areas to be cleaned is within the manufacturer's timeframe of effectiveness.</u></li> <li>2) <u>For a total area of no more than 5% of the hull area including niche areas</u></li> <li>3) <u>The cleaning method will not compromise the existing anti-fouling system</u></li> <li>4) <u>In-water cleaning technologies should capture debris 50 micrometres in diameter</u></li> <li>5) <u>Any debris is collected and appropriately disposed of on land in an appropriate waste disposal</u></li> <li>6) <u>If unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act) are found, the vessel owner or operator must take the following steps:</u> <ul style="list-style-type: none"> <li>• <u>all cleaning must cease;</u></li> <li>• <u>the Council must be immediately notified;</u></li> <li>• <u>cleaning may not recommence until notified by Council to do so, and Notify the MPI Pest and Disease Hotline – 0800 809966</u></li> </ul> </li> </ol>
Minister of Conservation	Amend	Add a new rule between C.1.7.1 and C.1.7.2 as follows:

Submitter	Position	Summary of decision requested
		<p><u>In-water cleaning of a vessel hull and niche areas or structures (including moveable structures) without capture if the fouling is microfouling and goose barnacles" as a permitted activity – outside of the appropriate exclusion zones. And with the following conditions:</u></p> <ol style="list-style-type: none"> <li>1) <u>The anti-fouling system on the hull and niche areas to be cleaned is within the manufacturer's timeframe of effectiveness.</u></li> <li>2) <u>The cleaning method will not compromise the existing anti-fouling system</u></li> </ol>
Minister of Conservation	Amend	<p>Add a new rule between C.1.7.1 and C.1.7.2 as follows:</p> <p><u>Discharges associated with in-water treatment methods that render biofouling organisms non-viable [is a permitted activity provided:]*</u></p> <ol style="list-style-type: none"> <li>1) <u>The anti-fouling system on the hull and niche areas to be cleaned is within the manufacturer's timeframe of effectiveness.</u></li> <li>2) <u>The anti-fouling coating is suitable for treatment.</u></li> <li>3) <u>The treatment method does not include contaminants restricted in other rules in this plan.</u></li> <li>4) <u>The treatment method will not compromise the existing anti-fouling system</u></li> <li>5) <u>If unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act) are found, the vessel owner or operator must take the following steps:</u> <ul style="list-style-type: none"> <li>• <u>all cleaning must cease;</u></li> <li>• <u>the Council must be immediately notified;</u></li> <li>• <u>cleaning may not recommence until notified by Council to do so, and Notify the MPI Pest and Disease Hotline – 0800 80996</u></li> </ul> </li> </ol> <p>*The words in brackets were not included in the submission but it's assumed this is what the submitter intended.</p>
Minister of Conservation	Amend	<p>Add a new rule that provides for in-water cleaning without capture if the fouling is microfouling and goose barnacles only as a permitted activity – outside of the appropriate exclusion zones, with the following conditions:</p> <ol style="list-style-type: none"> <li>1) <u>The anti-fouling system on the hull and niche areas to be cleaned is within the manufacturer's timeframe of effectiveness.</u></li> <li>2) <u>The cleaning method will not compromise the existing anti-fouling system</u></li> <li>3) <u>If unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act) are found, the vessel owner or operator must take the following steps:</u> <ul style="list-style-type: none"> <li>• <u>all cleaning must cease;</u></li> <li>• <u>the Council must be immediately notified;</u></li> <li>• <u>cleaning may not recommence until notified by Council to do so, and Notify the MPI Pest and Disease Hotline – 0800 809966.</u></li> </ul> </li> </ol>



Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Add a new rule between C.1.7.3 and C.1.7.4 as follows:</p> <p><u>In-water cleaning of any vessel hull and niche areas or structure (or moveable structure) provided all fouling and anti-fouling debris is captured to 50 micro-meters and disposed of in an appropriate waste disposal on land" as a permitted activity – outside of the appropriate exclusion zones. And with the following conditions:</u></p> <ol style="list-style-type: none"> <li>1) <u>The anti-fouling system on the hull and niche areas to be cleaned is within the manufacturer's timeframe of effectiveness.</u></li> <li>2) <u>Non-abrasive cleaning methods are used to avoid contaminant risk and coating damage</u></li> <li>3) <u>The cleaning method will not compromise the existing anti-fouling system</u></li> <li>4) <u>In-water cleaning technologies should capture debris 50 micrometres in diameter</u></li> <li>5) <u>Any debris is collected and appropriately disposed of on land in an appropriate waste disposal</u></li> <li>6) <u>If unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act) are found, the vessel owner or operator must take the following steps:</u> <ul style="list-style-type: none"> <li>• <u>all cleaning must cease;</u></li> <li>• <u>the Council must be immediately notified;</u></li> <li>• <u>cleaning may not recommence until notified by Council to do so, and Notify the MPI Pest and Disease Hotline – 0800 809966.</u></li> </ul> </li> </ol>
Minister of Conservation	Amend	<p>Insert a new method in C.1.7 as follows:</p> <p><u>Other method C.1.7</u></p> <p><u>When considering vessel access to or travel within the Northland region, or vessel hull in-water cleaning activities, the provisions of the Northland Regional Pest and Pathway Management Plan Chapter 10 must be complied with.</u></p>
Ministry for Primary Industries	Amend	Ensure consistency in language between the regional plan and the Northland Regional Pest and Marine Pathway Management Plan 2017-2027.
Ministry for Primary Industries	Amend	Ensure flexibility with rules to allow for possible changes to the size of fouling to be captured in-water and removed.
Ministry for Primary Industries	Amend	Amend so that level of fouling standards are consistent with the Craft Risk Management Strategy (CRMS) long-stay threshold for those originating outside the region (for domestic and international vessels).
Mangonui Cruising Club	Amend	Rules should be accompanied by provision of poles and grids throughout the region.

Submitter	Position	Summary of decision requested
New Zealand Defence Force	Amend	<p>Amend rules in C.1.7 to:</p> <ul style="list-style-type: none"> <li>• Better provide for the requirements of commercial and military vessels to avoid unnecessary duplication with other regulatory requirements</li> <li>• Provide for deep water and/or cleaning outside specified areas as permitted activity</li> <li>• Provide for small-scale in-water cleaning as permitted activity</li> <li>• Ensure rule internally consistent</li> <li>• Ensure the use of consistent terminology and alignment with relevant RMA restrictions.</li> </ul>
New Zealand Defence Force	Amend	<p>Amend rules relating to hull biofouling as follows:</p> <ul style="list-style-type: none"> <li>• Include permitted activity rule for passive biofouling discharges for commercial and military vessels</li> <li>• Refine rule to distinguish between vessels of domestic or international origin with different thresholds, level of fouling and management techniques applies depending on origin.</li> <li>• Refine the rules to avoid unnecessary duplication with other regulatory requirements</li> <li>• Ensure the use of consistent terminology and alignment with relevant RMA restrictions.</li> </ul>
Russell Boating Club	Amend	Unclear - submitter skeptical rules in C.1.7 relating to hull biofouling will be effective.

### C.1.7.1

#### Hull biofouling – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council	Amend	<p>Amend rule to clarify the permitted activity rule for the Kaipara Harbour. Suggest wording as follows:</p> <p><i>2) the biofouling on the hull and niche areas on any vessel does not exceed light fouling when it enters:</i></p> <p><i>b) Northland, except if the vessel is <del>entering Northland</del> stays within the Kaipara Harbour and the biofouling on the hull and niche areas of the vessel did not exceed light fouling the last time the vessel entered the Kaipara Harbour.</i></p>
Durham G	Amend	Delete any reference to the Marine Pathways Plan from the Regional Plan.
Minister of Conservation	Amend	Amend rules as follows:

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>• Add a condition to C.1.7.1 that requires the vessel to have an anti-fouling system that is applied in accordance with the manufacturer's instructions, and the anti-fouling system must be within the manufacturer's timeframe of effectiveness.</li> <li>• Clarify how C.1.7.1(1) will be measured and enforced and make necessary amendments.</li> <li>• Amend the activity description of Rule C.1.7.1 by inserting "<u>or structure (including moveable structures) that was sourced within the Northland region</u>" after the words "...niche areas of a vessel".</li> <li>• Clarify the restrictions in C.1.7.1(2) (a) and (b) and amend the rule so that they do not leave loop holes where the risk of introducing marine pests is not managed. Add time limits e.g. once a vessel has left a Marine Pathway Designated Place, it has not berthed, moored or anchored in another location for more than 7 days.</li> <li>• Change <i>Marine Pathways Place</i> to <i>"Marine Pathways Designated Place"</i> in C.1.7.1 (2)(a) and the "Note" to this rule.</li> </ul>
Ministry for Primary Industries	Amend	<p>Amend C.1.7.1 as follows:</p> <ul style="list-style-type: none"> <li>• Include a description of NRC's three pronged approach to marine pest management, such as that contained in the Northland Regional Pest and Marine Pathway Management Plan 2017-2027 (p98) to provide context.</li> <li>• Clarify condition 1) - how NRC will be able to enforce the condition that 'biofouling is not known or likely to contain any marine pest'.</li> <li>• Amend condition 2a) and possibly 2b) to include a timeframe which captures how long and where a vessel has been, while out of these places.</li> <li>• Amend definition of light fouling to follow CRMS thresholds (refer to General Submissions on C.1.7)</li> </ul>
Miru M Tinopai RMU Limited	Amend	<p>Insert a new clause 3) to read <u>the biofouling does not occur within an Area of Significance</u></p>
Refining New Zealand	Amend	<p>Amend rule as follows:</p> <p><i>Note:</i></p> <p><u>The management of biofouling of international vessel arrivals is not managed by the provisions of the Northland Regional Plan. The responsibility for boarder biosecurity sits with the Ministry for Primary Industries.</u></p> <p><i>The Marine Pathway Plan for Northland limits biofouling to light fouling on vessels entering Northland or moving between Marine Pathways Places, unless authorised by an exemption under the Biosecurity Act 1993</i></p>
Yachting NZ	Amend	Delete condition 2).

### C.1.7.2

#### In-water vessel hull and niche area cleaning (development zones) – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Unclear	Submitter would like to discuss potential refinements to help ensure that the provisions are practical and achieve the desired outcomes.
CEP Services Matauwhi Limited	Amend	Amend the rule to: <ul style="list-style-type: none"> <li>• Allow the in-water cleaning of any vessel using a hard antifoul, whether ablative or not.</li> <li>• Allow in-water cleaning in the coastal marine area outside of Significant Ecological Areas or Areas of High or Outstanding Natural Character.</li> </ul>
Durham G	Amend	Amend rule to only allow in-water cleaning: <ul style="list-style-type: none"> <li>• if a vessel is protected with anti-fouling paint without biocides;</li> <li>• for those boats on mooring or marina berths for which the boat owner holds a mooring or marina berth licence.</li> </ul>
Kurmann A	Support	Retain rule permitting in-water cleaning and amend to include scrubbing and scraping, use of poles, grids and some jetties (including Mill Bay jetty and Kerikeri cruising club marina) for the cleaning of vessels. Include a zone where elevated sediment copper levels of at least 1000mg/kg are permitted.
Mangonui Cruising Club	Amend	Amend C.1.7.2 as follows: <ul style="list-style-type: none"> <li>• Make in-water scrubbing of hulls permitted including on tidal poles and grids where scraping should also be allowed.</li> <li>• Allow the copper content in mud on seabed where boats are permitted to be cleaned to be raised to fall in line with the NES (Assessing and Managing Contaminants in Soil to Protect Human Health) level of 10,000 ppm per kg of soil.</li> <li>• Designate areas around poles and grids as 'containment zones' where high levels of copper contaminants are allowed.</li> </ul>
Marsden Maritime Holdings Riverside Drive Marina Russell A Upperton T	Support	Retain rule C.1.7.2 as notified
Minister of Conservation	Amend	Amend C.1.7.2 as follows: <ul style="list-style-type: none"> <li>• Delete condition (1).</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>• Make condition (2) specific to vessels with fouling sourced in Northland.</li> <li>• Add a footnote at the end of Condition (3) of Rule C.1.7.2: "<u>These zones are collectively referred to as 'development zones'.</u>"</li> <li>• OR at the end of Condition (3) of Rule C.1.7.2 add "<u>(development zones)</u>" and add a footnote: "<u>these 'development zones' are considered already modified.</u>"</li> <li>• Split Condition 5 of Rule C.1.7.2 into two conditions: <ul style="list-style-type: none"> <li>◦ <u>the vessel or barge must be less than 25m in length</u></li> <li>◦ <u>the vessel or barge must not have ablative biocidal anti-fouling</u></li> </ul> </li> <li>• Amend condition (6) of Rule C.1.7.2 to: <u>The cleaning method will not compromise the existing anti-fouling system</u></li> <li>• Add a condition to C.1.7.2 that requires the vessel to have an anti-fouling system that is applied in accordance with the manufacturer's instructions, and the anti-fouling system must be within the manufacturer's timeframe of effectiveness.</li> <li>• Re-order the conditions of C.1.7.2 so that those conditions stating what is not allowed are grouped, and what is allowed are grouped.</li> </ul>
Ministry for Primary Industries	Amend	<p>Amend C.1.7.2 as follows:</p> <ul style="list-style-type: none"> <li>• Amend condition 5 to provide greater clarity on whether the vessel or barge has ablative biocidal anti-fouling or not.</li> <li>• General comment that vessels must have an anti-fouling system applied in accordance with the manufacturer's instructions and the anti-fouling system must be within the manufacturer's timeframe of effectiveness.</li> <li>• Amend to include the possibility of capture and removal of fouling in the rules to align with the Antifouling and In-water Cleaning Guidelines 2013.</li> <li>• Amend condition 2) as per comment for C.7.1 'light fouling'.</li> <li>• Insert between condition 4 and 5: <u>that fouling originating from outside the local area where the cleaning is taking place, is captured, removed and disposed of on land in an appropriate facility.</u></li> <li>• Add: <u>Condition 7d) Notify the MPI Pest and Disease hotline if a marine pest is found (0800 80 99 66)</u></li> <li>• Add: <u>Condition 7e) The anti-fouling system on the hull and in the niche areas to be cleaned, must be within the manufacturer's timeframe of effectiveness.</u></li> </ul>
Miru M Tinopai RMU Limited	Amend	Insert a new clause to read 9) <u>the discharge does not occur within an Area of Significance.</u>
Refining New Zealand	Amend	<p>Amend rule as follows:</p> <p>...</p> <p><u>5) the discharge is not located within the commercial shipping channel in the Whangarei Harbour or within 1,000 metres of the Refining NZ jetty, and</u></p>

Submitter	Position	Summary of decision requested
		...
Yachting NZ	Amend	Amend rule, or make provision through introduction of a new rule or amendments to a different rule, to enable in-water vessel hull and niche area cleaning as a permitted activity in the General Coastal Zone provided the biofouling does not exceed Level 3, and conditions 1), 4), 5), 6) and 7) from this rule apply.

### C.1.7.3

In-water vessel hull and niche area cleaning of local barges and large vessels– controlled activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Amend to discretionary activity so that council can decline consent for heavily fouled vessels.  Include a discretionary activity for other structures that can be moved.
Minister of Conservation	Amend	Amend C.1.7.3 as follows: <ul style="list-style-type: none"> <li>• Add a condition to C.1.7.3 that requires the vessel to have an anti-fouling system that is applied in accordance with the manufacturer's instructions, and the anti-fouling system must be within the manufacturer's timeframe of effectiveness.</li> <li>• Clarify that Rule C.1.7.3 applies to any barges larger than 25m.</li> <li>• Amend Rule C.1.7.3 to read: "... or vessel longer than 25m, <u>and neither barge or vessel has ablative biocidal anti-fouling...</u>"</li> <li>• In condition (2) of Rule C.1.7.3: Change "... (Refer Map) ..." to "... (Refer I 'Maps)..." AND Either: add a footnote at the end of Condition (3) of Rule C.1.7.2: "<u>These zones are collectively referred to as 'development zones'.</u>" OR At the end of Condition (3) of Rule C.1.7.2 add "<u>('development zones')</u>" and add a footnote "<u>these 'development zones' are considered already modified.</u>"</li> <li>• Add additional matters of control to Rule C.1.7.3 including: <ul style="list-style-type: none"> <li>◦ <u>8) the vessels travel, cleaning and anti-fouling history</u></li> <li>◦ <u>9) capture and removal of fouling and anti-fouling debris</u></li> </ul> </li> </ul>
Ministry for Primary Industries	Amend	Amend C.1.7.3 as follows: <ul style="list-style-type: none"> <li>• Insert, as condition 1: <u>Vessels must have an anti-fouling system applied in accordance with the manufacturer's instructions, and the anti-fouling system must be within the manufacturer's timeframe of effectiveness.</u></li> <li>• Make existing condition 1, condition 2 and add after the words 'hull cleaned': <u>or the vessel from outside the region only has microfouling (slime layer).</u></li> </ul>

Submitter	Position	Summary of decision requested
		<p><i>which may be removed provided the cleaning method is consistent with the coating manufacturer's recommendations'.</i></p> <ul style="list-style-type: none"> <li>• Add to the matters of control: <i>details such as the history of the vessel (where the vessel has travelled and how long it has been in each place as well as fouling and cleaning history of the vessel).</i></li> <li>• Add to existing matter of control 1: <i>including the capture and removal of anything which is not of local origin (unless the fouling is microfouling)</i></li> <li>• Add a description of the standard for level of fouling (refer to C.1.7.1)</li> </ul>
Refining New Zealand	Amend	<p>Amend rule as follows:</p> <p><i>The discharge of contaminants from a vessel hull and niche area in-water cleaning of any barge, or vessel longer than 25 metres with ablative biocidal anti-fouling, is a controlled activity, provided:</i></p> <p>...</p> <p><i>4) if the discharge is located within 200 metres of the Refining New Zealand Marsden Point site, the written approval of Refining NZ is provided, and</i></p> <p><i>5) there are no known marine pests on the vessel.</i></p> <p><i>6) if any marine pest is found then:</i></p> <p><i>a) all cleaning must cease, and</i></p> <p><i>b) the regional council's biosecurity manager must be notified immediately, and</i></p> <p><i>c) cleaning may not continue until notified to do so by regional council's biosecurity manager.</i></p> <p>...</p> <p><i>Matters of control:</i></p> <p>...</p> <p><i>8) The management of the activity in order to avoid effects on regionally significant infrastructure.</i></p>

#### C.1.7.4

Vessel anti-fouling maintenance on the foreshore – discretionary activity

No submissions

### C.1.7.5

#### In-water vessel hull and niche area cleaning – discretionary activity

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Amend C.1.7.5 as follows:</p> <ul style="list-style-type: none"> <li>Amend the descriptions (1) and (2) from the activity description of Rule C.1.7.5 and add references to the new rules sought in this submission to read as follows (number references are placeholders): <ul style="list-style-type: none"> <li><u>(1) Permitted under rule C.1.7.2</u></li> <li><u>(2) Controlled under rule C.1.7.3</u></li> <li><u>(3) Permitted under rule C.1.7.W</u></li> <li><u>(4) Permitted under rule C.1.7.X</u></li> <li><u>(5) Permitted under rule C.1.7.Y</u></li> <li><u>(6) Permitted under rule C.1.7.Z</u></li> </ul> </li> <li>Add an "s" to "niche area" – so it is "niche areas"</li> <li>Add "<u>or structures (including moveable structures)</u>" after "vessel hull and niche areas"</li> </ul>

### C.1.7.6

#### Passive release of biofouling from vessels – discretionary activity

Submitter	Position	Summary of decision requested
Auckland Council	Amend	Amend activity status for discharges authorised under the Biosecurity Act 1993 for example by including them in C.1.7.1 (permitted activities). The exclusion from the discretionary activity (C.1.7.6 (2)) could then be removed.
Bay of Islands Maritime Park Inc	Unclear	To discuss this further with Council to come up with a more logical provision that covers a wider range of entities.
Durham G	Amend	Delete rule.
Minister of Conservation	Amend	<p>Amend C.1.7.6 as follows:</p> <ul style="list-style-type: none"> <li>Insert "<u>or structures (including moveable structures)</u>" after "vessel hull and niche areas"</li> <li>Add "<u>Discharge of contaminants to water (s15(1)(a) and s15B(1)(a))</u>" under the title "The RMA activities this rule covers"</li> </ul>



Submitter	Position	Summary of decision requested
Ministry for Primary Industries	Amend	<p>Amend C.1.7.6 as follows:</p> <ul style="list-style-type: none"> <li>• Include consideration of marine structures</li> <li>• Amend rule to give consideration to the maintenance and cleaning of structures</li> <li>• In condition 2) 'notice of direction', clarify by adding after the word 'exemption': <u>'permissions or caused as a consequence of a</u></li> <li>• <u>notice of direction under the Biosecurity Act 1993'</u></li> <li>• Amend as per comment on C.7.1 on 'light fouling'</li> </ul>
Yachting NZ	Amend	Amend C.1.7.6 based on sought changes to C.1.7.1

### C.1.7.7

Introduction of marine pests - non-complying activity

Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc.	Support	Retain C.1.7.7 as notified.
Minister of Conservation Upperton T	Amend	Amend the activity status for C.1.7.7 to prohibited.
Ministry for Primary Industries	Support	Support conditional on changes to C.1.7.1

### C.1.8 Coastal works general conditions

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited  Far North Holdings Limited  Fonterra  GDC Winstone	Support	Retain the conditions in C.1.8 as notified.

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	<p>Amend C.1.8 as follows:</p> <ul style="list-style-type: none"> <li>Amend the mangrove removal and pruning provisions following clarification of the rules around mangrove clearance to ensure that natural character and ecological values are adequately protected.</li> <li>Include controls on vessel noise, especially for areas of at least high natural character or ecological values.</li> <li>Expand the lighting controls to address impacts on high and outstanding natural character and ecological values.</li> </ul>
CEP Services Matauwhi Limited	Amend	<p>Make amendments as necessary to address the following;</p> <ul style="list-style-type: none"> <li>condition 4 – condition should include general requirement for any restriction to be the minimum time necessary and in case no more than 7 days</li> <li>condition 7 – there should be a no refuelling in the coastal marine area requirement</li> <li>condition 8 – should apply in all areas of High and Outstanding Natural Character and any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement.</li> <li>conditions 14 to 21 should be deleted if mangrove rules are amended as sought in this submission, otherwise condition 17 should ensure not disturbance to banded rail, condition condition 21 needs to include high natural character areas and any area which meets any of the criteria for significance listed in Appendix 5 of the Regional Policy Statement</li> <li>condition 22 – should include provisions to protect dark sky, and to ensure lighting does not affect birds.</li> <li>a further condition should apply prohibiting the use of explosives</li> </ul>
Far North District Council	Amend	Amend to add a further clause under C.1.8 to require evidence of the approval of the land owner/ administering body to be provided, where a structure spans the interface between the CMA and land.
First Gas Limited	Support	Retain as notified.
Heritage NZ	Amend	<p>Retain C.1.8 with amendments as follows:</p> <p><i>Structures and disturbance</i></p> <p><i>Note: It's unlawful to modify or destroy any archaeological site without the prior authority of Heritage New Zealand. It's possible that archaeological sites may be affected by the activity. Evidence of archaeological sites may include burnt and fire-cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials. If any archaeological evidence is found, it's a legal requirement to stop work and contact Heritage New Zealand.</i></p> <p><i>Note: work affecting archaeological sites is subject to an authority process under the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA"). If any activity associated with a project, such as earthworks, fencing, in-ground signage or</i></p>

Submitter	Position	Summary of decision requested
		<p><u>landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand Pouhere Taonga must be obtained for the work to proceed lawfully. The HNZPTA contains penalties for unauthorised site damage.</u></p> <p><u>Section 6 of the HNZPTA defines an archaeological site as:</u></p> <p>(a) <u>Any place in New Zealand, including any building or structure (or part of a building or structure), that –</u></p> <p style="padding-left: 40px;">(i) <u>was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</u></p> <p style="padding-left: 40px;">(ii) <u>provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u></p> <p>(b) <u>includes a site for which a declaration is made under section 43(1) of the HNZPTA Nineteenth Century buildings and structures above and below ground are archaeological sites and may require an Authority depending upon the nature of the works proposed.</u></p> <p><u>1)The activity must not be an alteration, addition, or affect the setting of a Historic Heritage Site (refer I 'Maps'). It must not be a partial demolition, demolition, removal, or replacement of <del>alter, damage or destroy</del> a Historic Heritage Site.If it is then the activity will default to a discretionary or a non-complying activity status depending upon the nature of the proposed works.</u></p> <p><u>14) The structure or activity must not result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</u></p>
Kaipara District Council  Whangarei District Council	Amend	<p>Amend C.1.8 as follows:</p> <ul style="list-style-type: none"> <li>• Add a further clause to require evidence of the approval of the landowner or administering body to be provided, where a structure spans the CMA and land.</li> <li>• Amend Condition 11a) to allow temporary erosion during construction.</li> </ul>
KiwiRail	Amend	<p>Amend C.1.8 as follows:</p> <p><del>1) The activity must not alter, damage or destroy a Historic Heritage Site.</del></p> <p>...</p> <p><del>5) Disturbance activities, construction, alteration or addition, maintenance or removal of structures must only be carried out during the hours between sunrise and sunset or 6.00am and 7.00pm, whichever occurs earlier; and on days other than public holidays (this excludes the requirement to undertake emergency remedial work such as if a structure is damaged by a natural hazard event). ...</del></p>

Submitter	Position	Summary of decision requested
LaBonte' A & R	Amend	<p>Amend C.1.8 as follows:</p> <p>...</p> <p><i>5) Disturbance activities...during the hours between sunrise and sunset, and on days other than public holidays (this excludes the requirement to undertake remedial work such as if a structure is damaged by a natural hazard <u>event or a natural event has resulted in public health and safety issues – such as the accumulation of nuisance algae on a beach or in a stream).</u></i></p> <p>...</p> <p><i>8)(a) There must be no damage to <u>commercially viable</u> shellfish beds, <del>and no</del> disturbance or damage to seagrass meadows in mapped Significant Ecological Areas (refer I 'Maps')."</i></p> <p><i>8)(b) no disturbance or damage to seagrass meadows in mapped Significant Ecological Areas (refer I 'Maps').</i></p> <p><i>9) Any visible disturbance of the foreshore or seabed must be remedied or restored within 48 hours of completion of works in a mapped (refer I 'Maps') <u>except where the purpose of the activity is to restore, enhance or maintain the area or feature.</u></i></p> <p><i>10) Outside of outstanding natural character, outstanding natural feature or significant ecological areas, any visible disturbance of the foreshore or seabed must be remedied or restored within seven <u>working days unless adverse circumstances arise that make it unsafe to work in the CMA, then restoration or remedial work may be carried out within 10 working days following the end of adverse circumstances, or at time period as agreed with regional council's compliance manager.</u></i></p> <p>Delete Subpart (12) if submitter's proposed amendments to Policy D.4.3 (are not adopted).</p> <p>Revise subclauses 13(a) and (b) as follows:</p> <p><i>Discharges of sediment to water from any activity must not:</i></p> <p><i><del>(a) occur for more than five consecutive days, and for more than 12 hours per day; or</del></i></p> <p><i><del>(b) cause any conspicuous change in the colour of water in the receiving water (measured 150m downstream from the point of confluence with the receiving water where a visible plume enters the receiving water), or any change in the horizontal visibility greater than 30% (after reasonable mixing measured 150m downstream from the point of confluence with the receiving water where a visible plume enters the receiving water), or exceed 10 NTU above background levels (measured at 150m upstream from the point of confluence with the receiving water where a visible plume enters the receiving water) for more than 24 hours after the completion of the activity.</del></i></p> <p><i>17) There must be no disturbance of indigenous or migratory bird nesting sites <u>between 1 September and 28 February (inclusive) to avoid disturbance of birds during breeding, roosting and nesting periods.</u></i></p>

Submitter	Position	Summary of decision requested
		20) Access to removal and pruning areas must, <u>where practicable</u> , use existing open areas or paths and, <del>where practicable</del> , avoid disturbance of <u>commercially viable shellfish beds</u> , soft sand and mud.
Lourie D	Amend	<p>Amend C.1.8 as follows:</p> <p>...</p> <p>18) There must be no <del>equipment refuelling combustion motor powered equipment used on the foreshore or river bed or river banks unless undertaken in a contained area.</del> <u>Battery powered equipment only may be used.</u></p>
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Amend C.1.8 as follows:</p> <p>(5) Revise this subpart to apply only to activities that may cause a nuisance to residents or others nearby.</p> <p>(8) Define shellfish bed (in the definition section of the Plan) using the definition developed by NIWA (2013) or another similar definition.</p> <p>(9) <i>Any visible disturbance of the foreshore or seabed must be remedied or restored within 48 hours of completion of works in a mapped:</i></p> <p style="padding-left: 40px;">(a) Area of Outstanding Natural Character Area, or</p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;"><u>except where an objective of the activity is to support, maintain, enhance or restore the Area or Feature or part of it.</u></p> <p>(10) <i>Outside of outstanding natural character, outstanding natural feature or significant ecological areas, any visible disturbance of the foreshore or seabed must be remedied or restored within seven days, <u>provided that should adverse circumstances arise that make it unsafe to conduct remediation and restoration work in the CMA, then such remediation or restoration work shall be carried out within 10 working days, or within a time period agreed with the regional council's compliance manager.</u></i></p> <p>(12) Delete Subpart (12) if submitter's proposed amendments to Policy D.4.3 are not adopted.</p> <p>(13) Revise subclauses 13(a) and (b) as follows:</p> <p style="padding-left: 40px;"><i>Discharges of sediment to water from any activity must not:</i></p> <p style="padding-left: 40px;"><del>(a) occur for more than five consecutive days, and for more than 12 hours per day, or</del></p> <p style="padding-left: 40px;"><del>(b) cause any conspicuous change in the colour of water in the receiving water (measured 150m downstream from the point of confluence with the receiving water where a visible plume enters the receiving water), or any change in the horizontal visibility greater than 30% (after reasonable mixing measured 150m downstream from the point of confluence with the receiving water where a visible plume enters the receiving water), or exceed 10 NTU above background levels (measured at 150m upstream</del></p>

Submitter	Position	Summary of decision requested
		<p><i>from the point of confluence with the receiving water where a visible plume enters the receiving water) for more than 24 hours after the completion of the activity.</i></p> <p><i>(17) There must be no disturbance of indigenous or migratory bird nesting sites between 1 September and 28 February (inclusive) to avoid disturbance of birds during breeding, roosting and nesting periods.</i></p> <p><i>(20) Access to removal and pruning areas must, <del>where practicable</del>, use existing open areas or paths and, where practicable, avoid disturbance of shellfish beds, soft sand and mud.</i></p>
Minister of Conservation	Amend	<p>Amend C.1.8 as follows:</p> <p><i>8) There must be no damage to shellfish beds and no disturbance or damage to seagrass meadows, <del>in mapped Significant Ecological Areas (refer I 'Maps')</del>.</i></p> <p><i>14) avoid adverse effects on all indigenous coastal species wherever they occur.</i></p>
Miru M Tinopai RMU Limited	Amend	Amend clause 21) so that if the activity is occurring within an Area of Significance to tangata whenua, tangata whenua are also given at least 10 working days notice prior to works being undertaken.
Morrison G & P	Amend	Delete clauses 5 and 14 of C.1.8 Coastal works general conditions.
New Zealand Defence Force	Amend	<p>Amend C.1.8 as follows:</p> <ul style="list-style-type: none"> <li>• Delete condition 23)(a)</li> <li>• Amend condition 23(d) to correct the reference to <i>NZS 68021</i>.</li> <li>• Retain the noise standards for temporary military training activities in condition 25, with the following amendments: <i>Conditions 23(a) to (c) above does not apply to temporary military training activities.</i></li> </ul>
New Zealand Transport Agency	Amend	<p>Amend C.1.8(2) as follows (note - submission refers to C.1.8(4) but it is clear from the text that it is meant to be C.1.8(2)):</p> <p><i>(2) structures <u>except culverts</u> must at all times:</i></p> <p><i>a) be maintained in good order and repair, and</i></p> <p><i>b) not impede fish passage between freshwater and coastal water, and</i></p> <p><i>c) not cause a hazard to navigation, and</i></p> <p><i>4A) For culverts, there is no perched entry or exit which prevents the passage of indigenous fish to upstream waterbodies or downstream to the CMA, except that temporary restrictions to fish passage may occur to enable construction work to be carried out.</i></p>

Submitter	Position	Summary of decision requested
New Zealand Transport Agency	Amend	Amend C.1.8(16) as follows:  <i>16) The activity must not disturb or damage areas of seagrass, saltmarsh, or <del>other</del> wetland.</i>
New Zealand Transport Agency	Amend	Clarify how 200m <sup>2</sup> in C.1.8(21)(a) is measured (e.g. per site or per project).
New Zealand Transport Agency	Amend	Amend C.1.8(23) as follows:  <i>23) Noise from non-port and wharf related activities within the coastal commercial zone or from any activity located outside the coastal commercial zone but within the coastal marine area must comply with the following noise standards:</i>  ...  <i>d) noise must be measured in accordance with NZS 6802:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics - Environmental Noise, unless the noise is covered by (e) or (f) below, in which case the noise should be measured and assessed with the relevant standard: <del>and/or</del></i>  <i>e) construction activities shall be managed in accordance with, and meet the noise limits set out within NZS 6803:1999 Acoustics – Construction Noise, <del>and/or</del></i>  <i>f) helicopter landing areas shall be managed in accordance with, and comply with, the recommended noise limits specified in NZS 6807:1994 Noise management and land use planning for helicopter landing areas.</i>
Northport Ltd	Amend	Amend 5) as follows: <u>Excluding structures in the Coastal Commercial Port Zone, disturbance activities, construction, alteration or addition, maintenance or removal of structures must only be carried out during the hours between sunrise and sunset or 6am and 7pm.....</u>
Northport Ltd	Support	Supports 26) noise standards - assume submitter seeks condition be retained as notified.
Refining New Zealand	Amend	Amend C.1.8 as follows:  <i>8) There must be no damage to shellfish beds and no disturbance or damage to seagrass meadows in mapped Significant Ecological Areas (refer I 'Maps'), <u>except as necessary for the installation of aids to navigation provided for under rule C.1.1.4.</u></i>  <i>12) Discharges must not result in a coastal water quality standard in D.4.3 'Coastal water quality standards' to be exceeded or further exceeded, <u>following reasonable mixing.</u></i>

Submitter	Position	Summary of decision requested									
		<p>23) Noise <del>from non-port and wharf related activities within the coastal commercial zone or</del> from any activity located outside the coastal commercial zone but within the coastal marine area must comply with the following noise standards:</p> <p><del>a) the activity must not cause excessive noise (defined in section 326 of the RMA) outside the coastal marine area, and</del></p> <p><u>Table 2 Noise limits temporary military training activities</u></p> <p>26) Noise from port-related activities located in the Coastal Commercial Zone, <u>other than those activities provided for by condition 27</u>, must comply with the following noise standards:</p> <p>a) the activity must not cause excessive noise (defined in section 326 of the Resource Management Act 1991) outside the coastal marine area, and</p> <p>b) noise must be measured in accordance with the requirements of NZS 6801:2008 – Acoustics – Measurement of environmental sound and NZS 6809:1999 – port noise management and land use planning.</p> <p><u>27) Noise from port related activities in the Coastal Commercial Zone at Marsden Point associated with the Refining NZ and Northport operations shall comply with the following standards in Table 3 when measured and assessed in accordance with NZS6801:2008 Acoustics – Measurement of Environmental Sound and NZS6802:2008 Acoustics – Environmental Noise at the notional boundary of any Noise Sensitive Activity (as defined in the Whangarei District Plan):</u></p> <p><u>Table 3: Noise limits Refining NZ and Northport</u></p> <table> <tr> <th><u>Time (Monday to Sunday)</u></th><th><u>LAeq (15 min)</u></th><th><u>LAFmax</u></th></tr> <tr> <td><u>0700 to 2200 hours</u></td><td><u>55 dB Not applicable</u></td><td></td></tr> <tr> <td><u>2200 to 0700 hours</u></td><td><u>45 dB</u></td><td><u>75 dB</u></td></tr> </table>	<u>Time (Monday to Sunday)</u>	<u>LAeq (15 min)</u>	<u>LAFmax</u>	<u>0700 to 2200 hours</u>	<u>55 dB Not applicable</u>		<u>2200 to 0700 hours</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Time (Monday to Sunday)</u>	<u>LAeq (15 min)</u>	<u>LAFmax</u>									
<u>0700 to 2200 hours</u>	<u>55 dB Not applicable</u>										
<u>2200 to 0700 hours</u>	<u>45 dB</u>	<u>75 dB</u>									
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend C.1.8 as follows:</p> <ul style="list-style-type: none"> <li>17) There must be no disturbance of indigenous or migratory bird <del>nesting sites</del>.</li> <li>XX) <u>the activity must not be undertaken between 1 August and 31 March (inclusive)</u></li> <li>18) There must be no <del>equipment</del> refueling on the foreshore or river bed <del>unless undertaken in a contained area</del>.</li> <li>20) Access to removal and pruning areas must use existing open areas or paths and, <del>where practicable</del>, avoid disturbance of shellfish beds, soft sand and mud.</li> <li>Delete 21)b) as the activity must not be permitted in these areas.</li> <li>Retain other conditions as worded.</li> </ul>									



Submitter	Position	Summary of decision requested
Ruakaka Parish Resident and Ratepayers Association	Amend	<p>Amend C.1.8 as follows:</p> <ul style="list-style-type: none"> <li>Amend Condition 15 to recognise that the ongoing loss of surrounding silt by the action of waterflows and wind will necessarily result in stumps being further exposed by the passage of time.</li> <li>Amend Condition 16 as this requirement is unrealistic.</li> <li>Amend Condition 20 to stipulate that where possible access should use open and existing pathways. If this is impossible then access should be restricted to continually used set pathways.</li> </ul>
Styles Group Acoustics and Vibration Consultants	Amend	<p>Amend noise conditions of C.1.8 (conditions 23 - 26):</p> <ul style="list-style-type: none"> <li>Clarify that "non-port and wharf" is supposed to be "non-port and non-wharf"</li> <li>Condition 23(e) - Remove reference to New Zealand standard NZS6803:1999 and incorporate the basic noise limit tables 2 and 3 from the standard into the rule.</li> <li>Condition 24 - refine to provide certainty as to whether all of the named noise sources should be exempt from the requirements of the plan for all likely activities, or whether the exclusions are intended to apply to port or wharf activities (which are already excluded).</li> <li>Add objective noise limits for port and wharf related activities in coastal marine area.</li> <li>Condition 26 - delete 26(b)</li> <li>Condition 23 - delete "dwelling" and replace with "noise sensitive activity" and add definition.</li> <li>Condition 23(a) and 26(a) - delete requirement to avoid excessive noise and replace with objective limits.</li> <li>Condition 25 - amend table title to reflect it only applies to temporary military training.</li> <li>Condition 25 - amend condition to reflect the realistic potential effects of temporary military training activities in the coastal marine area.</li> </ul>
Top Energy	Amend	<p>Amend Rule C.1.8 as follows:</p> <p><i>C.1.8 General conditions for activities in the coastal marine area that apply when specified in a permitted or controlled activity rule.</i></p> <p><u><i>Except that these general conditions do not apply to emergency works required under S23(c) of the Electricity Act 1992.</i></u></p>
Whangarei District Council	Amend	<p>Provide clarification of how the coastal water quality standards will apply to permitted activities as they are a policy.</p>
Whangarei District Council	Amend	<p>Amend noise conditions as follows:</p> <ul style="list-style-type: none"> <li>Amend 23 to read <u>non-port and non-wharf activities</u></li> <li>Amend 23(e) by incorporating the basic noise limit tables 2 and 3 from New Zealand Standard NZS6803:1999 into the proposed plan.</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>• Amend 23 to refer to noise sensitive activities to protect the amenity of all land uses sensitive to noise and to properly avoid reverse sensitivity effects arising where such activities may locate to noise producers.</li> <li>• Amend 24)a) - the exclusions are considered too broad for general application in the plan as drafted.</li> <li>• Concerned that under condition 26), there are no objective noise limits applying to 'port related activities'. Notes that no reference is made to wharf related activities.</li> <li>• Delete the reference to 'excessive noise' in conditions 23(a) and 26(a)</li> <li>• Part b) of Condition 26) is redundant if the directive to s326 is retained because s326 does not require any measurement of noise. Notwithstanding, part b) will be required should the relief sought above (to include objective noise limits) is retained.</li> <li>• Condition 25) - rename 'Table 2 Noise limits' to 'Table 2 Noise limits for Temporary Military Training'.</li> </ul>

## C.2 Activities in the beds of lakes and rivers and in wetlands

### General submissions on activities in the beds of lakes and rivers and in wetlands

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Add new advice note to beginning of C.2:</p> <p><i>The Department of Conservation must be notified of the intention to erect or place any structure likely to impede fish passage. This includes, for example, culverts, fords, dam or diversion structures (Part VI of the Freshwater Fisheries Regulations 1983).</i></p>

### C.2.1 Activities in the beds of lakes and rivers

#### General submissions on activities in beds of lakes and rivers

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited Carrington Resort Jade LP	Amend	Exclude ephemeral watercourses in definitions and or rules affecting beds of rivers and lakes.
Broadspectrum	Unclear	Submitter queries whether under rule C.2.1.10(3)(C), the council requires every culvert to be designed around fish passage in terms of velocity and whether the council will ask for the calculations.
Broadspectrum	Unclear	Submitter queries whether every culvert requires the owner or installer to pay for an engineer to work out culvert size calculations.
New Zealand Defence Force	Amend	Insert a new rule to provide for minor bed disturbance as a permitted activity. The rule should be specific to temporary dams associated with military training in the use of portable water treatment units.
New Zealand Transport Agency	Amend	<p>Add new rule:</p> <p><i>C.2.1.5 Existing structures – permitted activity</i></p> <p><i>The operation and use of structures on, under or over the bed of a lake or river that:</i></p> <p><i>1) existed at 30 June 2004, or</i></p> <p><i>2) were authorised.</i></p>

Submitter	Position	Summary of decision requested
		<u>are permitted activities.</u>
Top Energy	Amend	<p>Add a new rule:</p> <p><u>C.2.1.X New electricity transmission structures outside a significant area – restricted discretionary activity.</u></p> <p><u>Matters of discretion:</u></p> <p><u>1) Effects on freshwater ecology.</u></p> <p><u>2) Effects on public access to and along the freshwater body.</u></p> <p><u>3) Effects on public open space and visual amenity.</u></p> <p><u>4) Effects of disturbance, deposition and discharge associated with construction, including use of heavy machinery.</u></p> <p><u>5) Effects on natural character.</u></p>
Top Energy	Amend	<p>Add a new rule</p> <p><u>C.2.1.1.X New electricity transmission structures within a significant area – discretionary activity.</u></p>

### C.2.1.1

Introduction or planting of plants in rivers and lakes – permitted activity

Submitter	Position	Summary of decision requested
Alspach R	Amend	Amend to allow the removal of existing willows, particularly in proximity of minor tributaries.
Cathcart B	Amend	<p>Support the list of plants that should not be introduced but add</p> <p><u>g) hybrids between crack willow (<i>Salix fragilis</i>) and weeping willow (<i>Salix babylonica</i>).</u></p>
Federated Farmers	Amend	<p>Amend as follows:</p> <p><u>4) there is <del>no</del> minimal erosion of the bed or banks of the river or lake as a result of the planting.</u></p>
Honeymoon Valley Landcare Group	Amend	Support the restriction on planting willows in rivers and lakes. The submitter also seeks;

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>that this restriction should be extended to all exotic trees, and</li> <li>that there should be a provision for the removal of such trees over time.</li> </ul>
Horticulture New Zealand	Amend	<p>Amend as follows:</p> <p><i>3) the planted species are managed, <u>and where necessary cleared</u>, by the land owner or occupier to ensure that they do not create an obstruction to the free flow of water or spread to other properties, and</i></p>
Kaipara District Council Whangarei District Council	Amend	<p>Amend as follows:</p> <p><i>3) the planted species are managed by the land owner or occupier to ensure that they do not create an obstruction to the free flow of water or spread to other properties, and</i></p>
Landcorp Farming Limited	Support	Not clear, but assume it is to retain C.2.1.1 as notified.
Miru M Tinopai RMU Limited	Amend	<p>Include a new clause:</p> <p><i>7) <u>the activity does not occur within an Area of Significance.</u></i></p>
Northland Fish and Game Simpson A	Support	Retain rule C.2.1.1 as notified.
Royal Forest and Bird Protection Society NZ	Amend	<p>Add a conditions to ensure:</p> <ul style="list-style-type: none"> <li>That planting is set back from the active channel of the river or lake bed.</li> <li>That the activity is not in the bed of an outstanding natural character water body or significant ecological area.</li> </ul>
Vision Kerikeri	Support	Retain clause 1 b) of C.2.1.1 as notified.
Waldron S	Amend	Extend the exclusion from permitted activity status to all exotic tree species and allow for the removal of such trees.

### C.2.1.2

#### Extraction of material from rivers – permitted activity

Submitter	Position	Summary of decision requested
Cathcart B  Far North District Council  Landcorp Farming Limited	Support	Retain C.2.1.2 as notified.
Federated Farmers	Amend	Amend as follows:  <u>6) there is <del>no</del> minimal erosion of the bed or banks of the river or lake as a result of the planting, and...</u>
Hayes M	Amend	Amend as follows:  <u>(2) the regional council's compliance manager is notified (in writing or by email) of the date of the commencement of any works, at least 10 working days prior to the work starting, and The person in charge is responsible for engaging a suitably qualified operator, and</u>
Heritage NZ	Amend	Retain C.2.1.2 as notified with amendments as follows:  <u>8) the activity does not take place in an outstanding freshwater body, the activity is not in a Historic Heritage Area, and</u>  <u>9) the activity does not take place in an outstanding freshwater body.</u>  <u>10) The activity does not result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</u>
King G	Amend	Insert a threshold into clause 2, above which it is necessary to notify council.
Minister of Conservation	Amend	Amend C.2.1.2 as follows: <ul style="list-style-type: none"> <li>• <u>4) on completion of the activity, the bed is graded to natural contours (i.e. no dips, humps and hollows) so that there are no barriers to water movement in the channel, and</u></li> <li>• Add the following conditions: <ul style="list-style-type: none"> <li><u>9) Extraction must not occur closer than 5 metres from the water's edge</u></li> </ul> </li> </ul>

Submitter	Position	Summary of decision requested
		<p><u>10) the extraction shall not extend to a level deeper than whichever is the greater of the following: (i) 0.1m above the water level adjacent to the extraction site, or (ii) 0.5m below the original height of the beach where the extraction is occurring</u></p> <p><u>11) no machinery shall operate in an area of the river bed covered in water, unless for crossings to access and haul gravel. For this purpose, river crossing should be limited to one crossing point at each extraction location. 12) No stockpiling of extracted gravel on the bed of the river.</u></p> <p><u>13) Cleaning and/or other procedures must be used to prevent the spread or introduction of any pest.</u></p>
Miru M Tinopai RMU Limited	Amend	Include a new clause - 9) <u>the activity does not occur within an Area of Significance.</u>
Northland Fish and Game	Amend	<p>Amend C.2.1.2 as follows:</p> <p>...</p> <p><u>1) the total volume extracted from a river does not exceed <del>100</del> 50 cubic metres in any 12 month period, and</u></p> <p>...</p> <p><u>5) the material is extracted from an area of the river bed not covered by <u>flowing</u> water at the time of the extraction, and</u></p> <p>...</p> <p><u>8) the activity does not take place in an outstanding freshwater body, and</u></p> <p><u>9) if the activity is within a river where trout are known to be present or listed in the Schedule of Values, Northland Fish and Game Council is notified (in writing or by email) of the date of the commencement of any works, at least 10 working days prior to the work starting, and</u></p> <p><u>10) the activity maintains or improves any legal public access to the river, and</u></p> <p><u>11) fish passage shall not be impeded as a result of the activity.</u></p>
Simpson A	Amend	Amend rule to allow up to 200m <sup>3</sup> per 12 month period.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Amend	No specific amendments sought

### C.2.1.3

#### Maintenance of the free flow of water in rivers and mitigating bank erosion – permitted activity

Submitter	Position	Summary of decision requested
Cathcart B KiwiRail	Support	Retain C.2.1.3 as notified.
Federated Farmers	Amend	Define good practice erosion and sediment control measures.
Hayes M	Amend	Amend C.2.1.3 (1):  <i>1) The regional council's monitoring manager is notified (in writing or by email) of the date of the commencement of any works at least five working days prior to the work starting, 'The person in charge is responsible for engaging a suitably qualified operator'.</i>
Heritage NZ	Amend	Retain rule C.2.1.3 with amendments as follows:  <i>12) The activity does not result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</i>
Horticulture New Zealand	Amend	Amend C.2.1.3 1):  <i>For work undertaken in rivers other than modified water courses the regional council's monitoring manager is notified (in writing or by email) of the date of the commencement of any works, at least five working days prior to the work starting, and</i>
Kaipara District Council	Amend	Retain C.2.1.1 as notified, but remove contradiction between conditions 7 and 6. Condition 6) enables the channel to be widened by up to 20% , while condition 7) states that modification must be within the bank full edge.
LaBonte' A & R	Amend	Amend as follows:  <i>1) The regional council's monitoring manager is notified (in writing or by email) of the date of the commencement of any works at least five working days prior to the work starting, or within 24 hours of work starting if there is a documented need to perform the work on an emergency basis to avoid nuisance or health and safety situations, and...</i>  <i>Advice note: A documented need can be satisfied through photographic documentation or assessment by a qualified person.</i>



Submitter	Position	Summary of decision requested
Landcorp Farming Limited	Amend	Amend the rule to provide for a practical response to flood debris during emergency situations, such as enabling removal of debris to mitigate flooding effects with subsequent notification to Council of the actions taken, so that in emergency situations pre-notification is not required but rather five days is provided to notify Council in writing post the remedial works being undertaken.
Minister of Conservation	Amend	<p>Add following conditions to C.2.1.3:</p> <p><u>12) The activity shall provide for the safe passage of fish both upstream and downstream.</u></p> <p><u>13) The activity shall not take place during August to December inclusive</u></p> <p><u>14) the activity does not take place in an outstanding freshwater body</u></p> <p><u>15) the activity does not take place in identified Inanga spawning habitat or threatened species habitat</u></p>
Miru M Tinopai RMU Limited	Amend	<p>Amend as follows:</p> <ul style="list-style-type: none"> <li>Amend clause 1) to include tangata whenua in the notification requirements.</li> <li>Insert a new clause 12) reading <u>the activity does not occur within an Area of Significance.</u></li> </ul>
Northland Fish and Game	Amend	<p>Amend C.2.1.3 as follows:</p> <p>...</p> <p><u>11) the activity does not alter, damage or destroy a mapped Historic Heritage Site (refer I 'Maps')-and.</u></p> <p><u>12) the activity maintains or improves any legal public access to the river, and</u></p> <p><u>13) fish passage shall not be impeded as a result of the activity.</u></p> <p><u>14) the instream activity is of less than 5 hours cumulative duration.</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Clarify the scope of the rule</p> <p>Amend the rule to exclude activities in outstanding freshwater bodies and provide that these are considered as discretionary with scope to ensure the natural values of the river are maintained.</p> <p>Add a condition that ensures there is no change to the water level in any wetland which is hydraulically connected to the river.</p>
Simpson A	Amend	Supports rule but seeks amendment to rule to allow up to 200m <sup>3</sup> per 12 month period. (Submitter has made two separate submission - one that supports the rule and the other requests the change. Both requests have been condensed into one submission point).

Submitter	Position	Summary of decision requested
Te Roroa Development Group	Amend	Amend rule C.2.1.3 to include:  <u>the activity does not impact on the cultural or traditional use of the river.</u>
Vision Kerikeri	Amend	Make rule C.2.1.3 conditional on there being no change to the water level in any wetland.  Maintenance of the free flow of water and mitigating bank erosion in rivers that are classed as outstanding freshwater body should be a discretionary or restricted discretionary activity in an outstanding freshwater body .
Whangarei District Council	Amend	Provide clarification to plan users regarding a potential contradiction between conditions 6) and 7).
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes that a reply from Northland Regional Council should be required before an activity is started.

### C.2.1.4

Existing authorised structures – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council First Gas Limited GDC Winstone Landcorp Farming Limited Northland Fish and Game	Support	Retain C.2.1.4 as notified.
Fonterra	Amend	Amend Rule C.2.1.4 as follows:  ...  3) <del>there is no increase to the structure's footprint, length, width, and height</del> <u>is not increased by more than 5%, and</u>

Submitter	Position	Summary of decision requested
Heritage NZ	Amend	<p>Retain C.2.1.4 as notified with amendments as follows:</p> <p><i>5) in the case of maintenance and repair of a mapped Historic Heritage Site (refer I 'Maps'), <del>the materials used for maintenance and repair of the structure must match the existing structure in form and appearance.</del> work shall be in accordance with Historic Heritage Site Repair (structure or building) and Historic Heritage Site Maintenance (refer B 'Definitions'), and must not result in any of the following:</i></p> <p><i>(a) changes to the existing surface treatment of fabric, painting of any previously unpainted surface, or the rendering of any previously un-rendered surface;</i></p> <p><i>(b) the use of abrasive or high-pressure cleaning methods, such as sand or water blasting;</i></p> <p><i>(c) the affixing of scaffolding to the building or structure;</i></p> <p><i>(d) changes to the design, texture, or form of the fabric;</i></p> <p><i>(e) changes to the extent, floor levels, location of internal walls, form, proportion and scale of the building or structure;</i></p> <p><i>(f) the use of materials other than those the same as the original or most significant fabric, or the closest equivalent; or</i></p> <p><i>(g) earthworks or disturbance of land or the foreshore or seabed being undertaken where archaeological site controls apply.</i></p>
Kaipara District Council Whangarei District Council	Amend	<p>Retain rule C.2.1.4 as notified, but amend as follows:</p> <p>3) <del>there is no designed permanent increase in dimensions</del> <del>there is no increase to the structure's footprint, length, width, and height, and</del></p>
KiwiRail	Amend	<p>Amend C.2.1.4 as follows:</p> <p><u>Use, Repair, maintenance and reconstruction of a structure, on, under or over the bed of a lake or river is a permitted activity, provided:</u></p>
Miru M Tinopai RMU Limited	Amend	<p>Insert a new clause:</p> <p><u>6) the activity does not occur within an Area of Significance.</u></p>
New Zealand Transport Agency	Amend	<p>Retain C.2.1.4 as notified, subject to following amendment:</p> <p><u>Modification of eExisting authorised structures – permitted activity</u></p>
Northpower	Amend	<p>Amend rule C.2.1.4 as follows:</p> <p><u>The repair, replacement, maintenance and reconstruction of a structure, on, under or over the bed of a lake or river is a permitted activity, provided:</u></p>

Submitter	Position	Summary of decision requested
		...
Top Energy	Amend	Amend as follows:  <i>Repair, maintenance, <u>replacement</u> and reconstruction of a structure, on, under or over the bed of a lake or river is a permitted activity, provided:</i>  ...
Transpower	Amend	Retain C.2.1.4 as notified, subject to the following amendment:  Amend Rule C.2.1.4, to provide specific references to Regulation 14 of the NESETA. Such reference could be inserted as a note to the relevant rule, or in the introduction to C.2 Activities in the beds of lakes and rivers and in wetlands, as follows:  <u>Clause 3) within Rule C.2.1.4 relating to structure footprint, length, width, and height, does not apply to an existing National Grid line support structure (existing at 14 January 2010) that forms part of the National Grid. These activities are covered by Regulation 14 of the Resource Management (National Environmental Standards for Electricity Transmission Activities).</u>

### C.2.1.5

Maintenance or repair of authorised flood defence – permitted activity

Submitter	Position	Summary of decision requested
Alspach R	Unclear	Submitter notes that there are a number of flood control schemes which will need to raise the level of their stopbanks to be able to maintain the integrity of the flood protection in the future. Suggests the wording of this rule might hinder this.
Cathcart B	Amend	Amend condition 1) to read:  <u>1) the maintenance and repair does not alter the form of the existing flood defence and there is no increase the level of protection provided by the structure; and</u>
Kaipara District Council Whangarei District Council	Amend	Retain C.2.1.5 as notified, but amend condition 1) to read:  <u>1) there is no designed permanent increase in dimensions the maintenance and repair does not alter the form of the existing flood defence and there is no increase in length, width, or height of the existing flood defence, and</u>

Submitter	Position	Summary of decision requested
Miru M Tinopai RMU Limited	Amend	Amend clause 2) so that if the activity occurs within an Area of Significance to Tangata Whenua, tangata whenua are also given at least 10 working days notice of the start date of works.
New Zealand Transport Agency	Amend	Clarify the relationship between C.2.1.5 and C.2.1.11 with the outcome that the maintenance and repair of river banks is permitted (subject to conditions C.2.1.11 (4), (6) to (10) and (12)).
Northland Fish and Game	Support	Retain C.2.1.5 as notified.

### C.2.1.6

Existing vessel launching and retrieval structures – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain C.2.1.6.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought

### C.2.1.7

Existing mooring structures - permitted activity

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain C.2.1.7 as notified.
Royal Forest and Bird Protection Society NZ	Amend	Add a condition that the structure is not in an outstanding freshwater body, a significant ecological area or outstanding character river of lake.  Amend the Maps to identify these areas.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought

### C.2.1.8

#### Fish passage structures – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council Federated Farmers Northland Fish and Game	Support	Retain rule C.2.1.8 as notified.
Minister of Conservation	Amend	Add following condition to C.2.1.8:  <i><u>3) There are no vulnerable indigenous fish populations located upstream of the structure that would be negatively affected by its emplacement.</u></i>
New Zealand Transport Agency	Amend	Amend C.2.1.8 as follows:  <i>The placement, use and repair of a fish passage structure <u>or deposition of materials in, on, under or over the bed of a lake or river, is a permitted activity, provided:</u></i>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	Submitter believes a fish ladder needs to be maintained and operable.

### C.2.1.9

#### Demolition and removal of existing structures – permitted activity

Submitter	Position	Summary of decision requested
Cathcart B Far North District Council First Gas Limited Fonterra Heritage NZ KiwiRail New Zealand Transport Agency	Support	Retain C.2.1.9 as notified.

Submitter	Position	Summary of decision requested
Northland Fish and Game Top Energy		
Minister of Conservation	Amend	Add following condition to C.2.1.9:  <i>6) There are no vulnerable indigenous fish populations located upstream of the structure that would be negatively affected by its emplacement.</i>
Miru M Tinopai RMU Limited	Amend	Add a new clause 6) to read:  <i>6) the activity does not occur within an Area of Significance</i>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	Submitter believes a person wanting to do the activity should inform and seek approval from Northland Regional Council first.

### C.2.1.10

#### Construction and installation of structures – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited	Amend	Amend to exclude ephemeral watercourses in definitions and/or rules affecting beds of rivers and lakes.
Broadspectrum	Amend	Amend C.2.1.10 (with specific reference to installation of culverts) by linking general condition 26 of rule C.2.3 (relating to a temporary flow diversion around work sites) to the rule. Submitter believes it needs to be clearer that temporary diversion (around construction sites) is permitted but the rule as currently written is not clear enough that this is possible.
Cathcart B Far North District Council First Gas Limited Fonterra GDC Winstone Heritage NZ	Support	Retain C.2.1.10 as notified.

Submitter	Position	Summary of decision requested
Landcorp Farming Limited Simpson A Top Energy Whangarei District Council		
Federated Farmers	Amend	<p>Amend C.2.1.10 as follows:</p> <p>3)...</p> <p><i>h) the culvert is not in a significant wetland, an outstanding freshwater body or mapped (refer I 'Maps'), <u>except for the purposes of meeting rules C.8.1.1 or C.8.1.2:</u></i></p> <p>...</p> <p>4)...</p> <p><i>e) the bridge is not in a significant wetland, an outstanding freshwater body or mapped (refer I 'Maps'), <u>except for the purposes of meeting rules C.8.1.1 or C.8.1.2:</u></i></p> <p>...</p> <p>5)...</p> <p><i>c) the ford is not in a significant wetland, an outstanding freshwater body or mapped (refer I 'Maps'), <u>except for the purposes of meeting rules C.8.1.1 or C.8.1.2:</u></i></p> <p>...</p>
KiwiRail	Amend	<p>Amend C.2.1.10 as follows:</p> <p>...</p> <p>3)...</p> <p><i>b) the culvert length under the crossing parallel to river flow does not exceed 25 metres when necessary for a road <u>or rail</u>, otherwise it must not exceed 10 metres, and ...</i></p>
Leonard B	Amend	Amend clause 6 (māimāi/game bird shooting structures) to 0.5 sqm.
Miru M Tinopai RMU Limited	Amend	<p>Amend clause 7 as follows:</p> <p><i>7 c) the regional council's compliance manager <u>and tangata whenua</u> are given at least 10 working days notice..</i></p>



Submitter	Position	Summary of decision requested
New Zealand Defence Force	Amend	Amend C.2.1.10 to allow for construction of temporary bridges and amend the list of RMA activities covered by the rule to better reflect the wording of RMA s 13(1)(a),(b) and (d).
New Zealand Transport Agency	Support	Retain C.2.1.10(3) as notified
Northpower	Amend	<p>Amend rule C.2.1.10 as follows:</p> <p>...</p> <p><i>7. for cables, <u>electricity lines and telecommunications lines, pipelines:</u></i></p> <p><i>a) the cable, power line or pipeline does not cause diversion or blockage of any river, and</i></p> <p><i>b) the installation does not disturb a significant wetland, an outstanding freshwater body, or the bed of a river or lake in a mapped (refer I 'Maps'):</i></p> <p><i><u>It includes site related components of the structure that enable an asset to function.</u></i></p> <p>...</p>
Minister of Conservation	Amend	<p>Amend C.2.1.10 as follows:</p> <p>1) Amend 3) (f) to: <i><u>the culvert must be installed so that the base is set a minimum of 20% and maximum of 40% of the culvert diameter below the stream bed</u></i></p> <p>2) Add additional conditions to 3):</p> <ul style="list-style-type: none"> <li>• <i><u>the culvert inlet must not project out of the headwall, and the culvert outlet must remain flooded at all flows</u></i></li> <li>• <i><u>the culvert diameter or width is at least 1.2 x the average stream bed width during average flow, plus 0.5 metres, at the point where the culvert intersects the stream bed.</u></i></li> <li>• <i><u>the culvert must be positioned so that its gradient and alignment are the same as that of the existing stream.</u></i></li> <li>• <i><u>the total cross-sectional area shall not be less than that of single culvert that complies with this rule</u></i></li> </ul> <p>3) Add additional condition to 5): <i><u>d) the structure shall provide for the safe passage of fish both upstream and downstream.</u></i></p> <p>4) Add additional condition to 5)c): <i><u>v) The activity does not occur in identified Inanga spawning areas or threatened species habitat</u></i></p> <p>5) Add additional condition: <i><u>8) for weirs:</u></i></p> <p><i><u>a) It is not in an area of significant wetland or outstanding waterbodies, and</u></i></p> <p><i><u>b) the structure shall provide for the safe passage of fish both upstream and downstream</u></i></p>

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	Amend C.2.1.10 as follows: ... <i>6) for maimai/game bird shooting shelter structures:</i> <i>a) the structure does not exceed <del>five</del> <u>ten</u> square metres, and</i>
Rayonier New Zealand	Amend	Amend as follows:  <i>The construction or installation of a structure in, on, under or over the bed of a lake or river is a permitted activity, provided:</i>  <u><i>1) The structure is ancillary to a plantation forestry activity; or...</i></u>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition that the structure is not in an outstanding freshwater body, a significant ecological area or outstanding character river of lake.  Amend the Maps to identify these areas.
Transpower	Amend	Retain C.2.1.10 as notified subject to the following amendment:  <i>The construction or installation of a structure in, on, under or over the bed of a lake or river, is a permitted activity, provided:</i>  ...  <i>7) for cables, power lines (including conductors associated with the <u>National Grid</u>), and pipelines:</i>  <i>a) the cable, power line or pipeline does not cause diversion or blockage of any river, and</i>  ...
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought

### C.2.1.11

Minor river bank protection works – permitted activity

Submitter	Position	Summary of decision requested
Cathcart B	Support	Retain rule C.2.1.11 as notified.

Submitter	Position	Summary of decision requested
Far North District Council Federated Farmers First Gas Limited KiwiRail Simpson A		
Heritage NZ	Amend	Retain rule C.2.1.11 with amendments as follows:  .....  <i>12) the works are not in a mapped Site or Area of Significance to Tangata Whenua (refer I 'Maps').<u>and</u>.</i>  <i><u>13) the works are not in a Historic Heritage Area.</u></i>
LaBonte' A & R	Amend	Amend C.2.11 as follows:  ...  <i>2) Deposition of material in or on the bed of a river for the purposes of bank protection or reinstatement, <u>including minor channel realignments (within the bed of a river), and</u></i>  ...  <i>5) the regional council's compliance manager is notified (in writing or by email) of the date of the commencement of any works, at <del>least 10</del> <u>5</u> working days prior to the work starting, <u>or within 24 hours of work starting if there is a documented need to perform the work on an emergency basis to avoid nuisance or health and safety situations,</u> and...</i>  And add the following advice note:  <i><u>Advice note: A documented need can be satisfied through photographic documentation or assessment by a qualified person.</u></i>
New Zealand Transport Agency	Amend	Clarify the relationship between C.2.1.5 and C.2.1.11 with the outcome that the maintenance and repair of river banks is permitted (subject to conditions C.2.1.11 (4), (6) to (10) and (12)).
Miru M Tinopai RMU Limited	Amend	Amend clause 5):  <i>5) the regional council's compliance manager <u>and tangata whenua</u> are given at least 10 working days notice..</i>

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	Amend C.2.1.11 as follows:  ... <i>12) the works are not in a mapped Site or Area of Significance to Tangata Whenua (refer I 'Maps') and</i>  <i>13) the activity maintains or improves any legal public access to the river.</i>  <i>14) the instream activity is of less than 5 hours cumulative duration</i>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition that ensures there is no change to the water level in any adjacent wetland which is hydraulically connected to the river.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes a resource consent should be obtained and public access addressed.

### C.2.1.12

#### Freshwater structures – controlled activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Amend to a discretionary activity.
Cathcart B Fonterra KiwiRail Landcorp Farming Limited New Zealand Transport Agency Top Energy	Support	Retain C.2.1.12 as notified
Heritage NZ	Amend	Retain C.2.1.12 as notified with amendments as follows:  <i>1) The activity is not in a significant wetland, an outstanding freshwater body or a mapped (refer I 'Maps'): The activity complies with C.2.3 'General conditions', and</i>

Submitter	Position	Summary of decision requested
		<p>2) The activity is not in a significant wetland, an outstanding freshwater body or a mapped (refer I 'Maps'):</p> <p>...</p> <p>c) Historic Heritage Area, or</p> <p>d) Site or Area of Significance to Tangata Whenua, and</p>
<p>Kaipara District Council</p> <p>Far North District Council</p> <p>Whangarei District Council</p>	Amend	<p>Amend C.2.1.12 as follows:</p> <p><del>2) the length of the culvert does not exceed 25 metres</del></p>
Minister of Conservation	Amend	<p>Amend C.2.1.12 as follows:</p> <p>3) the structure does not prevent <u>indigenous fish passage and there are no more than minor adverse effects on indigenous freshwater fish.</u></p>
Northland Fish and Game	Amend	<p>Amend C.2.1.12 as follows:</p> <p>...</p> <p>3) the structure does not prevent fish passage;</p> <p><u>4) the activity maintains or improves any legal public access to the waterbody</u></p> <p>Matters of control:</p> <p>1) Effects on ecological, hydrological and natural character, <u>and scheduled values...</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Change the activity classification to restricted discretion.</p> <p>Add a condition that the structure is not in a significant ecological area.</p> <p>Amend the Maps to identify these areas.</p> <p>Add a matter of discretion to ensure there is no change to the water level in any adjacent wetland which is hydraulically connected to the river.</p> <p>Add a matter for discretion to considered effects on indigenous birds</p>
<p>Tautari R</p> <p>Patuharakeke Te Iwi Trust Board</p>	Support	<p>Retain matter of control 5): "Effects on mahinga kai and access to mahinga kai."</p>

Submitter	Position	Summary of decision requested
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes a resource consent should be obtained and public access addressed.

### C.2.1.13

#### Activities in the beds of lakes and rivers - discretionary activity

Submitter	Position	Summary of decision requested
Cathcart B First Gas Limited Fonterra Landcorp Farming Limited Ministry for Primary Industries New Zealand Transport Agency	Support	Retain C.2.1.13 as notified.
Heritage NZ	Amend	Retain C.2.1.13 as notified with amendments as follows:  <i>11) non-complying activity under rule C.2.1.15 'Structures in a significant area – non-complying activity', <del>is a discretionary activity.</del> or</i>  <i>12) non-complying activity under rule C.2.1.16 'Removal, demolition or replacement of a Historic Heritage Site or part of a Historic Heritage Site – non complying activity',</i>  <i>is a discretionary activity.</i>
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule so that large structures are a non-complying activity in significant and outstanding areas.
Top Energy	Amend	Amend Rules C.2.1.13 as follows:  <i>C.2.1.13 Activities in the beds of lakes and rivers - discretionary activity</i>  <i>In relation to the bed of a lake or river, activities that:</i>

Submitter	Position	Summary of decision requested
		<p>1) ...</p> <p><i>Is not..</i></p> <p><u>12) restricted discretionary activity under rule C.2.1.XX</u></p>
Transpower	Amend	<p>Retain C.2.1.13 as notified subject to the following amendments:</p> <p><i>In relation to the bed of a lake or river, activities that:</i></p> <p>...</p> <p>5) reclaim or drain the bed, <del>that are not a:</del></p> <p><u>6) is Regionally Significant Infrastructure:</u></p> <p><i>that are not a:</i></p> <p>1) permitted activity under rule C.2.1.1 'Introduction or planting of plants in rivers and lakes – permitted activity', or</p> <p>...</p> <p>Alternately, Transpower would support specific reference to the National Grid as opposed to Regionally Significant Infrastructure.</p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

### C.2.1.14

New flood defence – discretionary activity

Submitter	Position	Summary of decision requested
Cathcart B	Support	Retain C.2.1.14 as notified
Kaipara District Council	Amend	Amend C.2.1.14 so that additions to flood defenses are a restricted discretionary activity with one of the matters of discretion being the scale of the addition.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.

Submitter	Position	Summary of decision requested
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

### C.2.1.15

#### Structures in a significant area - non-complying activity

Submitter	Position	Summary of decision requested
Federated Farmers	Amend	Amend C.2.1.15 as follows:  <i><u>Structures constructed for the purpose of meeting rule C.8.1.1. or C.8.1.2 are exempt and are a controlled activity under C.2.1.10</u></i>
Far North District Council Kaipara District Council Whangarei District Council	Amend	Make structures associated with core local infrastructure and regionally significant infrastructure a discretionary activity (not non-complying).
Landcorp Farming Limited	Amend	Amend rule so that the repair, alteration or replacement of these structures which have already been authorised are a discretionary activity.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Royal Forest and Bird Protection Society NZ	Amend	Include significant ecological areas meeting the criteria in the RPS under this rule.
Top Energy	Amend	Amend C.2.1.15 as follows:  <i>A structure and any repair, alteration or replacement of a structure, in, on, under or over the bed of a lake or river, that is located in, on, under or over a significant wetland or an outstanding freshwater body, or mapped (refer I 'Maps'): ... Is not a...</i>  <i><u>12) discretionary activity under Rule C.2.1.XX</u></i>
Transpower	Amend	Amend Rule C.2.1.15 as follows:



Submitter	Position	Summary of decision requested
		<p><i>A structure and any repair, alteration or replacement of a structure, in, on, under or over the bed of a lake or river; that is located in, on, under or over a significant wetland or an outstanding freshwater body, or mapped (refer I 'Maps'):</i></p> <p>....</p> <p><i>xxx) discretionary activity under rule C.2.1.13.6 'Activities in the beds of lakes and rivers – discretionary activity', or</i></p> <p>...</p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

### C.2.1.16

Removal, demolition or replacement of a Historic Heritage Site or part of a Historic Heritage Site – non-complying activity

Submitter	Position	Summary of decision requested
Heritage NZ	Amend	<p>Retain rule C.2.1.16 with amendments as follows:</p> <p><i>Removal, demolition, <u>partial demolition</u> or replacement of a Historic Heritage Site – non-complying activity</i></p> <p>...</p> <p><i>3) <u>Demolition or partial demolition</u> of a Historic Heritage Site or part of a Historic Heritage Site, is a non-complying activity.</i></p>
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.

### C.2.1.17

#### New flood defence in significant areas – non-complying activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Amend to specify that this includes where the operation of a flood defence structure could affect a significant area
Heritage NZ	Support	Retain C.2.1.17 as notified.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.

## C.2.2 Activities affecting wetlands

### General submissions on activities affecting wetlands

Submitter	Position	Summary of decision requested
First Gas Limited	Amend	Add a new discretionary activity rule to section C.2.2:  <i><u>The construction, alteration, disturbance or extension of a wetland for the purposes of providing for regionally significant infrastructure is a discretionary activity.</u></i>
Horticulture New Zealand	Amend	Amend the Plan as sought elsewhere in submission in respect to definitions for: <ul style="list-style-type: none"><li>• Wetland</li><li>• Constructed wetland and</li><li>• Addition of 'artificial wetland'</li></ul> Clarify through the definitions that the following waterbodies are not wetlands: <ul style="list-style-type: none"><li>• Artificial water course</li><li>• Modified water course</li><li>• Dams</li><li>• Horticulture wastewater system</li></ul>
Ministry for Primary Industries	Support	Retain C.2.2 as notified
New Zealand Transport Agency	Amend	Add new rule:  <i><u>Temporary structures in wetlands – permitted activity</u></i>

Submitter	Position	Summary of decision requested
		<p><u>(1) The temporary structure must be in place no longer than 14 days within any six month period.</u></p> <p><u>(2) The temporary structure must accommodate a 5 per cent annual exceedance probability (AEP) flood event.</u></p> <p><u>(3) The temporary structure must occupy the minimum area necessary for its purpose.</u></p> <p><u>(4) The structure must not prevent the passage of fish upstream and downstream in waterbodies that contain fish, except that temporary restrictions to fish passage may occur to enable construction work to be carried out.</u></p> <p><u>(5) The structure must not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream.</u></p> <p><u>(6) Construction material and ancillary structures must be removed from the wetland following completion of the activity.</u></p> <p>AND consequential amendment to C.2.2.4</p>
Royal Forest and Bird Protection Society NZ	Amend	Add a new rule that precludes the extraction of material such as swamp kauri.

### C.2.2.1

Wetland management and enhancement – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc Dairy NZ Federated Farmers GDC Winstone Landcorp Farming Limited MLP LLC Waiaua Bay Farm Limited	Support	Retain C.2.2.1 as notified
Fonterra	Amend	Amend Rule C.2.2.1 as follows:

Submitter	Position	Summary of decision requested
		<p><u>The removal or control of vegetation of deliberate introduction of a plant in a constructed wetland is a permitted activity.</u></p> <p>The removal or control of vegetation or deliberate introduction of a plant in a <u>natural</u> wetland is a permitted activity, provided:</p> <p>...</p>
Kaipara District Council	Amend	Amend C.2.2.1 to allow for infrastructure maintenance as a permitted activity.
Minister of Conservation	Amend	<p>Amend C.2.2.1 as follows:</p> <p>4)a) <u>planting must be limited to indigenous species that are native to the area and ideally propagated from material sourced from the same wetland, or adjacent wetlands in the same catchment</u></p>
Miru M Tinopai RMU Limited	Amend	<p>Amend clause 4b) so that tanagata whenua are also given 10 working days notice.</p> <p>Insert a new clause 5) to read <u>the activity does not occur within an Area of Significance</u></p>
Horticulture New Zealand	Amend	<p>Amend C.2.2.1 as follows:</p> <p>1) <u>the removal or control is limited to exotic plants species and pest or pest organisms, and</u></p> <p>2) <u>the introduction of any plant does not include a pest species or pest organism and</u></p> <p>3) <u>the activity complies with the general conditions in C.2.3,</u></p> <p>4) <u>as written</u></p>
Northland Fish and Game	Amend	<p>Exempt wetland management and enhancement activities in significant wetlands, from notification.</p> <p>AND</p> <p>Amend C.2.2.1 text as follows:</p> <p><u>Wetland management maintenance and enhancement – permitted activity</u></p> <p><u>The removal or control of vegetation or deliberate introduction of a plant in a wetland is a permitted activity, provided: Any modification of a wetland for the purposes of wetland maintenance or enhancement is a permitted activity, provided:</u></p> <p>1) <u>there is no destruction or removal of any indigenous vegetation from any natural wetland</u><del>the removal or control of vegetation is limited to exotic plants species, and</del></p>

Submitter	Position	Summary of decision requested
		<p>2) the <u>deliberate</u> introduction of any plant does not include a pest species, and</p> <p>3) the activity complies with the general conditions, and</p> <p>4) <u>There is no reduction in the size of the wetland, and</u></p> <p>5) <u>it does not cause flooding or ponding on other property, and</u></p> <p><del>4) 6) if the activity is located in a significant wetland:</del></p> <p><del>a) planting must be limited to indigenous species, and</del></p> <p><del>b) the regional council's compliance manager must be notified (in writing or by email) at least 10 working days prior to works commencing, with the timing and extent of the activities and contact details of the person responsible.</del></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Clarify what is meant by "control of vegetation"</p> <p>Include a condition applying to planting in all wetlands that only indigenous vegetation is introduced.</p> <p>Within a significant wetland activities only be undertaken where they maintain and enhance the natural values of the wetland.</p> <p>Under 4) a), add '<u>and eco-sourced from the locality</u>'</p>
Upperton T	Amend	<p>Provide detail of the pest species as many pest plants in Northland are not on the National list.</p>
Whangarei District Council	Amend	<p>Amend clause 1) by inserting '<u>except where needed for infrastructure maintenance</u>'.</p> <p>Delete clause 4)b).</p>

### C.2.2.2

#### Structures in wetlands – permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Support	Retain C.2.2.2 as notified
Federated Farmers		
GDC Winstone		

Submitter	Position	Summary of decision requested
Landcorp Farming Limited MLP LLC Waiaua Bay Farm Limited		
Bay of Islands Maritime Park Inc	Amend	Clarify that the sizes of individual structures are not to exceed the square meterage listed.
CEP Services Matauwhi Limited	Amend	Amend clause 1 by deleting the the following words; <i><del>1) in a significant wetland</del></i>
Eastern Bay of Islands Preservation Society	Amend	Add clarification to 1a) and 1c) that individual structures (not the sum of multiple structures) cannot exceed square metre-age given.
First Gas Limited	Amend	Amend C.2.2.2 as follows: <i>The construction, maintenance, use and removal of any fence, wetland interpretive signage, bird-watching hide or boardwalk structure in a wetland is a permitted activity, provided:</i>  .. <i><u>4) the structure is authorised and existing</u></i>
Fonterra	Amend	Amend C.2.2.2 as follows:  <i><u>The construction, maintenance, use and removal of any structure in a constructed wetland that is associated with the principal purpose of the constructed wetland.</u></i>  <i>The construction, maintenance, use and removal of any fence, wetland interpretive signage, birdwatching hide or boardwalk structure in a wetland is a permitted activity, provided:</i>  ...
KiwiRail	Amend	Amend C.2.2.2 as follows:  <i>The construction, maintenance, use and removal of any fence, wetland interpretive signage, bird-watching hide, <u>structure for regionally significant infrastructure</u> or boardwalk structure in a wetland is a permitted activity, provided: ....</i>
Landowners Coalition Inc	Amend	Increase the boardwalk structure length from 40 metres to 500 metres and other structures increase from 5 square metres to 40 square metres.

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	Amend C.2.2.2 as follows:  <i>1) b) boardwalk structures are no wider than <del>1.8</del> <u>1.2</u> metres and no longer than 40 metres, and</i>
Miru M Tinopai RMU Limited	Amend	Amend clause 2) so that tangata whenua are also given 10 working days notice.  Insert a new clause 4) to read the activity does not occur within an Area of Significance
Northland Fish and Game	Amend	Requests exemption for notification of construction, maintenance, use and removal of any fence, wetland interpretative signage, bird-watching hide or boardwalk structure. AND Amend C.2.2.2 as follows:  <i>Structures in wetlands – permitted activity</i>  <i>The construction, maintenance, use and removal of any fence, wetland interpretative signage, <u>māimai/game bird shooting shelter</u>, bird-watching hide or boardwalk structure in a wetland is a permitted activity, provided:</i>  <i>1) in a significant wetland:</i>  <i><del>a) bird-watching hides are no greater than 10 square metres, and</del></i>  <i><del>b) a) boardwalk structures are no wider than 1.8 metres and no longer than 40</del></i>  <i>metres, and</i>  <i><del>c) b) all other structures are no greater than five square metres, and</del></i>  <i>2) the regional council's compliance manager is notified (in writing or by email) at least 20 working days prior to works commencing, with the timing and extent of the activities and contact details of the person responsible, and</i>  <i>3) the activity complies with the C.2.3 'General conditions', <u>and</u></i>  <i><u>4) Māimai/game bird shooting shelter structures do not exceed ten square metres.</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to ensure construction activities are carried out, outside bird breeding periods.  Provide a restricted discretionary activity rule for these activities within significant wetlands.
Upperton T	Amend	Limit permitted structures to 10 metres in length.

### C.2.2.3

#### Constructed wetland alteration– permitted activity

Submitter	Position	Summary of decision requested
Bainbridge J	Unclear	Relief sought is unclear. The submitter states;  For those who are unable to meet stock exclusion rules need to manage water quality through sediment traps and man-made wetlands. This permissive approach to man-made wetlands will encourage me to manage sediment and E.coli in this manner.
Bainbridge A Federated Farmers GDC Winstone Landcorp Farming Limited MLP LLC New Zealand Transport Agency Stevens V Waiaua Bay Farm Limited	Support	Retain C.2.2.3 as notified.
Fonterra	Amend	Amend Rule C.2.2.3 as follows:  <i>Any disturbance or alteration of a constructed wetland and construction or installation of a structure in a constructed wetland, is a permitted activity provided:</i>  <i>1) the activity complies with the C.2.3 'General conditions'; and</i> <i>2) the activity is not in a significant wetland, and</i>  ...
Man O'War Dairies	Unclear	Unclear, but appears submitter supports retaining C.2.2.3 as notified.
Miru M Tinopai RMU Limited	Amend	Amend clause 4) so that tangata whenua are also given 10 working days notice.  Insert a new clause 5) to read <u>the activity does not occur within an Area of Significance.</u>
Horticulture New Zealand	Amend	Amend C.2.2.3 as follows:



Submitter	Position	Summary of decision requested
		<p><del>Constructed wetland alteration</del> <u>Artificial wetland alteration</u> - permitted activity</p> <p>Any disturbance or alteration of a <del>constructed</del> <u>artificial</u> wetland and construction or installation of a structure in a <del>constructed</del> <u>artificial</u> wetland, is a permitted activity provided: ...</p>
Northland Fish and Game	Amend	<p>Amend C.2.2.3 as follows:</p> <p><del>Constructed wetland alteration</del> – <del>permitted</del> <u>controlled</u> activity</p> <p>Any disturbance or alteration of a constructed wetland and construction or installation of a structure in a constructed wetland, is a <del>permitted</del> <u>controlled</u> activity, provided:</p> <p>...</p> <p>4) if the wetland is reduced in size by more than <del>500</del> <u>250</u> square metres, the regional council's compliance manager is notified (in writing or by email) at least 10 working days before the start of works with the timing, location and extent of the activities, and</p> <p><u>5) the activity does not result in more than minor adverse effects to existing biodiversity values of the wetland, and</u></p> <p><u>6) the activity maintains or improves any legal public access to the wetland.</u></p> <p><u>Matters of control:</u></p> <p><u>1) Effects on ecological, hydrological and natural character values.</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Add a condition to ensure construction activities are carried out, outside bird breeding periods.</p> <p>Provide consistency with changes sought to rule C.2.2.1 vegetation requirements.</p> <p>Change to discretionary activity?</p>
Simpson A	Support	Retain rule as notified.
Top Energy	Amend	<p>Amend C.2.2.3 as follows:</p> <p><del>2) the activity is not in a significant wetland, and</del></p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought.

## C.2.2.4

### Activities in wetlands – discretionary activity

Submitter	Position	Summary of decision requested
First Gas Limited GDC Winstone Landcorp Farming Limited Top Energy	Support	Retain C.2.2.4 as notified
Kaipara District Council	Amend	Amend C.2.2.4 so that core local/district council infrastructure, and regionally significant infrastructure activities are a discretionary activity.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Transpower	Amend	<p>Retain C.2.2.4 as notified, subject to the following amendment:</p> <p><i>The construction, alteration, disturbance or extension of a wetland, that is not a:</i></p> <p>...</p> <p><i>is a discretionary activity, provided it is not a significant wetland except for Regionally Significant Infrastructure as provided for in rule C.2.2.4A.</i></p> <p>AND</p> <p>Insert a new rule as follows:</p> <p><u>C.2.2.4A Regionally Significant Infrastructure in Significant in wetlands – discretionary activity</u></p> <p><u>The construction, alteration, disturbance or extension of a significant wetland by an activity associated with Regionally Significant Infrastructure, is a discretionary activity.</u></p> <p>Alternately, Transpower would support specific reference to the National Grid as opposed to Regionally Significant Infrastructure.</p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

## C.2.2.5

### Activities in significant wetlands – non-complying activities

Submitter	Position	Summary of decision requested
GDC Winstone Top Energy Royal Forest and Bird Protection Society NZ	Support	Retain C.2.2.5 as notified
Far North District Council Kaipara District Council Whangarei District Council	Amend	Exclude activities associated with core local/district council infrastructure and regionally significant infrastructure from C.2.2.5 (i.e. infrastructure activities should be a discretionary activity and not non-complying).
Far North District Council	Amend	Make provision that existing public drainage activities should be able to seek, within two years of the proposed plan being made operative, a controlled activity or restricted discretionary activity consent to authorise existing activities in wetlands.
Landcorp Farming Limited	Amend	Amend activity status to a discretionary activity.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Transpower	Amend	Amend Rule C.2.2.5 as follows:  <i>The construction, alteration, disturbance or extension of a wetland that is not a discretionary activity under rule C.2.2.4 'Activities in wetlands – discretionary activity', or rule C.2.2.4A Regionally significant Infrastructure in significant wetlands, is a noncomplying activity.</i>  Alternately, Transpower would support specific reference to the National Grid as opposed to Regionally Significant Infrastructure.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

### C.2.3 General conditions

Submitter	Position	Summary of decision requested
Cathcart B	Unclear	Submitter questions whether it is practically possible to achieve the standards required in the 'zone of reasonable mixing'
Cathcart B	Amend	Amend condition 3)a) as follows  <u>machinery must be clean and leak free, including free of any material containing pest weed seed or vegetative material capable of germinating or otherwise spreading these pest plant species,</u>
Cathcart B	Amend	Condition 5) is too vague and needs to be more specific
Cathcart B	Amend	Include a new condition as follows:  <u>All plant/machinery or any equipment operating in/on, or any material introduced to the beds of lakes and rivers, or significant wetlands, shall be free of plant contaminants, any seeds or vegetative material, which is capable of germinating or reproducing weed species.</u>
Far North District Council	Amend	Amend clause 4 to give the ability to retain vehicle fords in remote areas
Far North District Council	Amend	Amend clause 20 to provide clarity on whether signs are required on council owned bridges with pipes on
Far North District Council	Amend	Amend clause 20 to provide clarification that signage may be required to be installed within "X" month(s) of pipe installation
Fonterra	Amend	Amend Rule C.2.3(1)(d) as follows:  <i>1) Discharge of contaminants must comply with the following conditions:</i>  ...  <i>d) after the zone of reasonable mixing, the discharge must not give rise to any conspicuous change in the colour or visual clarity or significant adverse effects on aquatic life, after whichever of the following mixing zones is the least:</i>  <i>i) a distance 200 metres downstream of the point of discharge if the bed width of the surface water body is greater than 30 metres at the point of discharge, or</i>  <i>ii) a distance equal to seven times the bed width of the surface water body, but which shall not be less than 50 metres, or</i>  <i>iii) the distance downstream at which mixing of contaminants has occurred across the full width of the surface water body, but which must not be less than 50 metres, or</i>

Submitter	Position	Summary of decision requested
		<i>iv) in relation to lakes, a distance 20 metres from the point of discharge.</i>
Fonterra	Amend	Delete C.2.3(9).
GDC Winstone	Amend	<p>Amend as follows:</p> <p>1) Discharge of contaminants must comply with the following conditions: ...</p> <p>d) <del>after the zone of reasonable mixing,</del> the discharge must not give rise to any conspicuous change in the colour or visual clarity or significant adverse effects on aquatic life, <u>beyond the mixing zone for the relevant freshwater body specified below after whichever of the following mixing zones is the least:...</u></p> <p><del>Waste water</del><u>Authorised pipes</u></p> <p>20) any <del>waste water</del><u>authorised pipeline</u> installed ...</p>
Heritage NZ	Amend	<p>Retain C.2.3 with amendments as follows:</p> <p><i>C.2.3 General conditions</i></p> <p><i>General conditions for activities in rivers, lakes and wetlands that apply when specified in a permitted or controlled activity rule.</i></p> <p><u><i>Note: work affecting archaeological sites is subject to an authority process under the Heritage New</i></u></p> <p><u><i>Zealand Pouhere Taonga Act 2014 ("HNZPTA"). If any activity associated with a project, such as earthworks, new structures, or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand Pouhere Taonga must be obtained for the work to proceed lawfully. The HNZPTA contains penalties for unauthorised site damage.</i></u></p> <p><u><i>Section 6 of the HNZPTA defines an archaeological site as:</i></u></p> <p><u><i>(a) Any place in New Zealand, including any building or structure (or part of a building or structure), that –</i></u></p> <p><u><i>(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</i></u></p> <p><u><i>(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</i></u></p> <p><u><i>(b) includes a site for which a declaration is made under section 43(1) of the HNZPTA.</i></u></p> <p><u><i>Nineteenth Century buildings and structures above and below ground are archaeological sites and may require an Authority depending upon the nature of the works proposed.</i></u></p>

Submitter	Position	Summary of decision requested
		<p><i>Historic Heritage</i></p> <p><i>27) The activity must not <u>be an alteration, addition, or affect the setting of a Historic Heritage Site (refer I 'Maps'). It must not be a partial demolition, demolition, removal, or replacement of -alter, damage or destroy a Historic Heritage Site. If it is then the activity will default to a discretionary or a non-complying activity status depending upon the nature of the proposed works.</u></i></p> <p><i>28) The activity does not result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</i></p>
Horticulture New Zealand	Amend	Amend the heading for C.2.3 7) and 8) to ' <u>Natural wetlands</u> .'
KiwiRail Ministry for Primary Industries	Support	Retain C.2.3 as notified.
Landowners Coalition Inc	Amend	Reduce notifying period from 10 days to 2 days, and changed in all other provisions in the plan.
Leonard B	Amend	Disallow disturbance altogether (it is assumed that the submitter wants conditions relating to disturbances to be deleted)
Minister of Conservation	Amend	<p>Amend C.2.3 as follows:</p> <ol style="list-style-type: none"> <li>1) 4) <u>all equipment and excess materials used for the activity must be removed from the bed of the water body every night, and on completion of the activity must be removed from the bed of the water body within five working days of the completion of the activity</u></li> <li>2) In condition 7) Clarify what 'change in the seasonal or annual range in water level' means and ensure it accommodates wetland types and inputs.</li> <li>3) Delete 21)b)</li> <li>4) Add new condition: <u>The activity does not occur in identified Inanga spawning areas or threatened species habitat.</u></li> </ol>
Miru M Tinopai RMU Limited	Amend	Amend clause 25) so that if the activity occurs within an Area of Significance to tangata whenua, tangata whenua are also given at least 10 working days notice.
New Zealand Transport Agency	Amend	Add new condition:

Submitter	Position	Summary of decision requested
		<p>(9A) Mangrove removal of up to 200m<sup>2</sup> immediately adjacent to existing lawful structures, infrastructure or drainage systems to enable their operation, use, maintenance, repair, and functioning where outside of:</p> <ul style="list-style-type: none"> <li>• Outstanding Natural Character Area; or</li> <li>• Outstanding Natural Feature; or</li> <li>• Outstanding Freshwater Bodies; or</li> <li>• Wetlands; or</li> <li>• Significant Ecological Areas; or</li> <li>• Significant Marine Mammal or Bird Areas</li> </ul>
New Zealand Transport Agency	Amend	<p>Amend C.2.3(21) as follows:</p> <p><i>c) when otherwise provided for by an existing design and authorisation (including C1.8.4A), and</i></p>
New Zealand Transport Agency	Amend	Delete C.2.3(22).
Northland Fish and Game	Amend	<p>Amend C.2.3 as follows:</p> <p><i>Sediment discharges</i></p> <p><i>1) Discharge of contaminants must comply with the following conditions:</i></p> <p><i>a) the activity must release no contaminants into water, other than sediment or organic matter, and</i></p> <p><i>b) <u>the discharge does not contain more than 100 milligrams per litre of sediment, and</u></i></p> <p><i><del>b)c</del> bed disturbance must not occur for more than five consecutive days, and</i></p> <p><i><del>c)d</del> elevated sediment discharge levels must not occur for longer than 12 hours per day, and</i></p> <p><i><del>d)e</del> after the zone of reasonable mixing, the discharge must not give rise to any conspicuous change in the colour or visual clarity or significant adverse effects on aquatic life, after whichever of the following mixing zones is the least:</i></p> <p><i>...</i></p> <p><i><del>Indigenous</del> Vegetation disturbance or removal</i></p> <p><i>9) Any <del>indigenous</del> vegetation disturbance or removal is limited to the minimum extent</i></p> <p><i>necessary to give effect to the permitted activity.</i></p> <p><i><u>10) The activity shall not cause or induce erosion of the bed or banks of any water body. Erosion includes:</u></i></p>

Submitter	Position	Summary of decision requested
		<p><u>(i) Instability of land or the banks of the water body.</u></p> <p><u>(ii) Scour to the bed of the water body.</u></p> <p><u>11) Removal of invasive willows must be replaced with non-invasive varieties for bank stabilisation.</u></p> <p>Structure durability, maintenance and offsite effect avoidance</p> <p>17) The activity <u>and structure</u> must not prevent existing lawful public access or navigation along the river or lake, unless provided by an existing authorisation, and</p> <p>Notifying the regional council</p> <p><u>26) The Northland Fish and Game Council are exempt from notification requirements. ...</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the conditions to address the following matters:</p> <ul style="list-style-type: none"> <li>• Condition 7 is unworkable as it would be near impossible to enforce this.</li> <li>• Given the scope of activities permitted it the disturbance under condition 8 could be significant. The condition is therefore uncertain in the context of other conditions and in achieving a no more than minor adverse effect.</li> <li>• Condition 9 does not add any value</li> <li>• Support condition 10</li> <li>• Condition 11 must be amended to state no fuel discharge.</li> </ul>
Top Energy	Amend	<p>Amend so that:</p> <ul style="list-style-type: none"> <li>• conditions 2 and 6 are included in Rule C.2.1.2.</li> <li>• conditions 10 and 11 are deleted from C.2.3 and moved to the relevant rules: C2.1.2 and C2.1.3.</li> </ul>
Top Energy	Amend	Council needs to consider what infrastructure activities they are concerned with, with regard to flooding and include directive conditions.
Upperton T	Amend	In condition 1) remove the reference to organic matter, or set a limit, as rotting vegetable matter can have implications for oxygen, nitrogen and visual clarity levels in waterways
Whangarei District Council	Amend	<p>Amend conditions as follows:</p> <ul style="list-style-type: none"> <li>• Amend condition 1)c) to read '<u>significant discharge of sediment must not occur</u>'.</li> <li>• Amend condition 19) to refers to management of dams in accordance with NZSOLD Dam Safety Guidelines.</li> <li>• Amend condition 24) to read ... '<u>must be avoided where possible</u>'.</li> </ul>



Submitter	Position	Summary of decision requested
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

## C.3 Damming and diverting water

### General submissions on damming and diversion

Submitter	Position	Summary of decision requested
Cathcart B	Support	Supports the whole section as it is based on well-established practice.
First Gas Limited	Amend	<p>Add a new rule as follows:</p> <p><u>A dam in the bed of any river, lake or wetland, that is not being undertaken for the purpose ancillary of operation and maintenance of pipelines and ancillary equipment is a restricted discretionary activity.</u></p> <p><u>Matters of discretion</u></p> <p><u>1) Timing of the works outside of the native fish and whitebait spawning session</u></p> <p><u>2) Approval of construction works methodology by Council Monitoring Officer</u></p> <p><u>3) The duration of the works will be completed within 7 days</u></p>
Goodwin A	Amend	Amend rules to allow temporary damming and diverting of stormwater associated with sediment control as a permitted activity.
Irrigation New Zealand Gailey B	Support	Retain C.3.1 to C.3.9 as notified.
Landowners Coalition Inc	Amend	Dams in existence on or before 1 September 2017 be treated as a permitted activity.
Minister of Conservation	Amend	<p>Add new advice note to beginning of C.3:</p> <p><u>The Department of Conservation must be notified of the intention to erect or place any structure likely to impede fish passage. This includes, for example, culverts, fords, dam or diversion structures (Part VI of the Freshwater Fisheries Regulations 1983).</u></p>
New Zealand Defence Force	Amend	Insert new rule to provide for the construction and removal of a temporary dam and the temporary damming of water as a permitted activity.
Northland Fish and Game	Amend	Add a new restricted activity rule as follows:

Submitter	Position	Summary of decision requested
		<p><u>Damming or diversion of water in a significant wetland or significant area – restricted discretionary activity.</u></p> <p><u>The damming or diversion of water in a significant wetland that is not a:</u></p> <p><u>1) permitted activity under rule C.3.1 'Offstream damming and diversion – permitted activity', or</u></p> <p><u>2) permitted activity under rule C.3.2 'Small dam - permitted activity', or</u></p> <p><u>3) permitted activity under rule C.3.4 'Dam maintenance - permitted activity', or</u></p> <p><u>4) permitted activity under rule C.3.5 'Existing in-stream dam – controlled activity',</u></p> <p><u>is a restricted discretionary activity.</u></p> <p><u>The council limits its discretion to the following matters:</u></p> <p><u>1) Effects on ecological, hydrological, water quality and natural character values.</u></p>
Whangarei District Council	Amend	That the section be rewritten to reflect the NZSOLD Dam Safety Guidelines, which uses a risk based assessment to nominate required design elements and practices.

### C.3.1

Off-stream damming and diversion – permitted activity

Submitter	Position	Summary of decision requested
Dairy NZ Far North District Council Federated Farmers Fonterra G & P Morrison Landcorp Farming Limited Simpson A	Support	Retain rule C.3.1 as notified.

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	Amend C.3.1 as follows:  <i><u>Damming and diversion of rainfall runoff, including sediment ponds and retention structures, is a permitted activity provided:</u></i>
Kaipara District Council	Amend	Add <u>To enable a water take for public water supply</u> to C.3.1 as a permitted activity performance standard.
Minister of Conservation	Amend	Amend C.3.2 by adding a condition requiring compliance with C.2.3 general condition for fish passage.
Miru M Tinopai RMU Limited	Amend	Amend clause 9) by requiring people undertaking the activity to also notify tangata whenua with 10 days notice.  Insert a new clause 10) reading <u>the activity does not occur within an Area of Significance</u>
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Refining New Zealand	Amend	Amend rule as follows:  <i>C.3.1 Off-stream damming and diversion – permitted activity</i>  <i><u>Damming and diversion of rainfall runoff or water in an artificial watercourse is a permitted activity provided:</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Replace condition 5 with the following conditions or similar:  X) <u>the activity does not dam or divert water from reaching a wetland, and</u>  Y) <u>the activity will not result in the loss or degradation of indigenous vegetation in or within 10m of a wetland, and</u>
Tegel Foods Ltd	Amend	Amend C.3.1 as follows:  <del><i>Damming and diversion of rainfall runoff is a permitted activity provided:</i></del>  <del><i>1) the activity does not dam or divert water in a river, natural wetland or lake, and</i></del>  ...  <del><i>3) a one percent annual exceedance probability flood event must be accommodated without increasing upstream or downstream flood levels on other property, and</i></del>

Submitter	Position	Summary of decision requested
		<p>4) the <del>dammed or diverted</del> water does not raise sub<sup>□</sup>surface or surface water levels to the extent that drainage of other property is adversely impeded, and</p> <p>5) the activity does not change the natural seasonal water levels of any natural wetland that would result in the net loss or degradation of indigenous wetland vegetation, and</p> <p>6) the level of a lake or downstream flow in a river is not reduced below a minimum flow or minimum level, and</p> <p>Add new rule:</p> <p><u>C.3.1(b) Diversion of rainfall runoff is a permitted activity provided:</u></p> <p><u>1) the activity does not divert water in a river, natural wetland or lake, and</u></p> <p><u>2) the activity does not adversely affect the reliability of water supply of an authorised water take, and</u></p> <p><u>3) the diversion of surface water and the associated discharge of water must not cause or worsen the flooding of any property in one percent annual exceedance probability flood event;</u></p> <p><u>4) the diverted water must not reduce the water quality of any downstream waterbody, including effects associated with the discharge of sediment.</u></p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	<p>No specific amendments sought. Submitter believes that applicant must not engage in works till they have a</p> <p>written reply acknowledging receipt and approval of the proposed works</p>

### C.3.2

#### Small dam - permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Add that these are not to contravene the Fish Pass Regulations under the Conservation legislation.
CEP Services Matauwhi Limited	Amend	Delete Rule C.3.2 .
Dairy NZ	Support	Retain rule C.3.2 as notified.

Submitter	Position	Summary of decision requested
Federated Farmers G & P Morrison Heritage NZ Landcorp Farming Limited Simpson A		
Far North District Council Kaipara District Council	Amend	Add <u>To enable a water take for public water supply</u> to C.3.2 as a permitted activity performance standard.
GDC Winstone	Amend	Amend subclause 9 as follows  <i>9) the person undertaking the activity must notify the regional council's compliance manager (in writing or by email) at least 10 working days before the start of works in the bed of the water body, with:</i>  <i>a) timing, location and extent of the activities, <del>and including</del></i>  <i>- a <u>description</u> of measures to avoid erosion, structure failure and obstruction of fish passage, and</i>  <i>- for wetland enhancement, a description of <del>details</del> <u>identifying the wetland</u> values being enhanced, and...</i>
Leonard B	Amend	Delete clause C.3.2 (1)(c).
Miru M Tinopai RMU Limited	Amend	Amend clause 9) by requiring people undertaking the activity to also notify tangata whenua at least 10 working days in advance
Northland Fish and Game	Amend	Amend C.3.2 as follows:  <i>A dam in a lake, river or <del>natural</del> wetland is a permitted activity, provided:</i>  <i>1) the activity is necessary for:</i>  <i>a) the creation or enhancement of a wetland, or</i>  <i>b) hydrological monitoring, or</i>  <i>c) stock drinking where stock are excluded from entering the lake, river or wetland, and</i>  <i>2) the activity is not in a <del>significant wetland</del> or an outstanding freshwater body or mapped (refer I 'Maps'): ...</i>

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	Replace condition 7 with the following conditions or similar: <i>X) <u>the activity does not dam or divert water from reaching a wetland, and</u></i> <i>Y) <u>the activity will not result in the loss or degradation of indigenous vegetation in or within 10m of a wetland, and</u></i>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes the rule needs to remove ambiguity

### C.3.3

Existing in-stream dam – permitted activity

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend the rule as follows: <i>1) the damming or diversion was authorised, <del>and/or</del></i> <i>2) the reservoir capacity <del>is</del></i> <i><del>a) less than 20,000 cubic metres, or</del></i> <i><del>b) is necessary for maintaining the wetland's natural ecosystem and not associated with any consented water take, and</del></i> <i>3) the dam height is less than four metres, and</i>
CEP Services Matauwhi Limited	Amend	Delete Rule C.3.3.
Dairy NZ Far North District Council Federated Farmers GDC Winstone Heritage NZ Landcorp Farming Limited Morrison G & P Simpson A	Support	Retain rule C.3.3 as notified.

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	Amend rule as follows:  <i>Existing in-stream dam – permitted activity</i>  <i>An existing dam in a lake, river or <del>natural</del> wetland, is a permitted activity provided: ...</i>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to exclude dams in significant ecological areas and outstanding freshwater bodies from this rule.
Upperton T	Amend	Add condition that stock don't have direct access to the dam to remove possibility of waste entering the water body.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes the rule needs to remove ambiguity

### C.3.4

#### Dam maintenance - permitted activity

Submitter	Position	Summary of decision requested
Far North District Council Federated Farmers Landcorp Farming Limited Morrison G & P Royal Forest and Bird Protection Society NZ Simpson A	Support	Retain rule C.3.4 as notified.
Heritage NZ	Amend	Retain C.3.4 is notified with C.3.4 4) modified as follows:  <i>4) in the case of maintenance and repair of a mapped Historic Heritage Site (refer I 'Maps'), the</i>  <i><u>materials used for maintenance and repair of the structure must match the existing structure in form and appearance. work shall be in accordance with Historic Heritage Site Repair (structure or building) and Historic Heritage Site Maintenance (refer B 'Definitions'), and must not result in any of the following:</u></i>



Submitter	Position	Summary of decision requested
		<p><i>(a) changes to the existing surface treatment of fabric, painting of any previously unpainted surface, or the rendering of any previously un-rendered surface;</i></p> <p><i>(b) the use of abrasive or high-pressure cleaning methods, such as sand or water blasting;</i></p> <p><i>(c) the affixing of scaffolding to the building or structure;</i></p> <p><i>(d) changes to the design, texture, or form of the fabric;</i></p> <p><i>(e) changes to the extent, floor levels, location of internal walls, form, proportion and scale of the building or structure;</i></p> <p><i>(f) the use of materials other than those the same as the original or most significant fabric, or the closest equivalent; or</i></p> <p><i>(g) earthworks or disturbance of land or the foreshore or seabed being undertaken where archaeological site controls apply.</i></p>
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes the rule needs to remove ambiguity

### C.3.5

Existing in-stream dam – controlled activity

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Delete rule.
Bay of Islands Planning Limited Carrington Resort Jade LP	Amend	Amend the rule to include taking of water from the dam.
CEP Services Matauwhi Limited	Amend	<p>Amend to a restricted discretionary rule and make the matters of control matters of discretion.</p> <p>Add additional matters of discretion relating to effects on aquatic ecosystems, and protection of any special values present .</p>

Submitter	Position	Summary of decision requested
Far North District Council GDC Winstone Landcorp Farming Limited	Amend	Retain C.3.5 as notified
Heritage NZ	Amend	<p>Retain rule C.3.5 as notified with amendments as follows:</p> <p><i>C.3.5 Existing in-stream dam – <del>controlled</del> restricted discretionary activity</i></p> <p><i>An existing dam in a lake, river or natural wetland that is not a permitted activity under C.3.3. 'Existing in-stream dam – permitted activity' is a <del>controlled</del> restricted discretionary activity, provided:</i></p> <p><i>5) the activity complies with C.2.3 'General conditions'.</i></p> <p><i>Matters of <del>control</del> discretion:</i></p> <p><i>4) Effects on a Site or Area of significance to Tangata Whenua (refer I 'Maps').</i></p> <p><i>5) The adequacy of the dam structure and any upgrade of maintenance required. <u>Effects on a Historic Heritage Area.</u></i></p> <p><i>6) The adequacy of the dam structure and any upgrade or maintenance required.</i></p>
Northland Fish and Game	Amend	<p>Amend rule as follows:</p> <p><i>An existing dam in a lake, river or <del>natural</del> wetland that is not a permitted activity under C.3.3 'Existing in-stream dam – permitted activity' is a controlled activity, provided: ...</i></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Add a condition to exclude dams in significant ecological areas and outstanding freshwater bodies from this rule.</p> <p>Add matter for control:</p> <p><i>6) <u>effects on instream and riparian indigenous biodiversity</u></i></p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes the rule needs to remove ambiguity

### C.3.6

#### River channel diversion - discretionary activity

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain Rule C.3.6 as notified
Heritage NZ	Amend	Retain C.3.6 as notified with amendments as follows:  <i>... is a discretionary activity, provided:</i>  <i>the activity complies with C.2.3 'General conditions', and it is not in a significant wetland, an outstanding freshwater body, or a mapped (refer I 'Maps'): ...</i>
Landcorp Farming Limited	Support	Unclear but assumed submitter would like rule retained.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Royal Forest and Bird Protection Society NZ	Amend	Add new condition  9) <u>Significant ecological area</u>

### C.3.7

#### Damming or diverting water – discretionary activity

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend the rule as follows - as a consequence of another submission to delete rule C.3.5 and to identify a missing permitted activity:  <u>3) permitted activity under rule C.3.3 Existing in-stream dam -permitted activity, or</u>  <u>3.4. permitted activity under rule C.3.4 Dam maintenance - permitted activity, or</u>  <del>4) permitted activity under rule C.3.5 Existing in-stream dam -controlled activity or</del>
Far North District Council Fonterra	Support	Retain Rule C.3.7 as notified.

Submitter	Position	Summary of decision requested
Landcorp Farming Limited		
Heritage NZ	Amend	Retain C.3.7 as notified with amendments as follows: <i>A dam in the bed of any river, lake or wetland, that is not a:</i>  ..... <i>Permitted activity under C.3.5 'Existing in-stream dam – <del>controlled</del> restricted discretionary activity', or</i>
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

### C.3.8

#### Obstructions that divert water onto other property – discretionary activity

Submitter	Position	Summary of decision requested
Far North District Council The Oil Companies	Support	Retain Rule C.3.8 as notified.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Tegel Foods Ltd	Amend	Amend C.3.8 as follows:  <i>The placement of obstructions, including structures, within flood hazard areas (including high risk flood hazard areas), overland flow paths, rivers or artificial watercourses that divert water onto other property <u>that is not a permitted activity under any other Rule</u> is a discretionary activity.</i>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

### C.3.9

Damming or diversion of water in a significant wetland or significant area – non-complying activity

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain Rule C.3.9 as notified.
Northland Fish and Game	Amend	Amend rule as follows: <i>Damming or diversion of water in <del>a significant wetland</del> or significant area – non complying activity.</i> <i>The damming or diversion of water in <del>a significant wetland</del>, an outstanding freshwater body or mapped (refer I 'Maps'): ...</i>
Royal Forest and Bird Protection Society NZ	Amend	Add policy direction to give effect to the RPS in relation to s6 matters  Include activities in significant ecological areas and outstanding landscapes.  Clarify what a “significant area” is throughout the plan

## C.4 Land drainage and flood control

### General submissions on land drainage and flood control

Submitter	Position	Summary of decision requested
Cathcart B	Support	Generally support the whole section as it is based on well-established practice.
Horticulture New Zealand	Amend	<p>Insert a new rule specifically for drains:</p> <p><u>C 4.x Repair, maintenance and clearance of a drain – permitted activity</u></p> <p><u>The repair, maintenance or clearance of a drain is a permitted activity, provided:</u></p> <p><u>1) the activity complies with the C.4.8 'Land drainage and flood control general conditions'.</u></p> <p><u>and</u></p> <p><u>2) there is no increase to the length, width or height of the original drain.</u></p>
Horticulture New Zealand	Amend	<p>Add the following new rule</p> <p><u>Land drainage – Restricted Discretionary Activity</u></p> <p><u>A drain that is not in a drainage scheme including repairs, maintenance and clearance and associated discharge of drainage water that cannot meet permitted activity C.4.1 or C.4.3 is a restricted discretionary activity provided:</u></p> <p><u>Matters of discretion</u></p> <p><u>1) The management of drainage effects</u></p> <p><u>2) The size and zone of reasonable mixing</u></p> <p><u>3) The degree of compliance with C.4.8 General conditions</u></p> <p><u>4) Effects on tangata whenua and their taonga.</u></p>
Minister of Conservation	Amend	<p>Add new advice note to beginning of C.4:</p> <p><u>The Department of Conservation must be notified of the intention to erect or place any structure likely to impede fish passage. This includes, for example, culverts, fords, dam or diversion structures (Part VI of the Freshwater Fisheries Regulations 1983).</u></p>
Whangarei District Council	Amend	Amend rules C.4.1 (Land drainage - permitted activity) and C.4.5 (Land drainage schemes - controlled activity) to address the effects of acid sulphate soils

## C.4.1

### Land drainage – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Amend wording as follows:  <i>"any resulting land subsidence, <u>dewatering</u> or slumping does not cause adverse effects on structures or infrastructure on other property"</i>
Federated Farmers Horticulture New Zealand Kiwi Rail Landcorp Farming Limited Whangarei District Council	Support	Retain rule C.4.1 as notified.
Kurmann A	Amend	All drainage of farmed land and cultivated forests should have a limit of the containing water-soluble nutrients.
Minister of Conservation	Amend	Add following condition to C.4.1:  <i><u>The activity does not have adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna in terrestrial, freshwater and marine environments, as determined by the assessment criteria of Appendix 5, Regional Policy Statement for Northland.</u></i>
Ko Te Hua Marae (Ngati Whata Hapu) Parapara Marae (Ngati Tara Hapu)	Amend	All drainage of surface and subsoil water of any farmed land and cultivated forests should have a limit of the containing water soluble nutrients. The levels for phosphorus should be <0.05ppm P/1 and for nitrates 5 mg/1
Morrison G & P	Amend	Relief sought is unclear.
Northland Fish and Game	Amend	Amend C.4.1 so that new drains have setback criteria included, that are based on soil type, the type of land use and topography using slope classification in the New Zealand Land Resources Inventory as the first basis.
Royal Forest and Bird Protection Society NZ	Amend	Provide a condition that the drainage is not in a wetland and does not have a hydraulical connection to a wetland.  Provide for policy D.4.26.

Submitter	Position	Summary of decision requested
Tegel Foods Ltd	Amend	Amend C.4.1 as follows:  <i>A drain and the associated discharge of drainage water is a permitted activity, provided:</i>  ...  <i>3) the discharge is to the same catchment as that to which the water would <del>naturally</del> flow, and</i>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

## C.4.2

Existing authorised stopbanks - permitted activity

Submitter	Position	Summary of decision requested
Landcorp Farming Limited	Support	Unclear, but it is assumed submitter would like the rule retained.
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.

## C.4.3

Repair and maintenance of a stopbank, floodgate or drain – permitted activity

Submitter	Position	Summary of decision requested
Cathcart B	Amend	Amend clause 2) to read:  <i><u>2) the repair and maintenance does not alter the form of the existing stopbank, floodgate or drain and there is no increase the level of protection provided by the structure</u></i>
Federated Farmers Kiwirail	Support	Retain rule C.4.3 as notified.



Submitter	Position	Summary of decision requested
Landcorp Farming Limited		
Hayes M	Amend	Unclear exactly what changes are sought but opposed to the requirement in clause 3 to notify the regional council 10 days in advance.
Kaipara District Council	Amend	Replace 2) of C.4.3 with: <u>no permanent increase in the length, width or height of the original stopbank, floodgate or drain</u> , or similar.
Horticulture New Zealand	Amend	Amend C.4.3 by deleting drains and including a new rule specific for drains.  <i>Repair and maintenance of a stopbank or floodgate <del>or drain</del> – permitted activity</i>  <i>The repair or maintenance of a stopbank, or floodgate <del>or drain</del> is a permitted activity provided...</i>
Miru M Tinopai RMU Limited	Amend	Amend clause 3) so that if the activity occurs within an Area of Significance to tangata whenua, tangata whenua are also given at least 10 days notice.
Morrison G & P	Amend	Amend rule C.4.3 as follows;  <i>2) <del>there is no increase to the length, width or height of the original stopbank, floodgate or drain working in conjunction with an Information Supporting and Compliance Officer/Manager the size of stopbanks can be addressed in relation to tidal rise and global warming</del>, and</i>
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Stevens V	Amend	Delete C.4.3. clause 3 requiring council notification.
Whangarei District Council	Amend	Amend clause 2) to read: <u>there is no designed permanent increase in dimensions</u> .

## C.4.4

### Re-consenting flood control schemes – controlled activity

Submitter	Position	Summary of decision requested
Far North District Council Horticulture New Zealand Simpson A Whangarei District Council	Support	Retain C.4.4 as notified.
Minister of Conservation	Amend	Add following matters of control to C.4.4: <ul style="list-style-type: none"> <li>• <i>To avoid adverse effects on instream habitat</i></li> <li>• <i>To avoid adverse effects on indigenous freshwater fish, in particular eels</i></li> <li>• <i>To define the size and zone of reasonable mixing</i></li> </ul>
Northland Fish and Game	Amend	Add reference to the Schedule of values requested by Northland Fish and Game. Otherwise retain rule as notified.
Tautari R Patuharakeke Te Iwi Trust Board	Support	Retain matter of control 4): "Effects on tangata whenua and their taonga".

## C.4.5

### Land drainage schemes – controlled activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Correct typographical error "6) ffsh passage" should be " <u>fish passage</u> ".  Amend maps to include all drains in the Motutangi/Kaimaumau drainage district and the Motutangi Stream.  Insert a matter of control " <u>effects associated with acid sulphate soils</u> ".
Far North District Council	Support	Support Controlled Activity status

Submitter	Position	Summary of decision requested
Foy F	Amend	Amend to make this activity a permitted activity or the assessment criteria should be made more practical and to reflect these schemes have been in place for 70 years
Horticulture New Zealand Whangarei District Council	Support	Retain C.4.5 as notified.
King K & F	Amend	Amend C.4.5 to make this activity a permitted activity or the criteria should be reduced to be more practical to reflect that these drainage schemes have been in place for over 100 years.
New Zealand Transport Agency	Amend	Amend C.4.5 as follows: <i>C.4.5 Land drainage <u>District</u> – controlled activity</i> ... <i>6) the work is carried out by a local authority or group of land owners who have assumed control of the scheme pursuant to Sections 517A to 517ZM of the Local Government Act 1974 or the road controlling authority.</i>
Northland Fish and Game	Amend	Amend matters of control 7) and 8) as follows: <i>7) Effects on any <del>natural</del> wetlands.</i> <i>8) Effects on <del>indigenous</del> freshwater fish, and in particular eels.</i>
Royal Forest and Bird Protection Society NZ	Amend	Amend to a restricted discretionary rule Include effects on indigenous biodiversity as a matter of discretion.
Tautari R Patuharakeke Te Iwi Trust Board	Support	Retain matter of control 5): " <i>Effects on tangata whenua and their taonga</i> ".

#### C.4.6

Other land drainage and flood control activities – discretionary activity

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain C.4.6 as notified.

Submitter	Position	Summary of decision requested
Landcorp Farming Limited Northland Fish and Game		
Horticulture New Zealand	Amend	Amend C.4.6 by adding <i>6) <u>Restricted discretionary activities under rule C.4.x Land drainage – Restricted Discretionary Activity</u></i>
Ko Te Hua Marae (Ngati Whata Hapu) Parapara Marae (Ngati Tara Hapu)	Amend	Other land drainage should have a limit of the containing water soluble nutrients as well as limits for heavy metals. The levels for heavy metals and organoleptic substances should be lower than the existing environmental standards for land with 25% produce. The levels for phosphorus should be <0.05ppm P/1 and for nitrates 5 mg/1.
Kurmann A	Amend	Other land drainage should have a limit of the water-soluble nutrients and limits for heavy metals.
Royal Forest and Bird Protection Society NZ	Amend	Include a condition that the activity will not affect a significant ecological area or significant wetland.  Add a non-complying rule where this condition is not met.

#### C.4.7

Activities affecting flood control schemes - discretionary activity

Submitter	Position	Summary of decision requested
Northland Fish and Game Whangarei District Council	Support	Retain C.4.7 as notified.

#### C.4.8

Land drainage and flood control general conditions

Submitter	Position	Summary of decision requested
Kaipara District Council	Amend	Change Condition 6 of C.4.8 as follows: "... is likely to <del>where it may</del> be carried..."

Submitter	Position	Summary of decision requested
Whangarei District Council		
Heritage NZ	Amend	<p>Retain but amend Rule C.4.8 as follows:</p> <p><i>Land drainage and flood control general conditions</i></p> <p><u>Note: work affecting archaeological sites is subject to an authority process under the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA"). If any activity associated with a project, such as earthworks, fencing, in-ground signage or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand Pouhere Taonga must be obtained for the work to proceed lawfully. The HNZPTA contains penalties for unauthorised site damage.</u></p> <p><u>Section 6 of the HNZPTA defines an archaeological site as:</u></p> <p>(a) <u>Any place in New Zealand, including any building or structure (or part of a building or structure), that –</u></p> <p>(i) <u>was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</u></p> <p><u>provides or may provide, through investigation by archaeological</u></p> <p>(i) <u>methods, evidence relating to the history of New Zealand; and</u></p> <p>(b) <u>includes a site for which a declaration is made under section 43(1) of the HNZPTA.</u></p> <p>.....</p> <p><u>Nineteenth Century buildings and structures above and below ground are archaeological sites and may require an Authority depending upon the nature of the works proposed.</u></p> <p>.....</p> <p>General conditions for land drainage and flood control activities that apply when specified in a permitted or controlled activity rule:</p> <p>.....</p> <p>3) <u>The activity must not be an alteration, addition, or affect the setting of a Historic Heritage Site (refer I 'Maps'). It must not be a partial demolition, demolition, removal, or replacement of alter, damage or destroy a Historic Heritage Site. If it is then the activity will default to a discretionary or a non-complying activity status depending upon the nature of the proposed works, and</u></p> <p><u>14) the works are not in a Historic Heritage Area.</u></p> <p><u>15) The activity does not result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</u></p>

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	Amend C.4.8 by deleting condition 11)
Kurmann A	Amend	Include soluble nutrient limits for drainage water discharge from any farmed land and cultivated forests of 0.05 mg/L Phosphorous and 5 mg/L nitrates.
Minister of Conservation	Amend	<p>Amend C.4.8 as follows:</p> <ol style="list-style-type: none"> <li>1) Add new conditions: <ul style="list-style-type: none"> <li>• <u>There are no vulnerable indigenous fish populations located upstream of the structure that would be adversely affected by its emplacement.</u></li> <li>• <u>kōura (freshwater crayfish) or kākahi (freshwater mussels) must be returned (all return activities should occur upstream of the clearance and as soon as practical but no later than one hour after removal)</u></li> </ul> </li> <li>2) Amend 12) to: <u>where a discharge from land drainage enters an outstanding freshwater body or the coastal marine area, at or beyond a 10-metre radius from the discharge point, the discharge does not:</u></li> <li>3) Add additional condition to 12): <u>f) cause any adverse effects on aquatic life and g) cause any reduction in QMCI upstream to downstream by 20%</u></li> <li>4) Add additional conditions: <ul style="list-style-type: none"> <li>• <u>The activity shall not take place during August to December inclusive</u></li> <li>• <u>Bank disturbance is limited to one side of the waterway.</u></li> <li>• <u>Excavation does not widen or deepen the original grade or cross section of the channel (unless for constructing a sediment retention trap)</u></li> <li>• <u>When clearing aquatic vegetation, a weed bucket shall be used with a curved flat base and a slatted back</u></li> <li>• <u>Work shall be undertaken from upstream to downstream</u></li> <li>• <u>Woody debris are not removed unless it is causing, or has the potential to cause, a flood or erosion risk or threat to infrastructure</u></li> <li>• <u>The activity does not take place in an identified Inanga spawning areas or threatened species habitat</u></li> </ul> </li> </ol>
Morrison G & P Stevens V	Support	Retain C.4.8 as notified.
Northland District Health Board	Amend	<p>Add an additional condition as C.4.8 (14) as follows</p> <p><u>“(14) any discharge does not contain concentrations of contaminants which have or are likely to have any more than minor adverse effect on source water for human consumption as per National Environmental Standards for Sources of Human Drinking Water.”.</u></p>
Northland Fish and Game	Amend	<p>Amend C.4.8 as follows:</p> <p>...</p>

Submitter	Position	Summary of decision requested
		<p>2) the activity does not alter the <u>natural</u> course or bed of a <del>lake or river waterbody</del>, and</p> <p>...</p> <p>4) new land drainage does not occur within 50 metres of any <del>natural</del> wetland, and</p> <p>5) drainage does not cause any change to the seasonal or annual range in water level of a <del>natural</del> wetland to an extent that may adversely affect the wetland's natural ecosystem, and</p> <p>6) no vegetation, soil or other debris generated from the activity is placed in a position where it may be carried into a river or <del>natural</del> wetland, lake or the coastal marine area, and</p> <p>...</p> <p>8) <del>indigenous</del> fish passage is maintained, unless an existing authorisation provides otherwise or except for during temporary works to enable repair and replacement works to be carried out, and</p> <p>9) eels and other <del>indigenous</del> fish, <u>other than pest fish</u>, unintentionally removed during mechanical clearing of drainage channels are returned to the drainage channel, and</p> <p>...</p> <p>12) where a discharge from land drainage enters <del>an outstanding</del> a freshwater body or the coastal marine area, at or beyond a 10-metre radius from the discharge point, the discharge does not:</p> <p>...</p> <p>d) cause any conspicuous change in colour, or <del>reduction in</del> visual clarity of the receiving water, and</p> <p>...</p> <p>13) any discharge of sediment associated with repair and maintenance activities does not occur for more than five consecutive days, or for more than 12 hours on any one day within those five days, and there is no:</p> <p>a) conspicuous change in colour, or</p> <p>b) <del>reduction in</del> visual clarity after reasonable mixing at any time from 24 hours after completion of the activity.</p> <p><u>14) the activity must not cause any significant adverse effects on aquatic life.</u></p>
Tegel Foods Ltd	Amend	<p>Amend C.4.8 as follows:</p> <ul style="list-style-type: none"> <li>• Condition 1) - Change "no adverse effects" to be less onerous</li> <li>• Condition 5) – delete</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Condition 11) - reference ANZECC water quality guideline values instead of a general reference to contaminants.</li> <li>Condition 12) - unclear, but infer it's to delete.</li> </ul>
Whangarei District Council	Amend	Amend condition 13) to read <i><u>no significant discharge of sediment</u></i>



## C.5 Taking and using water

### C.5.1 Taking and use of freshwater

#### General submissions on taking and use of water

Submitter	Position	Summary of decision requested
Clements B	Support	General support for C.5.1 subject to changes submitter seeks to this section.
Dairy NZ Federated Farmers	Amend	Amend note at the start of C.5.1 to include:  <u>Domestic water use and animal stock drinking water are not included in the total daily takes in the rules.</u>
Fire and Emergency NZ	Amend	Amend the Note at the beginning of Section C.5.1 as follows:  <u>Section 14(3) of the Resource Management Act 1991 identifies situations where water can be taken, used, dammed or diverted without resource consent. Section 14(3)(b) of the Resource Management Act 1991 allows fresh water to be taken or used for a person's reasonable domestic needs or the reasonable needs of an a person's animals for drinking water <del>without a resource consent</del>, provided the taking or use does not, or is not likely to, have an adverse effect on the environment. Section 14(3)(e) enables water to be taken or used by Fire and Emergency New Zealand (and defence fire brigade and industry brigades) for emergency and training purposes.</u>
First Gas Limited	Support	Submitter supports rules C.5.1 -13 (and related activity status), which provide for hydro testing.
Foy F King K & F	Support	Supports the protection of taking of water for stock drinking as a permitted activity
GDC Winstone	Amend	Amend by adding a new rule as follows:  <u>New Rule C.5.1.x</u>  <u>Re-consenting de-watering of existing quarries -controlled activity</u>  <u>An application for a new resource consent to replace an existing resource consent for the ground de-watering of existing quarries is a controlled activity provided:</u>  <u>1) The existing water take and use is authorised by an existing resource consent at the time of the resource consent application, and</u>  <u>2) There is no increase in the timing, rate and volume of water take and use as authorised by the current resource consent.</u>  <u>Matters of control</u>

Submitter	Position	Summary of decision requested
		<p><u>1. The timing, rate and volume of the take.</u></p> <p><u>2. Measures to avoid remedy or mitigate effects on:</u></p> <p><u>- aquatic ecosystems and species, and</u></p> <p><u>- mahinga kai and access to mahinga kai, and</u></p> <p><u>- Indigenous biodiversity where it affects tangata whenua ability to carry out cultural and traditional activities, and</u></p> <p><u>- Wahi tapu, and</u></p> <p><u>- Mapped Sites and Areas of Significance to Tangata Whenua (refer Maps D).</u></p>
Haititaimarangi Marae 339 Trust	Amend	Amend the rules to ensure that takes below minimum flow are consistent with section 14(3) (b) of the RMA and do not result in significant adverse impacts on aquatic life including cumulative impacts .
Haititaimarangi Marae 339 Trust	Amend	Amend the Rules to ensure that water saving measures are undertaken before minimum flows are reached and to significantly reduce takes which cause (include cumulatively) minimum flows to be exceeded and the river to flatline.
Haititaimarangi Marae 339 Trust	Amend	Amend all rules and associated policies to ensure that takes below minimum flows and levels are not able to occur.
Hicks M	Amend	<p>Amend to introduce a test for a proposed water takes to satisfy that the water use activity presents a viable long term operation.</p> <p>Unclear what submitter is requesting - inferred that submitter wants the Plan to take a more restrictive approach to water takes.</p>
Holloway V	Amend	Unclear what submitter is seeking to change in the plan however states that Council needs to charge for excess water take and restrict the amount being taken.
Irrigation New Zealand	Support	Retain C.5.1.2 to C.5.1.6 as notified.
Irrigation New Zealand	Support	Retain C.5.1.9 to C.5.1.14 as notified.
Irrigation New Zealand	Amend	<p>Add new rule:</p> <p><u>Take and use of water – restricted discretionary</u></p> <p><u>The replacement of existing resource consents is a restricted discretionary activity providing.</u></p>

Submitter	Position	Summary of decision requested
		<p><i>a) The take, in addition to all existing consented takes but excluding takes consented in association with in-stream dams, does not result in any exceedance of the allocation limits; and</i></p> <p><i>b) The take complies with the relevant minimum flow regime</i></p> <p><i>Matters of discretion:</i></p> <ul style="list-style-type: none"> <li><i>The rate, volume and timing of the take;</i></li> <li><i>The reasonable need for the quantities of water sought;</i></li> <li><i>Duration of consent;</i></li> <li><i>Lapsing of consent;</i></li> <li><i>Review of consent conditions;</i></li> <li><i>The collection, recording, monitoring and provision of information.</i></li> </ul> <p><i>For groundwater takes:</i></p> <ul style="list-style-type: none"> <li><i>The effects the take (on its own, or in combination with other takes) has on any other authorised takes (including well interference drawdown effects);</i></li> </ul> <p><i>For surface takes:</i></p> <ul style="list-style-type: none"> <li><i>The effects of any intake structure on fish passage and the need for fish exclusion devices or screens;</i></li> </ul>
Kaipara District Council	Amend	<p>Amend water take rules as follows:</p> <ul style="list-style-type: none"> <li>That the district health board is informed of all community supplies.</li> <li>Meters to be a mandatory requirement for water takes in all high/over-allocated water catchments.</li> <li>New bores must be fitted with a bore backflow device to protect the aquifer from contamination, and that the condition should require ongoing maintenance.</li> </ul>
Kerr D	Amend	Unclear exactly what submitter is seeking to change in the plan but submitter expresses general opposition to the 'first come, first served' approach and states that larger users need to have restrictions on when they can use water.
Lourie D	Amend	Do not grant consents for water takes from the aquifers feeding springs without written permission from the traditional and legal owners.
Minister of Conservation	Amend	<p>Add new advice note to beginning of C.5:</p> <p><i>The Department of Conservation must be notified of the intention to erect or place any structure likely to impede fish passage. This includes, for example, culverts, fords, dam or diversion structures (Part VI of the Freshwater Fisheries Regulations 1983).</i></p>
National Institute of Water and Atmospheric Research Limited	Amend	<p>Insert the following rule:</p> <p><i>C.5.1.14 Taking and use of seawater for firefighting and vessel operation - permitted activity</i></p>

Submitter	Position	Summary of decision requested
		<u>The taking and use of seawater for firefighting purposes and for the normal operational needs of vessels is a permitted activity.</u>
National Institute of Water and Atmospheric Research Limited	Amend	<p>Insert the following rule:</p> <p><u>C.5.1.15 Taking and use of seawater for other purposes – permitted activity</u></p> <p><u>The taking and use of sea water for purposes other than firefighting or the normal operational needs of vessels is a permitted activity provided:</u></p> <p><u>a) the taking and use does not:</u></p> <p><u>(i) change natural water and sediment movement patterns; or</u></p> <p><u>(ii) change natural water quality; or</u></p> <p><u>(iii) damage or destroy flora or fauna.</u></p>
National Institute of Water and Atmospheric Research Limited	Amend	<p>Insert the following new rule:</p> <p><u>C.5.1.16 Taking, use or diversion of coastal water – permitted activity</u></p> <p><u>The taking, use, or diversion of coastal water is a permitted activity provided:</u></p> <p><u>a) the water, heat, or energy is required for an individual's reasonable domestic or recreational needs, and</u></p> <p><u>b) the taking, use, or diversion does not, or is not likely to have an adverse effect on the environment.</u></p>
National Institute of Water and Atmospheric Research Limited	Amend	<p>Insert the following new rule:</p> <p><u>C.5.1.17 Other taking and use of seawater – discretionary activity</u></p> <p><u>The taking and use of seawater which is not otherwise a permitted activity under rule C.5.1.14, C.5.1.15 or C.5.1.16 is a discretionary activity</u></p>
New Zealand Defence Force	Amend	Add a permitted activity rule for the taking and use of coastal water (other than open coastal water) or add a note advising that the take and use of open coastal water is not restricted by the RMA.
New Zealand Defence Force	Amend	Add a new permitted activity rule to allow for the temporary taking and use of water for the presupposes of temporary military training on potable water treatment plants.
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for taking water within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.

Submitter	Position	Summary of decision requested
New Zealand Geothermal Association	Amend	Insert a new permitted activity rule for small-scale takes of geothermal water and energy that includes takes other than from geothermal aquifers, with performance standards and conditions governing volume (suggest a maximum of 30 tonnes per day of geothermal groundwater), heat rate (a maximum of 7,500 megajoules per day) and distance to significance geothermal features (a minimum of 100 metres from significant geothermal features other than hydrothermal eruption craters).
New Zealand Geothermal Association	Amend	<p>Insert a separate discretionary activity rule for takes of geothermal water not falling within the permitted activity thresholds together with a policy framework focussed on the relevant issues including:</p> <ul style="list-style-type: none"> <li>• Support for continuation of existing large-scale takes of geothermal water for electricity generation;</li> <li>• Integrated management of geothermal takes and discharges;</li> <li>• Avoidance of rapid depletion of the geothermal resource and enabling longterm utilisation of the resource as demonstrated by modelling of depletion rates over periods of 50 years;</li> <li>• Recognition of the interests in and values of tangata whenua related to the geothermal resource;</li> <li>• Appropriate management of potential effects on significant geothermal features;</li> <li>• Appropriate management of potential effects on third party surface activities.</li> </ul>
Ngai Takoto Iwi	Support	Submitter supports the current permitted activity status of rules in Section C.5
Ngai Takoto Iwi	Amend	NRC commit to a collaborative long term planning process specifically for freshwater in the Far North
Ngai Takoto Iwi	Amend	Amend controlled, restricted discretionary, discretionary and non-complying activity rules to include an assessment on the benefits of the activity to the social, economic and cultural well-being of the far north region.
Ngāwhā Generation Ltd	Amend	<p>Seeks changes to Chapter C.5 and associated rules to provide for the management of geothermal resources separately from other water resources. This can be achieved by either:</p> <p>i) Introducing Objectives, Policies and Rules providing for the taking and use of geothermal heat, energy and water into the Proposed Plan that provide for:</p> <ul style="list-style-type: none"> <li>a) Enabling long-term utilisation of geothermal resources;</li> <li>b) The continuation and expansion of existing large-scale takes of geothermal water for electricity generation and other purposes;</li> <li>c) The integrated management of geothermal takes and discharges with other land and water use activities; and</li> </ul>

Submitter	Position	Summary of decision requested
		<p>d) Appropriate management of potential effects on surface activities; [Refer to submission for the suggested suite of objective, policy and rules]</p> <p>OR</p> <p>ii) Introducing a Variation to the Proposed Plan to specifically address the management and use of geothermal resources in the Northland Region.</p> <p>AND</p> <p>iii) Such changes to the Proposed Plan rules as may be necessary in order to provide for the use and development of geothermal resources separately from rules providing for the taking of water from other aquifers.</p>
Nikora-Kerr K	Amend	Put personal water allocation before commercial allocations.
Northland Fish and Game  Royal Forest and Bird Protection Society NZ	Amend	<p>Require consent for takes from fully allocated rivers and aquifers.</p> <p>Require consent for takes from outstanding water bodies.</p> <p>Reduce the permitted take from other rivers or aquifers to what is required for domestic use and animal drinking water needs.</p>
Northport Ltd	Amend	<p>Add a new rule:</p> <p><u>C.5.1.14</u></p> <p><u>Taking and use of seawater - permitted activity</u></p> <p><u>The taking and use of seawater where the activity does not:</u></p> <p><u>i) change natural water and sediment movement patterns; or</u></p> <p><u>ii) change natural water quality or</u></p> <p><u>iii) damage or destroy flora or fauna.</u></p>
Northport Ltd	Amend	<p>Add a new rule</p> <p><u>C.5.1.15 - Taking and use of seawater - discretionary activity</u></p> <p><u>The taking and use of seawater is a discretionary activity where it is not a permitted activity under C.5.1.14</u></p>
NZ Pork Industry Board	Support	Retain the reference to s14(3)(b) and consent not being required for fresh water to be taken or used for a person's reasonable domestic needs or the reasonable needs of a person's animals for drinking water
Perkinson A	Unclear	Reduce the permits for bores granted to the commercial sector.

Submitter	Position	Summary of decision requested
Refining New Zealand	Amend	<p>Add new rule:</p> <p><u>C.5.1.6A Water takes for Regionally Significant Infrastructure – controlled activity</u></p> <p><u>An application for a new resource consent to take and use water associated with Regionally Significant Infrastructure, or an application for a new resource consent to take and use water that will replace an existing resource consent for Regionally Significant Infrastructure is a controlled activity, provided:</u></p> <p><u>For existing takes;</u></p> <p><u>1) the existing water take and use is authorised at the time of the resource consent application, and</u></p> <p><u>2) there is no increase in the rate or volume of the take.</u></p> <p><u>For new takes;</u></p> <p><u>3) the activity does not adversely affect the quality or reliability of water supply for other lawfully established water takes, and</u></p> <p><u>4) the water take does not cause any permanent change to groundwater levels or result in the movement of contaminants in groundwater beyond the boundary of the Site.</u></p> <p><u>Matters of control:</u></p> <p><u>1) The timing, rate and volume of the take.</u></p> <p><u>2) Measures to ensure the reasonable and efficient use of water (where appropriate).</u></p> <p><u>3) Measures to avoid, remedy or mitigate effects on:</u></p> <p><u>a) aquatic ecosystems and species, and</u></p> <p><u>b) mahinga kai and access to mahinga kai, and</u></p> <p><u>c) indigenous biodiversity where it affects tangata whenua ability to carry out cultural and traditional activities, and</u></p> <p><u>d) wāhi tapu, and</u></p> <p><u>e) mapped Sites and Areas of Significance to Tangata Whenua (refer I 'Maps').</u></p> <p><u>Notification</u></p> <p><u>Resource consent applications under this rule are precluded from notification (limited or public).</u></p> <p>OR</p> <p>Add following to rule C.5.1.13:</p> <p><u>Rule C.5.1.13 does not apply to water takes for the management of passive discharges from Regionally Significant Infrastructure.</u></p>

Submitter	Position	Summary of decision requested
Sucich R	Amend	Groundwater consents should only be used on the land which has the same title as the land on which the groundwater bore is located.
Sucich R	Amend	Groundwater take consent holders should fund the monitoring of the effects on the groundwater system.
Sweetwater Farms	Amend	<p>Add new rule:</p> <p><u>Transfer of a water permit - controlled activity</u></p> <p><u>The transfer of a water permit for the taking and use of water to another site, if both sites are in the same catchment (either upstream or downstream) or aquifer is a controlled activity.</u></p> <p><u>Matters of control:</u></p> <ol style="list-style-type: none"> <li>1) <u>There is no increase on the effects on the health of aquatic ecosystems</u></li> <li>2) <u>Other authorised takes are not adversely affected</u></li> <li>3) <u>The transfer is an efficient use of water</u></li> </ol>
Te Aupouri Iwi Te Hiku Iwi Collective Te Rarawa Anga Mua	Amend	<p>Support the current permitted activity status rules of Section C.5.1 but request amendments to the controlled, restricted discretionary, discretionary and non-complying activities. Requested amendments as follows:</p> <ol style="list-style-type: none"> <li>1. NRC commit to a collaborative long term planning process specifically for freshwater in the Far North.</li> <li>2. NRC as a result of the long term plan will decide alongside key stakeholders and iwi whether the current policy meets the needs of the region and whether a plan change is required to meet those needs</li> <li>3. In the interim controlled, restricted discretionary, discretionary and noncomplying activities must include an assessment on the benefits of the activity to the social, economic and cultural well being of the Far North Region. Cultural well being will be specifically linked to the Te Hiku Iwi Collective and iwi authorities of the Far North.</li> <li>4 NRC to work with key stakeholders and iwi in the Far North to determine appropriate consultants or companies that can provide accurate information to inform water quantity and limits and a specific list is approved for use by applicants.</li> </ol>
The Oil Companies	Amend	<p>Develop a combined take and discharge rule applying to contaminated land and ensure that there is a clear link for rules C.5.1.5 and C.6.9.5 to ensure that there is an appropriate cascade to the combined rule.</p> <p><u>Rule C.6.8 X: Dewatering take and discharge for contaminated land – restricted discretionary activity</u></p>



Submitter	Position	Summary of decision requested
		<p><u>The take of groundwater and the associated diversion and discharge of that water for the purpose of dewatering a contaminated site is a restricted discretionary activity:</u></p> <p><u>Matters for discretion</u></p> <p><u>(a) Duration, location, volume and rate of take, diversion or discharge</u></p> <p><u>(b) Quality of the discharge</u></p> <p><u>(c) Effects of land subsidence</u></p> <p><u>(d) Interference effects on lawfully existing water takes</u></p> <p><u>(e) Effects on surface water bodies</u></p> <p><u>(f) Effects of contamination on land, soil and water</u></p> <p><u>(g) Measuring, monitoring and reporting</u></p> <p><u>Include as a consequential change, relevant provisions to ensure the permitted activity dewatering rules for water take and discharge appropriately cascade to the new restricted discretionary rule above, where the permitted activity standards are unable to be met.</u></p> <p>AND</p> <p>Include as a consequential change, relevant provisions to ensure the permitted activity dewatering rules for water take and discharge appropriately cascade to the new restricted discretionary rule above, where the permitted activity standards are unable to be met.</p>
Waiaua Bay Farm Limited	Amend	<p>Include the following new rule in the plan to provide for groundwater takes outside restricted and groundwater allocations areas to be controlled activities as follows:</p> <p><u>C.5.1.7A Water take from a non-coastal aquifer outside restricted and groundwater allocation areas – controlled activity</u></p> <p><u>The taking and use of water from an aquifer is a controlled activity provided:</u></p> <p><u>1) the take is not from a coastal aquifer, and</u></p> <p><u>2) the take is not within a low, moderate, moderate-high, or fully allocated groundwater area, and</u></p> <p><u>3) the take is not within an area mapped as being subject to potential allocation restrictions (refer I 'Maps'), and</u></p> <p><u>4) the total daily take per property from all sources does not exceed:</u></p> <p><u>(a) 30 cubic metres, or</u></p> <p><u>(b) 600L per hectare up to a maximum of 60m<sup>3</sup>.</u></p> <p><u>Matters of control:</u></p>

Submitter	Position	Summary of decision requested
		<p><u>1) The timing, rate and volume of the take to avoid or mitigate effects</u></p> <p><u>2) Measures to avoid, remedy or mitigate effects on:</u></p> <p><u>(a) aquatic ecosystems and species, and</u></p> <p><u>(b) mahinga kai and access to mahinga kai, and</u></p> <p><u>(c) indigenous biodiversity where it affects tāngata whenua ability to carry out cultural and traditional activities, and</u></p> <p><u>(d) wāhi tapu, and</u></p> <p><u>(e) mapped Sites and Areas of Significance to Tāngata Whenua (refer I 'Maps').</u></p> <p><u>3) Measures to ensure the reasonable and efficient use of water.</u></p>

### C.5.1.1

Minor takes – permitted activity

Submitter	Position	Summary of decision requested
Alspach R Bainbridge A Belle Bros Group Horticulture New Zealand Landcorp Farming Limited National Institute of Water and Atmospheric Research Limited, NZ Pork Industry Board Peers-Adams A	Support	Retain C.5.1.1 as notified.
Bainbridge J	Amend	Supports rule C.5.1.1 but requests that condition 10) be deleted.
Booth A	Support	Supports permitted activity status for new water takes up to 20m3 unless river is fully allocated.

Submitter	Position	Summary of decision requested
Brocx T Dairy NZ Federated Farmers	Amend	Amend as follows:  2)b)ii) 200 litres per hectare, up to a maximum of <del>20</del> <u>30</u> cubic metres...
Browne L	Amend	Retain permitted volume of 200 L per hectare per day but delete the maximum total daily volume per property.  Amend conditions 9) and 10) by specifying the reasons for the council to request information relating to a water take.
Cathcart B	Amend	Amend total daily take limits in sub-clause 2)b)i) and ii) to better recognise the reasonable needs of stock drinking water on Northland farms.
Dairy NZ	Amend	Delete clauses 3) & 4)
Egg Producers Federation New Zealand	Amend	Amend to: <ul style="list-style-type: none"> <li>Propose higher limits for small water takes and limits, which are based on the size of the land parcel.</li> <li>Provide allocation limits within the rule assessment (not policy section) to improve transparency.</li> <li>Specify a separate water take volume for surface water and aquifers</li> </ul>
Fonterra	Amend	Amend Rule C.5.1.1 as follows:  <i>The taking and use of water from a river, lake or aquifer is a permitted activity provided:</i>  <i>1) the take is not from a fully allocated river or aquifer, unless the take and use was <del>authorised</del><u>existing</u> at 1 September 2017, and</i>  <i>2) the total daily take per property from all sources (<del>excluding water taken for reasonable stock drinking or domestic needs</del>) does not exceed:</i>  <i>a) one cubic metre from a coastal aquifer, or</i>  <i>b) from other water bodies:</i>  <i>i) 10 cubic metres, or</i>  <i>ii) 200 litres per hectare, up to a maximum of 20 cubic metres, and</i>  <i><del>3) the water is not taken when:</del></i>  <i><del>a) the flow in a river is below a minimum flow,</del></i>  <i><del>b) or water level in a lake is below a minimum level, and</del></i>  ...

Submitter	Position	Summary of decision requested
King G	Amend	Amend clause 2)b) as follows:  b) from other water bodies:  <del>i) 10 cubic metres, or</del>  ii) 200 litres per hectare, <del>up to a maximum of 20 cubic metres, and</del>
Irrigation New Zealand	Amend	Amend C.5.1.1 as follows:  <ul style="list-style-type: none"> <li>Replace condition 7 with: <u>for surface water takes, the water intake structure is designed, constructed, operated and maintained so that it is consistent with chapter 4.1 of the NIWA Fish Screening: Good Practice Guidelines.</u> Make this change throughout the plan as appropriate.</li> <li>Replace condition 10 with: <u>for water takes that are in catchments (identify key catchments of concern), a water meter is required to be installed and maintained to operate within an accuracy of +/- 5%. Water meter readings shall be taken at a minimum of weekly intervals and submitted electronically to the Council monthly (within 5 working days of the end of each month).</u></li> </ul>
Landowners Coalition Inc	Amend	Establish the quantities being taken as at 1 September 2017 as the permitted activities for that take.  Amend the total daily takes in 2)b) so that 10 cubic metres be increased to 100 cubic metres, that 200 litres per hectare, up to a maximum of 20 cubic metres, be increased to 2000 litres up to a maximum of 200 cubic metres.
Lister Farm (2012) Ltd	Amend	Amend clause 2)bii) by increasing the maximum daily take per property to 40m <sup>3</sup> per day.
Man O'War Dairies Limited	Amend	Amend plan to address concerns about: <ul style="list-style-type: none"> <li>Implications for existing farm operations of lowering maximum amount permitted to be taken from that allowed by operative plan</li> <li>Level of allocation (rivers and aquifers) on submitters farms not clear</li> <li>Water metering (adequately addressed by central government regulation).</li> </ul>
Minister of Conservation	Amend	Amend C.5.1.1 as follows: <ul style="list-style-type: none"> <li>Add an additional condition to 2) <u>c) two cubic metres from an outstanding freshwater waterbody</u></li> <li>Amend 7) <u>c): For takes from small rivers or large rivers, the intake screen mesh spacing is not greater than three millimetres</u> <del>2 mm</del></li> <li>Add an additional condition to 7) <u>e) The maximum sweep velocity is no less than 0.5 metres per second</u></li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>• Add an additional condition: <u>For lakes maximum approach velocity less than or equal to 0.1 m/s</u></li> <li>• Add an additional condition to 7) <u>The intake is covered by a fish screen</u></li> </ul>
Minister of Conservation	Amend	<p>Amend C.5.1.1 as follows:</p> <p>1) the take is not from:</p> <p><u>a) a fully allocated river or aquifer, unless the take and use was authorised at 1 September 2017, or</u></p> <p><u>b) a coastal aquifer, and</u></p>
MLP LLC	Amend	<p>Amend rule C.5.1.1 as follows:</p> <p>...</p> <p>2) the total daily take per property from all sources does not exceed:</p> <p>a) one cubic metre from a coastal aquifer, or</p> <p>b) from other water bodies:</p> <p>i) 10 cubic metres, or</p> <p>ii) 200 litres per hectare, up to a maximum of 20 cubic metres, and</p> <p><u>c) where there are multiple bores on a property located within different aquifers, the take from each aquifer shall not be greater than the limits identified in 2a) and b) above; and</u></p> <p>...</p>
Northland District Health Board	Amend	<p>Reword C.5.1.1 (9) and renumber as (10) as follows:</p> <p><del>9) at the written request of the regional council, the water user provides the regional council with</del> <u>a written report on an annual basis including the following information:</u></p> <p>a) the location of water take, and</p> <p>b) the volume of water taken and the maximum rate of take, and</p> <p>c) the purpose for which the water is used or is proposed to be used</p> <p>Reword C.5.1.1 (10) and renumber to (9) <del>at the written request of the regional council, the water user advises the regional council of their proposal to take water and a water meter(s) is installed at the location(s) specified in the request and water use records are provided to be agreed with the regional council in a format and at the frequency specified in the request.</del></p>

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	<p>Amend rule C.5.1.1 so that:</p> <ul style="list-style-type: none"> <li>• “fully allocated” is defined elsewhere in this plan</li> <li>• a cumulative effects analysis of the total likely quantity of water available to be abstracted under this rule is undertaken and that this is assessed against the existing naturalised flow regime in each of the catchments or aquifers</li> <li>• hydrologically discrete FMUs based on catchment and aquifer boundaries are developed, rather than the broad FMU categories in the notified plan</li> <li>• consent is required for takes from <ul style="list-style-type: none"> <li>◦ fully allocated rivers and aquifers, and</li> <li>◦ outstanding water bodies</li> </ul> </li> <li>• the permitted take from other rivers or aquifers is reduced to what is required for domestic use and animal drinking water needs.</li> </ul>
Simpson A	Amend	Increase permitted take to 25m <sup>3</sup> .
Tegel Foods Ltd	Amend	Split C.5.1.1 into a groundwater take permitted activity provision and a surface water take permitted provision.
Waiaua Bay Farm Limited	Amend	<p>Amend C.5.1.1 as follows:</p> <p><i>The taking and use of water from a river, lake or aquifer is a permitted activity provided:</i></p> <p>...</p> <p><i>2) the total daily take per property from all sources does not exceed:</i></p> <p><i>a) one cubic metre from a coastal aquifer, or</i></p> <p><i>b) from other water bodies:</i></p> <p><i>i) 10 cubic metres, or</i></p> <p><i>ii) 200 litres per hectare, up to a maximum of 20 cubic metres, and</i></p> <p><i><u>c) where there are multiple bores on a property located within different aquifers, the take from each aquifer shall not be greater than the limits identified in 2a) and b) above; and</u></i></p>
Whangarei District Council	Amend	<p>The addition of a clause to restrict takes under this rule to be for personal use only.</p> <p>WDC supports a rule framework which promotes/ provides an incentive for the registration of public water supplies. As the Ministry of Health are not able to identify public supplies unless they are registered, the</p>

Submitter	Position	Summary of decision requested
		<p>conditions for permitted activity rules and consent process could include measures to ensure that NDHB are informed of community supplies in order for a register to be maintained.</p> <p>Condition 5 requires a water meter to be installed at the written request of the NRC. It is recommended that all takes should be metered to ensure that water use is accurately accounted for. This would also support the provision of accurate information under Condition 9. At the very least, meters should be a mandatory requirement in all high/over allocated water catchments.</p> <p>Where bores are used, WDC recommends that the criteria should require the installation of bore backflow protection devices to protect the aquifer from contamination. As such devices are only effective when maintained, a condition should also require ongoing maintenance of the device (with a register to be maintained by NRC of ongoing compliance).</p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. However submitter believes any water take greater than five (5) cubic metres per day should be metered.

### C.5.1.2

Temporary take for road construction or maintenance - permitted activity

Submitter	Position	Summary of decision requested
Far North District Council New Zealand Transport Agency Whangarei District Council	Support	Retain C.5.1.2 as notified.
Minister of Conservation	Amend	<p>Amend C.5.1.2 as follows:</p> <ul style="list-style-type: none"> <li>Amend 6) c): <i>For takes from small rivers or large rivers, the intake screen mesh spacing is not greater than <del>three millimetres</del> 2 mm</i></li> <li>Add an additional condition to 6) <i>The intake is covered by a fish screen</i></li> <li>Add an additional condition to 7) <i>e) The maximum sweep velocity is no less than 0.5 metres per second</i></li> <li>Add an additional condition: <i>For lakes maximum approach velocity less than or equal to 0.1 m/s</i></li> </ul>

Submitter	Position	Summary of decision requested
Miru M Tinopai RMU Limited	Amend	Amend clause 7) so that if the activity occurs within an Area of Significance, tangata whenua are also given 10 days notice prior to the activity occurring.
Northland Fish and Game	Amend	Delete condition 6) b)  Add a condition to exclude activities during bird breeding periods or trigger consent requirement in bird breeding areas.
Royal Forest and Bird Protection Society NZ	Amend	Delete condition 6)b) as it is inconsistent with condition 1).  Add a condition to exclude activities during bird breeding periods or trigger consent requirement in bird breeding areas.  Identify significant habitat of indigenous species including important bird areas on the planning maps for rivers, lakes and wetlands.

### C.5.1.3

Water take from an off-stream dam – permitted activity

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Far North District Council Federated Farmers Fonterra Horticulture New Zealand Landcorp Farming Limited Northland Fish and Game Simpson A Stevens V	Support	Retain rule C.5.1.3 as notified.



### C.5.1.4

Water take from an artificial watercourse – permitted activity

Submitter	Position	Summary of decision requested
Balle Bros Group Brocx T Federated Farmers Fonterra Landcorp Farming Limited Tegel Foods Ltd	Support	Retain rule C.5.1.4 as notified.
Horticulture New Zealand	Support	Retain rule and insert a new policy on modified watercourses.
Northland Fish and Game	Amend	Amend rule to a controlled or restricted discretionary activity, with the matters of control or discretion to include assessments of the proposed schedule of values (refer to submission).
Royal Forest and Bird Protection Society NZ	Amend	Delete condition 2.  Add new condition: " <u>and, the water used for animal drinking water purposes only.</u> "

### C.5.1.5

Water take associated with bore development, bore testing or dewatering – permitted activity

Submitter	Position	Summary of decision requested
Balle Bros Group GDC Winstone KiwiRail Spark New Zealand Trading Ltd Tegel Foods Ltd	Support	Retain C.5.1.5 as notified.

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain C.5.1.5 as notified. Dewatering of acid sulphate soils can release acid that damages water quality and infrastructure
Hayward Family Trust Honeytree Farms Ltd KSL Limited Motutangi Waiharara Water Group	Amend	Amend clause 2) as 11.6 L/s is unlikely to be adequate for large horticultural bores (particularly in the Aupouri Shellbed), which often have flow rates up to 85 L/s. Request increasing limit to 2,500 m <sup>3</sup> /day (~30 L/s), which represents a flow rate adequate to obtain hydraulic data to confirm the bore yield, its sustainability and enable design of the pumping, headworks and reticulation requirements.
Horticulture New Zealand	Amend	Amend clause 2) by deleting 1000 cubic metres per day and replacing with <u>2500</u> cubic metres per day.
Northland Fish and Game	Amend	Amend condition 4) by deleting the word "natural" and the word 'dewatering'.
The Oil Companies	Amend	Amend Clause 2 of Rule C.5.1.5 to provide for dewatering associated with the installation of underground tank pits at refuelling facilities, as follows:  <i>2) in other areas,</i>  <i>a. the activity is completed within seven days of its commencement and the average rate of take does not exceed 1000 cubic metres per day, OR</i>  <i><u>b. the activity is dewatering for construction, installation or maintenance of underground equipment or foundations where the sides of the excavation are sheet piled or boxed to stem the lateral flow and the activity is completed within 10 days of its commencement.</u></i>
The Oil Companies	Amend	Add a cross reference under Rule C.5.1.5 to the associated discharge rule, as follows:  <i><u>The discharge associated with the take and use of groundwater for bore development, bore testing, or dewatering by pumping can be permitted by Rule C.6.9.5.</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Amend condition 4 by deleting the word "natural" and the word 'dewatering'.
Whangarei District Council	Amend	Amend rule to address the effects of acid sulphate soils.

Submitter	Position	Summary of decision requested
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Amend	No specific amendments sought. Submitter believes drillers should first gain a permit to drill from NRC. Nobody should have a  right to drill into aquifers at their own discretion

### C.5.1.6

Replacement water permits for registered drinking water supplies - controlled activity

Submitter	Position	Summary of decision requested
Far North District Council Northland Fish and Game Whangarei District Council Horticulture New Zealand	Support	Retain C.5.1.6 as notified
Heritage NZ	Amend	Retain Rule C.5.1.6 but modify as follows:  <i>Replacement water permits for registered drinking water supplies - <del>controlled</del> restricted discretionary activity</i>  <i>An application for a new resource consent to take and use water that will replace an existing resource consent for a registered drinking-water supply for the health needs of people is a <del>controlled</del> restricted discretionary activity, provided:</i>  <i>Matters of <del>control</del> discretion:</i>  <i><u>3)</u></i>  <i><u>f) mapped Historic Heritage Area or Site (refer I 'Maps'), and</u></i>  <i><u>g) historic heritage that has not yet been assessed for significance.</u></i>
Leonard B	Amend	Amend activity status to a prohibited activity.
Northland District Health Board	Amend	Add an additional standard for the controlled activity status to apply as follows:  <i><u>3) the application includes contingency plans for the supply of water during drought periods when the required volume of water cannot be taken from the consented source.</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Amend matter for control 3)c) or add a new matter:

Submitter	Position	Summary of decision requested
		<i>effects on indigenous biodiversity.</i>
Tautari R Patuharakeke Te Iwi Trust Board Inc	Support	Retain the following matters of control:  3) Measures to avoid, remedy or mitigate effects on:  a) aquatic ecosystems and species, and  b) mahinga kai and access to mahinga kai, and  c) indigenous biodiversity where it affects tangata whenua ability to carry out cultural and traditional activities, and  d) wāhi tapu, and  e) mapped Sites and Areas of Significance to Tangata Whenua (refer I 'Maps').
Sweetwater Farms	Amend	Amend C.1.5.6 as follows:  <i>Replacement water permits for registered drinking water supplies - controlled activity</i>  <i>An application for a new resource consent to take and use water that will replace an existing resource consent for a registered drinking water supply for the health needs of people is a controlled activity, provided:</i>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought. Submitter believes applicants should reasonably prove that the water is being used  for drinking and that it is not on – sold as bottled or package /bulk water or supplied to others (neighbours) unless stated on the consent.

### C.5.1.7

Takes existing at the notification date of the plan - controlled activity

Submitter	Position	Summary of decision requested
Bainbridge A Bainbridge J Egg Producers Federation New Zealand GDC Winstone	Support	Retain C.5.1.7 as notified.

Submitter	Position	Summary of decision requested
Horticulture New Zealand		
Booth A	Support	Supports existing water takes up to 50m <sup>3</sup> being allowed to continue as a controlled activity.
Booth A	Amend	Has concerns around consent conditions possibly requiring a reduction in water use over time and the management of this reduction.
Brocx T	Amend	Amend condition 3) of matters of control to read:  <i>Measures to ensure the reasonable and efficient use of water <u>as recognised by industry best practice</u>.</i>
Clements B	Amend	Amend wording to ' <i>Measures to ensure the reasonable and efficient use of water as recognised by industry best practice</i> ' (it is inferred this relates to the matters of control under this rule).
Dairy NZ	Amend	Amend the rule as follows:  <i>1) the total daily volume from all sources does not exceed <del>50m<sup>3</sup>/day</del> 200l/ha/day....</i>
Federated Farmers	Amend	Amend rule C.5.1.7 as follows:  <i>1) the total daily volume from all sources does not exceed <del>50</del>100 cubic metres per property per day, and...</i>
Fonterra	Amend	Amend Rule C.5.1.7 as follows:  <i>1) the total daily volume from all sources <u>(excluding water taken for reasonable stock drinking or domestic needs)</u> does not exceed 50 cubic metres per property per day, and ...</i>
Heritage NZ	Amend	Retain Rule C.5.1.7 but modify as follows:  <i>Takes existing at the notification date of the plan - <del>controlled restricted discretionary</del> activity</i>  <i>The taking and use of water from a river, lake or aquifer that existed but was not authorised at the notification date of this plan, and the total daily volume per property taken from all sources exceeds a volume in Condition 2. Of C.5.1.1. 'Minor takes – permitted activity' is a <del>controlled</del> <u>restricted discretionary</u> activity, provided:</i>  <i>Matters of <del>control</del> <u>discretion</u>:</i>  <i><u>2)...</u></i>

Submitter	Position	Summary of decision requested
		<i>f) mapped Historic Heritage Area or Site (refer I 'Maps'), and g) historic heritage that has not yet been assessed for significance.</i>
Haititaimarangai Marae 339 Trust	Oppose	a controlled activity is not an appropriate mechanism for authorising illegal water takes because the Council does not understand the magnitude of illegal takes, or the effects those takes are having on the environment
Irrigation New Zealand	Amend	Replace C.5.1.7(3) with: <i>for surface water takes, the water intake structure is designed, constructed, operated and maintained so that it is consistent with chapter 4.1 of the NIWA Fish Screening: Good Practice Guidelines.</i>
Leonard B	Amend	Amend activity status to a prohibited activity.
Man O'War Dairies Limited	Amend	Amend plan to address concerns of potential costs and that some of the matters of control are not well defined, may require significant consultation, or may be somewhat subjective.
Minister of Conservation	Amend	Amend C.5.1.7 as follows: <ul style="list-style-type: none"> <li>• Add an additional condition to 3) <i>c) The maximum sweep velocity is no less than 0.5 metres per second</i></li> <li>• Add an additional condition to 3) <i>The intake is covered by a fish screen</i></li> <li>• Add an additional condition: <i>For lakes maximum approach velocity less than or equal to 0.1 m/s</i></li> </ul>
Northland Fish and Game	Amend	Change the rule to a restricted discretionary activity and include <i>effects on outstanding freshwater bodies</i> as a matter of discretion.
Patuharakeke Te Iwi Trust Board Inc	Amend	Retain the following matters of control:  3) <i>Measures to avoid, remedy or mitigate effects on:</i>  a) <i>aquatic ecosystems and species, and</i>  b) <i>mahinga kai and access to mahinga kai, and</i>  c) <i>indigenous biodiversity where it affects tangata whenua ability to carry out cultural and traditional activities, and</i>  d) <i>wāhi tapu, and</i>  e) <i>mapped Sites and Areas of Significance to Tangata Whenua (refer I 'Maps').</i>

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	Change activity status to restricted discretionary activity.  Include the following matters for discretion: <ul style="list-style-type: none"> <li>• <i>Effects on outstanding freshwater bodies</i></li> <li>• <i>Effects on indigenous biodiversity.</i></li> </ul>
Simpson A	Unclear	No specific amendment sought.
Smart P	Amend	Need a clear definition of "efficient use of water", such as Industry Good Practice Guidelines  Need to provide security of supply given for those that already have water take consents for when their consent expires.  Otherwise retain C.5.1.7
Whangarei District Council	Amend	That the matters over which control is reserved allow a meter to be installed as a condition of consent. WDC recommends that all takes, especially in high or over allocated catchments, should be metered to ensure that water use is accurately accounted for.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa.	Oppose	No specific amendments sought

### C.5.1.8

Supplementary allocation - restricted discretionary activity

Submitter	Position	Summary of decision requested
Belle Bros Group Dairy NZ NZ Pork Industry Board Simpson A	Support	Retain C.1.5.8 as notified.
Brocx T Clements B Federated Farmers	Amend	Amend rule C.5.1.8 as follows:  <i>The taking and use of water from a river at flows above the median flow that exceeds 10 cubic metres per property per day or 200 litres per hectare, up to a maximum of <del>2030</del> cubic metres, per property per day is a restricted discretionary activity, provided:</i>

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	<p>Amend rule as follows:</p> <p><i>The taking and use of water from a river at flows above the median flow that exceeds 10 cubic metres per property per day or 200 litres per hectare, up to a maximum of 20 cubic metres, per property per day is a restricted discretionary activity, provided:</i></p>
Irrigation New Zealand	Amend	<p>Amend C.5.1.8 as follows:</p> <ul style="list-style-type: none"> <li>• <del>High flow Supplementary allocation - restricted discretionary</del></li> <li>• Remove 2) 'Matters of discretion' and replace with: <u>For surface water takes, the water intake structure is designed, constructed, operated and maintained so that it is consistent with chapter 4.1 of the NIWA Fish Screening: Good Practice Guidelines.</u></li> </ul>
Landcorp Farming Limited	Amend	<p>Amend as the flow and allocation methodologies are coarse, and difficult to interpret in terms of anticipated effects and fiscal impacts. A more robust methodology should be used requiring a catchment specific assessment for the appropriate flow and allocation regime taking into account the cultural, ecological and physical requirements for that particular catchment.</p>
Leonard B	Amend	<p>Amend activity status to a prohibited activity.</p>
Ngāwhā Generation Ltd	Amend	<p>Seeks changes to C.5.1.8 to protect the existing allocation of water for the Ngāwhā geothermal power station activities. This can be achieved by either:</p> <p>i) Deleting the provision;</p> <p>OR</p> <p>ii) Amending rule C.5.1.8 as follows:</p> <p><i>The taking and use of water from a river at flows above the median flow that exceeds 10 cubic metres per property per day or 200 litres per hectare, up to a maximum of 20 cubic metres, per property per day is a restricted discretionary activity, provided:</i></p> <p><u>1) The taking of water is from the Ngāwhā and Mangamutu Streams upstream of map reference 1682855E 6084531N and the Mangatawai Stream upstream of map reference 1683215E 6082991N for supply to the Ngāwhā geothermal development; or</u></p> <p>2) the frequency of flushing flows that exceed three times the median flow of the river is not changed, and</p> <p>3) 50% of the river flow above the median flow remains in the river.</p>



Submitter	Position	Summary of decision requested
		iii) Making changes to the Proposed Plan rules as may be necessary in order to provide for the taking of water from the taking of water from surface streams for the Ngāwhā geothermal development separately from rules providing for the taking of water from other surface water resources.
Northland Fish and Game  Royal Forest and Bird Protection Society NZ	Amend	Delete the rule and provide for a 'freshwater quantity accounting system' in accordance with Section CC of the NPS-FM.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought

### C.5.1.9

Takes existing at the notification date of this plan - discretionary activity

Submitter	Position	Summary of decision requested
Alspach R  Egg Producers Federation New Zealand	Support	Retain C.5.1.9 as notified.
Dairy NZ	Amend	Amend the rule as follows:  <i>'The taking and use of water from a river, lake or aquifer that existing at the notification date of this plan but was not lawfully established and that exceeds <del>50m<sup>3</sup> per day</del> 200l/ha/day per property from all sources is a discretionary activity, provided:'</i> ...
Federated Farmers	Amend	Amend rule C.5.1.9 as follows:  <i>The taking and use of water from a river, lake or aquifer that existed at the notification date of this plan but was not lawfully established and that exceeds <del>50</del>100 cubic metres per day per property from all sources is a discretionary activity, provided: ...</i>
Fonterra	Amend	Amend Rule C.5.1.9 as follows:

Submitter	Position	Summary of decision requested
		<p><i>The taking and use of water from a river, lake or aquifer that existed at the notification date of this plan but was not <del>lawfully established</del> previously authorised and that exceeds 50 cubic metres per day per property from all sources (excluding water taken for reasonable stock drinking or domestic needs) is a discretionary activity, provided:</i></p> <p>...</p>
Horticulture New Zealand	Amend	Amend 'lawfully established' to 'authorised'.
Landcorp Farming Limited	Amend	Amend as the flow and allocation methodologies are coarse, and difficult to interpret in terms of anticipated effects and fiscal impacts. A more robust methodology should be used requiring a catchment specific assessment for the appropriate flow and allocation regime taking into account the cultural, ecological and physical requirements for that particular catchment.
Leonard B	Amend	Change activity status to a prohibited activity.
Man O'War Dairies Limited	Amend	Amend plan to address concerns about the costs and uncertainty of having to apply for a discretionary activity for water takes on some of the submitters farms.
Ngāwhā Generation Ltd	Amend	<p>Seeks changes to C.5.1.9 to provide for the management of geothermal resources separately from "other" aquifers. This can be achieved by either:</p> <p>i) Deleting the provision;</p> <p>OR</p> <p>iii) Amending Rule C.5.1.9 to provide for existing authorised geothermal water takes for regionally significant infrastructure;</p> <p>iv) Making changes to the Proposed Plan rules as may be necessary in order to provide for the taking of water from the taking of water from surface streams for the Ngāwhā geothermal development separately from rules providing for the taking of water from other ground water resources.</p>
Northland Fish and Game	Amend	Amend rule to to link it to the Schedule of Values (refer submission) and the ability for the Council to restrict or ration the take, or link it to minimum flows or levels.
Stevens V	Amend	Unsure about specific relief sought but states that 12 months to lodge a resource consent application appears a very short time. Believes that significant public awareness needs to be built into the provision.

Submitter	Position	Summary of decision requested
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Amend	No specific amendments sought.

### C.5.1.10

#### Other water takes – discretionary activity

Submitter	Position	Summary of decision requested
Belle Bros Group Fonterra GDC Winstone Horticulture New Zealand NZ Pork Industry Board Silver Fern Farms	Support	Retain C.5.1.10 as notified.
Dairy NZ	Amend	Clarify that this rule only applies in underallocated catchments.
Egg Producers Federation New Zealand	Amend	Amend to: <ul style="list-style-type: none"> <li>• Apply consistent terminology about water takes across different water take rules.</li> <li>• Provide assessment criteria for water take resource consent applications and specific catchments.</li> <li>• Cross-reference rule to aquifer and river allocation limits.</li> </ul>
Landcorp Farming Limited	Amend	Amend as the flow and allocation methodologies are coarse, and difficult to interpret in terms of anticipated effects and fiscal impacts. A more robust methodology should be used requiring a catchment specific assessment for the appropriate flow and allocation regime taking into account the cultural, ecological and physical requirements for that particular catchment.
Ngāwhā Generation Ltd	Amend	Seeks changes to C.5.1.10 to provide for the management of geothermal resources separately from "other" aquifers. This can be achieved by either: <p>i) Deleting the provision;</p> <p>OR</p>

Submitter	Position	Summary of decision requested
		<p>ii) Amending Rule C.5.1.10 as follows: C.5.1.10</p> <p><i>Other water takes – discretionary activity</i></p> <p><i>The taking and use of fresh water that is;</i></p> <p><i><u>a) from the Ngāwhā geothermal system or the Ngāwhā and Mangamutu Streams upstream of map reference 1682855E 6084531N and the Mangatawai Stream upstream of map reference 1683215E 6082991N for supply to the Ngāwhā geothermal development; or</u></i></p> <p><i><u>b) is not:</u></i></p> <p>....</p> <p>iii) Making changes to the Proposed Plan rules as may be necessary in order to provide for the taking of water from the taking of water from surface streams for the Ngāwhā geothermal development separately from rules providing for the taking of water from other surface water resources.</p>
Northland Fish and Game Royal Forest and Bird Protection Society NZ	Amend	Include objectives and policies to give effect to the NPS-FM
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa.	Oppose	No specific amendments sought

### C.5.1.11

Water take below a minimum flow or water level - non-complying activity

Submitter	Position	Summary of decision requested
Belle Bros Group Fonterra	Support	Retain rule C.5.1.11 as notified.
Dairy NZ Federated Farmers	Amend	<p>Amend C.5.1.11 as follows:</p> <p><i>The taking of water from a river, lake or natural wetland when the flow in the river, lake or natural wetland or lake is below a <u>measured</u> minimum flow or <u>measured</u> minimum level is a non-complying activity.</i></p>

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Amend as district council infrastructure – registered drinking water supplies - should be discretionary not non-complying. This rule should incorporate reference to policy D.4.19 to support DA status (or similar relief).
Kaipara District Council Whangarei District Council	Amend	Amend C.5.1.11 as follows: <ul style="list-style-type: none"> <li>• takes necessary for district council infrastructure i.e. registered drinking water supplies, should be discretionary activities, not non complying.</li> <li>• an existing consent should be able to be renewed without requiring an application for a non complying activity.</li> </ul>
Landcorp Farming Limited	Amend	Amend as the flow and allocation methodologies are coarse, and difficult to interpret in terms of anticipated effects and fiscal impacts. A more robust methodology should be used requiring a catchment specific assessment for the appropriate flow and allocation regime taking into account the cultural, ecological and physical requirements for that particular catchment.
Northland Fish and Game Royal Forest and Bird Protection Society NZ	Amend	Amend the rule so that taking water below a minimum flow or level is a prohibited activity other than for emergency purposes (eg firefighting).
Horticulture New Zealand	Amend	Amend C.5.1.11 to a Discretionary Activity status.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought

### C.5.1.12

Water take that will exceed an allocation limit - non-complying activity

Submitter	Position	Summary of decision requested
Belle Bros Group	Support	Retain C.5.1.12 as notified.
Dairy NZ	Amend	Clarify that this rule only applies in underallocated catchments.
Far North District Council	Amend	Amend as registered drinking water supplies should be discretionary (not non-complying).

Submitter	Position	Summary of decision requested
Whangarei District Council		
Federated Farmers Hayward Family Trust Honeytree Farms Ltd KSL Limited Motutangi Waiharara Water Group Horticulture New Zealand	Amend	Amend rule C.5.12 to a discretionary activity.
Hayward Family Trust Honeytree Farms Ltd KSL Limited Motutangi Waiharara Water Group	Amend	Amend rule to read:  <i><u>The taking and use of water that exceeds the default allocation limit for a river or an aquifer, but by no more than 10 percent of the seven-day mean annual low flow, or by no more than 5 percent of the annual average recharge, respectively, is a non-complying activity</u></i>
Horticulture New Zealand	Amend	Amend rule as follows:  ...provided the take does not exceed:  1) a default allocation limit for the river by <u>no</u> more than 10 percent of the seven-day mean annual low flow, or  2) a default allocation limit for the aquifer by <u>no</u> more than <del>five</del> 5 percent of the annual average recharge.
Irrigation New Zealand	Support	Retain non-complying status for water take and use consent applications that exceed the default limits.
Landcorp Farming Limited	Amend	Amend as the flow and allocation methodologies are coarse, and difficult to interpret in terms of anticipated effects and fiscal impacts. A more robust methodology should be used requiring a catchment specific assessment for the appropriate flow and allocation regime taking into account the cultural, ecological and physical requirements for that particular catchment.
Ngāwhā Generation Ltd	Amend	Seeks changes to C.5.1.12 to provide for the management of geothermal resources separately from "other" aquifers. This can be achieved by either:  i) Deleting the provision;  OR

Submitter	Position	Summary of decision requested
		<p>ii) Amending Rule C.5.1.12 to exclude water takes for regionally significant infrastructure, or water takes from the Ngāwhā geothermal system;</p> <p>iii) Making changes to the Proposed Plan rules as may be necessary in order to provide for the taking of water from geothermal aquifers separately from rules providing for the taking of water from "other" aquifers.</p>
Northland Fish and Game	Amend	Amend rule so that allocation over the default allocation limit is a prohibited activity.
Royal Forest and Bird Protection Society NZ	Amend	Amend this rule so that allocation over the default allocation limit is a prohibited activity, and amend the Plan to set out allocation limits consistent with the NPS FM, such that further over-allocation is avoided and existing over-allocation is identified and phased out.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought

### C.5.1.13

Water takes that will exceed an allocation limit - prohibited activity

Submitter	Position	Summary of decision requested
Belle Bros Group	Support	Retain the rule subject to appropriate refinement through further submissions.
Dairy NZ Fonterra Horticulture New Zealand	Amend	Amend rule to a non-complying activity status.
Federated Farmers	Amend	Amend rule C.5.1.13 to a discretionary activity,
Hayward Family Trust Honeytree Farms Ltd KSL Limited	Amend	<p>Amend rule to non-complying as follows:</p> <p><u>Water takes that exceed 35% of annual average recharge - non-complying activity.</u></p>

Submitter	Position	Summary of decision requested
Motutangi Waiharara Water Group		
Landcorp Farming Limited	Amend	Amend activity status to a non-complying rule requiring a catchment specific assessment for the appropriate flow and allocation regime taking into account the cultural, ecological and physical requirements for that particular catchment.
Ngāwhā Generation Ltd	Amend	Seeks changes to C.5.1.13 to provide for the management of geothermal resources separately from "other" aquifers. This can be achieved by either:  i) Deleting the provision;  OR  ii) Making changes to the Proposed Plan rules as may be necessary in order to provide for the taking of water from geothermal aquifers separately from rules providing for the taking of water from "other" aquifers
Northland Fish and Game NZ	Amend	Amend rule so that it applies to any allocation over an allocation limit.
Refining New Zealand	Amend	Amend the rule so that it does not apply to the management of passive discharges from Regional Significant Infrastructure - submitter proposes as an alternative to the addition of a new rule (see "General submissions on taking and using water" wording), that the following note be added to C.5.1.13:  <i><u>Rule C.5.1.13 does not apply to water takes for the management of passive discharges from Regionally Significant Infrastructure.</u></i>
Royal Forest and Bird Protection Society NZ	Support	Support the approach for allocation over an allocation limit to be a prohibited activity. However amend to apply to any allocation over an allocation limit,
Tegel Foods Ltd	Amend	Delete C.5.1.13 or amend to non-complying activity status.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought



## C.6 Discharges to land and water

### General submission on discharges to land and water

Table 2

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Add new advice note to beginning of C.6:</p> <p><i>The Department of Conservation must be notified of the intention to erect or place any structure likely to impede fish passage. This includes, for example, culverts, fords, dam or diversion structures (Part VI of the Freshwater Fisheries Regulations 1983).</i></p>

### C.6.1 On-site domestic wastewater discharges

#### General submissions on on-site domestic wastewater discharges

Submitter	Position	Summary of decision requested
Hicks M	Amend	Amend so that wastewater discharge (including partly treated) into a protected water body (e.g. Dune lake adjoining Ruakaka Race Course) is a prohibited activity.
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for discharging water within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.
Royal Forest and Bird Protection Society NZ	Amend	<p>Identify freshwater management units</p> <p>When setting freshwater objectives in accordance with the NPSFM, address diffuse discharges of nutrients and pathogens.</p> <p>Include methods (rules) to ensure water quality is maintained, limits are not exceeded and where already exceeded, targets are met within a defined timeframe.</p> <p>Include an equitable and environmentally sound nutrient discharge allocation mechanism that ensures limits and targets are met/not exceeded.</p>
Simon C	Amend	Plan should allow for innovative and sustainable methods of dealing with wastewater. Modern waste water treatment needs to be permitted in rural areas and areas with sewage plants connections. Don't block the development of modern solutions.

### C.6.1.1

#### Existing on-site domestic type wastewater discharge – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council Fonterra Landcorp Farming Limited MLP LLC Northland Fish and Game Ravensdown Limited Simpson A Transpower Waiaua Bay Farm Limited	Support	Retain rule C.6.1.1 as notified
Kaipara District Council	Amend	Amend C.6.1.1 as follows: <ul style="list-style-type: none"> <li>• The rule to mirror the risk management framework as adopted by KDC in its Wastewater Drainage Bylaw, requiring a 'warrant of fitness' scheme to provide proof that systems are being maintained.</li> <li>• Require new onsite treated domestic wastewater discharges or replacement discharge permits to be connected to a reticulated wastewater network where it exists.</li> </ul>
Ko Te Hua Marae (Ngati Whata Hapu) Parapara Marae (Ngati Tara Hapu)	Amend	Amend rule to guarantee all existing septic tank systems are upgraded so that the levels of Escherichia Coli are well below 500 colonies/100ml of waste water; that the limits of discharge for phosphorus is <0.05ppm P/l and <10mg of NO <sub>3</sub> /l
Kurmann A	Amend	All existing septic tank systems need to guarantee that the level of Escherichia Coli are well below 500 colonies / 100ml of waste water and that the limits of discharge for phosphorus is < 0.05 ppm P/l and <10mg of NO <sub>3</sub> /l.
Landowners Coalition Inc	Amend	Increase the discharge volumes from three cubic metres per day to 30, and six cubic metres per day over any 24 hour period be increased to 60.
Miru M	Amend	Include a new clause 8) <u>the activity does not occur within an Area of Significance</u>

Submitter	Position	Summary of decision requested
Tinopai RMU Limited		
Whangarei District Council	Amend	Adopt a risk management framework through high level monitoring which requires notification of an on site system being installed, supported by a database to monitor ongoing maintenance requirements.

### C.6.1.2

#### Pit toilet – permitted activity

Submitter	Position	Summary of decision requested
Heritage NZ	Amend	Retain Rule C.6.1.2 but modify as follows:  <i>The discharge of contaminants from a pit toilet into land is a permitted activity provided:</i>  ...  <u>9) the pit toilet is situated outside of a Historic Heritage Site, Historic Heritage Area, or Site or Area of Significance to Tangata Whenua (refer I 'Maps').</u>
Northland Fish and Game	Amend	Amend rule to provide a setback of 20 metres as opposed to 10 metres for rivers, lakes, streams and wetlands.
Ravensdown Limited	Support	Retain C.6.1.2 as notified.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Increase setbacks to water (groundwater, rivers, lakes, streams, wetland), CMA and property boundaries.
Whangarei District Council	Amend	Submitter raises concerns that the setback distances authorised under Table 3 are insufficient. Specific reference is made to the 1.5 metres from property boundary that is not up-slope of the disposal area.

### C.6.1.3

#### Other on-site treated domestic wastewater discharge – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council  Fonterra  Ravensdown Limited	Support	Retain rule C.6.1.3 as notified
Haigh Workman Ltd	Amend	<p>Add to the start of clause 5) <u>the discharge of primary or secondary treated wastewater is via a trench or bed designed in accordance with AS/NZS 1547: 2012 Appendix L, or</u>.</p> <p>Amend clause 6)d) to read <u>down-slope set-back distances specified in Table 4 are increased proportionally from 2 metres to 10 metres as the slope increases from 10 to 25 degrees</u></p>
Haigh Workman Ltd	Amend	<p>Replace Table 4 with new table as set out in submission - refer submission for details. New table includes:</p> <ul style="list-style-type: none"> <li>• Grouping requirements into vertical, horizontal setbacks and exclusion areas.</li> <li>• Changes to the annual exceedance probabilities for flood hazard areas and dedicated secondary overland flow paths for constructed stormwater systems.</li> <li>• Making the set-back distances the same from dedicated secondary overland flow paths for constructed stormwater systems and flood hazard areas.</li> <li>• Defining the the extent of the stormwater primary flow path (10% AEP rainfall event).</li> <li>• Using 'Flood Hazard Area' (1%AEP) and 'High Risk Flood Hazard Area' and not using 'Floodplain'</li> </ul> <p>Clarify that the 1% and 10% AEP events include an allowance for increased storm frequency and intensity and sea level rise by year 2115 as a result of climate change.</p> <p>Clarify that the Table 4 set-back distances also apply to reserve disposal areas.</p> <p>To avoid unnecessary (and possibly inaccurate) interpolation of NRC mapped flood areas, wastewater exclusion areas should be based on the events modelled by NRC.</p> <p>Remove requirement for 5m set-back distance from stormwater flow paths side {up?} slope of the disposal field as there is no risk of effluent flowing sideways to contaminate the stormwater flow path.</p>

Submitter	Position	Summary of decision requested
Kaipara District Council	Amend	Amend C.6.1.3 as follows: <ul style="list-style-type: none"> <li>The rule to mirror the risk management framework as adopted by KDC in its Wastewater Drainage Bylaw, requiring a 'warrant of fitness' scheme to provide proof that systems are being maintained.</li> <li>Require new onsite treated domestic wastewater discharges or replacement discharge permits to be connected to a reticulated wastewater network where it exists.</li> </ul>
Landcorp Farming Limited	Amend	Amend rule to provide for a three cubic metre per day limit.
Miru M Tinopai RMU Limited	Amend	Include a new clause 14) <u>the activity does not occur within an Area of Significance.</u>
MLP LLC	Amend	Amend rule C.6.1.3 as follows: <p>...</p> <p>2) the volume of wastewater discharged does not exceed <del>threetwo</del> cubic metres per day <u>average over the month of greatest discharge</u>, and</p> <p>...</p>
Northland District Health Board	Amend	Amend condition C6.1.3 (11) <p><u>"(11) the discharge is outside the catchment of any registered drinking-water supply or bore water user and does not contaminate any water supply or surface water, and"</u></p>
Northland Fish and Game	Amend	Amend rule to provide a setback for rivers, lakes, streams and wetlands.
Patuharakeke Te Iwi Trust Board Inc	Amend	Consider increasing the setback distances to water, CMA and property boundaries.
Royal Forest and Bird Protection Society NZ	Amend	Provide a set back from areas of significant indigenous vegetation and habitats.
Tautari R	Amend	Consider setbacks for treated wastewater.
Tegel Foods Ltd	Amend	Amend C.6.13 as follows: <p>...</p>

Submitter	Position	Summary of decision requested
		<p><i>b) the irrigation lines are firmly attached <del>to</del><u>below</u> the surface of the disposal area, and</i></p> <p><i><u>d) a minimum 10 metre buffer area down the slope of the lowest irrigation line is included as part of the disposal area, and</u></i></p> <p>...</p>
Waiaua Bay Farm Limited	Amend	<p>Amend rule C.6.1.3 to read as follows:</p> <p><i>The discharge of domestic type wastewater into or onto land from an on-site system is a permitted activity provided:</i></p> <p>...</p> <p><i>2) the volume of wastewater discharged does not exceed <del>three</del><u>two</u> cubic metres per day <u>average over the month of greatest discharge</u> and</i></p> <p>...</p>
Whangarei District Council	Amend	<p>Submitter supports the requirement for NRC to adopt a risk management framework which requires notification of an on site system being installed, supported by a database to monitor ongoing maintenance requirements.</p>

#### C.6.1.4

##### Replacement discharge permits - controlled activity

Submitter	Position	Summary of decision requested
Far North District Council Fonterra Ravensdown Limited	Support	Retain rule C.6.1.4 as notified
Kaipara District Council	Amend	<p>Amend C.6.1.4 as follows:</p> <ul style="list-style-type: none"> <li>• Ensure one of the matters over which control is reserved provides sufficient consideration that water quality standards will not be adversely affected.</li> <li>• Require new onsite treated domestic wastewater discharges or replacement discharge permits to be connected to a reticulated wastewater network where it exists.</li> </ul>

Submitter	Position	Summary of decision requested
Northland Fish and Game NZ	Amend	Include effects on biodiversity values as a matter of control.
Royal Forest and Bird Protection Society NZ	Amend	Include indigenous biodiversity as a matter for control
Whangarei District Council	Amend	Where this discharge is ultimately received by the WDC stormwater network, WDC would like to ensure the matters over which control is reserved provide sufficient consideration that water quality standards will not be adversely affected

### C.6.1.5

Other domestic wastewater discharges – discretionary activity

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited Carrington Resort Jade LP	Amend	Amend the rules to reflect suggested changes to definitions to distinguish distinction between public and private treatment plant systems.
Northland Fish and Game NZ Ravensdown Limited	Support	Retain rule C.6.1.5 as notified.

### C.6.1.6

Discharge of untreated domestic type wastewater to water - prohibited activity

Submitter	Position	Summary of decision requested
Far North District Council Northland Fish and Game	Support	Retain C.6.1.6 as notified.
Heritage NZ	Amend	Retain Rule C.6.1.6 but modify as follows:  <i>Discharge of untreated domestic type wastewater to water <u>and within a Historic Heritage Site, Historic Heritage Area, or Site or Area of Significance to Tangata Whenua</u> – prohibited activity</i>

Submitter	Position	Summary of decision requested
		<i>The discharge of untreated domestic type wastewater into surface water or directly into groundwater is a prohibited activity. <u>The discharge of untreated domestic type wastewater (that is not from a Pit toilet) within a Historic Heritage Site, Historic Heritage Area, or Site or Area of Significance to Tangata Whenua (refer I 'Maps') is a prohibited activity.</u></i>

## C.6.2 Wastewater network and treatment plant discharges

### General submissions on wastewater network and treatment plant discharges

Submitter	Position	Summary of decision requested
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for discharging water within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.

#### C.6.2.1

Wastewater discharge from a pump station or pipe network – controlled activity

Submitter	Position	Summary of decision requested
Far North District Council Whangarei District Council	Amend	Amend as follows:  <i>1) an application for resource consent is received by the regional council within <del>two</del> five years of this rule becoming operative,...</i>
Haititaimarangai Marae 339 Trust	Oppose	Delete Rule C.6.2.1 and require that these activities be treated as discretionary activities under Rule C.6.2.2.
Kaipara District Council	Amend	Amend C.6.2.1 as follows: <ul style="list-style-type: none"> <li>• Allow that an application for resource consent be received by the regional council within five years (not two years) of the rule becoming operative.</li> <li>• Amend condition 3) so that the emergency management requirements are considered as part of the network management plan.</li> <li>• Clarify 'immediate' in condition 4).</li> <li>• Amend condition 4) to remove requirement to effectively require a treatment system at every pump station and overflow point.</li> </ul>



Submitter	Position	Summary of decision requested
Kaipara District Council Whangarei District Council	Support	Retain requirement that applications under C.6.2.1 are non-notified.
Minister of Conservation	Amend	Delete Rule C.6.2.1 and require that these activities be treated as discretionary activities under Rule C.6.2.2.
Northland Fish and Game	Amend	<p>Amend the rule as follows:</p> <p><i>Wastewater discharge from a pump station or pipe network – <del>controlled activity</del> <u>restricted discretionary activity</u></i></p> <p><i>The discharge of wastewater from a wastewater pump station or pipe network into water or onto land is a <del>controlled</del> <u>restricted discretionary</u> activity, provided:</i></p> <p>...</p> <p><i><u>5) the discharge is not within:</u></i></p> <p><i><u>i) 20 metres of any river, lake, stream or wetland;</u></i></p> <p><i><u>ii) 50 metres of the coastal marine area;</u></i></p> <p><i><u>iii) 50 metres of any bore or well used for potable or stock water supply;</u></i></p> <p><i><u>6) the discharge is not into an outstanding freshwater body.</u></i></p>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to exclude the activity from areas of significant indigenous biodiversity
Tautari Patuharakeke Te Iwi Trust Board Inc	Amend	Retain matter of control 4): <i>Effects on tangata whenua and their taonga.</i>
Whangarei District Council	Amend	<ul style="list-style-type: none"> <li>• Condition 3 should not apply to pressure sewer pump stations.</li> <li>• Clarify 'immediate' in condition 3a)i).</li> <li>• Condition 3b) is unnecessary and will be considered as part of the management plan under condition 2).</li> <li>• Amend condition 4) to remove requirement to effectively require a treatment system at every pump station and overflow point</li> </ul>

### C.6.2.2

#### Discharge from a pump station or pipe network – discretionary activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	The requirements of a standard pumpstation are impractical and onerous. In addition to standard, or traditional pumpstations FNDC also have pressure sewer pumpstations. One of these services one house therefore FNDC have hundreds pressure sewer pumpstations. If these requirements apply to these pressure sewer pumpstations, they will become unaffordable.
Leonard B	Amend	Change activity status to a prohibited activity.
Northland Fish and Game	Amend	Merge rule C.6.2.2 with rule C.6.2.1 after the latter has been amended as per relief sought.
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule to exclude the activity from significant areas of indigenous biodiversity and outstanding freshwater bodies.  Add a non-complying activity where those conditions are not meet.

### C.6.2.3

#### Wastewater treatment plant discharge – discretionary activity

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited Carrington Resort Jade LP	Amend	Amend the rules to reflect suggested changes to definitions to distinguish distinction between public and private treatment plant systems.
Far North District Council Fonterra Silver Fern Farms	Support	Retain C.6.2.3 as notified
Ko Te Hua Marae (Ngati Whata Hapu) Parapara Marae (Ngati Tara Hapu)	Amend	Plan to require that all existing waste water treatment plants need an upgrade to guarantee that the levels of Escherichia Coli are well below 500 colonies/100ml of waste water and that the limits of discharge for Phosphorus is <005ppm P/1, Ammonium <0.5ppm NH4/1 and Nitrate <10mg of NO3/1

Submitter	Position	Summary of decision requested
Kurmann A	Amend	All existing waste water treatment plants need to guarantee that the level of Escherichia Coli are well below 500 colonies / 100ml of waste water and that the limits of discharge for phosphorus is < 0.05 ppm P/l, Ammonium <0.5 ppm NH <sub>4</sub> /l and nitrate <10mg of NO <sub>3</sub> /l.
Leonard B	Amend	Change activity status to a prohibited activity.
Northland Fish and Game	Amend	Amend rule to exclude the discharge to outstanding freshwater bodies and add a non-complying activity where those conditions are not meet.
Refining New Zealand	Amend	Retain C.6.2.3 as notified if council accepts submitter's request for new rule C.6.6.3A (controlled activity for discharges from Refining New Zealand Marsden Point site). If not, then amend rule C.6.2.3 as follows:  <i>C.6.2.3 Wastewater treatment plant discharge – discretionary activity</i>  <i>The discharge of treated wastewater from a wastewater treatment plant into water or onto or into land, including from private treatment plants servicing an industrial or trade activity, is a discretionary activity.</i>
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule to exclude the activity from significant areas of indigenous biodiversity and outstanding freshwater bodies.  Add a non-complying activity where those conditions are not meet.

#### C.6.2.4

##### Wastewater discharge – prohibited activity

Submitter	Position	Summary of decision requested
Far North District Council Kaipara District Council	Amend	Unclear what the decision requested is, but assume that it is for the classification for this rule to not be prohibited - submitter cites example of unforeseen wastewater discharges as a result of e.g. a natural disaster causing damage to network.
Fonterra	Amend	Amend Rule C.6.2.4 as follows:  <i>Wastewater discharge – <del>prohibited</del> non-complying activity</i>

Submitter	Position	Summary of decision requested
		<p><i>The discharge of wastewater into water or onto or into land and that is not:</i></p> <p>...</p> <p><i>is a <del>prohibited</del> non-complying activity.</i></p>
Haititaimarangai Marae 339 Trust  Minister of Conservation  Northland Fish and Game	Support	Retain C.6.2.4 as notified.
Leonard B	Amend	Change activity status to a prohibited activity (note: rule is already a prohibited activity).

### C.6.3 Agricultural waste discharges

#### *General submissions on agricultural waste discharges*

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	<p>Add new rule:</p> <p><u>C.6.3.8 Horticulture waste water – permitted activity</u></p> <p><u>The discharge of horticulture wastewater, is a permitted activity, provided that the following conditions are met:</u></p> <p><u>a) The discharge of vegetable wastewater is in accordance with the Code of Practice for Vegetable wash water (HortNZ 2017)</u></p> <p><u>b) The discharge of greenhouse nutrient solution is in accordance with the Code of Practice for the Management of Greenhouse Nutrient Discharges (June 2007)</u></p>
Horticulture New Zealand	Amend	<p>Add new rule:</p> <p><u>C.6.3.9 Horticulture waste water – controlled activity</u></p> <p><u>Discharges associated with vegetable washing – controlled activity</u></p> <p><u>The discharge of water containing contaminants from vegetable washing to land, where contaminants may enter water that is not:</u></p> <p><u>a) a permitted activity under C.6.3.8</u></p> <p><u>is a controlled activity</u></p> <p><u>Matters of control:</u></p>

Submitter	Position	Summary of decision requested
		<p><i>a) the discharge volume does not exceed 20 cubic metres per day;</i></p> <p><i>(b) there is no overland flow or ponding of horticultural wash-water, or application of the water to land when soil moisture exceeds field capacity</i></p> <p><i>(c) the discharge only contains water and soil, and there are no measurable concentrations of chemical additives present in the discharge except for HSNO approved sanitisers that are used following the label and comply with NZS8409:2004 Management of Agrichemicals</i></p> <p><i>(d) the discharge is not within:</i></p> <p><i>(i) 20 metres of any outstanding freshwater body</i></p> <p><i>(ii) 20 metres of a neighbouring property owner or occupied by another person; or</i></p> <p><i>(iii) 50 metres of any dwelling owned or occupied by another person; or</i></p> <p><i>(iv) 20 metres of any public road or public space</i></p>
Horticulture New Zealand	Amend	<p>Add new rule:</p> <p><i>Discharges associated with greenhouse nutrient solutions – restricted discretionary activity</i></p> <p><i>The discharge of greenhouse nutrient solution into, or onto land, that is not:</i></p> <p><i>a) a permitted activity under C.6.3.8</i></p> <p><i>is a restricted discretionary activity</i></p> <p><i>Matters of discretion:</i></p> <p><i>1) the extent to which the effects on the environment are managed through the following:</i></p> <p><i>(i) the disposal area;</i></p> <p><i>(ii) the collection treatment and disposal equipment;</i></p> <p><i>(iii) the storage system; and</i></p> <p><i>(iv) monitoring measures.</i></p>
Landowners Coalition Inc	Amend	Submitter believes that the controls are too restrictive.
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for discharging water within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.

Submitter	Position	Summary of decision requested
Ravensdown Limited	Amend	Insert new restricted activity rule for farm wastewater discharges than do not comply with one or more conditions of Rule C.6.3.1, with Council restricting its discretion to the permitted activity standard not met.
Tegel Foods Ltd	Amend	<p>Add new rule:</p> <p><u>The discharge onto or into land of farm washdown water that is not a permitted activity under C.6.3.1 'Farm wastewater discharges to land – permitted activity' is a restricted discretionary activity.</u></p> <p><u>The Council has restricted its discretion to the following:</u></p> <ul style="list-style-type: none"> <li>• <u>Frequency of discharges</u></li> <li>• <u>Volume of discharges</u></li> <li>• <u>Quality of discharges</u></li> </ul>

### C.6.3.1

#### Farm wastewater discharges to land – permitted activity

Submitter	Position	Summary of decision requested
Bainbridge A Bainbridge J	Amend	Amend rule to allow rain water and catchment stormwater to be allowed to enter farm dairy effluent storage facilities on a case by case basis, and amend rule to allow for water that is harvested during high flows to be stored in farm dairy effluent storage facilities.
Ballance Agri-Nutrients Limited  MLP LLC  NZ Pork Industry Board  Ravensdown Limited  Waiaua Bay Farm Limited	Support	Retain rule C.6.3.1 as notified
Booth A	Support	Supports a permitted activity status for discharge of FDE to land as this represents industry good management practice.
Booth A	Amend	Remove requirement for all dairy farms to have 5 months storage capacity. Effluent storage capacity should be determined by the industry accepted Dairy Effluent Storage Calculator.

Submitter	Position	Summary of decision requested
		Amend clause 7b) by moving the date forward to early March.
Brocx T	Amend	<p>Adopt the Dairy Effluent Storage Calculator.</p> <p>Amend clause 7b) to read <u>Have at least 90% working storage capacity from 1st March and maintain close to this level as is practically possible throughout the autumn.</u></p>
Cathcart B	Amend	That the proposed Sub-clause 7a) becomes a default clause by commencing the clause with ' <u>where it cannot be demonstrated that there will be times when effluent can be safely sprayed onto land during that period,</u> shall have sufficient contingency storage
Clements B	Amend	<p>Adopt the Industry developed and accepted tool - Dairy Effluent Storage Calculator - to determine appropriate storage requirements.</p> <p>Amend wording in part 7b) of the rule to <u>"have at least 90% working storage capacity from 1<sup>st</sup> March and maintain close to this level as is practically possible throughout the autumn."</u></p>
Dairy NZ	Amend	<p>Retain permitted activity status.</p> <p>Make the following amendments:</p> <p><u>'4) roof water from sheds and other buildings is permanently diverted away from wastewater storage facilities where these storage facilities are not sized to accommodate roof water. Roof water can be retained in a holding tank and used for wash-down purposes providing the overflow from the tank is permanently diverted away from the farm wastewater storage facilities.'</u></p> <p><u>5) a stormwater diversion system is maintained and operated to prevent stormwater from a yard at a dairy shed from entering the farm wastewater storage facilities when the yard is clean and not being used to hold animals and where these storage facilities are not sized to accommodate yard water.</u></p> <p>Replace 7a) with the following:</p> <p><u>'Farm wastewater storage facilities are used that are designed and operated in accordance with Good Management Practice, and such that all the other effects-based outcomes under this rule are achieved.'</u></p> <p>Replace 7b) with the following:</p> <p><u>'Have at least 90%75% working storage available at 1 May each year between the months of 1 March and 1 May each year, and wastewater should be discharged after that date when there is sufficient soil moisture deficit soil conditions are suitable.'</u></p>
Egg Producers Federation New Zealand	Amend	<p>Review and reduce the requirements for farm wastewater storage facilities.</p> <p>Differentiate between conditions for different types of industries.</p>

Submitter	Position	Summary of decision requested
Federated Farmers	Amend	<p>Amend rule C.6.3.1 as follows:</p> <p><i>The discharge of farm wastewater onto or into land after the <u>1 March 2025</u>, is a permitted activity provided:</i></p> <p>...</p> <p><i>4) roof water from sheds and other buildings is permanently diverted away from wastewater storage facilities <u>where these storage facilities are not sized to accommodate roof water. Roof water can be retained in a holding tank and used for wash down purposes providing the overflow from the tank is permanently diverted away from the farm wastewater storage facilities.</u></i></p> <p><i>5) a stormwater diversion system is maintained and operated to prevent stormwater from a yard at a dairy shed from entering the farm wastewater storage facilities when the yard is clean and not being used to hold animals <u>and where these storage facilities are not sized to accommodate yard water.</u></i></p> <p>...</p> <p>Replace 7)a) with the following:</p> <p><i><u>'Farm wastewater storage facilities are used that are designed and operated in accordance with Good Management Practice, and such that all the other effects-based outcomes under this rule are achieved.'</u></i></p> <p>Replace 7)b) with the following:</p> <p><i><u>'Have at least <del>90%</del> 75% working storage available at 1 May each year between the months of 1 March and 1 May each year, and wastewater should be discharged after that date when there is sufficient soil moisture deficit soil conditions are suitable.'</u></i></p>
Fonterra	Amend	<p>Amend Rule C.6.3.1 as follows:</p> <p><i>The discharge of farm wastewater onto or into land is a permitted activity provided...</i></p> <p>...</p> <p><i>7) farm wastewater storage facilities are used and:</i></p> <p><i>a) have sufficient contingency storage <u>in place within 3 years from the date this rule becomes operative that meets or exceeds the 90% value of a Dairy Effluent Storage Calculation (DESC), as modelled by a suitably qualified person. The storage recommendation and supporting information to be provided to the regional council upon written request, to be provided to the regional council so that farm wastewater generated between 1 May and 30 September can be retained in the facilities, unless a resource consent is held that specifies a different contingency storage volume, and</u></i></p> <p><i>b) have at least 90% working storage volume available at 1 May each year, <u>unless weather conditions or other circumstance outside of the farmers control preclude achieving this without breaching other conditions in this rule. Where this exception applies the 90% working storage volume is to be</u></i></p>



Submitter	Position	Summary of decision requested
		<p><i>achieved as soon as practicable after 1 May once soil conditions allow for irrigation in compliance with the other conditions in this rule, condition in which and wastewater should be discharged to land after that date when there is sufficient soil moisture deficit, and</i></p> <p><i>c) storage facilities are sealed or lined so that seepage is minimised, and</i></p> <p><i>d) upon written request by the regional council, the person undertaking the activity provides a written statement or certification from a Chartered Professional Engineer to the regional council that shows compliance with the design requirements in a) and c), and</i></p>
Foy F King K & F	Amend	Amend the conditions as they are not practical for farmers
Landcorp Farming Limited	Amend	<p>Either delete rule 6.3.1 and replace with a permitted activity rule which promotes the application to land of dairy effluent compliant with 6.3.1(1) and (2) and promotes best practice land application but incorporating provisions for land application where it may (diffusely) enter water over 1 May – 30 September</p> <p>OR</p> <p>Delete rule 6.3.1 and replace with a controlled activity status for farm wastewater discharge to land only, between the months of November to March inclusive, and application to land (where contaminants may enter water) from April to October inclusive. Matters of control would be limited to designated land areas, periods, methodologies and requiring all reasonable steps to avoid discharge to land (where contaminants may enter water) via compliance with DESC pond requirements and demonstration that all available irrigatable days have been utilised prior to 1 April or 90% storage availability. Control also applied to restricting discharges to land (in a manner where contaminants may enter water) subject to pond level at more than 80% capacity, after earlier mitigations have been demonstrated as having been applied.</p>
Leonard B	Amend	<p>Amend as follows:</p> <ul style="list-style-type: none"> <li>• Change C.6.3.1 (2) (a-e) from 20 metres to 100 metres.</li> <li>• Change C.6.3.1 (2) (f) from 50 metres to 250 metres.</li> </ul>
Man O'War Dairies Limited	Amend	Amend plan to address concerns about the costs and operational implications of potentially having to upgrade the submitters existing systems to meet requirements of C.6.3.1
Minister of Conservation	Amend	Amend 2) a), b), c), d), e) in C.6.3.1 to 50 metres
Miru M	Amend	Amend the rule to state that <u>the activity does not occur within an Area of Significance</u>

Submitter	Position	Summary of decision requested
Tinopai RMU Limited		Amend clause 9) to also give tangata whenua 10 days written notice that the activity is occurring (if it occurs within an Area of Significance).
Northland District Health Board	Amend	<p>Add an additional clause to C.6.3.1 (2) (g) to read:</p> <p><u>"g) 50 metres of a waterway within the catchment of a registered drinking water supply"</u>.</p>
Northland Fish and Game	Amend	<p>Amend the rule to ensure that there is no discharge to water or to surface water via land.</p> <p>Amend rule to require a farm management plan process set out in schedule of the plan which ensures adequate information is provided to council to support a nutrient allocation management approach required by the NPS-FM.</p> <p>Amend conditions 2), 3) and 7) as follows:</p> <p>2) there is no discharge to land or overland flow within:</p> <p>a) 20 metres of any stream, river, lake, <del>natural wetland</del>, or the coastal marine area, or</p> <p>b) 20 metres of any artificial watercourse <del>when containing water</del>, or</p> <p>...</p> <p>3) it is discharged in a manner that:</p> <p>...</p> <p><u>f) the maximum discharge depth of agricultural effluent or water containing agricultural effluent is 10 millimetres for each individual application;</u></p> <p><u>g) the maximum loading rate of nitrogen onto any land area does not exceed 150 kilograms of nitrogen per hectare per year from agricultural effluent or water containing agricultural effluent;</u></p> <p>...</p> <p>7) farm wastewater storage facilities are used and:</p> <p>...</p> <p><u>e) are not within 50 metres of any sub-surface drain, surface water, including wetland and ephemeral or intermittently flowing streams, artificial watercourse or coastal marine area.</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the rule to ensure that there is no discharge to water or to surface water via land.</p> <p>Include a set back of 20m from Significant indigenous biodiversity and habitats in condition 2.</p> <p>Delete the word <i>natural</i> from condition 2)a) so that a setback is required from all wetlands.</p>

Submitter	Position	Summary of decision requested
		<p>Delete the words "<i>when containing water</i>" from condition 2)b) so that a setback is required from all wetlands.</p> <p>Delete references to" <i>wastewater</i>", replace with "<i>farm wastewater</i>"</p> <p>Provide a farm management plan process set out in schedule of the plan which ensures adequate information is provided to council to support a nutrient allocation management approach required by the NZCPS</p>
Simpson A	Amend	Amend C.6.3.1 so that storage requirements are calculated using the DESC method.
Smart P	Amend	<p>Amend C.6.3.1 as follows:</p> <ul style="list-style-type: none"> <li>• Remove 5 month requirement for pond storage on all dairy farms and replace with Dairy Effluent Storage Calculator (DESC)</li> <li>• Have a longer timeframe for working pond storage requirement and lower % of storage available e.g. 75% storage available between the 1st March and 1st April each year.</li> <li>• Require all farmers to have an industry good practice effluent management plan in place and have that plan and its implementation assessed as part of the annual monitoring.</li> </ul>
Stevens V	Amend	<p>Delete clause 2)a) through to 2)f).</p> <p>Delete clause 3)c)</p>
Stevens V	Amend	<p>That clause 7)d) needs to be amended to outline the cases where a written request from council can be made, such as particular circumstances where council believes and has evidence to support that a pond is not compliant.</p> <p>That clause 9) needs to be amended to outline that this will only occur in special circumstances and outline these special circumstances.</p>
Tegel Foods Ltd	Amend	<p>Amend C.6.3.1 as follows:</p> <p><i>7) Farm wastewater storage facilities are used, <u>with the exception of poultry shed washdown water</u>, and</i></p>
Upperton T	Amend	Amend C.6.3.1 to limit the volume of discharge.
Whangarei District Council	Amend	<p>Submitter opposes permitted activity status as proposed conditions are not sufficient to address the risks of contamination to public water supplies.</p> <p>Submitter states the rule is contrary to part 3.2 (e) of the Regional Policy Statement "Protecting the quality of registered drinking water supplies and the potable quality of other drinking water sources" which states that this will be identified and addressed through the Regional Plan. Submitter seeks</p>

Submitter	Position	Summary of decision requested
		that the mapping of these abstraction points be included under the Regional Plan, supported by rules which prevent discharges within an appropriate buffer (e.g. 5km minimum) from these abstraction points.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Amend	Amend the status of Rule C.6.3.1 to require that the activity must be authorised by resource consent.

### C.6.3.2

Discharges associated with the making or storage of silage - permitted activity

Submitter	Position	Summary of decision requested
Federated Farmers Fonterra Simpson A	Support	Retain Rule C.6.3.2 as notified.
Foy F King K & F	Amend	Amend C.6.3.2 so it only relates to existing dwellings, not new dwellings.  Concerned about setback distances of the storage site (decision sought unclear).  Disagrees with wording of rule (decision sought unclear),
Landcorp Farming Limited	Amend	Amend C.6.3.2(3) to read the discharge does not have more than minor effects on any groundwater supply or surface water.
Leonard B	Amend	Amend as follows: <ul style="list-style-type: none"> <li>• Change C.6.3.2 (2) (a-c) from 50 metres to 250 metres.</li> <li>• Change C.6.3.2 (2) (d) from 20 metres to 100 metres.</li> </ul>
Miru M Tinopai RMU Limited	Amend	Insert a new clause 6) stating that <i>the activity does not occur within an Area of Significance</i>
Northland Fish and Game	Amend	Amend the rule to require a farm management plan process set out in schedule of the plan which ensures adequate information is provided to council to support a nutrient allocation management approach required by the NPS-FM

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	Provide a farm management plan process set out in schedule of the plan which ensures adequate information is provided to council to support a nutrient allocation management approach required by the NZCPS.

### C.6.3.3

Discharges associated with the disposal of dead animals or offal - permitted activity

Submitter	Position	Summary of decision requested
Clements B Brocx T	Amend	Amend the wording of the rule to ' <i>the disposal site is covered <u>where practical</u></i> '
Landcorp Farming Limited Egg Producers Federation New Zealand Federated Farmers Northland Fish and Game	Support	Retain rule C.6.3.3 as notified.
Leonard B	Amend	Amend activity status to a prohibited activity.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 7) stating that <i><u>the activity does not occur within an Area of Significance</u></i>
NZ Pork Industry Board	Amend	Amend C.6.3.3 as follows:  <i>The discharge of contaminants onto or into land in association with the disposal of dead animals <u>(including composting)</u> or offal is a permitted activity, provided:...</i>

### C.6.3.4

Emergency discharge of milk to land - permitted activity

Submitter	Position	Summary of decision requested
Federated Farmers	Support	Retain Rule C.6.3.4 as notified.

Submitter	Position	Summary of decision requested
Fonterra		
Landcorp Farming Limited	Amend	Delete standard relating to odour effects 6.3.4(3).
Leonard B	Amend	Amend activity status to a prohibited activity.
Miru M Tinopai RMU Limited	Amend	Amend rule so that <i>the activity does not occur within an Area of Significance</i>
Northland Fish and Game	Amend	Seeks amendment but none specified.
Royal Forest and Bird Protection Society NZ	Amend	Provide a farm management plan process set out in schedule of the plan which ensures adequate information is provided to council to support a nutrient allocation management approach required by the NZCPS.
Upperton T	Amend	Amend C.6.3.4 as follows:  <i>1) there is no discharge into surface water or to land within:</i>  ...  <i>e) within 50m of a waterway, wetland</i>

### C.6.3.5

#### Agricultural waste discharges – discretionary activity

Submitter	Position	Summary of decision requested
Dairy NZ	Amend	Provide clarification of what tool/method will be used to determine storage requirements under a consent application in accordance with this rule.
Egg Producers Federation New Zealand	Amend	Change activity status to restricted discretionary.  Include assessment criteria for wastewater discharges within the rule.  Amend the rule name to 'farm wastewater discharges'.
Federated Farmers	Amend	Amend the rule to clarify the calculation method to be used for FDE storage (preferably the DESC model).

Submitter	Position	Summary of decision requested
Landcorp Farming Limited	Support	Support conditional on amendments to respective permitted, controlled, restricted discretionary and discretionary activities as detailed in submission.
Leonard B	Amend	Amend activity status to a prohibited activity.
Man O'War Dairies Limited	Amend	Amend plan to address concerns about costs associated with such an application for a discretionary activity and the implications for business continuity if such an application proved to be unsuccessful.
NZ Pork Industry Board	Support	Retain C.6.3.5 as notified.
Northland Fish and Game	Amend	<p>Amend the rule to include the following matters of discretion</p> <p><u>1. application depth and/or rate, storage requirements, nutrient loading (in particular nitrogen) and size of the disposal area, timing, and contingency plans;</u></p> <p><u>2. the separation distance (beyond that required under rules C.6.3.1, C.6.3.2 and C.6.3.3, C.6.3.4) of the discharge from surface waterbodies, artificial watercourses, subsurface drains, the coastal marine area, dwellings, public roads or spaces, property boundaries, water supply bores;</u></p> <p><u>3. other measures to avoid, remedy or mitigate adverse effects (including cumulative effects directly related to the discharge of farm dairy effluent) on water quality taking into account the nature and sensitivity of the receiving environment;</u></p> <p><u>4. the duration of the discharge permit to be issued;</u></p> <p><u>5. the adequacy of information provided to demonstrate that any pond, tank or structure used to store agricultural wastewater prior to discharge does not leak; and</u></p> <p><u>6. the structural integrity of any pond, tank or structure used to store agricultural effluent prior to it being discharged.</u></p>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to exclude discharges within or adjacent to significant indigenous vegetation or habitats. Provide a non-complying activity rule where the condition is not met.
Tegel Foods Ltd	Amend	<p>Amend C.6.3.5 as follows:</p> <p><i>The discharge onto or into land of farm wastewater, contaminants associated with the making or storage of silage, contaminants associated with the disposal or dead stock or offal, or milk that is not:</i></p> <p>...</p>

Submitter	Position	Summary of decision requested
		<i>5) a restricted discretionary activity under ***** 'Discharges associated with poultry washdown water'</i>  ...

### C.6.3.6

#### Farm wastewater discharges to water – discretionary activity

Submitter	Position	Summary of decision requested
Beef+LambNZ	Amend	Amend rule C.6.3.6 to provide for the discharge of wastewater to water to be phased out by 2020.
Dairy NZ	Support	Retain subject to amendments to Policy 4.7
Federated Farmers	Amend	Amend to the rule to clarify the calculation method to be used for FDE storage (preferably the DESC model).
Fonterra	Amend	Retain Rule C.6.3.6, and include better guidance in the associated policies to guide applicants and decision-makers when assessing the appropriateness of such discharges.
Horticulture New Zealand	Amend	Amend rule as follows:  <i><del>Farm Agricultural</del> wastewater discharges to water – discretionary activity</i>  <i>The discharge of treated farm wastewater <u>and horticulture wastewater</u> into water is a discretionary activity provided...</i>
Landcorp Farming Limited	Amend	Amend so that all farm wastewater discharge consents to water require notification.
Leonard B	Amend	'Eliminate' (delete) the rule
Northland Fish and Game Royal Forest and Bird Protection Society NZ	Amend	Change the rule to a non-complying activity.
Simpson A Tegel Foods Ltd	Support	Retain C.6.3.6 as notified.



Submitter	Position	Summary of decision requested
Upperton T	Support	Submitter doesn't say, but infer it is to retain C.6.3.6 as notified as they state they support the rule.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Amend	Objects to Rule C.6.3.6. Decision sought unclear.

### C.6.3.7

Farm wastewater discharges – prohibited activity

Submitter	Position	Summary of decision requested
Dairy NZ Landcorp Farming Limited Northland Fish and Game Tegel Foods Ltd	Support	Retain C.6.3.7 as notified.

## C.6.4 Stormwater discharges

### *General submissions on stormwater discharges*

Submitter	Position	Summary of decision requested
Lourie D	Amend	Seeks range of stormwater management practices to be included in the Plan. Includes using swales; plastic traps; banning micro beads; and capturing stormwater in constructed wetlands, and recycled and reused, before being discharged into natural water courses.
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for discharging water within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.
Patuharakeke Te Iwi Trust Board Inc	Amend	Insert stormwater discharge rules that actively encourage treatment train approaches.

### C.6.4.1

#### Stormwater discharges from a public stormwater network – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	<p>Amend as follows:</p> <p>6) “within <del>two</del> five years of the operative date of this rule, a stormwater management plan for the networks listed in Table 5 ‘Priority public stormwater networks’ is provided to the council,”</p> <p>Amend proposed parameters for low risk catchments.</p>
Haigh Workman Ltd	Amend	<p>Amend clause 1) to recognise:</p> <ul style="list-style-type: none"> <li>that some erosion is inevitable in rivers and lakes in extreme events</li> <li>that for discharges to the foreshore, drainage paths are often subject to periodic blockage by sand and gravel deposited by wave action; scour is necessary to re-establish the drainage path. Provided there is no long term erosion trend, periodic blockages and scour are acceptable.</li> </ul>
Kaipara District Council	Amend	<p>Amend C.6.4.1 as follows:</p> <ul style="list-style-type: none"> <li>Clarify “point of discharge” in condition 1).</li> <li>Unclear, but infer that submitter seeks condition 3) be deleted (requiring discharge to not not contain any wastes or cooling water from a trade or industrial premises).</li> <li>Amend condition 6) of so that the time limit for providing a stormwater management plan be five years (not two years).</li> </ul>
Miru M Tinopai RMU Limited	Amend	<p>Insert a new clause 9) stating <u>the activity does not occur within an Area of Significance</u></p>
Northland District Heath Board	Amend	<p>Amend C.6.4.1 (5) (e) to “the rendering of fresh water unsuitable for consumption by farm animals <u>and source water for human consumption as per Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007, or</u>”</p> <p>Add an additional clause to C.6.4.1 (5) to read: “<u>any more than minor adverse effect on the health of people and communities as affected by their contact with fresh water resulting from the discharge</u>”.</p>
Northland Fish and Game	Amend	<p>Amend the rule to:</p> <ul style="list-style-type: none"> <li>significantly reduce the scale of permitted activity to ensure water quality standards will not be breached or change the activity status of the rule</li> <li>identify high-risk catchments and exclude the activity from them</li> <li>exclude discharges where they may enter outstanding freshwater bodies or wetlands</li> </ul>

Submitter	Position	Summary of decision requested
Whangarei District Council	Amend	<p>Amend C.6.4.1 as follows:</p> <ul style="list-style-type: none"> <li>• Clarify "point of discharge" in condition 1)</li> <li>• Condition 2) - submitter believes that providing 10% AEP flood immunity for land (rather than buildings) would be a major change to WDC's level of service for stormwater with significant financial implications to ratepayers. Concerns are raised that as currently drafted, this rule effectively requires that overland flow paths through properties that are currently protected by easements would require consents, or the minor (piped) system would have to be upgraded to provide 10% AEP capacity.</li> <li>• Condition 3) – while WDC's trade waste bylaw attempts to capture all trade wastes from trade or industrial premises, it is not reasonably practicable to exclude all stormwater or cooling water from such premises.</li> <li>• Condition 4) WDC raises concerns that the effects authorised under C.8.3.1 will prevent compliance issues with the suspended solid limits stipulated by this condition.</li> <li>• Conditions 4) and 5) – WDC manages over 300 outlets discharging to water bodies. Preventing every exceedance is not reasonably practicable. It is suggested that limits be set for (say) 90% of discharges, except conditions 5)e) and f) to provide for discharges in high volume events.</li> <li>• Submitter seeks a 5 year timeframe for preparation of stormwater management plans.</li> </ul>

### C.6.4.2

#### Other stormwater discharge – permitted activity

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited First Gas Limited Top Energy Waiaua Bay Farm Limited	Support	Retain rule C.6.4.2 as notified.
Bay of Islands Planning Limited Carrington Resort Jade LP	Amend	<p>Amend rule C.6.4.2 (5) (iv) to state</p> <p><i>"the concentrations of those contaminants listed in Table 3.4.1 in the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000), which are relevant to the type of contaminated land, at the 95% species protection level, and"</i></p>
Far North District Council	Amend	Amend as follows:

Submitter	Position	Summary of decision requested
Whangarei District Council		<p>3) where the stormwater diversion or discharge is from a hazardous substance storage area:</p> <p>a) the stormwater collection system is designed and operated to prevent hazardous substances stored or used on the site from entering the <u>stormwater</u> system, or</p> <p>....</p> <p>4) where the stormwater diversion or discharge is from an industrial or trade premises that is not a high risk industrial or trade premises:</p> <p>a) the stormwater collection system is designed and operated to prevent any other contaminants stored or used on the site from entering stormwater unless the stormwater is discharged through a stormwater <u>contaminant</u> interceptor, and</p> <p>....</p> <p><u>c) Stormwater diversion drains, bunds or similar, are used to prevent uncontaminated stormwater from entering the contaminated site"</u> (or similar relief)</p>
Fonterra	Amend	<p>Amend as follows:</p> <p>...</p> <p>8) the discharge does not cause any of the following effects in the receiving waters beyond a <del>20-metre radius from the point of discharge</del><u>the zone of reasonable mixing:...</u></p> <p>Amend other references to a 20-metre radius from the point of discharge to refer instead to the zone of reasonable mixing.</p>
GDC Winstone	Amend	Support if definition of 'high risk industrial and trade premise' is amended
Haigh Workman Ltd	Amend	<p>Amend clause 2) to read:</p> <p><u>the diversion and discharge does not cause or increase flooding of land on another property up to the 10 percent annual exceedence probability, or flooding of buildings on another property up to the one percent annual exceedence probability, and</u></p>
Haigh Workman Ltd	Amend	<p>Amend Clause 6) to read:</p> <p><u>the discharge does not erode the bed or banks of a lake or river during storm events up to the 10 percent annual exceedence probability, or result in long term erosion of the foreshore, and</u></p>
Horticulture New Zealand	Support	Retain provision that do not apply a maximum site coverage or impervious surface area limitation in rural environments to manage stormwater.

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	<p>Amend C.6.4.2 as follows:</p> <ul style="list-style-type: none"> <li>• Add: <u>Except that discharges managed under land drainage rules in C.4.1 are excluded from C.6.4.2</u></li> <li>• Amend Clause 3: <u>where the stormwater diversion or discharge is from a hazardous substance storage area: The HSNO requirements for storage will be met.</u></li> <li>• Amend Clause 5: <u>Where the stormwater diversion or discharge is from contaminated land and an assessment is required clause 5(7) or 5(8) under Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011:</u></li> </ul>
Kaipara District Council	Amend	<p>Amend C.6.4.2 as follows:</p> <p>4) <u>Where the stormwater diversion or discharge is from an industrial or trade premises that is not a high risk industrial or trade premises:</u></p> <p>a) <u>The stormwater collection system is designed and operated to prevent any other contaminants stored or used on the site from entering stormwater, unless the stormwater is discharged through a stormwater <u>contaminant</u> interceptor; and</u></p> <p>b) ...</p> <p>c) <u>Stormwater diversion drains, bunds or similar, are used to prevent uncontaminated stormwater from entering the contaminated site</u></p> <p>(or similar relief).</p>
KiwiRail MLP LLC National Institute of Water and Atmospheric Research Limited NZ Pork Industry Board Silver Fern Farms Transpower	Support	Retain rule C.6.4.2 as notified.
Landcorp Farming Limited	Support	Support conditional on amendment to definition of 'stormwater collection system'.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 9) stating <u>the activity does not occur within an Area of Significance</u>

Submitter	Position	Summary of decision requested
New Zealand Transport Agency	Amend	<p>Retain C.6.4.2 as notified, subject to following amendment:</p> <p><i>7) the discharge does not contain more than:</i></p> <p style="padding-left: 40px;"><i>a) 15 milligrams per litre of total petroleum hydrocarbons</i></p> <p style="padding-left: 40px;"><i>b) 100 milligrams per litre of suspended solids</i></p> <p><u>Compliance with shall be measured as follows:</u></p> <p><u>i. The measurement point of the discharge shall allow for reasonable mixing and be located downstream of any stormwater treatment provided; and</u></p> <p><u>ii. Compliance for sediment discharge (7(b)) will be measured on a long-term average basis.</u></p>
Northland District Health Board	Amend	<p>Amend C.6.4.2 (8) (e) to <u>"the rendering of fresh water unsuitable for consumption by farm animals and source water for human consumption as per Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007, or"</u></p> <p>Add an additional clause to C.6.4.2 (8) to read: <u>"any more than minor adverse effect on the health of people and communities as affected by their contact with fresh water resulting from the discharge".</u></p>
Northland Fish and Game	Amend	Amend the rule so that it does not affect wetlands, i.e. Kawakawa.
Ravensdown Limited	Amend	<p>Either amend the definition of high risk industrial or trade premise as requested or amend rule to read:</p> <p><u>b) a high risk industrial or trade premise, excluding a fertiliser bulk storage facility that is fully enclosed and has a stormwater diversion or discharge that complies with Clause 4) below, and ...</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Significantly reduce the scale of permitted activity to ensure water quality standards will not be breached or change the activity status of the Rule.</p> <p>Identify high-risk catchments and exclude the activity from them.</p> <p>Exclude discharges where they may enter outstanding freshwater bodies or wetlands.</p>
Tegel Foods Ltd	Amend	<p>Amend C.6.4.2 as follows</p> <p>...</p> <p><i>3) where the stormwater diversion or discharge is from a hazardous substance storage area:</i></p> <p>...</p>

Submitter	Position	Summary of decision requested
		<p><i>b) there is an <del>stormwater interceptor</del>secondary containment system in place to collect stormwater that may contain hazardous substances and discharge or divert it to a trade waste system or store it for removal and treatment, unless the stormwater contains no hazardous substances except oil or grease and the stormwater is passed through an <del>stormwater treatment system</del>oil interceptor system prior to discharge, and</i></p> <p><i>4) where the stormwater diversion or discharge is from an industrial or trade premises that is not a high risk industrial or trade premises:</i></p> <p><i>a) the stormwater collection system is designed and operated to prevent any other contaminants stored or used on the site from entering stormwater unless the stormwater is discharged through a <del>stormwater interceptor</del>stormwater treatment system, and</i></p> <p>...</p> <p>Delete clauses 5), 6), 7) and 8).</p>
The Oil Companies	Support	Retain clauses 1, 2, 6 and 7 of rule C.6.4.2 as notified.
The Oil Companies	Amend	<p>Amend Clause 3 of rule C.6.4.2 as follows:</p> <p>Ensure and confirm that the phrase "oil and grease" in Clause 3 applies to hydrocarbon fuels and that an "oil interceptor" includes those interceptors addressed in the <i>MfE Guidelines for Water Discharges</i> and make any changes necessary to confirm this, but otherwise retain Clause 3. This could be achieved by amending Clause 3 of Rule C.6.4.2 to provide clarity about how it is to be applied, as follows:</p> <p>...</p> <p><i>b) there is <del>an</del> stormwater interceptor in place to collect stormwater that may contain hazardous substances and discharge or divert it to a trade waste system or store it for removal and treatment, <u>or</u></i></p> <p><i><del>c) unless</del> the stormwater contains no hazardous substances except oil or grease and the stormwater is passed through an oil interceptor system prior to discharge, <u>and</u></i></p> <p>Add an advice note to the effect that discharges complying with the MfE Water Discharges Guidelines will be deemed to comply with Clause 3.</p>
The Oil Companies	Amend	<p>Amend Clause 4(a) of Rule C.6.4.2 to provide clarity that it is seeking to control contaminants that are not already controlled by Clause 3, as follows:</p> <p><i>the stormwater collection system is designed and operated to prevent any other contaminants stored or used on the site, <u>other than those already controlled by Clause 3 above</u>, from entering stormwater unless the stormwater is discharged through a stormwater interceptor, and</i></p>

Submitter	Position	Summary of decision requested
The Oil Companies	Amend	<p>Amend Clause 5 of Rule C.6.4.2 to specifically refer to contaminants of concern as opposed to all of the contaminants listed in subsections (i) - (iv) and to clearly relate only to discharges from the area of contaminated land, as follows:</p> <p>5) <u>where the stormwater diversion or discharge is into or may entrain contaminants from exposed contaminated land :</u></p> <p>a) <u>a site investigation report in relation to the diversion or discharge from that contaminated land and prepared by a suitably qualified and experienced practitioner identifies the contaminants of concern and demonstrates that the stormwater discharge does not, as relevant to the identified contaminants of concern, contain more than;</u></p> <p>b) <u>the discharge is not via deep soakage or rapid infiltration systems in locations where the SQEP identifies that the stormwater discharge contains more than the stated level of contaminants of concern, and</u></p> <p>Add an advice note as necessary to assist in interpretation of the condition and ensures and clarifies that the condition does not apply to stormwater diversions or discharges from impervious areas where there is no risk of entrainment or mobilisation of any contaminants contained in a piece of contaminated land.</p> <p>If it is considered necessary include a definition of “contaminants of concern” to the effect that these are target contaminants that have been identified by way of a PSI or which are most likely to be present given the nature of the activities on site and which are, within the NZ guideline set, called the “contaminants of concern”.</p>
The Oil Companies	Amend	<p>Retain Clause 5(iv) of Rule C.6.4.2 except to the extent that it is amended to provide a full reference to the guidelines, as follows:</p> <p><u>iv) the concentrations listed in Table 3.4.1 in the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000) and applied in accordance with those Guidelines, at the 95% species protection level, and</u></p>
The Oil Companies	Amend	Delete subsection (a) of Clause 8 of Rule C.6.4.2.



### C.6.4.3

#### Stormwater discharges – controlled activity

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited	Amend	<p>Amend rule as follows:</p> <p>...</p> <p><i>Is a controlled activity, provided the discharge is:</i></p> <p><i><u>(a) not from a high risk industrial or trade premise or contaminated land, or</u></i></p> <p><i><u>(b) is from a high risk industrial or trade premise or contaminated land site which operates in compliance with the following industry standards:</u></i></p> <p><i><u>i) Fertiliser (Corrosive) Group Standard HSR002569; and</u></i></p> <p><i><u>ii) Fertiliser (Oxidising) Group Standard HSR002570; and</u></i></p> <p><i><u>iii) Fertiliser (Subsidiary Hazard) Group Standard HSR002571; and</u></i></p> <p><i><u>iv) Fertiliser (Toxic) Group Standard HSR002572; and</u></i></p> <p><i><u>v) Fert Research's Code of Practice for Nutrient Management 2007.</u></i></p>
Far North District Council	Amend	<p>Amend as follows:</p> <p><i>"4) The adequacy of measures to minimise flooding <del>in areas affected</del> <u>caused</u> by the stormwater network."</i></p>
Fonterra Tegel Foods Ltd Top Energy Transpower	Support	Retain C.6.4.3 as notified.
Kaipara District Council	Amend	Amend C.6.4.3 as follows: <i>4) The adequacy of measures to minimise flooding in areas <del>affected</del> <u>caused</u> by the stormwater network'</i>
Landcorp Farming Limited	Support	Support conditional on amendment to definition of 'stormwater collection system'.
Northland Fish and Game	Amend	Change to a discretionary activity rule.

Submitter	Position	Summary of decision requested
Ravensdown Limited	Amend	Amend definition of <i>high risk industrial and trade premise</i> as requested or amend rule to read:  <i>... is a controlled activity, provided the discharge is not from a high risk industrial or trade premise, <u>excluding a fertiliser bulk storage facility that is fully enclosed and has a stormwater diversion or discharge that complies with Clause 4) of Rule C.6.4.2</u> or contaminated land."</i>
Refining New Zealand	Amend	Retain C.6.4.3 as notified if council accepts submitter's request for new rule C.6.6.3A (controlled activity for discharges from Refining New Zealand Marsden Point site). If not, then amend rule C.6.4.3 as follows:  <i>...is a controlled activity, provided the discharge is not from a high risk industrial or trade premise or contaminated land <u>(unless the site contains Regionally Significant Infrastructure, in which case the discharge is a controlled activity under this rule).</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Change to a restricted discretionary or discretionary activity rule.
The Oil Companies	Amend	Retain Rule C.6.4.3 except to the extent that it is amended to clarify that the discharge should not be from contact with contaminated land rather than simply off "clean areas" of a contaminated site, as follows:  ...  <i>2) a permitted activity under C.6.4.2 'Other stormwater discharge – permitted activity', is a controlled activity, provided the discharge is not from a high risk industrial or trade premise or <u>from or into exposed</u> contaminated land.</i>
The Oil Companies	Support	Retain the matters of control associated with Rule C.6.4.3.

#### C.6.4.4

Stormwater discharge from contaminated land and high risk industrial or trade premises - discretionary activity

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited	Amend	Amend rule as follows:  <i>The diversion and discharge of stormwater into water or onto land where it may enter water from a high risk industrial or trade premise or contaminated land <u>that is not a:</u></i>

Submitter	Position	Summary of decision requested
		<u>1) Controlled activity under rule C.6.4.3 'Stormwater discharges – controlled activity', is a discretionary activity</u>
Far North District Council	Amend	Unclear what the decision is being sought but assume FNDC would like it acknowledged that they should be considered a potentially affected party when considering discretionary stormwater discharges.
First Gas Limited Silver Fern Farms Top Energy	Support	Retain C.6.4.4 as notified
GDC Winstone	Amend	Support if definition of 'high risk industrial and trade premise' is amended
Northland Fish and Game	Amend	Change rule to a non-complying activity.
Ravensdown Limited	Amend	Amend definition of <i>high risk industrial or trade premise</i> as requested or/and amend activity status to 'restricted discretionary'.
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to exclude discharges to outstanding freshwater bodies or wetlands or to land within or adjacent to significant indigenous vegetation or habitats. Provide a non-complying activity rule where these conditions are not met.
The Oil Companies	Amend	Amend the rule as follows:  <i>The diversion and discharge of stormwater into water or onto land where it may enter water from a high risk industrial or trade premise, <u>or from or into contaminated land that is not otherwise permitted by Rule C.6.4.2,</u> is a discretionary activity.</i>
Transpower	Amend	Retain C.6.4.4 as notified subject to the following (or similar) amendment:  <i>The diversion and discharge of stormwater into water or onto land where it may enter water from a high risk industrial or trade premise or contaminated land, <u>that is not a permitted activity under C.6.4.2.5,</u> is a discretionary activity.</i>

## C.6.5 Agrichemicals

### General submissions on agrichemical rules

Submitter	Position	Summary of decision requested
Alspach R	Amend	Need to re-introduce provisions around limiting aerial spraying of 24D.  Append NZS:8409:2004 to the Proposed Plan so that it is readily available to view.
Cathcart B	Support	Unclear, but assume submitter seeks rules be retained as notified. The linking of agrichemical use to industry-based performance standards simplifies management by applicators and reduces the risk of confusion between different regulations is applauded.
Grammer Z	Amend	General opposition and concern with agrichemical spraying and a feeling that regional council rules are inadequate. Would like government to foster a transition to more sustainable farming methods. Unclear what specific changes are sought in the proposed regional plan.
Horticulture New Zealand	Amend	<p>Add a new rule C.6.5.x:</p> <p><u>Application of agrichemicals – restricted discretionary activity</u></p> <p><u>The discharge of agrichemicals that is not permitted under rule c.6.5.1 or C.6.5.2 is a restricted discretionary activity.</u></p> <p><u>Matters of discretion</u></p> <p><u>When assessing an application of agrichemicals onto or into land or water from the use or application of agrichemicals, the matters to be considered are:</u></p> <p><u>(a) The type of agrichemical to be discharged, including its toxicity and volatility and the carrying agent (formulation);</u></p> <p><u>(b) The proposed method of application, including the type of spray equipment to be used, the spray volume and droplet size, the direction of spraying and the height of release above the ground;</u></p> <p><u>(c) The nature of any training undertaken by the operator;</u></p> <p><u>(d) Measures to avoid agrichemical spray drift;</u></p> <p><u>(e) The extent to which the use or application complies with NZS8409:2004 Management of Agrichemicals;</u></p> <p><u>(f) The proximity of the use or application to potable water including roof water;</u></p> <p><u>(g) The proximity of the use or application to waterbodies;</u></p> <p><u>(h) The timing of application in relation to weather conditions; and</u></p> <p><u>(i) Communication and notification requirements.</u></p>
Hughes J	Amend	Ban chemical spraying

Submitter	Position	Summary of decision requested
Landowners Coalition Inc	Amend	Submitter believes the controls are too restrictive.
Mallitte J	Amend	<p>Unclear exactly what changes are being sought in the plan but submitter states the following:</p> <ul style="list-style-type: none"> <li>Existing rules generally not enforced but need to be.</li> <li>Councils to stop spraying in built up areas, near schools, kindergartens, around drains, rivers and lakes</li> <li>Spraying on private landowners boundaries and into drains and waterways be totally banned.</li> <li>Wind speed for spraying is dropped from 20km to 5km per hour.</li> <li>There must be an exclusion zone along shared boundaries where spraying must not take place.</li> <li>Banning of glyphosate and products containing it by a certain date.</li> </ul>
Miru M Tinopai RMU Limited	Amend	General objection to agrichemical spraying being a permitted activity.
Muraro S	Amend	<ol style="list-style-type: none"> <li>Resource consent should be mandatory where pastoral land is converted to commercial cropping that requires heavy sprays, in areas where there has not been such previous activity.</li> <li>Aerial agrichemical spraying should be banned in areas where residents and schools collect roof water.</li> <li>The notification for ground spraying should be increased to a distance of at least 100 metres for homes and 200 metres for schools (as in Australia).</li> <li>It should be mandatory for sprayers to notify residents within 100 metres what they are spraying, when, how they are spraying, and when they have completed spraying.</li> <li>Sprayers should be legally required to submit a detailed spray plan to the NRC, which can be made available to residents.</li> <li>The NRC should monitor the spray plan to check it matches what is being sprayed.</li> <li>Notification signs should be displayed when spraying is happening close to a public road to alert walkers and cyclists.</li> <li>GrowSafe Guidelines should be mandatory, monitored by NRC and enforceable.</li> <li>The NRC should proactively monitor the practices and equipment of sprayers.</li> <li>The NRC should monitor the air and drinking water quality of residents and schools potentially affected by spray drift.</li> </ol>

Submitter	Position	Summary of decision requested
		<p>11. Residents within at least 100 metres of ground based application of fertilisers and at least 200 metres of aerial application should be notified.</p> <p>12. Ground and aerial spraying of agrichemicals or fertilisers should be restricted to outside school hours.</p> <p>13. The NRC should monitor chemical levels in sensitive waterways on or near land being used for intensive cropping that requires heavy spraying.</p>
Minister of Conservation	Amend	<p>Add a new rule permitting the discharge of agrichemicals for biosecurity purposes where this use is in accordance with the Biosecurity Act 1993.</p> <p>Amend the title to: <i>C.6.5 Agrichemicals and vertebrate toxic agents</i></p>
Northland Toxin Awareness Group	Amend	<p>Amend rules to prohibit:</p> <ul style="list-style-type: none"> <li>all highly hazardous pesticides as defined by the Food and Agricultural Organisation (FAO) of the United Nations</li> <li>all aerial spraying</li> </ul>
Ravensdown Limited	Amend	<p>Submitter seeks for the intent and activity status of Rules C.6.5.1 - C.6.5.5 to be retained as written, while removing references to inconsistent regulations relating to the application of agrichemicals.</p>
Skywork Helicopters Ltd	Amend	<p>Remove all references to the brand name GROWSAFE.</p>
Smith C	Amend	<p>Amend plan as follows;</p> <ul style="list-style-type: none"> <li>require notified resource consents to change land use from dairy production to cropping and horticulture, where residential housing and schools already exist in the area.</li> <li>if resource consent is granted for an intensive cropping operation, existing residents should be given the right of first refusal to purchase a buffer strip at the prevailing land price to protect themselves from potential agrichemical spray drift.</li> <li>include provision that protects the right of residents who are not on reticulated water to safely collect rain water for drinking and household use by: <ul style="list-style-type: none"> <li>Monitoring and restricting the frequency and duration of spraying and ensuring adequate windows and breaks in spraying are enforced to allow residents to adequately collect rainwater, especially during drought periods.</li> <li>Offering compensation if water supplies run out due to intensive spraying.</li> <li>Ensuring the sprayers compensate residents if water runs out due to their spraying activities.</li> </ul> </li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>• Include a requirement that shelter belts be planted on land where agrichemical spraying is occurring in close proximity to houses, schools and freshwater sources.</li> <li>• Include a requirement for agrichemical sprayers to provide a detailed spray plan to residents within 100 metres of the spray area and schools within 200 metres. Council staff must check that what is being sprayed matches the spray plan presented.</li> <li>• Where spraying is conducted near sensitive areas, sprayers must be required to use the latest equipment, which is designed to better reduce spray drift.</li> <li>• Sprayers must be required to keep a log of wind direction and speed, humidity and temperature.</li> <li>• Include provisions that restrict the duration and frequency of spraying and restrict spraying to outside of school hours (including children walking to and from school).</li> <li>• Include provisions that require Council to actively monitor waterways near intensive cropping by regular sampling of silt and chemical levels and also proactively monitor and survey the impact of spraying on insect numbers in the area</li> <li>• require Council to actively monitor and inspect the sprayer's equipment and practices to determine whether they are following best practice to reduce spray drift.</li> </ul>
Smith C Wheeler D & L	Amend	Council must proactively monitor residents' tank water supplies to check for spray contamination.
Smith C Wheeler D & L	Amend	<p>General objection to all aerial spraying of agrichemicals near sensitive areas without an application for Resource Consent.</p> <p>If Resource Consent is required to spray aurally in urban areas, this should extend to rural areas where housing and schools already exist and cropping that requires intensive spraying comes into an area.</p>
Smith C Wheeler D & L	Amend	Include a requirement for Buffer Zones of at least 100 metres on land where agrichemical spraying is occurring in close proximity to houses, schools and freshwater sources.
Smith C Wheeler D & L	Amend	Include provisions that increase the potential fines for spraydrift.
Soil and Health Association	Amend	Include conditions to ensure that agrichemical monitoring, including for air, freshwater and groundwater, takes place which is supported by evidence concerning children's increased vulnerability to pesticides.
Sloane D	Amend	Prohibit the use of the following chemicals on farms, parks, roadside verges, agricultural and lifestyle blocks in Whangarei District;

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>• Glyphosphate</li> <li>• All be harming pesticides/herbicides - Bayer's Imidacloprid, and Clothianadin. Syngenta's Thiamethoxam. Basf Fipronal. Clorpyrifos. Cypermethrin Detamethrine.</li> </ul>
Wheeler D & L	Amend	<p>Require notified resource consent for a change of land use where residential housing and schools exist in an area (regardless of the underlying zone)</p> <p>When a resource consent is granted for an intensive cropping operation, require the landowner to provide a substantial and effective buffer strip to protect existing residents from any risk of agrichemical spray drift.</p> <p>Amend the plan to include provision that protects the right of residents who are not on reticulated water to safely collect rain water for drinking and household use</p> <p>Require notification for aerial application of fertiliser.</p>

### C.6.5.1

#### Application of agrichemicals – permitted activity

Submitter	Position	Summary of decision requested
Adams H & Ross D	Amend	<p>Amend as follows:</p> <ul style="list-style-type: none"> <li>• Increase the notification of ground spraying to a distance of at least 100 metres and where there is a school involved at least 200 metres.</li> <li>• Full notifications of commencement and conclusion of each spray application.</li> <li>• Notification of what chemicals are being sprayed.</li> <li>• Notification, such as signs be displayed when spraying is happening close to a public road, so walkers, cyclists, etc know when spraying is happening and what chemicals are being used.</li> <li>• A detailed spray plan is submitted to NRC and available to all potentially affected residents.</li> <li>• There be monitoring of the spray plan by NRC.</li> <li>• Aerial spray be banned in areas such as Central Waimate North where residents and a school collect roof water.</li> <li>• Grow Safe Guidelines be mandatory, monitored by NRC and enforceable.</li> <li>• NRC actively monitor practices of sprayers and equipment used particularly in sensitive areas.</li> <li>• NRC monitor drinking water quality of residents and schools potentially affected by spray drift.</li> <li>• Residents within at least 100 metres of ground based application of fertilisers and at least 200 metres of aerial application should be notified.</li> </ul>



Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Spraying agrichemicals or fertilisers should be outside school hours, including when children are going to and from school.</li> <li>The spray infringement penalty needs to be a level that is effective.</li> </ul>
Balle Bros Group Far North District Council Landcorp Farming Limited MLP LLC Northland Fish and Game Simpson A Stevens V Waiaua Bay Farm Limited	Support	Retain C.6.5.1 as notified.
Broadspectrum	Amend	Amend the notification requirements of rule in terms of physical signage because it is too costly and unworkable.
Federated Farmers	Support	Retain the rule subject to appropriate refinement through further submissions.
HFM NZ	Amend	Amend C.6.5.1 as follows: <ul style="list-style-type: none"> <li>Amend 1)a)i): <i>offensive or objectionable odour, smoke (<u>with the exception of smoke bombs</u>), spray or dust, or any noxious or dangerous levels of gases or emmisions including those that adversely affect traffic or aircraft safety, beyond the boundary of the subject property or in the coastal marine area, and</i></li> <li>Amend 1)c): <i>neighbouring properties receive notification no less than 24 hours and no more than <del>one month</del> <u>two weeks</u> before the spraying activity is to take place, as set out in Table 6</i></li> <li>Amend 1)f): <i>in addition, for spraying by any method in <u>public</u> road and rail corridors:</i></li> <li>Amend Table 6: <i>b) is in writing (which can include email or other electronic means) <u>or by telephone</u>, and</i></li> <li>Include a guidance note directing landowners and managers to an assistance tool (to help with notification requirements) on the Council website.</li> </ul>
Horticulture New Zealand	Amend	Amend C.6.5.1 as follows: <ul style="list-style-type: none"> <li>Delete 1 a) i)</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Amend 1) c): <i>neighbouring properties receive notification no less than <del>24</del>12 hours and no more than <del>two</del>three weeks before the spraying activity is to take place...</i></li> <li>Amend Table 6 Notification requirements column: <ul style="list-style-type: none"> <li>a) <i>Is undertaken by the owner, or occupier of the property to be sprayed unless delegated to the applicator <u>or management company or packhouse</u></i></li> <li>c) iv) <del>any notable adverse effects</del> <i>Indication of any specific hazards eg bee toxicity</i></li> </ul> </li> <li>Amend 2 c) and 3 b): <i>the activity is undertaken in accordance with NZS8409:2004 Management of Agrichemicals as it relates to the management of discharges of agrichemicals. <u>Specific sections are Storage – Appendix L4 Use – Part 5.3 Disposal – Appendix S Records – Appendix C9</u></i></li> <li>Amend 3 a) to <del>GROWSAFE</del> <i>Pilot Chemical Rating issued by CAA</i></li> </ul>
Horticulture New Zealand	Support	Retain 1)d)
Ko Te Hua Marae (Ngati Whata Hapu)  Parapara Marae (Ngati Tara Hapu)	Amend	All chemicals applied on farmland and forestry inhibiting the reproduction of microbial life should be a discretionary activity.
Kurmann A	Amend	All chemicals applied on farmland and forestry inhibiting microbial life should be a discretionary activity.
LaBonte' A & R	Amend	Amend condition 1) of Rule C.6.5.1 as follows:  <i>f) in addition, for spraying by any method in road and rail corridors, <u>except where the road corridor is adjacent to the land owned by the person or their delegate carrying out the spraying activity:...</u></i>
Leonard B	Amend	'Eliminate' (delete) the rule.
Minister of Conservation	Amend	Amend C.6.5.1 as follows: <ul style="list-style-type: none"> <li>Amend the rule to include conditions relevant to other methods of agrichemical discharge such as the placement of insect baits, or amend the existing conditions so that they apply:</li> <li>Amend 1): <i>for all methods (<u>including hand-held spraying, ground-based spraying and aerial application</u>) ...</i></li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Amend 1) c): <u>neighbouring properties should be notified if hand spraying is within 30 metres and aerial spraying is within 200 metres of the property boundary, and receive notification no less than 24 hours and no more than two weeks before the spraying activity is to take place, as set out in Table 6 'Spraying notification requirements', and</u></li> <li>Amend 1) e): <u>in addition, for spraying by any method in public amenity areas, prominent signs are placed if agrichemicals have been applied within 100 metres of an amenity area such as a track/walkway, lookout, play area, picnic area, lawn, carpark, camping area within a park, reserve or location where public have unrestricted access, and at entrances to the park or reserve etc are placed within the immediate vicinity, prior to</u> ...</li> <li>Amend 1) f) to require managers of road and rail corridors to notify property managers /owners with sensitive areas within the method dependent buffer boundary.</li> <li>Delete 2)a), 2)b) and 3)a) and include the following advice notes for 2) and 3):             <ul style="list-style-type: none"> <li><u>In relation to non-aerial application, the applicator must hold an Agrichemical Approved Handler certificate (Worksafe NZ) where required by any EPA approval under the HSNO Act, or equivalent as recognised and required by EPA or MBIE), and be able to demonstrate competency using agrichemicals to avoid adverse environmental impacts.</u></li> <li><u>In relation to aerial application, the applicator and ground crew must hold qualifications and competencies as required by EPA and Worksafe NZ.</u></li> </ul> </li> <li>Add another row to Table 6 in C.6.5.1 regarding notification when using granules, gels, and agrichemical baits. For granules, gels, and agrichemical baits, properties to be notified and notification requirements to be: <u>nil (unless a public amenity area or road and rail corridor under the specific requirements above).</u></li> </ul>
Miru M Tinopai RMU Limited	Amend	Insert a new clause 1g) <u>the activity does not occur within 20 metres of an Area of Significance</u>
Northland District Health Board	Amend	<p>Amend the title to C.6.5.1 as follows: <u>"Commercial Application of agrichemicals – permitted activity"</u></p> <p>Amend condition 1(f)(ii) as follows</p> <p><i>f) in addition, for spraying by any method <del>in road and rail corridors:</del></i></p> <p>....</p> <p><i>ii) a public notice must be placed in a newspaper or a letter drop is made to properties within <u>a minimum of 30 50 metres</u> (or <u>a minimum of 200 300 metres</u> for aerial spraying) from the area to be sprayed at least 7 days and not one month before spraying is to take place. <u>The minimum distance should consider the volatility and toxicity of the chemical being</u></i></p>

Submitter	Position	Summary of decision requested
		<p><i>applied, anticipated meteorological conditions on day of application, terrain and location of sensitive receptors, and"</i></p> <p>...</p> <p>Replace standard condition relating to "the discharge does not result in ...offensive &amp; objectionable odour..." (1(a)(i) with:</p> <p><i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> <u>or, smoke, spray or dust</u>, or any noxious or dangerous levels of <u>airborne contaminants</u> <u>gases or emissions</u> including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property <u>or in the coastal marine area</u>.</i></p>
Rayonier New Zealand	Amend	<p>Amend rule C.6.5.1 as follows:</p> <p><i>c) neighboring properties receive notification no less than 24 hours and no more than <del>two</del> <u>four</u> weeks before the spraying activity is to take place, as set out in Table 6 'Spraying notification requirements', and</i></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend condition 1) b) as follows: "<i>there is no direct discharge into <u>or onto</u> water, and"</i></p> <p>Add new condition: "<i>1) x) <u>there is no direct application to hard surfaces including roofs or concreted areas, which drain directly to water.</u></i>"</p> <p>Add new condition 2) x) and 3)x) "<i>The discharge is not undertaken where <u>it can affect a significant ecological area.</u></i>"</p> <p>Amend Condition 2) c) and 3) b) by adding limits and standards in the conditions so that the NZ Standards 8409:2004 are not the primary means of achieving compliance.</p>
Smith C	Amend	<p>Make Growsafe regulations mandatory.</p> <p>Amend the rule (clause 1) so that the area of notification for ground spraying be extended to properties within a minimum of 100 metres from the area to be sprayed.</p> <p>Require that residents are notified when spraying is completed.</p> <p>Council must actively monitor compliance with notification requirements.</p>
Soil and Health Association	Amend	<p>Increase the minimum notification period from 24 hours to 48 hours in clause 1c).</p> <p>Do not permit any aerial spraying to be undertaken as a permitted activity</p>
Town and General Vegetation Control	Amend	<p>Amend C.6.5.1 as follows:</p> <ul style="list-style-type: none"> <li>• Delete 'any notable effects' from 1)e) and f)iii).</li> <li>• Reword to not require 1)c) (neighbour notification requirement) if 1)f)ii) is undertaken (public notice or letter drop requirement).</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Delete requirement in 1)f)i) to have prominent signs placed at beginning and end points of spray area.</li> <li>Amend 1)f)ii) as follows: <i>"a public notice must be placed in a newspaper or the property owner's/authority website or a letter drop..."</i></li> </ul>
Upperton T	Amend	Increase notification to 48 hours minimum.
Wheeler D & L	Amend	Amend clause 1)f)ii) so that the notification boundary to residential properties is a minimum of 50 metres from the area to be sprayed at least 7 days and not more than one month before spraying takes place.

### C.6.5.2

#### Application of agrichemicals into water – permitted activity

Submitter	Position	Summary of decision requested
Balle Bros Group Landcorp Farming Limited Minister of Conservation	Support	Retain C.6.5.2 activity class (permitted) as notified.
Federated Farmers Stevens V Simpson A	Support	Retain rule 6.5.2 as notified
HFM NZ	Amend	<p>Amend as follows:</p> <ul style="list-style-type: none"> <li>Add an exception to C.6.5.2 e) to provide for annual (rather than regular) notification: <i><u>Some or all of the above notification requirements can be amended or omitted with the agreement of affected parties.</u></i></li> <li>Provide guidance on where information on those people who take water (who need to be notified about spraying) is held.</li> <li>Amend clause 5c as follows: <i>c) is in writing (which can include email or other electronic means) or by telephone, and</i></li> <li>Amend clause 8f as follows: <i>f) in addition, for spraying by any method in <u>public road and rail corridors</u>:</i></li> </ul>
Horticulture New Zealand	Amend	Amend 4):

Submitter	Position	Summary of decision requested
		<p><i>the activity is undertaken in accordance with NZS8409:2004 Management of Agrichemicals as it relates to the management of discharges of agrichemicals.</i></p> <p><u>Specific sections are Storage – Appendix L4, Use – Part 5.3, Disposal – Appendix S, Records – Appendix C9</u></p> <p>Amend 6) to <del>GROWSAFE</del> Pilot Chemical Rating <u>issued by CAA</u></p>
Horticulture New Zealand	Support	Retain clause 3)
Leonard B Royal Forest and Bird Protection Society NZ	Amend	'Eliminate' (delete) the rule.
Minister of Conservation	Amend	<p>Amend C.6.5.2 as follows:</p> <ul style="list-style-type: none"> <li>Amend 1) <i>there is no discharge into water in the coastal marine area, unless it is for the purpose of controlling:</i> <ul style="list-style-type: none"> <li><u>(i) Plant pest species listed in the Regional Pest Management Plan or the National Pest Plant Accord;</u></li> <li><u>or</u></li> <li><u>(ii) Exotic vegetation for the purpose of maintaining or enhancing indigenous biodiversity.</u></li> </ul> </li> <li>Delete 3) and 6).</li> <li>Introduce an advice note: <u>Applicators of agrichemicals and ground crew must hold qualifications and competencies as required by EPA and Worksafe NZ.</u></li> </ul>
Miru M Tinopai RMU Limited	Amend	<p>Insert a new clause 9) stating <u>the activity does not occur within 40 metres of an Area of Significance</u></p> <p>Insert a new clause 10) stating <u>where the activity is notifiable and within an Area of Significance, tangata whenua are given at least 10 days notice of the activity.</u></p>
Northland Fish and Game	Amend	Delete "(excluding pest species)" from condition 2) h).
Town and General Vegetation Control	Amend	<p>Amend C.6.5.2 as follows:</p> <ul style="list-style-type: none"> <li>Delete 'any notable effects' from 5)d)iv), 7) and 8)c)</li> <li>Amend 8)b) as follows: <u>"a public notice must be placed in a newspaper or the property owner's/authority website or a letter drop..."</u></li> <li>Delete requirement to erect prominent signs at beginning and end points of spray area</li> </ul>

Submitter	Position	Summary of decision requested
Upperton T	Amend	Increase notification to 48 hours minimum.

### C.6.5.3

#### Vertebrate toxic agents (ground-based application) – permitted activity

Submitter	Position	Summary of decision requested
Federated Farmers Gailey B Simpson A	Support	Retain C.6.5.3 as notified.
Leonard B	Amend	'Eliminate' (delete) the rule.
Minister of Conservation	Amend	Amend C.6.5.3 as follows: <ul style="list-style-type: none"> <li><i>The ground-based application of vertebrate toxic agents to land, that are not exempt from Section 15 (4) by the Resource Management (Exemption) Regulations 2017—Pest Control, is a permitted activity provided:</i></li> <li>Amend 1) <i>the substance is used as approved for its intended use by the Environmental Protection Authority under the Hazardous Substances and New Organisms Act 1996, and</i></li> <li>Delete 2)</li> </ul>
Miru M Tinopai RMU Limited	Amend	Insert a new clause stating <i>the activity does not occur within 40 metres of an Area of Significance</i>  Insert a new clause stating <i>where the activity is notifiable and within an Area of Significance, tangata whenua are given at least 10 days notice of the activity.</i>
Northland Fish and Game	Amend	Unclear what relief is requested.

### C.6.5.4

#### Vertebrate toxic agents (aerial application) – controlled activity

Submitter	Position	Summary of decision requested
Leonard B	Amend	'Eliminate' (delete) the rule.

Submitter	Position	Summary of decision requested
Minister of Conservation	Support	Retain C.6.5.4 as notified
Northland Fish and Game	Amend	Amend matters of control to include defining separation distances. Northland Fish and Game would like to be notified as an affected stakeholder,

### C.6.5.5

Application of agrichemicals and vertebrate toxic agents – discretionary activity

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	Amend C.6.5.5 by deleting agrichemicals and clauses 1) and 2)
Leonard B	Amend	'Eliminate' (delete) the rule.
Minister of Conservation	Support	Retain C.6.5.5 as notified.
Northland Fish and Game	Amend	Northland Fish and Game would like to be notified as an affected stakeholder,

## C.6.6 Industrial and trade discharges

### General submissions on industrial and trade discharges

Submitter	Position	Summary of decision requested
Miru M Tinopai RMU Limited	Amend	Submitter objects to industrial and trade discharges being permitted activities as it undermines Section 5 of the RMA.
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for discharging water within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.
Refining New Zealand	Amend	Add new rule:  <u>C.6.6.3A Existing and new discharges from the Refining New Zealand Marsden Point site – controlled activity</u>  <u>Except as provided for by rules C.6.6.1 or C.6.6.2:</u>



Submitter	Position	Summary of decision requested
		<p><i>the re-consenting of a discharge of a contaminant or water onto or into land (including where it may enter water) or into water, from the Refining New Zealand Marsden Point site is a controlled activity, provided:</i></p> <p><i><u>1) the discharge is authorised by an existing resource consent at the time of the re-consent application, and</u></i></p> <p><i><u>2) there is no increase in the timing, rate and volume of the discharge as authorised by the current resource consent.</u></i></p> <p><i>a new discharge of a contaminant or water onto or into land (including where it may enter water) or into water, from the Refining New Zealand Marsden Point site is a controlled activity, provided:</i></p> <p><i><u>1) the discharge complies with the water quality limit, and</u></i></p> <p><i><u>2) the discharge does not cause any of the following effects in receiving water after reasonable mixing:</u></i></p> <p><i><u>a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, and</u></i></p> <p><i><u>b) any conspicuous change in the colour or visual clarity, and</u></i></p> <p><i><u>c) any emission of objectionable odour, and</u></i></p> <p><i><u>d) the rendering of fresh water unsuitable for consumption by farm animals, and</u></i></p> <p><i><u>e) any significant adverse effect on aquatic life, and</u></i></p> <p><i><u>3) a discharge to land does not cause any ponding or surface water runoff, and</u></i></p> <p><i><u>4) the discharge does not scour or erode the bed of any water body or the coastal marine area.</u></i></p> <p><i><u>Matters of Control:</u></i></p> <p><i><u>1) the timing, rate, volume and composition of the discharge, and</u></i></p> <p><i><u>2) the location and velocity of the discharge, and</u></i></p> <p><i><u>3) consideration of the treatment of the discharge prior to disposal.</u></i></p> <p><i><u>Notification:</u></i></p> <p><i><u>Resource consent applications under this rule are precluded from notification (limited or public).</u></i></p> <p>OR</p> <p>Amend rule C.6.2.3 as follows:</p> <p>C.6.2.3 Wastewater treatment plant discharge – discretionary activity</p> <p><i>The discharge of treated wastewater from a wastewater treatment plant into water or onto or into land, including from private treatment plants servicing an industrial or trade activity, is a discretionary activity.</i></p>

### C.6.6.1

#### Discharge of cooling water - permitted activity

Submitter	Position	Summary of decision requested
GDC Winstone Northland Fish and Game Refining New Zealand	Support	Retain C.6.6.1 as notified
Fonterra	Amend	Amend Rule C.6.6.1 2) as follows:  <i>2) the discharge does not cause any of the following effects in the receiving waters beyond a 20-metre radius from the point of discharge the zone of reasonable mixing:</i>
Lourie D	Amend	Need to take into account the discharge of motor vehicle radiator coolant in storm water discharges. The plan needs to provide the method for safe disposal of radiator coolants from vehicles.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 4) <i>the activity does not occur within 20 metres of an Area of Significance</i>
Northland District Health Board	Amend	Add an additional condition as C.6.6.1 (4) to read:  <i>"(4) the discharge does not cause any more than minor adverse effect on source water for human consumption as per Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007"</i>
Whangarei District Council	Amend	Submitter concerned this rule is inconsistent with C.6.4.1. The discharge of cooling water into water is a permitted activity under C.6.6.1 (subject to conditions), but discharge of public stormwater that contains cooling water is not.

### C.6.6.2

#### Discharge of industrial or trade wastewater - permitted activity

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited	Amend	Amend rule as follows:

Submitter	Position	Summary of decision requested
		<p><i>The discharge of cooling water, filter backwash water, vehicle wash-water or rock aggregate wash-water onto or into land is a permitted activity, provided:</i></p> <p><i>1) The volume discharged does not exceed: <u>eight cubic metres per discharge event and does not exceed the soakage capacity of the discharge area.</u></i></p> <p><i><del>a. three cubic metres per day, averaged over the month of greatest discharge, and</del></i></p> <p><i><del>b. six cubic metres during any 24-hour period; and</del></i></p> <p><i>2) ...</i></p>
Miru M Tinopai RMU Limited	Amend	Insert a new clause 13) <u>the activity does not occur within 20 metres of an Area of Significance.</u>
MLP LLC  National Institute of Water and Atmospheric Research Limited  Northland Fish and Game  Ravensdown Limited  Tegel Foods Ltd  Transpower  Waiaua Bay Farm Limited	Support	Retain rule C.6.6.2 as notified
Northland District Health Board	Amend	<p>Amend condition C.6.6.2 (9) (a) – (c) to read:</p> <p><i>“(9) there is no discharge to land or overland flow within:</i></p> <p><i>a) <del>20 metres</del> <u>50 metres</u> of any river, lake, natural wetland, or the coastal marine area, or</i></p> <p><i>b) <del>20 metres</del> <u>50 metres</u> of any artificial watercourse when containing water; or</i></p> <p><i>c) <del>20 metres</del> <u>50 metres</u> of a neighbouring property owned or occupied by another person, or...”</i></p>
Whangarei District Council	Amend	Submitter seeks that discharge (of an unspecified volume) from water treatment plants is a permitted activity under this rule (or potentially C.6.9.5).

Submitter	Position	Summary of decision requested
		<p>Submitter requests a specific, effects based condition for Water Treatment Plants, rather than the current volume based condition.</p> <p>Submitter requests justification and source of the standards used in condition 7.</p>

### C.6.6.3

#### Industrial or trade discharges - discretionary activity

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Delete the following: .... <i>or any other rule relating to discharges of contaminants from industrial or trade premises,...</i>
Ballance Agri-Nutrients Limited Northland Fish and Game Ravensdown Limited Silver Fern Farms The Oil Companies Transpower	Support	Retain rule C.6.6.3 as notified.
Fonterra	Amend	<p>Amend Rule C.6.6.3 as follows:</p> <p>...</p> <p><i>2) a permitted activity under C.6.6.2 'Discharge of industrial or trade wastewater - permitted activity', <u>or</u></i></p> <p><i><u>3) is not managed by any other rule relating to discharges of contaminants from industrial or trade premises,</u></i></p> <p><i>is a discretionary activity.</i></p>
GDC Winstone	Amend	<p>Add subclause (3) as follows</p> <p><i><u>or, 3) managed by or any other rule relating to discharges of contaminants from industrial or trade premises,...</u></i></p>
Tegel Foods Ltd	Amend	Amend C.6.6.3 as follows:

Submitter	Position	Summary of decision requested
		<p><i>The discharge of contaminants (except for contaminants entrained in stormwater which are controlled via rules C.6.4.1 to C.6.4.4) from an industrial or trade premises into or onto land or into water that is not:</i></p> <p>...</p>

## C.6.7 Solid waste

### General submissions on solid waste

Submitter	Position	Summary of decision requested
NZ Pork Industry Board	Amend	Add provisions addressing animal carcass composting.

#### C.6.7.1

Cleanfill – permitted activity

Submitter	Position	Summary of decision requested
GDC Winstone	Amend	Amend to ensure the placement of overburden is classed as earthworks and not a cleanfill activity
KiwiRail Northland Fish and Game Ravensdown Limited	Support	Retain C.6.7.1 as notified.
King G	Amend	<p>Amend clause 2 b) to:</p> <ul style="list-style-type: none"> <li>• specify a GPS system e.g. NAVSTAR or GLONASS.</li> <li>• provide for the use of New Zealand grid reference.</li> </ul>
Miru M Tinopai RMU Limited	Amend	Insert a new clause 5) stating <u>the activity does not occur within 20 metres of an Area of Significance</u>

### C.6.7.2

#### Discharges to land from closed landfills – permitted activity

Submitter	Position	Summary of decision requested
Alspach R	Support	retain rule as notified.
Far North District Council	Amend	Amend as follows: <i>c) 300 millimetres compacted subgrade or foundation layer, or as defined in a Closed Landfill Management Plan that has been approved by NRC.” or similar relief.</i>
Kaipara District Council Whangarei District Council	Amend	Amend C.6.7.2 so that a controlled activity status be applied to all closed landfills.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 7) stating <u>the activity does not occur within 20 metres of an Area of Significance</u>
Upperton T	Amend	Amend C.6.7.2 as follows: <i>6) e) a <del>significant</del> adverse effect on aquatic life.</i>

### C.6.7.3

#### On site refuse disposal – permitted activity

Submitter	Position	Summary of decision requested
Bainbridge A Bainbridge J	Amend	It is inferred that amends are sought to condition (4) of C.6.7.3. to exclude waste deposited in the past from the 50m <sup>3</sup> limit.
Egg Producers Federation New Zealand	Amend	Increase the permitted volume of refuse, particularly if this is an annual limit.  Define 'primary production' to determine whether this rule relates to the egg industry.
Federated Farmers	Amend	Reinstate the existing rule and 12 m <sup>3</sup> /year
Landcorp Farming Limited	Support	Assume submitter wishes rule to be retained.

Submitter	Position	Summary of decision requested
Love Kaipara Ltd	Amend	<p>Submitter suggests amendments to C.6.7.3.</p> <p>Main suggested amendment:</p> <p><u>Waste disposal to private land is a permitted activity, only if the materials in the private landfill are those that cannot be recycled, recovered, rotted as compost, or repaired.</u></p> <p>Replace the clauses as notified with:</p> <ol style="list-style-type: none"> <li>1) <u>the materials in the private landfill must be those that cannot be recycled, recovered, rotted as compost, or repaired" All dumped materials must first be vetted on whether there is an alternative to disposal.</u></li> <li>2) <u>The private landfill should not exceed 30 cubic metres in size, and increase up to the maximum of 50 cubic metres must be applied for.</u></li> <li>3) <u>A dumping register showing material disposed of must be kept and provided for if asked by the NRC.</u></li> <li>4) <u>The "location of the private dump site is provided to council", as a matter of course.</u></li> </ol>
Man O'War Dairies Limited	Amend	Amend to identify the time over which the volume limit of 50m <sup>3</sup> may occur.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 12) stating <u>the activity does not occur within 20 metres of an Area of Significance</u>
Northland District Health Board	Amend	Amend C.6.7.3 (4) to –  <u>"the volume of waste discharge does not exceed a total maximum of 30 cubic metres per property"</u>
NZ Pork Industry Board	Amend	On site disposal of waste from primary production that excludes offal and dead stock is supported subject to amendments to C.6.3.3 to provide for the composting and disposal of dead pigs within a site.
Royal Forest and Bird Protection Society NZ	Amend	<p>Add a definition for primary production or set out what type of waste is included in full in the rule.</p> <p>Add a condition that waste may not be discharged to land where contaminants may enter water.</p>
Upperton	Amend	<p>Amend C.6.7.3 as follows:</p> <p><u>2) the waste comprises domestic waste or waste from primary production activities but does not include offal, dead stock, agrichemical containers or hazardous substances, or inorganic materials (i.e. will not break down) including bale wrap</u></p>

Submitter	Position	Summary of decision requested
Whangarei District Council	Amend	Submitter objects to the permissive nature of this rule and considers it should be regulated. Mention that district councils provide for waste disposal facilities which render this rule unnecessary. WDC considers this rule presents an unacceptable risk to groundwater contamination (including long term cumulative effects).

#### C.6.7.4

##### Composting operations less than 10 cubic metres - permitted activity

Submitter	Position	Summary of decision requested
New Zealand Pork Industry	Amend	Opposes rule. Decision sought unclear.
Northland District Health Board	Amend	Amend by adding C.6.7.4 (5) and (6) as follows <i><u>(5) the activity is not located within:</u></i> <i><u>a) 50 metres of any water supply bore, stream, river, lake or wetland, or</u></i> <i><u>b) 50 metres of a geothermal surface feature, or</u></i> <i><u>c) 50 metres of the coastal marine area, or</u></i> <i><u>d) a high risk flood hazard zone hazard area, and</u></i> <i><u>(6) The discharge does not result in noxious, dangerous, offensive or objectionable odour or dust, or any noxious or dangerous levels of airborne contaminants beyond the boundary of the subject property.</u></i>
Whangarei District Council	Amend	Submitter suggests that a higher volume allowance for composting activities be provided for.

#### C.6.7.5

##### Composting operations greater than 10 cubic metres – permitted activity

Submitter	Position	Summary of decision requested
Fonterra	Support	Retain Rule C.6.7.5 as notified.



Submitter	Position	Summary of decision requested
New Zealand Pork Industry	Amend	Opposes rule. Decision sought unclear.

### C.6.7.6

#### Waste transfer stations – controlled activity

Submitter	Position	Summary of decision requested
Kaipara District Council Whangarei District Council	Amend	Amend C.6.7.6 as follows: <ul style="list-style-type: none"> <li>Add requirement that applications are non-notified.</li> <li>Delete condition 1)</li> </ul>
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in <del>noxious, dangerous, offensive or objectionable odour or, smoke, spray or dust, or any noxious or dangerous levels of airborne contaminants, gases or emissions including those that adversely affect traffic or aircraft safety</del> beyond the boundary of the subject property or in the coastal marine area.</i>
Royal Forest and Bird Protection Society NZ	Amend	Add a condition to new transfer stations restricting the activity from areas of significant indigenous vegetation and habitat, from areas of outstanding natural character, from wetlands.

### C.6.7.7

#### Other solid waste discharges – discretionary activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Insert a separate Restricted Discretionary Activity rule for discharges from municipal landfills.
Fonterra	Support	Retain Rule C.6.7.7 as notified.
GDC Winstone	Amend	Amend to ensure the placement of overburden is classed as earthworks and not an other waste discharge

Submitter	Position	Summary of decision requested
Northland Fish and Game  Royal Forest and Bird Protection Society NZ	Amend	Amend rule to include a condition that solid waste discharges must not be in areas of significant indigenous vegetation and habitat, areas of outstanding natural character, or wetlands. Include a non-complying activity rule for activities that do not meet this condition.

## C.6.8 Contaminated land

### General submissions on contaminated land

Submitter	Position	Summary of decision requested
Haigh Workman Ltd	Amend	Delete entire section C.6.8
Refining New Zealand	Amend	<p>Insert new rule C.6.8.2A as follows:</p> <p><u>C.6.8.2A Discharges from contaminated land (Regionally Significant Infrastructure) – controlled activity</u></p> <p><u>The passive discharge of contaminants from contaminated land into water, or onto or into land where it may enter water, is a controlled activity, provided:</u></p> <p><u>1) it is not a permitted activity under rule C.6.8.2 Discharges from contaminated land – permitted activity, and</u></p> <p><u>2) the discharge is from a site containing Regionally Significant Infrastructure.</u></p> <p><u>Matters of control:</u></p> <p><u>1) The maximum concentration or load of contaminants in the discharge.</u></p> <p><u>2) Methods to minimise the transportation of contaminants beyond the boundary of the site.</u></p>
The oil companies	Amend	<p>Include a new default rule for passive discharges to ensure that they require no more than controlled activity consent, along the following lines, and retain Rule C.6.8.4 except to the extent it is amended to appropriately provide for passive discharges (as a consequence to the inclusion of the new default rule), which could be as follows:</p> <p><u>XX Discharges of contaminants from land not meeting Permitted Activity Rule C.6.8.2 – controlled activity.</u></p> <p><u>The (passive) discharge of contaminants from contaminated land into water, or onto or into land where the discharge may enter water not meeting the permitted activity standards is a controlled activity.</u></p> <p><u>The matters over which control is retained are as follows:</u></p> <p><u>a. The adequacy of the detailed site investigation (contaminated land), including:</u></p>

Submitter	Position	Summary of decision requested
		<p><u>1. site sampling</u></p> <p><u>2. laboratory analysis</u></p> <p><u>3. risk assessment</u></p> <p><u>b. The approach to the remediation or ongoing management of discharges from the site, including the:</u></p> <p><u>1. works or management methods to address the risk posed by the contaminants to the environment</u></p> <p><u>2. timing of any works</u></p> <p><u>3. standard of any works on completion</u></p> <p><u>4. mitigation measures for the site, including the frequency and location of monitoring of specified contaminants.</u></p> <p><u>5. The adequacy of the site management plan (contaminated land) or the site validation report (contaminated land) or both, as applicable.</u></p> <p><u>6. Application of the best practicable option.</u></p> <p><u>7. The timing and nature of the review of any review conditions in the resource consent</u></p> <p><u>8. Duration of the consent.</u></p> <p><u>9. The nature and type of close out criteria that are required to be satisfied prior to surrender of consent</u></p>
Refining New Zealand	Amend	<p>Insert new rule:</p> <p><u>C.6.8.4A Contaminated Land Regionally Significant Infrastructure – restricted discretionary activity</u></p> <p><u>Site investigations associated with Regionally Significant Infrastructure to assess the concentration of hazardous substances that may be present in soil, or discharges from contaminated land, that is not a:</u></p> <p><u>1) permitted activity under rule C.6.8.1 'Investigating contaminated land – permitted activity', or</u></p> <p><u>2) permitted activity under rule C.6.8.2 'Discharges from contaminated land – permitted activity', or</u></p> <p><u>3) C.6.8.2A Discharges from contaminated land Regionally Significant Infrastructure – controlled activity.</u></p> <p><u>is a restricted discretionary activity.</u></p> <p><u>Matters of discretion:</u></p> <p><u>1) the area and volume of material to be disturbed, and</u></p> <p><u>2) the erosion and sediment controls associated with the works, and</u></p>

Submitter	Position	Summary of decision requested
		<p><u>3) the adequacy of the detailed site investigation, including—</u></p> <p><u>(i) site sampling</u></p> <p><u>(ii) laboratory analysis</u></p> <p><u>(iii) risk assessment</u></p> <p><u>4) the suitability of the land for the proposed activity, given the amount and kind of soil contamination.</u></p> <p><u>5) volume and composition of the discharge, and</u></p> <p><u>6) the location and velocity of the discharge, and</u></p> <p><u>7) consideration of the treatment of the discharge prior to disposal.</u></p>
Soil and Rock Consultants	Amend	<p>Add the following provision to all permitted activity rules under C.6.8:</p> <ul style="list-style-type: none"> <li>• <u>Council is advised in writing of intrusive investigations prior to their commencement;</u></li> <li>• <u>All discharges must not contain separate phase hydrocarbons;</u></li> <li>• <u>Any contaminated materials removed from the site must be disposed of to a</u></li> <li>• <u>Facility or site authorised to accept such materials in accordance with the Technical Guidelines for Disposal to Land (WasteMINZ April 2016); and</u></li> <li>• <u>All contaminated land reporting, investigations and remediation are undertaken in accordance with MfE documents (and any updates), including but not limited to:</u></li> </ul> <ol style="list-style-type: none"> <li>1) <u>Contaminated Land Management Guidelines No. 1, 2 &amp; 5;</u></li> <li>2) <u>Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated</u></li> <li>3) <u>Sites in New Zealand (Revised 2011); and NES for Assessing and Managing Contaminants in Soil to Protect Human Health (April 2012), including the HAIL.</u></li> </ol>
Soil and Rock Consultants	Amend	<p>Amend rules so that natural background soils levels specific to Northland Region natural soils are specified for key elements/compounds (contaminants) and a provision included in the PA rules (in C.6.8) that the contaminant concentrations in materials to remain on site must not exceed the natural background range for the site soils or fill material or the relevant Northland Region natural background range for the soil type (or the 95% UCL determined in accordance with MfE Contaminated Land Guideline No. 5), or the PA (Tier 1) soil acceptance criteria.</p>
Soil and Rock Consultants	Amend	<p>Amend rules so that Permitted Activity (Tier 1) soil acceptance criteria are specified for key contaminants and a provision included in the PA rules that the contaminant concentrations in materials to remain on site must not exceed these criteria (or the 95% UCL determined in accordance with MfE Contaminated Land Guideline No. 5).</p>

Submitter	Position	Summary of decision requested
Soil and Rock Consultants	Amend	<p>Amend rules so that all contaminant concentrations in materials to remain on site, not included in the Permitted Activity (Tier 1) soil acceptance criteria, must meet the Tier 1 soil guideline values (or the 95% UCL determined in accordance with MfE Contaminated Land Guideline No. 5) for the landuse and for groundwater protection in:</p> <ul style="list-style-type: none"> <li>Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (Revised 2011); or</li> <li>Canadian Environmental Quality Guidelines, Canadian Council of Ministers of the Environment 2013; or</li> <li>For dieldrin and lindane, in Identifying, Investigating and Managing Risks Associated with Former Sheep Dip Sites: A Guide for Local Authorities by the Minister for the Environment November 2006; or</li> <li>Other more recently published appropriate guideline including but not limited to Asbestos and PFOS and PFOA.</li> </ul>
Soil and Rock Consultants	Amend	<p>Amend rules so that all stormwater, surface water and groundwater discharges must meet:</p> <ul style="list-style-type: none"> <li>The appropriate trigger values for toxicants in Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000 Guidelines).</li> </ul>
Soil and Rock Consultants	Amend	<p>Include additional PA rules for:</p> <ol style="list-style-type: none"> <li>Discharge of contaminants for disturbing soil based on a maximum volume of soil to be disturbed and duration of soil disturbance;</li> <li>Discharge of contaminants used for rural production activities;</li> <li>Discharge of contaminants from removal or replacement of a fuel storage systems based on: <ul style="list-style-type: none"> <li>MfE Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand, Tier 1 soil acceptance criteria for landuses groundwater;</li> <li>ANZECC 2000 Fresh and Marine Water Quality Trigger levels for stormwater, surface water and groundwater;</li> <li>The discharge does not contain separate phase hydrocarbons.</li> </ul> </li> </ol>

### C.6.8.1

#### Investigating contaminated land – permitted activity

Submitter	Position	Summary of decision requested
First Gas Limited	Amend	Delete this rule
KiwiRail Northland Fish and Game	Support	Retain rule C.6.8.1 as notified.

Submitter	Position	Summary of decision requested
Refining New Zealand Transpower		
The oil companies	Amend	Add an additional clause as follows;  <i><u>5) Where site investigations are not undertaken in accordance with the guidelines referenced in clauses 3 and 4, the reasons for this are identified by the SQEP in the site investigation report.</u></i>
Miru M Tinopai RMU Limited	Amend	Include a new clause 5) <i><u>Should any investigation be undertaken within an Area of Significance, the qualified practitioner should give tangata whenua at least 10 days notice of the activity for consultation prior to any investigation taking place</u></i>
Soil and Rock Consultants	Amend	Add the following additional clauses to this rule:  <i><u>1. Council is advised in writing of the activity prior to its commencement;</u></i>  <i><u>2. All appropriate controls will be in place during the activity to minimise any discharges of contaminants to the environment; and</u></i>  <i><u>3. Disturbed ground is reinstated to an erosion-resistant state following sampling.</u></i>

## C.6.8.2

### Discharges from contaminated land - permitted activity

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited  First Gas Limited	Amend	Delete rule C.6.8.2 in its entirety.
GBC Winstone	Amend	Retain rules as notified with an advisory note which confirms that this rule seeks to authorise any discharge from a contaminated site which is identified as part of a NES contaminated land investigation.
Leonard B	Amend	Amend activity status to a prohibited activity.

Submitter	Position	Summary of decision requested
Miru M Tinopai RMU Limited	Amend	Insert a new clause 6) <i>Should any investigation be undertaken within an Area of Significance, and it is found to have discharges from the contaminated land, the qualified practitioner will provide tangata whenua with a copy of the Report to Council for consultation with Council, prior to any decision of a Permitted Activity is made</i>
The oil companies	Support	Retain rule C.6.8.2 (1) as notified.
The oil companies	Amend	<p>Amend Clause 2 of Rule C.6.8.2 to ensure that it does not necessarily require sampling and analysis for all parameters identified and to remove references to PFOS, PFHxS and PFOA (or where the use of PFOS, PFHxS and PFOA thresholds can be justified, these should only need to be tested for where they are contaminants of concern (ie: where the use and spillage of such substances has been identified or is likely). Amendments could be made along the following lines:</p> <p>2) the site investigation report demonstrates that the passive discharge of:</p> <p>a) contaminants <u>of concern</u> in sensitive groundwater, at the property boundary or within 50 horizontal metres of the contaminant source (whichever is less), does not exceed, <u>as relevant to the contaminants of concern</u>:</p> <p><del>(i) 0.07 µg/L perfluorooctane sulfonate acid (PFOS) + perfluorohexane sulfonate (PFHxS), and</del></p> <p><del>(ii) 0.56 µg/L of perfluorooctanoic acid (PFOA), and</del></p> <p>(iii) the contaminant concentrations in Drinking Water Standards for New Zealand 2005 (revised 2008), and</p> <p>(iv) contaminant concentrations in Table 3.4.1 Trigger Values for alternate levels of protection in the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000) for fresh and marine water at the level of 80% protection of species <u>and applied in accordance with those Guidelines</u>, and</p> <p>(v) where there is a difference in contaminant concentrations in 2)a)iii) and iv), the most restrictive concentration applies, and</p> <p>b) contaminants <u>of concern</u> in non-sensitive groundwater, at the property boundary or within 50 horizontal metres of the contaminant source (whichever is less), does not exceed <u>as relevant to the contaminant of concern</u>:</p> <p><del>(i) 2 µg/L of perfluorooctane sulfonate acid (PFOS) + perfluorohexane sulfonate (PFHxS), and</del></p> <p><del>(ii) 632 µg/L of Perfluorooctanoic acid (PFOA), and</del></p> <p>(iii) the concentrations for benzene listed in Table 3.4.1 Trigger Values for alternate levels of protection in the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000) for fresh and marine water at the level 95% protection of species <u>and applied in accordance with those Guidelines</u>, and</p>

Submitter	Position	Summary of decision requested
		<p><i>(iv) for other contaminants, do not exceed the concentrations of contaminants listed in table</i></p> <p><i>3.4.1 Trigger Values for alternate levels of protection in the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000) for fresh and marine water at the level of 80% protection of species <u>and applied in accordance with those Guidelines</u>, and</i></p>
The oil companies	Amend	<p>Amend Clause 2(a)(iv) of Rule C.6.8.2 as follows:</p> <p><i>(iv) contaminant concentrations in Table 3.4.1 Trigger Values for alternate levels of protection in the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000) for fresh and marine water at the level of 80% protection of species, <u>except for benzene which is to be applied at the level of 1 milligram per litre (eg: 95% protection of species) and applied in accordance with those Guidelines</u>, and</i></p> <p>and</p> <p>Amend Clause 2(b)(iii) and delete clause 2(d) of Rule C.6.8.2 as follows:</p> <p><i>(iii) the concentrations for benzene <del>listed in Table 3.4.1 Trigger Values for alternate levels of protection in the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000) for fresh and marine water at</del> shall not exceed the level of 1 milligram per litre (eg: 95% protection of species) <u>applied in accordance with the Australian and New Zealand Guidelines for Fresh and Marine Waters (ANZECC 2000)</u>, and</i></p> <p>and</p> <p><i><del>d) petroleum hydrocarbon concentrations do not exceed the land use specific target soil air concentrations at one metre depth given in Appendix 4J of the Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (Ministry for the Environment, 2011), at the property boundary or within 50 horizontal metres of the contaminant source (whichever is less); and</del></i></p>
The oil companies	Amend	<p>Delete C.6.8.2 (3), or amend as follows;</p> <p><i>light non-aqueous phase liquids (LNAPLs) (6) i must not have a LNAPL transmissivity of less than 0.001 square metres per day <u>or a SQEP certifies that LNAPL is unlikely to be mobile</u>, and</i></p>
The oil companies	Amend	<p>Amend C.6.8.2 (4) as follows:</p> <p><i>... dense non-aqueous phase liquids(7)are not mobile <del>and in free phase form</del>, and</i></p>
Top Energy	Amend	<p>Submitter seeks clarification as to whether the rule essentially requires all contaminated sites to be investigated to achieve permitted activity status and how is it determined that passive discharge is occurring or, is it assumed?</p>



Submitter	Position	Summary of decision requested
Far North District Council Northland Fish and Game Transpower	Support	Retain C.6.8.2 as notified.
Soil and Rock Consultants	Amend	Amend/take into account the following: <ol style="list-style-type: none"> <li>1) The reasoning and risk assessment behind the rules under C.6.8.2 needs to be clarified and reviewed as appropriate at the Tier 1 risk level for a PA.</li> <li>2) In relation to C.6.8.2.(3), C.6.8.2.(4), C.6.8.2.(5), sites with LNAPL &amp; DNAPL should not fall under at PA.</li> <li>3) Support that groundwater quality is protected however the groundwater monitoring requirement of this PA would be costly, time consuming and require a high level technical expertise and would therefore be more appropriate to higher risk sites that do not meet PA but instead require a consent.</li> <li>4) C.6.8.2.2a and C.6.8.2.2b - PFOS and PFOA need to be reviewed and updated with recent guidelines.</li> </ol>

### C.6.8.3

#### Contaminated land remediation - discretionary activity

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited	Amend	Either delete rule C.6.8.3 in its entirety or amend as follows: <i>Remediation of contaminated land is a discretionary activity, except:</i> <i>1) earthworks that are a permitted activity under rule C.8.3.1 'Earthworks – permitted activity', or</i> <i><u>2) resource consent has been obtained from the relevant territorial authority under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations</u></i> <i><u>2011 for the remediation work and a copy of the approved documentation is provided to the Regional Council.</u></i>
Far North District Council	Amend	Remove this rule as Territorial Authorities already control contaminated land remediation

Submitter	Position	Summary of decision requested
First Gas Limited	Amend	Delete this rule
Northland Fish and Game	Support	Retain rule C.6.8.3 as notified
Refining New Zealand	Amend	Amend rule C.6.8.3 as follows: <i>Remediation of contaminated land is a discretionary activity, except:</i> <i>1) earthworks that are a permitted activity under rule C.8.3.1 'Earthworks – permitted activity', <u>or</u></i> <i>2) resource consent has been obtained from the relevant territorial authority under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 for the remediation work and a copy of the approved documentation is provided to the Regional Council, in which case the remediation is a permitted activity.</i>
Soil and Rock Consultants	Amend	Oppose rule as a discretionary activity as remediation of contaminated land needs to be encouraged.  Replace with a controlled activity rule encompassing all Contaminated Land discharges that do not meet the PA rules. Include a comprehensive list of controls reserved by Council, including but not limited to the adequacy of the details site investigation (including soil, stormwater, surface water and groundwater), laboratory analysis, risk assessment and appropriate acceptance criteria, site management plan, remedial action plan, how the discharge is to be managed, monitored and reported, remediation, disposed of materials, controls such as earthworks, sediment, odours, vapours, groundwater and stormwater management, timing and nature of review conditions, and duration of consent etc.
The oil companies	Amend	Delete Rule C.6.8.3 on the basis that it is important to encourage remediation activities to occur where required, and given that Council already intends to control both passive discharges and earthworks.

### C.6.8.4

#### Contaminated land – discretionary activity

Submitter	Position	Summary of decision requested
Refining New Zealand	Amend	Amend C.6.8.4 as follows: <i>Site investigations to assess the concentration of hazardous substances that may be present in soil, or discharges from contaminated land, that</i>

Submitter	Position	Summary of decision requested
		<p>is not a:</p> <p>1) 'permitted activity under rule C.6.8.1 'Investigating contaminated land – permitted activity', or</p> <p>2) 'permitted activity under rule C.6.8.2 'Discharges from contaminated land – permitted activity',</p> <p>is a discretionary activity, <u>unless:</u></p> <p><u>resource consent has been obtained from the relevant territorial authority under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 for the remediation work and a copy of the approved documentation is provided to the Regional Council, in which case the remediation is a permitted activity.</u></p>
Soil and Rock Consultants	Amend	<p>Oppose rule as a discretionary activity as contaminated land investigation, remediation and management needs to be encouraged.</p> <p>Replace with a controlled activity rule (as per changes sought for Rule C.6.8.3).</p>
The oil companies	Amend	<p>Amend rule C.6.8.4 and follows;</p> <p>Site investigations to assess the concentration of hazardous substances that may be present in soil, or discharges from contaminated land, that is not a:</p> <p>i. permitted activity under rule C.6.8.1 'Investigating contaminated land – permitted activity', or</p> <p>ii. permitted activity under rule C.6.8.2 'Discharges from contaminated land – permitted activity', or</p> <p><u>iii. controlled activity under Rule XXX 'Discharges of contaminants from land not meeting permitted activity rule C.6.8.2:</u></p> <p>is a discretionary activity.</p>
Top Energy	Amend	<p>Submitter seeks clarification as to whether the rule essentially requires all contaminated sites to be investigated to achieve permitted activity status and how is it determined that passive discharge is occurring or, is it assumed?</p>
Northland Fish and Game Transpower	Support	<p>Retain C.6.8.4 as notified.</p>

## C.6.9 Other discharges of contaminants

### General submissions on other discharges of contaminants

Submitter	Position	Summary of decision requested
Fire and Emergency NZ	Amend	<p>Add a new rule as follows</p> <p><u>Rule X - Discharges from firefighting emergency response and training</u></p> <p><u>The discharge of contaminants by Fire and Emergency New Zealand, any defence fire brigade, or any industry brigade, into water, or onto or into land where they may enter water, for emergency response and training purposes is a permitted activity.</u></p>
Horticulture New Zealand	Amend	<p>Include a new rule of Application of animal manure</p> <p><u>The discharge of compost or animal manure onto or into production land including manure from poultry and piggeries is a permitted activity provided:</u></p> <p><u>a) There must be no direct discharge or run-off of manure into a surface water body or its bed or artificial watercourse.</u></p> <p><u>(b) The discharge must comply with the following separation distances:</u></p> <p><u>(i) for discharges of piggery and poultry manure, 150 m from any residential buildings, public places and amenity areas where people congregate and education facilities</u></p> <p><u>(ii) for other discharges, 20 m from any residential buildings, public places and amenity areas where people congregate and education facilities</u></p> <p><u>(iii) for all discharges, 20 m from bores, surface water bodies, artificial watercourses and the coastal marine area</u></p> <p><u>c) There must be no offensive or objectionable odour, dust, or drift beyond the property boundary.</u></p>
Miru M Tinopai RMU Limited	Amend	<p>Submitter objects to the discharge of contaminants as a permitted activity because it undermines Section 5 of the RMA.</p>
National Institute of Water and Atmospheric Research Limited	Amend	<p>Insert new rule text for either of the following two options, as follows:</p> <p><u>C.6.9.5A Discharge from Bream Bay aquaculture facility – controlled activity</u></p> <p><u>The discharge of seawater and stormwater from the Bream Bay aquaculture facility</u></p> <p><u>site to coastal water is a controlled activity provided:</u></p>

Submitter	Position	Summary of decision requested
		<p><u>(a) the discharge shall, after reasonable mixing, comply with the relevant receiving</u></p> <p><u>water quality standards and shall not contain any contaminants which could</u></p> <p><u>cause:</u></p> <p><u>(i) the production of conspicuous oil or grease films, scums or foams, or</u></p> <p><u>floatable or suspended materials.</u></p> <p><u>(ii) any conspicuous change in the colour or visual clarity of the receiving</u></p> <p><u>waters.</u></p> <p><u>(iii) any emission of objectionable odour.</u></p> <p><u>(iv) accumulation of debris on the foreshore or seabed underlying or adjacent</u></p> <p><u>to the discharge point.</u></p> <p><u>(v) any significant adverse effects on aquatic life or public health.</u></p> <p><b><u>Matters of control</u></b></p> <p><u>- the duration of the permit</u></p> <p><u>- the methods used to control scour of the seabed</u></p> <p><u>- the methods used to control the quality of the discharge</u></p> <p><u>- the quality of the discharge</u></p> <p><u>- the information requirements and monitoring requirements</u></p> <p><u>- the Administrative Charges payable</u></p> <p>OR</p> <p><b><u>C.6.9.5A Discharge of seawater and stormwater – controlled activity</u></b></p> <p><u>The discharge of seawater and stormwater to coastal water is a controlled</u></p> <p><u>activity</u></p> <p><u>provided:</u></p> <p>... [as per the text above]</p>
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for discharging water within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.
New Zealand Transport Agency	Amend	<p>Add new rule:</p> <p><b><u>C.6.9.5A Discharges to land or water associated with erosion and sediment control – permitted activity</u></b></p>

Submitter	Position	Summary of decision requested
		<i>The temporary diversion and damming of surface water and the discharge of treated sediment laden water from any land disturbance allowed by a land use consent or is a permitted activity.</i>
Ravensdown Limited	Amend	<p>Add the following restricted discretionary activity rule to the section:</p> <p><u>Discharge of fertiliser – restricted discretionary activity</u></p> <p><u>The discharge of fertiliser onto or into land where it may enter water that does not comply with Rule C.6.9.3 is a restricted discretionary activity.</u></p> <p><u>The exercise of discretion is restricted to the following matters:</u></p> <p><u>1. The actual or potential environmental effects of not meeting the requirements of Section 5.2 and 5.3 of the Code of Practice for Nutrient Management (New Zealand Fertiliser) 2013 or any subsequent updated version of that Code; and</u></p> <p><u>2. The potential benefits of the activity to the applicant, the community and the environment.</u></p>
Whangarei District Council	Amend	Insert a new rule that provides for the discharge of “highly treated wastewater” to land or water as a discretionary activity to support the sustainable reuse of treated wastewater

### C.6.9.1

#### Discharge of dust suppressants – permitted activity

Submitter	Position	Summary of decision requested
Far North District Council GBC Winstone HFM NZ MLP LLC National Institute of Water and Atmospheric Research Limited New Zealand Transport Agency Northland Fish and Game Northport Ltd Pipiwai Titoki Advocacy for Community Health and Safety Group	Support	Retain rule as notified

Submitter	Position	Summary of decision requested
Ravensdown Limited Stevens V Waiaua Bay Farm Limited		
Leonard B	Amend	Replace clause 2)a with ' <u>is organic and ...</u> '
Miru M Tinopai RMU Limited	Amend	Insert a new clause 3) <u>the activity does not occur within 20 metres of an Area of Significance</u>

### C.6.9.2

#### Discharge of tracers – permitted activity

Submitter	Position	Summary of decision requested
Miru M Tinopai RMU Limited	Amend	Amend clause 4) so that when the activity is occurring within an Area of Significance, tangata whenua are also given at least 24 hours notice.
Royal Forest and Bird Protection Society NZ	Amend	Ensure council collect information to support a nutrient allocation approach as anticipated under the NPS-FM
Northland Fish and Game	Support	Retain C.6.9.2 as notified

### C.6.9.3

#### Discharge of fertiliser – permitted activity

Submitter	Position	Summary of decision requested
Alspach R Ballance Agri-Nutrients Limited Brocx T Clements B	Support	Retain C.6.9.3 as notified.

Submitter	Position	Summary of decision requested
Federated Farmers Horticulture New Zealand Landcorp Farming Limited Morrison G MLP LLC Northland Fish and Game Simpson A Waiaua Bay Farm Limited		
Miru M Tinopai RMU Limited	Amend	Insert a new clause stating <u>the activity does not occur within 20 metres of an Area of Significance</u>
Ravensdown Limited	Amend	Retain rule but add the following text to the end of the rule <u>or any subsequent updated version of that Code.</u>
Royal Forest and Bird Protection Society NZ	Amend	<p>Include a condition which requires a farm management plan process set out in schedule of the plan which ensures adequate information is provided to council to support a nutrient allocation management approach required by the NPS FM.</p> <p>Alternatively, amend the rule status such that council can place appropriate limits in consent conditions.</p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Add limits and standards in the conditions so that if the code is added by way of "incorporation by reference" it is not the primary means of achieving compliance.</p> <p>Alternatively, amend the rule status such that council can place appropriate limits in consent conditions.</p>
Smith C	Amend	Require notification for the aerial application of fertiliser within 200 metres (it is assumed) of sensitive areas.



#### C.6.9.4

##### Discharge of sluicing water - permitted activity

Submitter	Position	Summary of decision requested
Kaipara District Council	Amend	Clarify that reservoir draining is excluded from rule C.6.9.4.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 4) stating <i>the activity does not occur within 20 metres of an Area of Significance</i>
Northland Fish and Game	Support	Retain rule C.6.9.4 as notified
Whangarei District Council	Support	Retain rule and request that reservoir draining also be included under this provision.

#### C.6.9.5

##### Discharges to land or water not provided for by other rules - permitted activity

Submitter	Position	Summary of decision requested
Federated Farmers Fonterra Landcorp Farming Limited National Institute of Water and Atmospheric Research Limited New Zealand Defence Force Northland Fish and Game Ravensdown Limited	Support	Retain Rule C.6.9.5 as notified.
Horticulture NZ	Amend	Provide activity specific discharge rules for those activities which can be managed through best practice conditions such as: <ul style="list-style-type: none"> <li>• Vegetable wash water</li> <li>• Greenhouse nutrient water discharges</li> </ul> Cultivation or land preparation discharges

Submitter	Position	Summary of decision requested
		The 'catch all' rule can then be defined by the ability to meet the desired freshwater state as a freshwater objective or water quality standard or target described in policy D.4.1.
Horticulture NZ	Amend	<p>Amend rule as follows:</p> <p>....2) <u>if the discharge <del>does not</del> contains a hazardous substance that the requirements of HSNO are met in respect of that substance,</u></p> <p>and</p> <p>3) <u>the discharge does not contain biosolids, and</u></p> <p>4) <u>the discharge does not cause any of the following effects in the receiving waters beyond a 20-metre radius from the point of discharge: the waterbody to exceed the water quality standards or the sediment quality standards after the reasonable mixing zone.</u></p>
Kaipara District Council Whangarei District Council	Amend	Discharges of raw water from water treatment plants, and for other infrequent events (i.e. public water main breaks or reservoir draining) to be provided for as a permitted activity.
Miru M Tinopai RMU Limited	Amend	Insert a new clause stating <u>the activity does not occur within 20 metres of an Area of Significance</u>
Royal Forest and Bird Protection Society NZ	Amend	<p>Require resource consent for diffuse discharges as set out in the proposed new rule above.</p> <p>For other discharges, exclude the activity from outstanding and significant areas and from wetlands.</p>
The Oil Companies	Amend	<p>Retain Rule C.6.9.5 except to the extent that specific amendments and/or deletions are sought as shown below;</p> <p>2) <u>the discharge does not contain a hazardous substance, except where dewatering occurs in conjunction with the installation, maintenance or replacement of an underground petroleum storage system and where the discharge does not contain more than 15mg/l of hydrocarbons; and</u></p>

### C.6.9.6

#### Other discharges – discretionary activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Insert a new discretionary activity rule for discharges from plantation forestry within 1km of public water supply catchments.
First Gas Limited Fonterra Landcorp Farming Limited Northland Fish and Game NZ Pork Industry Board	Support	Retain C..6.9.6 as notified.

### C.6.9.7

#### Discharges of untreated sewage from a ship or offshore installation – prohibited activity

Submitter	Position	Summary of decision requested
Auckland Council Northland Fish and Game Northport Ltd	Support	Retain rule C.6.9.7. as notified

## C.7 Discharges to air

### C.7.1 Burning

#### General submissions on burning

Submitter	Position	Summary of decision requested
First Gas Limited	Amend	<p>Insert a new rule as follows:</p> <p><u>The discharge of natural gas by way of flaring, is a permitted activity provided the following conditions are met:</u></p> <p><u>(a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and</u></p> <p><u>(b) when the discharge is greater than 2,000kPa, the discharge shall occur via a chimney stack or chimney at least 9.5m above ground level, or at least 3m above the ridge line of the roof or building or other structure, whichever is the highest, within a radius of 50m of the chimney stack or chimney,</u></p> <p><u>(c) when the discharge is below 2,000kPa, the discharge shall occur via flaring apparatus,</u></p> <p><u>(d) the discharge shall be directed vertically into air or on an angle greater than 45o, and shall not be impeded by any obstruction</u></p> <p><u>(e) rain excluders shall not impede the vertical discharge of combustion gases, and</u></p> <p><u>(f) the fuel burning equipment is maintained by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and presented to the Northland Regional Council on request.</u></p>
First Gas Limited	Amend	<p>Insert a new rule as follows:</p> <p><u>The discharge of natural gas by way of venting, to facilitate the safe and effective operation, maintenance, upgrade and development of the transmission and distribution network is a permitted activity provided there is no objectionable or offensive odour at the boundary of a odour-sensitive area.</u></p>
Gailey B	Amend	Align the Proposed Regional Plan provisions controlling burning with those in the Operative Regional Air Quality Plan for Northland.
Refining New Zealand	Amend	<p>Insert new rule:</p> <p><u>C.7.1.7A Existing authorised burning for the Refining New Zealand Marsden Point site – controlled activity</u></p>

Submitter	Position	Summary of decision requested
		<p><u>An application for a new resource consent to replace an existing resource consent for burning associated with the Refining NZ Marsden Point site is a controlled activity provided:</u></p> <p><u>1) the existing air discharge is authorised by an existing resource consent at the time of the resource consent application, and</u></p> <p><u>2) there is no increase in the scale of the discharge as authorised by the existing resource consent.</u></p> <p><u>Notification:</u></p> <p><u>Applications processed under this rule are precluded from public notification.</u></p> <p><u>Matters of control:</u></p> <p><u>1) Measures to avoid, remedy or mitigate the adverse effects on neighbouring dwelling places or properties, and</u></p> <p><u>2) The method of discharge, including stack design and exit velocity, and</u></p> <p><u>3) Emission control equipment, its operation and maintenance, and</u></p> <p><u>4) Combustion equipment operation and maintenance, and</u></p> <p><u>5) Fuel use, quality (including sulphur content), storage and handling, and</u></p> <p><u>6) Requirement for a management plan, and</u></p> <p><u>7) Emission limits (concentrations and/or rates) on the discharge, and</u></p> <p><u>8) Monitoring and requirements for sampling points, and</u></p> <p><u>9) Local air quality and compliance with the standards prescribed in Schedule 1 of the National Environmental Standards for Air Quality 2004.</u></p>
Tegel Foods Ltd	Amend	Separate rules C.7.1.1 to C.7.1.4 and C.7.1.9 which address outdoor burning, from rules C.7.1.5 to C.7.1.8 which address combustion emissions from energy (electricity and heat) generation.

### C.7.1.1

#### Outdoor burning – permitted activity

Submitter	Position	Summary of decision requested
Carpenter C Lee H	Amend	Submitter believes there should be no restriction on outdoor burning in the Kerikeri urban area.
Federated Farmers	Support	Retain C.7.1.1 as notified.

Submitter	Position	Summary of decision requested
HFM NZ Landcorp Farming Limited Northland Fish and Game NZ Pork Industry Board Silver Fern Farms		
Fire and Emergency NZ	Amend	Amend as follows  <i>Outdoor burning is a permitted activity, provided: ... "x") <u>Appropriate approvals under the Fire and Emergency New Zealand Act 2017 have been obtained during a prohibited or restricted fire season.</u></i>
Horticulture New Zealand	Support	Retain clause 5)
Horticulture New Zealand	Amend	Delete clause 1)
Hulse D	Amend	Amend the heading and clause 2 as follows: <ul style="list-style-type: none"> <li>• <i>Outdoor burning <u>outside of the Whangarei and Kerikeri airsheds</u> - permitted activity</i></li> <li>• <i>it is not in the Whangārei or Kerikeri airsheds (refer-I 'Maps'), and</i></li> </ul>
Leonard B	Amend	Amend activity status to a prohibited activity.
Mangawhai Restoration Society Inc.	Support	The submitter indicates supports for C.7.1.1 (although referenced C.7.1.8 in error) it supports the classification of outdoor burning as a permitted activity .
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> <u>or, smoke, spray or dust,</u> or any noxious or dangerous levels of <u>airborne contaminants</u> <u>gases or emissions including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property or in the coastal marine area.</u></i>
Upperton T	Support	Retain C.7.1.1, condition 3) as notified.

### C.7.1.2

#### Outdoor burning in the Whangarei and Kerikeri airsheds - permitted activity

Submitter	Position	Summary of decision requested
Ayr A	Amend	<p>Amend rule so that:</p> <ul style="list-style-type: none"> <li>a garden waste fire is permitted on any residential property within the mapped area, provided the property exceeds 1000sqm in area, and</li> <li>the fire should be located 100 metres downwind (not upwind), and 50 metres in any other direction, of any smoke sensitive activity that is not located on the property where the burning occurs.</li> </ul>
Batham M	Amend	<p>Make amendments as necessary to remove the proposed restrictions on burning in the Kerikeri Airshed.</p> <p>Make amendments as necessary to allow burning in incinerators on rural properties.</p>
Brock M	Amend	<p>Either:</p> <ol style="list-style-type: none"> <li>Retain status quo and</li> <li>Notification is given to neighbouring properties no less than 24 hours prior to burning.</li> </ol> <p>In the event changes are made:</p> <ol style="list-style-type: none"> <li>That a study be carried out and not based on an average of complaints that can include multiple complaints by one individual or influenced by the grievance of a neighbour.</li> <li>The ban is limited to central Kerikeri where there is dense housing and higher population.</li> <li>That a small bonfire of materials as detailed in clause 2 of a diameter of 6 feet be allowed. Notification is given to neighbouring properties no less than 24 hours prior to burning.</li> <li>An open fire to heat water be allowed (outdoor bath/hot tub)</li> <li>An incineration drum be allowed for burning.</li> <li>The proposed clauses 2, 5 and 6 in the rule be adopted.</li> </ol>
Evans L	Amend	Permit burning of garden waste in the Kerikeri Airshed
Fire and Emergency NZ	Amend	<p>Amend Rule C.7.1.2 as follows:</p> <p><i>5) that despite clauses 2, 3 and 4 above, burning is permitted where the burning is: ...</i></p>

Submitter	Position	Summary of decision requested
		<i>(g) a bonfire containing only wood, paper, cardboard and vegetative matter, organised by a community-controlled organisation and the regional council and Fire and Emergency New Zealand are notified five working days in advance, and ...</i>
Horticulture New Zealand	Support	Retain clauses 4) and 6)
Horticulture New Zealand	Amend	Delete clause 1)
Hulse D Northland Fish and Game	Support	Retain C.7.1.2 as notified.
Keohane V	Amend	Amend the rule to allow for burning in the Kerikeri airshed if it is in an incinerator.  Delete clauses requiring setbacks for properties over 1/4 of an acre.  Introduce time based controls for burning. e.g. burn for no longer than 1 hour once a month.  Introduce a 'free pass' which allows residents to dump green waste for free once a year.
Lee H	Amend	Delete rule C.7.1.2 or at least remove the ban on properties of 3000 m <sup>2</sup> .
Lee T Mildon K Thorburn D	Amend	Delete rule C.7.1.2.
Leonard B	Amend	Amend activity status to a prohibited activity.
Miller M & Batchelor T	Amend	Outdoor burning in the Kerikeri area should be a non-complying activity.  A ban on outdoor burning should apply to the entire area of the Kerikeri/Waipapa Structure Plan area.
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with



Submitter	Position	Summary of decision requested
		<i>"The discharge does not result in <del>noxious, dangerous, offensive or objectionable odour or, smoke, spray or dust, or any noxious or dangerous levels of airborne contaminants gases or emissions including those that adversely affect traffic or aircraft safety</del> beyond the boundary of the subject property or in the coastal marine area.</i>
Oshea G	Amend	General opposition to rules imposing extra restrictions on burning in Kerikeri. It is assumed that the submitter wants these to be deleted.
Smith B	Amend	Remove proposed fire ban within rural Kerikeri area.
Vision Kerikeri	Amend	That outdoor burning of waste materials in the Kerikeri airshed area be banned except for activities listed in C.7.1.2.(5).  On rare occasions when burning may be considered the best solution, a consent should be required.  The Kerikeri Airshed area be extended to encompass the area of the Kerikeri/Waipapa. Structure Plan.
Walker N	Amend	The area is too large and should be reduced to the immediate township area and the setbacks are unable to be met by smaller properties.

### C.7.1.3

#### Outdoor burning for fire training purposes – permitted activity

Submitter	Position	Summary of decision requested
Fire and Emergency NZ	Amend	Amend Rule C.7.1.3 as follows:  <del>Outdoor burning of any material for the purpose of fire training and fuel reduction</del> is a permitted activity provided: ...
Refining New Zealand HFM NZ Northland Fish and Game	Support	Retain rule C.7.1.3 as notified.
Leonard B	Amend	Add clause 3e) <u>justification for burn</u>  Add Clause 4) <u>burns are not in excess of 1 per 3-month period.</u>

Submitter	Position	Summary of decision requested
Miru M Tinopai RMU Limited	Amend	Amend rule so that if the activity is occurring within an Area of Significance, tangata whenua are also given 10 days notice.  <u>Include a new clause 4) <i>the activity does not occur within 40 metres of an Area of Significance</i></u>
New Zealand Defence Force	Amend	Retain C.7.1.3 provided that in condition 2, the NZDF falls under the ambit of "...a nationally recognised body authorised to undertake fire research or fire training activities...".
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> or, <del>smoke, spray or dust</del>, or any noxious or dangerous levels of <u>airborne contaminants gases or emissions</u> including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property or in the coastal marine area.</i>

### C.7.1.4

#### Outdoor burning for biosecurity purposes – permitted activity

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	Retail the rule but delete clause 1)
Miru M Tinopai RMU Limited	Amend	Include a new clause 2) <u><i>the activity does not occur within 40 metres of an Area of Significance</i></u>
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> or, <del>smoke, spray or dust</del>, or any noxious or dangerous levels of <u>airborne contaminants gases or emissions</u> including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property or in the coastal marine area.</i>
Marsden Maritime Holdings Northland Fish and Game	Support	Retain C.7.1.4 as notified.

Submitter	Position	Summary of decision requested
NZ Pork Industry Board Northport Ltd		

### C.7.1.5

Burning for energy (electricity and heat) generation less than 40kW – permitted activity

Submitter	Position	Summary of decision requested
Bioenergy Association	Amend	Increase the permitted scale of untreated wood burning to it least 5MW.
King G	Amend	Amend clause 1 as follows; <i>1) the heat capacity of the device does not exceed 40kW, and</i>
Miru M Tinopai RMU Limited	Amend	Include a new clause 3) <u>the activity does not occur within 40 metres of an Area of Significance</u>
Northland District Health Board	Amend	Amend C.7.1.5 as follows:  ... <i>The discharge of contaminants to air from the burning of coal, oil (but not waste oil), natural gas, biogas, liquid petroleum gas or untreated wood in a burning device for energy (electricity and heat) generation is a permitted activity ...</i>  Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in noxious, dangerous, offensive or objectionable odour or, smoke, spray or dust, or any noxious or dangerous levels of airborne contaminants gases or emissions including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property or in the coastal marine area.</i>
Northland Fish and Game	Support	Retain C.7.1.5 as notified.
Tegel Foods Ltd	Amend	Amend C.7.1.5 as follows:  <i>The discharge of contaminants to air from the burning of coal, oil, natural gas, biogas, biomass, liquid petroleum gas, or untreated wood in a burning device for energy (electricity and heat) generation is a permitted activity provided:</i>

### C.7.1.6

Burning for energy (electricity and heat) generation more than 40KW – permitted activity

Submitter	Position	Summary of decision requested
Fonterra	Amend	Amend clause 4 to ensure a simpler table is used, such as that contained in the Canterbury Air Regional Plan
King G	Amend	Amend all abbreviated references to mega-watt from mW to MW.
Miru M Tinopai RMU Limited	Amend	Include a new clause 8) <u>the activity does not occur within 40 metres of an Area of Significance.</u>
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> <del>or, smoke, spray or dust</del>, or any noxious or dangerous levels of <u>airborne contaminants</u> <del>gases or emissions including those that adversely affect traffic or aircraft safety</del> beyond the boundary of the subject property <del>or in the coastal marine area.</del></i>
Northland Fish and Game	Support	Retain C.7.1.6 as notified.
Tegel Foods Ltd	Amend	Amend C.7.1.6 as follows:  <i>The discharge of contaminants to air from the burning of coal, oil, natural gas, biogas, <u>biomass</u>, liquid petroleum gas or untreated wood in a burning device of more than 40kW for energy generation is a permitted activity provided:</i>  <i>1) The burning device has a rate of heat release less than the following:</i>  <i>c) untreated wood <u>or biomass burning</u> – does not exceed 2.5MW</i>  ...  <i>3) The discharge of particulates is less than 250 mg/m3 of <del>nontoxic</del> particulates corrected to 0 o C, 12% CO2, 1 Atmosphere, and a dry gas basis, and</i>  <i>4) The stack height is calculated in accordance with the chimney height requirements in H.3 'Chimney height requirements';</i>  ...

### C.7.1.7

Existing authorised burning for energy generation – restricted discretionary activity

Submitter	Position	Summary of decision requested
Fonterra Northland Fish and Game	Support	Retain Rule C.7.1.7 as notified.
Northland District Health Board	Amend	New resource consents for existing authorised burning for energy generation must have a discretionary activity status and be subject to the notification tests contained in the Resource Management Act 1991.

### C.7.1.8

Burning not a permitted, restricted discretionary or a non-complying activity – discretionary activity

Submitter	Position	Summary of decision requested
Landcorp Farming Limited Northland Fish and Game Silver Fern Farms	Support	Retain C.7.1.8 as notified
Tegel Foods Ltd	Support	Retain C.7.1.6, subject to the changes submitter seeks for the other burning for energy provisions.

### C.7.1.9

Outdoor burning – non-complying activity

Submitter	Position	Summary of decision requested
Alspach R	Amend	To include the words 'minor and incidental amount' in conditions 2) and 3), mirroring condition 1). Support conditions 4) to 15).
Auckland Council	Amend	Amend the activity status to prohibited activity for the burning of these potentially toxic compounds.

Submitter	Position	Summary of decision requested
Landcorp Farming Limited Northland Fish and Game Way D	Support	Retain rule C.7.1.9 as notified.

## C.7.2 Other air discharges

### General submissions on other air discharges

Submitter	Position	Summary of decision requested
GBC Winstone	Amend	<p>Amend by adding a new rule as follows:</p> <p><b><u>Rule C.7.x.x.</u></b></p> <p><b><u>Re-consenting air discharges – Controlled activity</u></b></p> <p><u>An application for a new resource consent to replace an existing resource consent is a Controlled activity, provided:</u></p> <p><u>1) the existing air discharge is authorised by an existing resource consent at the time of the resource consent application, and</u></p> <p><u>2) there is no increase in the quantity, quality and type of the discharge as authorised by the current resource consent.</u></p> <p><b><u>Matters of control:</u></b></p> <p><u>1) The methods to control the discharge and avoid, remedy or mitigate any adverse effects, including an odour and/or dust management plan; and</u></p> <p><u>2) The location of the discharge, including proximity to neighbouring dwelling places or properties, dust sensitive activities and Sites and Areas of</u></p> <p><u>Significance to Tangata Whenua and</u></p> <p><u>3) Mitigation methods available to minimise any actual or potential environmental effects.</u></p> <p><u>4) Whether the conditions on the existing consent, when considered as a package, remain effective.</u></p> <p>-</p> <p><b><u>Notification</u></b></p> <p><u>Resource consent applications under this rule are precluded from notification (limited or public).</u></p>
KiwiRail	Amend	<p>Insert new rules:</p> <p>Following to be permitted activities:</p>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Discharges to air from rail tunnels constructed before 6 September 2017</li> <li>Discharges to air from rail tunnels constructed after 6 September 2017 that only carry electric-powered locomotives</li> </ul> <p>Discharges to air from rail tunnels constructed after 6 September 2017 – that carry any diesel-powered locomotives – restricted discretionary activity</p>
Larcombe M	Unclear	Submitter mentions that a commercial business in Opuia undertakes water blasting of boats on an esplanade reserve without drop cloths or ground cover to contain contaminants.
Miru M Tinopai RMU Limited	Amend	General objection to air discharges from industrial and trade activities being permitted activities.
New Zealand Transport Agency	Amend	<p>Add new rule:</p> <p><u>C.7.2.2A Dry abrasive blasting – permitted activity</u></p> <p><u>Blasting undertaken outside a permanent facility for the maintenance of regionally significant infrastructure using abrasive material containing less than five per cent silica</u></p> <p><u>(1) Blasting must not be done within 100m of an occupied building.</u></p> <p><u>(2) Waste and debris resulting from abrasive blasting must be removed from the site of the blasting to the extent practicable.</u></p> <p><u>(3) May only be done if covers or screens are used to mitigate the effects of any contaminants discharges by the blasting.</u></p>
New Zealand Transport Agency	Amend	<p>Add new rule:</p> <p><u>C.7.2.6A Discharges to air not specifically regulated in the plan– permitted activity</u></p> <p><u>Spray application of surface coatings containing diisocyanates or organic plasticisers for maintenance of infrastructure:</u></p> <p><u>(1) There must be no activities sensitive to air discharges within 30m of the activity.</u></p> <p><u>(2) There must be an exclusion zone that prevents public access within 15m of the activity.</u></p> <p><u>(3) The quantity of paint containing diisocyanates or organic plasticisers applied in a continuous application at a single location must not exceed 18 litres per day.</u></p>
New Zealand Transport Agency	Amend	<p>Add new rule:</p> <p><u>Discharges from mobile sources – permitted activity</u></p>

Submitter	Position	Summary of decision requested
		<p><u>Discharges to air from motor vehicles, aircraft, trains, vessels (including boats) and mobile sources not otherwise specified (such as lawnmowers), including those on industrial or trade premises.</u></p> <p><u>Permitted activity</u></p>
New Zealand Transport Agency	Amend	<p>Add new suite of rules for discharges from road and rail tunnels:</p> <ul style="list-style-type: none"> <li>• Discharges to air from rail tunnels established before 6 September 2017 – permitted activity</li> <li>• Discharges to air from rail tunnels established from 6 September 2017 that only carry electric-powered locomotives – permitted activity</li> <li>• Discharges to air from rail tunnels established from 6 September 2017 – that carry any diesel-powered locomotives – restricted discretionary activity</li> <li>• Discharges to air from motor vehicles tunnels with a Low or Medium Risk Rating (as assessed under Table E14.6.1.18 and Table E14.6.1.2 in Standard E14.6.1.18) – Permitted Activity</li> <li>• Discharges to air from motor vehicles tunnels with a High Risk Rating (as assessed under Table E14.6.1.18 and Table E14.6.1.2 in Standard E14.6.1.18) – Permitted Activity</li> </ul> <p>Refer submission for copy of Standard E14.6.1.18.</p>
Ravensdown Limited	Support	Support the Plan Providing for dust from quarrying activities as a permitted activity including the loading, unloading and application of various materials (for example fertiliser).
Refining New Zealand	Amend	<p>Insert a new rule as follows:</p> <p><u>C.7.2.4B New discharges to air from the Refining New Zealand Marsden Point site – restricted discretionary activity</u></p> <p><u>An application for a resource consent for a new discharge to air associated with the Refining NZ Marsden Point Site that is not specifically provided for by another rule in this Plan, is a restricted discretionary activity.</u></p> <p><u>Matters of discretion:</u></p> <p><u>1) Measures to avoid, remedy or mitigate the adverse effects on neighbouring dwelling places or properties, and</u></p> <p><u>2) The method of discharge, including stack design and exit velocity, if applicable, and</u></p> <p><u>3) Emission control equipment, its operation and maintenance, and</u></p> <p><u>4) Combustion equipment operation and maintenance, and</u></p> <p><u>5) Fuel use, quality (including sulphur content), storage and handling, and</u></p> <p><u>6) Requirement for a management plan, and</u></p> <p><u>7) Emission limits (concentrations and/or rates) on the discharge, and</u></p>



Submitter	Position	Summary of decision requested
		<p><u>8) Monitoring and requirements for sampling points, and</u></p> <p><u>9) Local air quality and compliance with the standards prescribed in Schedule 1 of the National Environmental Standards for Air Quality 2004.</u></p>
Refining New Zealand	Amend	<p>Insert a new rule as follows:</p> <p><u>C.7.2.4A Existing authorised discharges to air from the Refining New Zealand Marsden Point site – controlled activity</u></p> <p><u>An application for a new resource consent to replace an existing resource consent for discharges to air associated with the Refining NZ Marsden Point Site that is not specifically provided for by another rule in this Plan, is a controlled activity provided:</u></p> <p><u>1) the existing air discharge is authorised by an existing resource consent at the time of the resource consent application, and</u></p> <p><u>2) there is no increase in the scale of the discharge as authorised by the existing resource consent.</u></p> <p><u>Notification:</u></p> <p><u>Applications processed under this rule are precluded from public notification.</u></p> <p><u>Matters of control:</u></p> <p><u>1) Measures to avoid, remedy or mitigate the adverse effects on neighbouring dwelling places or properties, and</u></p> <p><u>2) The method of discharge, including stack design and exit velocity if applicable, and</u></p> <p><u>3) Emission control equipment, its operation and maintenance, and</u></p> <p><u>4) Requirement for a management plan, and</u></p> <p><u>5) Emission limits (concentrations and/or rates) on the discharge, and</u></p> <p><u>6) Monitoring and requirements for sampling points, and</u></p> <p><u>7) Local air quality and compliance with the standards prescribed in Schedule 1 of the National Environmental Standards for Air Quality 2004.</u></p>
Refining New Zealand	Amend	<p>Insert new rule:</p> <p><u>C.7.2.8 Discharges to air from activities within the Marsden Point airshed – discretionary activity</u></p> <p><u>The discharge of contaminants to air from activities in the Marsden Point airshed that are not from the Northport or the Marsden Point Oil Refinery are discretionary activities.</u></p> <p><u>Notification:</u></p>

Submitter	Position	Summary of decision requested
		<i>Resource consent applications made under this rule shall have particular regard to potential cumulative effects, including with discharges to air from sites containing Regionally Significant Infrastructure. Northport and Refining NZ are potentially affected parties (in accordance with Section 95E) for all resource consent applications that are made under Rule C.7.2.8.</i>
Tegel Foods Ltd	Amend	Add new rule:  <i>Poultry farms existing at September 2017, with no increase in bird numbers are a permitted activity.</i>
Tegel Foods Ltd	Amend	Add new rule:  <i>The conversion of existing legally established indoor poultry farms to free range poultry farms with no increase in bird numbers is a permitted activity.</i>
Tegel Foods Ltd	Amend	Add new rule:  <i>New or expanding poultry farms that contain less than 200,000 birds and have a minimum setback from the closest edge of the shed or range to a sensitive activity on a separate property of 250 m are a permitted activity.</i>
Tegel Foods Ltd	Amemd	Add new rule:  <i>The discharge of contaminants to air from poultry farms that do not meet the permitted activity standards is a restricted discretionary activity.</i>  <ul style="list-style-type: none"> <li>• <i>The matters that Council has reserved its discretion to are:</i></li> <li>• <i>Duration of consent</i></li> <li>• <i>Effects relating to odour on sensitive receivers</i></li> <li>• <i>The use of BPO including management practices to prevent or minimise effects</i></li> </ul>

### C.7.2.1

Wet abrasive blasting – permitted activity

Submitter	Position	Summary of decision requested
Miru M Tinopai RMU Limited	Amend	Include a new clause 6) stating <i>the activity does not occur within 40 metres of an Area of Significance</i>
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with

Submitter	Position	Summary of decision requested
		<i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> <del>or, smoke, spray or dust</del>, or any noxious or dangerous levels of <u>airborne contaminants</u> <del>gases or emissions</del> including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property <del>or in the coastal marine area</del>.</i>
Northland Fish and Game  Refining New Zealand	Support	Retain C.7.2.1 as notified.
Transpower	Support	Retain C.7.2.1 as notified  AND  Below the introductory text and tables to Section C.7 Discharges to Air, insert the following:  <u>The rules in Section C.7 relating to abrasive blasting, do not apply to the discharge of contaminants in relation to an existing National Grid line (existing at 14 January 2010) that forms part of the National Grid. These activities are covered by Regulations 25, 26 and 27 of the Resource Management (National Environmental Standards for Electricity Transmission Activities).</u>

### C.7.2.2

Dry abrasive blasting within an enclosed booth – permitted activity

Submitter	Position	Summary of decision requested
Miru M  Tinopai RMU Limited	Amend	Include a new clause 7) stating <u>the activity does not occur within 50 metres of an Area of Significance</u>
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> <del>or, smoke, spray or dust</del>, or any noxious or dangerous levels of <u>airborne contaminants</u> <del>gases or emissions</del> including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property <del>or in the coastal marine area</del>.</i>
Northland Fish and Game	Support	Retain rule C.7.2.2 as notified

Submitter	Position	Summary of decision requested
Refining New Zealand	Amend	<p>Retain rule C.7.2.2 as notified and insert new rule C.7.2.2A Dry abrasive blasting associated with the Refining New Zealand Marsden Point site – permitted activity as follows:</p> <p><u>C.7.2.2A Dry abrasive blasting associated with the Refining New Zealand Marsden Point site – controlled activity</u></p> <p><u>Dry abrasive blasting within Marsden Point Oil Refinery is a controlled activity provided:</u></p> <p><u>1) the discharge does not result in any offensive or objectionable odour, smoke, spray or dust, or any noxious or dangerous levels of gases or emissions including those that adversely affect traffic or aircraft safety, beyond the boundary of the subject property or in the coastal marine area, and</u></p> <p><u>2) any abrasive material used for dry abrasive blasting shall contain less than two percent by dry weight free silica, and</u></p> <p><u>3) the discharge of contaminants into the air shall not cause ambient concentrations of PM10 exceeding 50 micrograms per cubic metre of air at or beyond the property boundary, and</u></p> <p><u>4) open air blasting operations shall only take place if it is not practicable to transport the object to be blasted and contain it within an enclosed abrasive blasting booth, and</u></p> <p><u>5) when undertaking external dry abrasive blasting without erecting covers, tarpaulins, cladding or other means, only first pass (previously unused) garnet shall be used, and</u></p> <p><u>6) work areas and surrounding areas shall be cleared of accumulations of abrasive blasting waste (spent grit and blasting debris) immediately following completion of the blasting.</u></p> <p><u>Matters of control:</u></p> <p><u>1) the timing, location and duration of the activity, and</u></p> <p><u>2) methods to avoid the disbursement of material, and</u></p> <p><u>3) monitoring and requirements for sampling points.</u></p>

### C.7.2.3

Discharges to air from a closed landfill – permitted activity

Submitter	Position	Summary of decision requested
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with

Submitter	Position	Summary of decision requested
		<i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour</u> <del>or, smoke, spray or dust</del>, or any noxious or dangerous levels of <u>airborne contaminants</u> <del>gases or emissions</del> including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property <del>or in the coastal marine area</del>.</i>
Northland Fish and Game	Support	Retain rule C.7.2.3 as notified

#### C.7.2.4

Discharges to air from industrial and trade activities - permitted activity

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited	Amend	Amend as follows:  ...  <i>22) premises used for the bulk storage, <u>mixing</u> and distribution of fertiliser, and</i>  ...
Fire and Emergency NZ	Support	Retain condition 7.2.4(8) as notified
Fonterra Marsden Maritime Holdings Northland Fish and Game Northport Ltd Refining New Zealand Silver Fern Farms The oil companies	Support	Retain C.7.2.4 as notified
GBC Winstone	Amend	Support the rule as notified provided the definition of quarrying operations is defined and included within the definition of earthworks
Northland District Health Board	Amend	Replace standard condition (24) relating to "the discharge does not result in offensive & objectionable odour..." with

Submitter	Position	Summary of decision requested
		<p><i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour or, <del>smoke, spray or dust,</del> or any noxious or dangerous levels of airborne contaminants <del>gases or emissions</del> including those that adversely affect traffic or aircraft safety beyond the boundary of the subject property or in the coastal marine area.</u></i></p> <p>The proposal is supported in part but with amendment by excluding industrial coating, sawmilling, fumigation and quarrying operations and by their exclusion making these a discretionary activity pursuant to C.7.2.7.</p> <p><i>C.7.2.4 Discharges to air from industrial and trade activities – permitted activity ...</i></p> <p><i><del>10) premises used for the application of surface coatings, including printing or manufacture of packaging materials and the printing of paper, and ...</del></i></p> <p><i>14) premises used for <del>sawmilling</del>, joinery, cabinet making, furniture restoration and finishing, wood craft manufacture...</i></p> <p><i>16) <del>premises used for fumigation for quarantine purposes, and ...</del></i></p> <p><i>23) <del>quarrying operations, earthworks and clean fill operations.</del></i></p>
Leonard B	Amend	Delete clauses 13 and 18.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 25) reading <u>the activity does not occur within an Area of Significance</u>
Promax Engineering Plastics	Amend	Add rotational plastic moulding to the list of permitted activities.
Ravensdown Limited	Amend	<p>Retain rule's intent, permitted activity status, and the activities identified in clauses 20, 22 and 23.</p> <p>Amend as follows: 22) <i>premises used for the bulk storage, <u>mixing</u> and distribution of fertiliser, and</i></p>
Tegel Foods Ltd	Amend	<p>Amend C.7.2.4 as follows:</p> <p>...</p> <p><i>16) Premises used for fumigation for quarantine and <u>biosecurity</u> purposes, and</i></p> <p>...</p> <p><i><u>24) Feedmill operations, and</u></i></p> <p><i><u>25) Premises used as chicken hatcheries.</u></i></p>

Submitter	Position	Summary of decision requested
		<i>Note: Activities identified above are generally expected to be able to comply with Condition 24, and in the event that complaints are made, they will be expected to meet the condition as it would be expected that consent will not be granted for an activity which is not complying with the condition.</i>

### C.7.2.5

#### Discharges to air from the use of public roads by motor vehicles - permitted activity

Submitter	Position	Summary of decision requested
GBC Winstone Northland Fish and Game	Support	Retain rule C.7.2.5 as notified
Far North District Council Kaipara District Council Patuharakeke Te Iwi Trust Board	Amend	FNDC seeks deletion of rule C.7.2.5 in its entirety with reliance given to the current framework explained in the Section 32 Report for the PRP. If NRC seeks to maintain the rule:  a) it should be confined to unsealed public roads. At present it applies to all public roads; and  b) Clarification should be provided as to who would need to obtain a consent if the permitted activity standard were not complied with.
New Zealand Transport Agency	Amend	Amend C.7.2.5 as follows:  <i>Discharges of dust to air from the use of <u>unsealed</u> public roads by motor vehicles...</i>
Northland District Health Board	Amend	Support the rule in part but would like the addition of condition :  <i><u>2) Activities resulting in more than 15 heavy vehicles per day on unsealed roads that are likely to cause a breach of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 must avoid, remedy or mitigate any adverse effects on dust sensitive areas.</u></i>
Pipiwai Titoki Advocacy for Community Health and Safety Group	Amend	Amend the rule in the following way:  <i>The discharge of dust to air from the use of public roads by motor vehicles is a permitted activity provided:</i>  <i>1) The relevant road controlling authority has a current programme in place that sets out the priority sites in the district for mitigating the effects of <u>unsealed road</u> dust on dust sensitive areas; and</i>

Submitter	Position	Summary of decision requested
		<p><u>2) Activities requiring heavy commercial vehicles to operate on public roads that are likely to breach the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 where people may reasonably be exposed must avoid, remedy or mitigate any adverse effects.</u></p> <p>or alternatively</p> <p><u>2) Activities requiring heavy commercial vehicles to operate on public roads that are likely to breach the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 in dust sensitive areas must avoid, remedy or mitigate any adverse effects.</u></p>
Whangarei District Council	Amend	<p>Delete the rule or remove associated conditions.</p> <p>Submitter opposes any directive to seal or implement dust suppression.</p> <p>Submitter seeks clarification on whether the NRC can restrict the public use of a public road by a legal vehicle in terms of the emissions generated by that vehicle, while the Council (as the Road Controlling Authority) cannot prevent a motorist from using a public road.</p>

### C.7.2.6

Discharges to air not specifically regulated in the plan - permitted activity

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited Broadspectrum NZ Ltd. Carrington Resort Jade LP First Gas Limited GBC Winstone Northland Fish and Game NZ Pork Industry Board Tegel Foods Ltd	Support	Retain rule C.7.2.6 as notified
Egg Producers Federation New Zealand	Amend	Provide further guidance regarding what constitutes offensive or objectionable odour and dust and how operators are required to demonstrate that activities will not result in offensive or objectionable odour



Submitter	Position	Summary of decision requested
		Make provision for existing poultry farms to continue to operate without demonstrating that odour and dust is not objectionable beyond the boundary of the subject property.
Miru M Tinopai RMU Limited	Amend	Insert a new clause 4) <u>the activity does not occur within 50 metres of an Area of Significance</u>
New Zealand Transport Agency	Amend	Amend C.7.2.6(3) (consequential change as a result of submitter's requested new rule):  <i>3) <u>except as provided for by C.7.2.2 or C.7.2.2A, the discharge is not from dry abrasive blasting.</u></i>
Northland District Health Board	Amend	Replace standard condition relating to "the discharge does not result in offensive & objectionable odour..." with  <i>"The discharge does not result in <u>noxious, dangerous, offensive or objectionable odour or, smoke, spray or dust, or any noxious or dangerous levels of airborne contaminants gases or emissions including those that adversely affect traffic or aircraft safety</u> beyond the boundary of the subject property <u>or in the coastal marine area.</u>"</i>

### C.7.2.7

Discharge into air not a permitted, controlled, restricted discretionary, non-complying or prohibited activity – discretionary activity

Submitter	Position	Summary of decision requested
Egg Producers Federation New Zealand	Amend	Include assessment matters for discharge to air in the rule.
Fonterra GBC Winstone Northland Fish and Game The oil companies	Support	Retain Rule C.7.2.7 as notified.
Tegel Foods Ltd	Amend	Amend C.7.2.7 as follows:  <i>The discharge of contaminants to air that <u>are</u> not specifically a permitted (including through C.7.2.6 'Discharges to air not specifically regulated in the plan □ permitted activity <u>and</u></i>

Submitter	Position	Summary of decision requested
		<i>through the other identified permitted provisions'), controlled, restricted discretionary, non-complying or prohibited activity under another rule in this plan, is a discretionary activity,</i>

## C.8 Land use and disturbance activities

### C.8.1 Stock exclusion

#### *General submissions on stock exclusion*

Submitter	Position	Summary of decision requested
Adamson C	Amend	Amend stock exclusion rules to include goats.
Agnew A	Amend	Submitter concerned about requirements to fence waterways. Unclear what decision submitter seeks for Plan.
Auckland Council	Support	Retain these provisions, particularly for the coastal marine area.
Beef and Lamb NZ	Amend	Include a new rule which provides a pathway for 'Pastoral land use' where it is undertaken in accordance with an industry Farm Environment Plan, and which provides an alternative gateway to the stock exclusion rules in C.8.1.1 and C.8.1.2
Beef and Lamb NZ	Amend	Retain approach for delineating livestock exclusion areas using the lowland and hill country slope categories.
Cathcart B	Support	Supports proposed stock exclusion rules as drafted.
CEP Services Matawhi Limited	Amend	Add provisions for stock exclusion in the coastal marine area.  The timeframes for stock exclusion are too generous.  Make amendments as necessary to better provide from protection of indigenous riparian margins, or to prevent bank erosion.
CEP Services Matawhi Limited	Unclear	Relief sought is unclear - The most important rivers for stock exclusion are those less than 1 metre wide and 30 cm deep, as these smaller streams have the greatest affect on water quality.
Far North District Council	Amend	Include more stringent standards for stock exclusion within 1km of a potable water take (or similar relief).
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to ensure sheep are excluded from outstanding water bodies throughout the Plan and that cattle, horses, deer and pigs are excluded from all waterbodies, including ephemeral waterbodies.

Submitter	Position	Summary of decision requested
		Amend the plan to ensure that all new fencing alongside permanent rivers, lakes and outstanding waterbodies be setback at least 10m from the bed of the waterbody and wetlands. For intermittent rivers and wetlands, a 5m setback for new fencing is sought. This requirement is applicable to all stock exclusion activities.
Herbert P	Amend	Provide an exception throughout the stock exclusion rules to force majeure events such as power failures, plant breakdowns or damage done by major storms.
Hicks M	Amend	Amend stock exclusion rules to include: <ul style="list-style-type: none"> <li>• riparian planting</li> <li>• controls on stocking rate on pasture adjoining water bodies</li> <li>• horses</li> <li>• stock exclusion in hill country</li> </ul>
Hicks M Hosking G	Amend	Amend rules so that stock is excluded from all waterways and wetlands within five years (by 2022).
Honeymoon Valley Landcare Group	Amend	Submitter generally supports the stock exclusion provisions but seeks amendments requiring all cattle and deer are excluded from waterways 2030.
Hughes J	Amend	All waterway fenced areas should include 6m riparian or native nurse crops including stage one companion natives to suit conditions.  Remnant stands should be fenced along with different areas of wetland.
McIntyre S	Amend	All catchment rules relating to exclusion of stock from waterways and wetlands should be amended to include the exclusion of beef cattle, deer, sheep and pigs from said waterways according to the same timeline as those proposed for dairy cattle.
Patuharakeke Te Iwi Trust Board Inc	Amend	Submitter concerned that the stock exclusion rules are not strong enough.
Puhipuhi Mining Action Group	Amend	All Dairy Cows, Pigs, Beef, sheep, deer and support cattle to be Excluded from permanently flowing rivers, streams and drains, natural wetlands and lakes from January 2020.  If there is a need for any livestock to cross such waterways to move into a different paddock or area, then an electronic barrier be installed at the crossing place to ensure the animals do not wander off down the waterway for any length of time.

Submitter	Position	Summary of decision requested
Whangarei District Council	Amend	Include a non-complying activity status for livestock access including crossings within a minimum 5km exclusion zone upstream of public water intakes

### C.8.1.1

Access of livestock to the bed of a water body or permanently flowing watercourse – permitted activity

Submitter	Position	Summary of decision requested
Alspach R	Amend	Stock exclusion should be by the best practical means - the wording in the proposed plan is too prescriptive.
Beef and Lamb NZ	Amend	Amend to provides an alternative gateway to the stock exclusion rules in C.8.1.1 where 'Pastoral land use' is undertaken in accordance with an industry Farm Environment Plan
Bainbridge A Bainbridge J	Support	Supports that the rule does not require riparian setbacks and that it provides flexibility around how livestock are to be excluded from waterways.
Bay of Islands Maritime Park Inc	Support	Support provisions but want to see more ambitious targets for beef cattle, dairy support cattle, and deer.
Booth A	Support	Submitter supports all stock exclusion from waterways.
Brocx T Clements B	Amend	Remove all references to dairy cows from rule C.8.1.1.
Brownlie A	Amend	Would like all restrictions to become operable straight away as farmers have had long enough to get stock out of waterways
Dairy NZ	Amend	Retain rule, providing a minimum size threshold for stock exclusion from natural wetlands is specified, and that wetland definition is amended as per the Dairy NZ submission.  Amend clause 1) of the rule:  <i>1) <del>native</del> indigenous wetland vegetation in a natural wetland is not damaged or destroyed, and</i>
Federated Farmers	Amend	Amend rule C.8.1.1 by:

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Specifying a minimum size threshold for stock exclusion from natural wetlands (eg. 5 ha).</li> <li>Mapping significant wetlands for livestock exclusion.</li> <li>Amending livestock exclusion from 'Lakes (&gt;1ha) and significant wetlands to: <u>'Excluded from 1 January 2020.'</u></li> </ul>
Friends of Rangitane Stream	Amend	<p>Support the adoption of stock exclusion rules but stock should be excluded by 31 December 2019 at latest.</p> <p>All stock including sheep, must be excluded from all permanently flowing rivers, drains, all wetlands, other water bodies and coastal marine areas, in both lowland and hill country areas</p> <p>If NRC persists in adopting delayed dates beyond 2019, then access of livestock to water bodies must be classed as a restricted discretionary activity, with public notification, until the exclusion dates come into effect.</p>
Fonterra	Amend	Amend the table 7 timeframes so as to be consistent with the Sustainable Dairying Water Accord, better aligns with draft national direction and ensures that the rule is effects based in its application.
Foy F King K & F	Amend	Delete rule as it is not practical to monitor and consequently enforce
GDC Winstone Simpson A Smart P	Support	Retain rule as notified
Hayes M	Amend	Amend table 7 to read <i>'intensively farmed beef cattle, dairy support cattle and deer'</i>
Howell J	Amend	Reduce the dates for when stock exclusion is required from rivers and wetlands.
Kaipara District Council	Amend	Amend rule framework (assume submitter means not just amending C.8.1.1) for all registered water takes which protects public water supplies.
Kelly-Granich M	Amend	<p>Supports provisions but believe that some of the exclusion dates with regard to beef cattle in lowland areas are too far into the future.</p> <p>To include a setback distance for fencing from the margin of waterbodies to encourage riparian planting.</p>
King G	Amend	Delete rule C.8.1.1.

Submitter	Position	Summary of decision requested
King G	Amend	Table 7 has an asterisk in the heading of column 2. The submitter assumes this denotes a footnote. However there is no footnote. The submitter requests that the footnote be inserted or the asterisk be deleted.
Ko Te Ahua Marae (Ngati Whata Hapu)  Parapara Marae (Ngati Tara Hapu)	Amend	Amend C.8.1.1 so that: <ul style="list-style-type: none"> <li>All pigs, dairy cows and beef cattle must be effectively excluded from the water bodies and permanently flowing drains by 1 January 2020.</li> <li>All sheep and deer must be effectively excluded from the water bodies and permanently flowing drains by 1 January 2025.</li> </ul>
Kurmann A	Amend	Amend so that pigs, dairy cows and beef cattle are excluded from water bodies and permanently flowing drains by 1 January 2020, and all sheep and deer excluded by 1 January 2025.
Landcorp Farming Limited	Support	Support conditional on change sought in relation to the ability to use site specific information from a Farm Environment Plan to determine the zoning and overlay applicable to a particular property being addressed.
Leonard B	Amend	Amend activity status to a prohibited activity.
Long M	Amend	Due to formatting issues some of the submission cannot be viewed. However, we infer that the submitter is seeking the following changes to table 7 in Rule C.8.1.1: <ul style="list-style-type: none"> <li>separate dairy cows from pigs</li> <li>treat dairy cows and the same as beef cattle, dairy support cattle and deer, except where the stocking rate in lowland areas exceeds two cows per hectare, in which case they must be excluded from all permanently flowing rivers, streams and drains, and wetlands by 2023.</li> </ul>
Man O'War Dairies Limited	Amend	Amend plan to address concerns that: <ul style="list-style-type: none"> <li>Some of the river crossings on the submitters farms may not meet the permitted activity requirements and the cost implications of upgrade.</li> <li>Central government regulations on stock exclusion will be more stringent and won't take into account Northland's unique conditions.</li> <li>The stock exclusion maps may be inaccurate for the gradients on some of the submitters farms</li> </ul>
Matauri Trustee Limited	Amend	Amend Table 7 "Dates when livestock must be effectively excluded from water bodies and permanently flowing drains", column headed "Lakes (>1ha) and significant wetlands" as follows:  For beef cattle, dairy support cattle and deer:  <del>Excluded from the date this rule becomes operative</del>

Submitter	Position	Summary of decision requested
		<p><del>Excluded from 1 January 2025</del></p> <p>Or later dates as necessary to provide an appropriate buffer to allow the works to be built into farm planning.</p>
Mentor A	Support	Submitter supports efforts to exclude stock from the bed of a water body and permanently flowing water courses.
Mentor A	Amend	<p>Amend rule C.8.1.1 to exclude stock from permanently flowing watercourses of less than 1m wide and 30 cm deep wherever possible.</p> <p>Require the fencing of stock to be completed earlier than the dates specified in the Proposed Regional Plan.</p>
Minister of Conservation	Amend	<p>Amend C.8.1.1 as follows:</p> <p>Add: 5) <i>Does not cause or induce noticeable slumping, pugging or erosion</i></p> <p>Numerous changes to Table 7 including (submission includes marked up version of table):</p> <ul style="list-style-type: none"> <li>• <i>Permanently flowing rivers, streams and drains greater than 1m wide and 30cm deep*</i></li> <li>• Two additional water bodies added (two new columns) - <u>Catchments above outstanding waterbodies, lakes, and significant wetlands</u> and <u>Outstanding water bodies, inanga spawning areas and threatened fish species habitat</u>, with exclusion required for all referenced livestock types by 1 July 2022 and 1 September 2019 respectively.</li> <li>• Add "Sheep" as a row to the table, with no exclusion required except for <i>Lakes (&gt;1ha) and significant wetlands</i> (excluded from 1 September 2019) and exclusion as per previous bullet point.</li> <li>• Replace <del>the date this rule becomes operative</del> with <u>1 September 2019</u></li> <li>• Replace <del>1 January 2023</del> and <del>1 January 2025</del> and <del>1 January 2030</del> with <u>1 July 2022</u></li> <li>• Remove references to "lowland areas" and "hill country areas" for "Beef cattle, dairy support cattle and deer" and require exclusion from all areas as per amended dates</li> </ul>
Miru M Tinopai RMU Limited	Amend	Insert a new clause 5) <u>the activity does not occur within an Area of Significance</u>
New Zealand Deer Farmers Association	Amend	<p>Amend clause 3) as follows</p> <p><u>...3) livestock crossing points used by livestock more than once per week on average must...</u></p> <p>Amend table 7 for Beef, cattle, dairy support cattle and deer as follows:</p>



Submitter	Position	Summary of decision requested
		<p>For 'Permanently flowing rivers, streams and drains greater than 1 m wide and 30 cm deep':</p> <p><del>Lowland</del> <u>Plains (0-30 slope) areas</u> as mapped in I-Maps': Excluded from 1 January 2025.</p> <p><u>Undulating/rolling (&gt;3-150 slope) areas: Excluded from 1 January 2030.</u></p> <p>For 'All permanently flowing rivers, streams and drains':</p> <p><del>Lowland</del> <u>Plains (0-30 slope) areas</u> as mapped in I-Maps': Excluded from 1 January 2030 <u>2025</u></p> <p><u>Undulating/rolling (&gt;3-150 slope) areas: No exclusion required.</u></p> <p>For 'Natural wetlands (excluding significant wetlands)':</p> <p><del>Lowland</del> <u>Plains (0-30 slope) areas</u> as mapped in I-Maps': Excluded from 1 January 2025.</p> <p><u>Undulating/rolling (&gt;3-150 slope) areas: Excluded from 1 January 2030.</u></p> <p>Insert a new clause 5):</p> <p><u>where there is evidence that an alternative approach to livestock exclusion is likely to result in better environmental outcomes or there are special circumstances that make it impractical to exclude livestock from water bodies and permanently flowing drains, the landowner must provide to council, a council approved Farm Environment Plan that describes how the proposed alternative approach will address or prevent the effects of contaminants entering the water body or permanently flowing drain.</u></p> <p>NZDFA-Northland notes that a definition of a Farm Environmental Plan and its criteria should be provided and considers that there are working drafts from other regional plans (Southland and Waikato) or an operational definition in Hawkes Bay that could be modified for Northland.</p>
Newport L	Amend	Amend table 7 so that there is a differentiation in its requirements for dry stock to be excluded from waterways in lowland areas on the basis of stocking ration, e.g. where the overall stock ratio is no more than 1 beef cattle, dairy support cattle, or deer animal per hectares, no exclusion is required.
Newport L	Support	Supports that there is no livestock exclusion requirements for beef cattle in hill country areas.
Northland Fish and Game	Amend	Amend the rule so that where stock are excluded from a water body through placement of a permanent fence then a setback distance be established which is equal to or greater than 3m and takes into account terrain, GMP, sensitivity of the receiving environment, risk of contaminant losses to surface water, protection of the ecological health of freshwater habitats and the effectiveness of alternative mitigations. A 10m setback distance should be set on lakes, natural wetlands and outstanding outstanding freshwater bodies.

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	<p>Amend the rule as follows:</p> <p><i>The access of livestock to a natural wetland, the bed of a lake or a permanently flowing river, or a permanently flowing drain is a permitted activity, provided:</i></p> <p>1) <del>native wetland</del> vegetation in a <del>natural</del> wetland is not damaged or destroyed, and</p> <p>...</p>
Ravensdown Limited	Amend	Retain the rule's permitted activity status while addressing the apparent inconsistency between Clause 2) and 4) b) and Table 7 regarding if stock exclusion is required or not in the Hill country areas.
Royal Forest and Bird Protection Society NZ	Amend	<p>Clarify that this rule only allows access to the bed of a waterbody for stock crossing purposes.</p> <p>Amend the conditions to:</p> <ul style="list-style-type: none"> <li>• Exclude access to wetlands.</li> <li>• Set a deadline for all stock exclusion of 31 December 2018 at the latest.</li> <li>• Apply to sheep, in addition to other livestock, except where light grazing is beneficial to ecological values by suppressing exotic vegetation/weeds.</li> </ul>
Ruakaka Parish Resident and Ratepayers Association	Amend	Request clarification as to whether roadside drains qualify as a bed of water or permanently flowing watercourse and why other farm animals are not excluded (sheep, goats, horses etc...)
Simpson A	Support	Supports rule not requiring riparian setback. Submitter's farm subject to flash floods therefore fencing exclusion needs flexibility (submission includes photos of flooding).
Stevens V	Support	Supports the inclusion of lakes greater than 1 hectare in the rule.
Tautari	Amend	Review dates for exclusion.
Te Roroa Development Group	Amend	Take a more restrictive approach to the access of livestock to water bodies.
Upperton T	Support	Retain the exclusion dates proposed for stream health and water quality improvement.

Submitter	Position	Summary of decision requested
Vision Kerikeri	Amend	<p>The submitter seeks the retention of of table 7 subject to the following amendments;</p> <ul style="list-style-type: none"> <li>• All permanently flowing rivers, streams and drains &amp; natural wetlands □ pigs and dairy cows should be excluded from 1 January 2020.</li> <li>• Beef cattle, dairy support cattle and deer lowland areas and hill country areas and natural wetlands excluded from 1 January 2023. Sheep should also be included.</li> </ul> <p>Amend rules as necessary to encourage or support riparian planting.</p>
Waldron S	Amend	Extend stock exclusion to all cattle and deer from hill country areas by 2030.
Whangarei District Council	Amend	Submitter has concerns over stock accessing waterways above drinking water intakes. WDC requests that a rule framework similar to that applying to swimming sites in the Whangarei Harbour Catchment be applied to all registered public drinking water intakes. This rule framework should be supported by an identified map layer of public drinking water intakes (region wide) including a buffer zone around intakes restricting livestock access within the shorter timeframe (2 years from the plan becoming operative).
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

### C.8.1.2

Access of livestock to rivers, lakes, and wetlands – restricted discretionary activity

Submitter	Position	Summary of decision requested
Bainbridge J	Amend	<p>Amend rule C.8.1.2 as necessary to address the concerns outlined below:</p> <p>Wetlands and land which gets wet some of the year need to be treated differently. They need to be assessed carefully. I am concerned that the rules in this plan encourage grazing to occur as the wetland will no longer be considered significant (and may not be).</p>
Bay of Islands Maritime Park Inc	Amend	Expand the matters of discretion to include impacts on natural character and ecological values

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Amend to provides an alternative gateway to the stock exclusion rules in C.8.1.1 where 'Pastoral land use' is undertaken in accordance with an industry Farm Environment Plan
Federated Farmers	Amend	Amend rule C.8.1.2 by:  Providing a minimum size threshold for stock exclusion from natural wetlands (eg. 5 ha), and introducing a stocking density trigger for hill country exclusion.  Seeks that the council maps all significant wetlands.
Friends of Rangitane Stream	Amend	Amend rule to a non-complying activity status  If rule remains restricted discretionary then applications should not be precluded from public notification
Kaipara District Council Whangarei District Council	Amend	Amend C.8.1.2 as follows: <ul style="list-style-type: none"> <li>• Include the effect on public drinking water supplies as a matter of discretion.</li> <li>• deletion of requirement that applications under this rule are non-notified.</li> </ul>
King G Upperton T	Amend	Delete Rule C.8.1.2.
Landcorp Farming Limited	Support	Support conditional on change sought in relation to the ability to use site specific information from a Farm Environment Plan to determine the zoning and overlay applicable to a particular property being addressed.
Leonard B	Amend	Amend activity status to a prohibited activity.
Man O'War Dairies Limited	Amend	Amend plan to address concerns that the stock exclusion maps may be inaccurate for the gradients on some of the submitter's farms.
Matauri Trustee Limited	Amend	Amend rule C.8.1.2 to provide for stock access to significant wetlands and the coastal marine area as a restricted discretionary activity.
Minister of Conservation	Amend	Add additional matter of discretion to C.8.1.2: <u>6) Effects on life supporting capacity, ecosystem processes and indigenous species, including their associated ecosystems of the freshwater.</u>

Submitter	Position	Summary of decision requested
New Zealand Deer Farmers Association	Amend	Amend rule C.8.1.2 by changing the activity status to a controlled activity.
Newport L	Amend	<p>Amend rule C.8.1.2 so that the following matters are listed as matters of discretion:</p> <ul style="list-style-type: none"> <li>• 'practicality and cost'</li> <li>• 'stocking ratio'</li> <li>• 'accuracy of the stock exclusion maps'.</li> </ul> <p>In addition, if the maps are found to be incorrect then any application processed should be at no cost and be a deemed permitted activity.</p>
Northland Fish and Game Simpson A	Support	Retain rule C.8.1.2 as notified.
Royal Forest and Bird Protection Society NZ	Amend	Either include additional matters of discretion to provide for consideration of effects on indigenous biodiversity, wetlands, and natural character or change the activity status to full discretion.
Simpkin W	Amend	Remove requirement to exclude stock from submitter's farm frontage on Maunganui River.
Simpson A	Support	Supports rule not requiring riparian setback.
Tautari R Patuharakeke Te Iwi Trust Board	Support	Retain matter of discretion 5) as notified.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

### C.8.1.3

Access of livestock to a significant wetland, an outstanding freshwater body, and the coastal marine area – non-complying activity

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc Northland Fish and Game Friends of Rangitane Stream	Support	Retain rule C.8.1.3 as notified.
Landcorp Farming Limited	Support	Support conditional on change sought in relation to the ability to use site specific information from a Farm Environment Plan to determine the zoning and overlay applicable to a particular property being addressed.
Leonard B	Amend	Amend activity status to a prohibited activity.
Matauri Trustee Limited	Amend	Delete significant wetland and the coastal marine area from Rule C.8.1.3
Royal Forest and Bird Protection Society NZ	Amend	Include areas of significant indigenous vegetation and habitat/significant ecological areas under this rule.
Whangarei District Council	Amend	Submitter supports rule but also seeks it include reference to livestock access within a (minimum) 5km upstream of public water intakes (which should be mapped, region wide).
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Oppose	No specific amendments sought.

## C.8.2 Cultivation

### General submissions on cultivation rules

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Include new rules which provide a pathway for 'cultivation' where it is undertaken in accordance with an industry Farm Environment Plan, and which provides an alternative gateway to the cultivation rules.
Cathcart B	Support	Supports proposed rules

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Seek more stringent standards for cultivation within 1km of a potable water take, including cultivation for plantation forestry (or similar relief).
Far North District Council	Amend	Remove preclusion of notification to enable notification of the territorial authority if the activity occurs in a potable water catchment.
Gailey B	Amend	Ensure that drainage be include in C4 Land drainage not in C8 Land use .
Horticulture New Zealand	Amend	Amend section by deleting all references to 'cultivation' and replacing with 'land preparation'
Kaipara District Council	Amend	Amend cultivation rules as follows: <ul style="list-style-type: none"> <li>• Add more stringent standards for cultivation occurring within a reasonable distance of a potable water take.</li> <li>• Remove requirement that applications processed non-notified (C.8.2.2).</li> </ul>
Lourie D	Amend	Add new rule: <u>Cultivation – prohibited activity</u> <u>Cultivation of land for the purposes of producing genetically modified organisms is a prohibited activity.</u> <u>Matters of control:</u> <u>1) Genetically modified organisms</u>
Royal Forest and Bird Protection Society NZ	Amend	Add a new non-complying activity rule for cultivation that does not meet the requirements for the permitted or discretionary rules above.
Soil and Health Association	Amend	That cultivation that is on land that is not certified organic becomes made a controlled activity requiring a 400m buffer for sensitive spray areas.

### C.8.2.1

#### Cultivation – permitted activity

Sumbitter	Position	Summary of decision requested
Balle Bros Group Brocx T Fonterra Landcorp Farming Limited Smart P Ravensdown Limited Simpson A Upperton T	Support	Retain rule C.8.2.1 as notified.
Beef and Lamb NZ	Amend	Amend rule C.8.2.1, so that it provides a pathway for 'cultivation' where it is undertaken in accordance with an industry Farm Environment Plan.
Beef and Lamb NZ	Amend	Include a definition for ephemeral watercourse in the proposed plan, or alternatively delete condition C.8.2.1 (3)(b).
Booth A	Support	Supports the 5m buffer zone in clause 3a).
Brocx T Dairy NZ Federated Farmers Stevens V	Amend	Include a definition of ephemeral watercourse.
Cathcart B	Support	Supports requirement that cultivation is not undertaken in the catchment of an outstanding lake as a permitted activity.
Clements B	Amend	Clarify what 'ephemeral watercourses' are. Exclude 'strip tilling' from the definition of cultivation.
Dairy NZ	Amend	Delete clause 4)



Sumbitter	Position	Summary of decision requested
Federated Farmers	Amend	<p>Amend rule C.8.2.1 by replacing condition 3) with the following:</p> <p><u>3) on lowland areas as mapped in I Maps', the activity does not occur within:</u></p> <p><u>a) two metres of a natural wetland, the bed of a lake or a permanently or intermittently flowing river or stream, or</u></p> <p><u>b) an ephemeral watercourse when flowing, and</u></p> <p><u>4) on hill country areas as mapped in I 'Maps', the activity does not occur within:</u></p> <p><u>a) five metres of a natural wetland, the bed of a lake or a permanently or intermittently flowing river or stream, or</u></p> <p><u>b) an ephemeral watercourse when flowing, and...</u></p>
Gailey B	Support	The submitter support a permitted activity status for cultivation and seeks some amendments to the conditions.
Gailey B	Amend	<p>Amend the rule to ensure that:</p> <ul style="list-style-type: none"> <li>• harvesting of root crops or tubers are permitted activities under Rules C.8.2.1</li> <li>• horticultural practices such as root ripping of shelter belts, removal of shelter belts and orchard trees as permitted activities</li> </ul>
Haititaimarangai Marae 339 Trust	Amend	Amend Rule C.8.2.1 so that a setback for cultivation from permanent rivers, lakes, wetlands and outstanding waterbodies is 10m from the bed of the waterbody. For intermittent rivers and wetlands, a 5m setback for cultivation is appropriate.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan so that setbacks for grazing and cultivation on sloping land are evaluated in relation to soil type to ensure an appropriate setback distance is achieved. Alternatively, a 20m setback for sloping land of 20 degrees or more could be appropriate.
Horticulture New Zealand	Amend	<p>Delete rule and replace with:</p> <p><u>Land preparation is a permitted activity provided:</u></p> <p><u>1) Best practice measures are implemented to reduce sediment runoff from land preparation</u></p> <p><u>2) the activity is not undertaken in the catchment of an outstanding lake, and</u></p> <p><u>3) the activity is not done on highly erodible land, OR</u></p> <p><u>4) The activity complies with the Horticulture New Zealand Code of Practice 'Erosion and Sediment Control Guidelines for Vegetable Production' (June 2014).</u></p>

Sumbitter	Position	Summary of decision requested
Man O'War Dairies Limited	Amend	Amend plan to address concerns that a lack of cultivation may inhibit submitter's kikuya management plan.
Minister of Conservation	Amend	<p>Amend C.8.2.1 s follows:</p> <p>3) <i>the activity does not occur within:</i></p> <p>a) <del>five</del> 20 metres of a natural wetland, the bed of a lake or a permanently or intermittently flowing river or stream, or</p> <p>b) 10 metres of an ephemeral watercourse, and</p> <p>Add another condition: 3)c) 30 metres of a natural wetland, the bed of a lake or a permanently or intermittently flowing river or stream, or ephemeral watercourse on sloping land of 20 degrees or more</p>
Miru M Tinopai RMU Limited	Amend	Insert a new clause 5) <u>the activity does not occur within an Area of Significance</u>
New Zealand Deer Farmers Association	Amend	<p>Amend clause 2) &amp; 3) as follows</p> <p>2) <u>Farm Environment Plan identifying soil erosion risk and mitigation if the activity is not done on highly erodible land is completed and available to the council upon request, and...</u></p> <p>3) <del>....or, b) an ephemeral watercourse, and</del></p>
Northland Fish and Game	Amend	<p>Amend the rule as follows:</p> <p><i>Cultivation of land is a permitted activity, provided:</i></p> <p>...</p> <p>3) <i>the activity does not occur within <u>the distance of five metres of:</u></i></p> <p><i><u>a) the bed of a river that is permanently flowing, or</u></i></p> <p><i><u>b) the bed of a river that is not permanently flowing and has an active bed width greater than one metre, or</u></i></p> <p><i><u>c) the bed of a lake, and</u></i></p> <p><i><del>a) five metres of a natural wetland, the bed of a lake or a permanently or intermittently flowing river or stream, or</del></i></p> <p><i><del>b) an ephemeral watercourse, and</del></i></p> <p>4) <i>the activity does not occur within a distance of ten metres of:</i></p> <p><i><u>a) a natural wetland, and</u></i></p> <p><i><u>b) an outstanding freshwater body, and</u></i></p>

Sumbitter	Position	Summary of decision requested
		<p><u>5) the activity does not occur within a distance of:</u></p> <p><u>a) five meters of a waterbody, on land within a slope of less than four degrees (flat), and</u></p> <p><u>b) ten metres of a waterbody, on land within a slope of between four degrees and sixteen degrees (rolling), and</u></p> <p><u>c) twenty meters of a waterbody, on a land with a slope greater than sixteen degrees (strongly rolling), and</u></p> <p><del>4) 6) any associated diversion ...</del></p> <p>...</p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the rule to only apply to existing authorised cultivation and add the following new condition</p> <p><u>"the activity is not undertaken within the beds or lakes, rivers, or within wetlands or the CMA."</u></p>
Stevens V	Support	Support clause 4)
Stevens V	Amend	Delete clause 3)

### C.8.2.2

#### Cultivation – controlled activity

Submitter	Position	Summary of decision requested
Balle Bros Group Federated Farmers Landcorp Farming Limited Ravensdown Limited Simpson A	Support	Retain rule C.8.2.2 as notified.
Beef and Lamb NZ	Amend	Amend rule C.8.2.2 so that it provides a pathway for 'cultivation' a controlled activity if it is undertaken in accordance with an industry Farm Environment Plan.
Federated Farmers	Support	Retain the rule subject to appropriate refinement through further submissions.

Submitter	Position	Summary of decision requested
Foy F King K & F	Amend	Requests this rule be a permitted activity not a controlled activity
Horticulture New Zealand	Amend	Delete all references within the rule to 'cultivation' and replace with 'land preparation'.
Man O'War Dairies Limited	Amend	Amend plan to address concerns that the highly erodible land map may be inaccurate for the submitter's farms.
New Zealand Deer Farmers Association	Amend	Support rule with amendments. Amendments sought are unclear but believes a Farm Environmental Plan should be required as well.
Northland Fish and Game	Amend	<p>Amend the rule as follows:</p> <p><i>Matters of control:</i></p> <p><del>1) Effects on water quality</del> <u>Risks to the following matters and measures to avoid, remedy or mitigate those risks:</u></p> <p><i>i. Biodiversity, including aquatic habitat and areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i></p> <p><i>ii. Preservation of the natural character of wetlands, lakes, rivers and their margins; and</i></p> <p><i>iii. The potential effects of cultivation on surface and groundwater quality and sources of drinking water, and</i></p> <p><i>2) The scale, location, and timing of cultivation, and</i></p> <p><del>3) Erosion and sediment control measures, to avoid, remedy or mitigate the discharge of sediment and other contaminants to surface or groundwater, and</del></p> <p><i>3) Monitoring, inspection and audit requirements.</i></p> <p><i>Notification</i></p> <p><del>Resource consent applications under this rule are precluded from notification (limited or public). Consent applications will be considered with limited or public notification.</del></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the activity classification to discretionary activity.</p> <p>Add conditions</p> <p>X) <i>Not in any significant wetland; and</i></p>

Submitter	Position	Summary of decision requested
		Y) <i>Not within the beds of wetlands, and lakes and rivers or the coastal marine area that is identified as an outstanding natural character area.</i>

### C.8.3 Earthworks

#### General submissions on earthworks

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited	Amend	Amend Table 8 to include the NES provisions for contaminated land as a guidance note only.
Beef and Lamb NZ	Amend	Include new rules which provide a pathway for 'earthworks' where it is undertaken in accordance with an industry Farm Environment Plan, and which provides an alternative gateway to the earthworks rules.
Cathcart B	Support	Supports proposed earthworks rules.
Haititaimarangai Marae 339 Trust	Amend	Increase the earthworks setbacks from all wetlands and the beds of lakes and rivers to 20m for sloping land of 20 degrees or more.
Haititaimarangai Marae 339 Trust	Amend	Include restrictions on earthworks in sensitive coastal areas to protect the natural character of these areas.
King K & F Foy F	Amend	Rules needs to be more permissive and clear. Earthworks associated with farming and forestry need to be allowed as permitted activities
Kaipara District Council	Support	Retain requirement for erosion and sediment control, to protect roads and stormwater networks.
Minister of Conservation	Support	Retain the reference to the <i>Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (2016)</i> and the other permitted activity standards as notified particularly in relation to requiring the stabilisation of land to ensure that sediment runoff is mitigated.
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for earthworks within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.

Submitter	Position	Summary of decision requested
Patuharakeke Te Iwi Trust Board Inc	Amend	Include earthwork rules specifically designed to stop the spread of kauri dieback.
Patuharakeke Te Iwi Trust Board Inc	Amend	Include earthworks rules that specifically address the excavation of swamp kauri.
Refining New Zealand	Amend	<p>Insert the following new rule:</p> <p><u>C.8.3.1A Earthworks Refining New Zealand Marsden Point site – restricted discretionary activity</u></p> <p><u>Earthworks within or adjacent to the Refining New Zealand Marsden Point site that exceed one or more of the thresholds set by rule C.8.3.1, is a restricted discretionary activity.</u></p> <p><u>Matters of discretion:</u></p> <p><u>1) the scale, location, and timing of earthworks,</u></p> <p><u>2) erosion and sediment control measures,</u></p> <p><u>3) meeting water quality objectives and limits, and</u></p> <p><u>4) the management of contaminated soil.</u></p> <p><u>Notification</u></p> <p><u>Resource consent applications under this rule are precluded from notification (limited or public).</u></p>
Royal Forest and Bird Protection Society NZ	Amend	Earthworks within a significant ecological area or significant wetland are prohibited activity.
Vincent M	Amend	Align the earthworks thresholds in the Proposed Regional Plan with the earthworks thresholds in the Kaipara District Plan, Whangarei District Plan and Far North District Plan.
Vision Kerikeri	Support	Retain the area based threshold for earthworks in general areas.
Whangarei District Council	Amend	Amend rules C.8.3.1 and C.8.3.2 to address the effects of acid sulphate soils.

### C.8.3.1

#### Earthworks – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain reference to Auckland Council's GD05 best practice guideline for earthworks as a required standard for permitted earthworks as it provides clarity for large-scale earthworks design and management that cross the Northland and Auckland region boundaries
Bainbridge A Bainbridge J Federated Farmers KiwiRail MLP LLC National Institute of Water and Atmospheric Research Limited Ravensdown Limited Refining New Zealand Simpson A Stevens V Transpower Waiaua Bay Farm Limited	Support	Retain rule C.8.3.1as notified.
Bay of Islands Planning Limited Carrington Resort Jade LP	Support	Retain the 10m setback distance in respect of natural wetlands.
Bay of Islands Planning Limited Broadspectrum NZ Ltd. Carrington Resort Jade LP	Support	Retain the bundling of rule as set out in list of RMA activities covered.

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited  Broadspectrum NZ Ltd  Carrington Resort Jade LP	Amend	Amend clause 2 to read  <i>" erosion and control measures are to be implemented in accordance with <u>best practice provisions, including, where applicable, those contained in such documents as the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (2016)</u> for the duration of the activity .....</i>
Beef and Lamb NZ	Amend	Amend rule C.8.3.1 so that it provides a pathway for 'earthworks' where it is undertaken in accordance with an industry Farm Environment Plan.
Far North District Council	Amend	Remove activities for contaminated land where these can be addressed through the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (or similar relief).
GBC Winstone	Amend	Amend as follows:  <b><i>"Earthworks – permitted activity</i></b>  <i>Earthworks</i> <u>including quarrying is a permitted activity provided: ...</u>  <i>1) the amount of earthworks at a particular location or associated with a project complies with the thresholds in the following table: ....</i>  <i>2) best-practice erosion and sediment control measures must be implemented for the duration of the earthworks. Those measures must be installed prior to the commencement of earthworks and maintained until the site is stabilised against erosion.</i>  <u><i>Note - Best practice erosion and sediment control measures in the Northland region is considered to be in general accordance with the Erosion and Sediment</i></u>  <u><i>Control Guidelines for Land Disturbing Activities in the Auckland Region (2016) or of a similar design.</i></u>  <i>erosion and sediment control measures are implemented in accordance with the</i>  <i>Erosion and Sediment Control Guidelines for Land Disturbing Activities in the</i>  <i>Auckland Region (2016) for the duration of the activity, and</i>  ...
Haigh Workman Ltd	Amend	Delete entire reference to contaminated land within Table 8.



Submitter	Position	Summary of decision requested
Haititaimarangai Marae 339 Trust	Support	Retain the reference to the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (2016) a and the other permitted activity standards as notified particularly in relation to requiring the stabilisation of land to ensure that sediment runoff is mitigated.
Haititaimarangai Marae 339 Trust	Amend	Amend the rule so that no earthworks are provided for as permitted activities within the setback areas for wetlands and beds of rivers and lakes other than to provide activities with environmentally positive outcomes such as riparian planting and the fencing of waterways as permitted activities.
Heritage NZ	Amend	<p>Retain Rule C.8.3.1 but modify as follows:</p> <p><i>C.8.3.1</i></p> <p><i>Earthworks – permitted activity</i></p> <p>-</p> <p><u>9) the earthworks activity does not affect any Historic Heritage Site, Historic Heritage Area, or Site or Area of Significance to Tangata Whenua (refer I 'Maps').</u></p> <p>-</p> <p><u>10) The activity does not result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</u></p> <p><u>Note: work affecting archaeological sites is subject to an authority process under the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA"). If any activity associated with a project, such as earthworks, fencing, in-ground signage or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand Pouhere Taonga must be obtained for the work to proceed lawfully. The HNZPTA contains penalties for unauthorised site damage.</u></p> <p><u>Section 6 of the HNZPTA defines an archaeological site as:</u></p> <p>(a) <u>Any place in New Zealand, including any building or structure (or part of a building or structure), that –</u></p> <p>(i) <u>was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</u></p> <p>(ii) <u>provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u></p> <p>(b) <u>includes a site for which a declaration is made under section 43(1) of the HNZPTA.</u></p> <p><u>Nineteenth Century buildings and structures above and below ground are archaeological sites and may require an Authority depending upon the nature of the works proposed.</u></p>

Submitter	Position	Summary of decision requested
Landcorp Farming Limited	Support	Support conditional on change sought in relation to the ability to use site specific information from a Farm Environment Plan to determine the zoning and overlay applicable to a particular property being addressed.
LaBonte' A & R	Amend	<p>Revise conditions (2) and (6)(a) of C.8.3.1 as follows:</p> <p><i>(2) Erosion and sediment control measures are implemented, <u>except for coastal dune restoration</u>, in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (2016) for the duration of the activity,</i></p> <p><i>(6a) The earthworks activity does not reduce the height of a dune crest in a coastal hazard management area, <u>except where dunes must be recontoured through removal of non-native materials or to correct dune blow-out areas</u>.</i></p>
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Revise conditions (2) and (6)(a) of C.8.3.1 as follows:</p> <p><i>(2) Erosion and sediment control measures are implemented, <u>except for coastal dune restoration</u>, in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (2016) for the duration of the activity,</i></p> <p><i>(6a) The earthworks activity does not reduce the height of a dune crest in a coastal hazard management area, <u>except where dunes must be recontoured through removal of non-native materials</u>.</i></p>
Marsden Maritime Holdings  Northport Ltd	Amend	Comments that the permitted activity thresholds appear to be the same as the controlled activity thresholds - unclear what changes are sought.
Minister of Conservation	Amend	<p>Amend C.8.3.1 as follows:</p> <ul style="list-style-type: none"> <li>• Amend the rules so that no earthworks be provided for as permitted activities in C.8.3.1 within the setback areas for wetlands and beds of rivers and lakes, other than for activities with environmentally positive outcomes such as riparian planting and the fencing of waterways as permitted activities.</li> <li>• Increase the earthworks setbacks from all wetlands and the beds of lakes and rivers to 30m for sloping land of 20 degrees or more.</li> <li>• Include restrictions on earthworks in the coastal environment, including areas and features identified in the RPS as areas of high and outstanding natural character, outstanding natural features and outstanding natural landscapes to protect the natural character of these areas.</li> <li>• Add new condition: <u>To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil</u></li> </ul>

Submitter	Position	Summary of decision requested
		<u>and organic material from land disturbance within 3 times the radius of the canopy drip line must be retained within that zone or taken to an approved landfill</u>
Miru M Tinopai RMU Limited	Amend	Amend the notification section so that if the activity is occurring within an Area of Significance, tangata whenua are also given 10 days notice.  Insert a new clause 9) <u>the activity does not occur within an Area of Significance</u>
New Zealand Transport Agency	Amend	Retain C.8.3.1 as notified, except for condition (8) - see submitters general submission on provision of notice of works.
Northland District Health Board	Amend	Amend C.8.3.1 (7) (b) as follows:  <u>"the rendering of fresh water unsuitable for consumption by farm animals and source water for human consumption as per Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007, or"</u>  Add a new clause C.8.3.1 (9):  <u>(9) the operator of any registered drinking water supply are given at least five working days' notice (in writing or by email) of any earthworks activity being undertaken within a drinking water catchment</u>
Northland Fish and Game	Amend	Amend the rule so that the 10m setback for natural wetlands applies to all waterbodies.
Northland Fish and Game	Support	Retain reference to Auckland Council's GDO5 best practice guideline for earthworks.
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule to address the following:  1. Significantly reduce the scale of earthworks.  2. Increase setbacks from waterbodies and wetlands  3. Set limits on earthworks inside the setback which will ensure no more than minor adverse effects and will maintain a riparian margin.  4. Ensure that works outside the setback do not occur at the same time as work inside the setback.  5. Does not occur in an significant ecological area  6. Does not include any damage to predominantly indigenous vegetation or the habitat of any significant indigenous fauna.

Submitter	Position	Summary of decision requested
		<p>7. That the activities must not be undertaken in waterbodies or coastal water</p> <p>8. That the depth of earthworks must be less than 1m above groundwater</p> <p>9. The period to apply erosion and sediment control extends until exposed land is revegetated.</p> <p>10. Earthworks in the catchment of an outstanding lake have a 20m setback from the lake.</p> <p>11. Exclude the activity from all wetlands, not just natural wetlands.</p>
Ruakaka Parish Resident and Ratepayers Association	Amend	Clarify as to whether dune management is being actively pursued, and where, and provide reference to the effects of earthworks on visual amenity.
Russell Landcare Trust	Support	Retain ability for dune restoration to exceed 200m <sup>2</sup> or 50m <sup>3</sup> providing it fits the defined criteria.
Russell Landcare Trust	Amend	<p>Amend C.8.3.1 as follows:</p> <ul style="list-style-type: none"> <li>• Increase setback from wetlands from 10m and decrease the volume allowed from 50m<sup>3</sup></li> <li>• Remove ability for repetitive removal of 2500m<sup>2</sup> in the catchment of an outstanding lake.</li> <li>• Decrease the 5000m<sup>2</sup> in all other areas (unless there are very specific conditions and policies associated with such large works).</li> <li>• Add the erosion and sediment control guidelines quoted in rule as an appendix.</li> </ul>
Spark New Zealand Trading Ltd	Amend	<p>Add following explanatory text to the earthworks thresholds in Table 8, C.8.3.1:</p> <p><i><u>For network utilities, the thresholds apply to the area and volume of work being undertaken at any one time at a particular location, such that progressive closure and stabilisation works can be adopted to maintain the activity within the permitted thresholds.</u></i></p>
Tegel Foods Ltd	Amend	<p>Amend C.8.3.1 Table 8 as follows:</p> <p>All other areas: <del>5000 square metres of exposed earth at any one time</del> <u>1 ha of exposed earth at any one time</u></p>
The oil companies	Amend	<p>Retain Rule C.8.3.1 except where the following amendments are sought;</p> <p>Table 8 :<del>Contaminated land or potentially contaminated land</del></p>

Submitter	Position	Summary of decision requested				
		<ul style="list-style-type: none"><li><del>25 cubic metres per 500 square metres of the piece of land, or</del></li><li><del>30 cubic metres for each tank when removing or replacing a fuel storage system</del></li></ul> <p>8) the regional council's compliance manager is given at least five working days' notice (in writing or by email) of any earthworks activity being undertaken within a high risk flood hazard area, flood hazard area, <u>where contaminated will be exposed or within</u><del>and</del> sand dunes within a coastal hazard management area.</p>				
Top Energy	Amend	Map High-Risk Flood Hazard Areas and the Flood Hazard Areas.				
Top Energy	Amend	<div>Amend table 8 as follows</div> <table><tr><th>Location</th><th>Earthworks thresholds</th></tr><tr><td>Contaminated land or potentially contaminated land</td><td><p><u>200m3 per site</u></p><p><del>25 cubic metres per 500 square metres of the piece of land and (8), or</del></p><p>30 cubic metres for each tank when removing or replacing a fuel storage system,</p><p>(OR alternatively)</p><p><u>200m3 per site for emergency works, or</u></p><p>25 cubic metres per 500 square metres of the piece of land and (8), or 30 cubic metres for each tank when removing or replacing a fuel storage system,</p></td></tr></table>	Location	Earthworks thresholds	Contaminated land or potentially contaminated land	<p><u>200m3 per site</u></p> <p><del>25 cubic metres per 500 square metres of the piece of land and (8), or</del></p> <p>30 cubic metres for each tank when removing or replacing a fuel storage system,</p> <p>(OR alternatively)</p> <p><u>200m3 per site for emergency works, or</u></p> <p>25 cubic metres per 500 square metres of the piece of land and (8), or 30 cubic metres for each tank when removing or replacing a fuel storage system,</p>
Location	Earthworks thresholds					
Contaminated land or potentially contaminated land	<p><u>200m3 per site</u></p> <p><del>25 cubic metres per 500 square metres of the piece of land and (8), or</del></p> <p>30 cubic metres for each tank when removing or replacing a fuel storage system,</p> <p>(OR alternatively)</p> <p><u>200m3 per site for emergency works, or</u></p> <p>25 cubic metres per 500 square metres of the piece of land and (8), or 30 cubic metres for each tank when removing or replacing a fuel storage system,</p>					
Whangarei District Council	Amend	<p>Submitter has the following concerns:</p> <p>This rule does not restrict large scale earthworks outside of the earthworks season.</p> <ul style="list-style-type: none"><li>There are no earthworks limits or rules for significant areas including heritage/ tangata whenua areas.</li><li>WDC recommends removing duplication with the NES for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.</li></ul>				

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Condition 2 requires 'erosion and sediment control measures to be implemented in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (2016). As Condition 2 does not have a notification provision which would enable NRC to be aware of the potential scale and volume of the proposed earthworks, there is no trigger for monitoring.</li> <li>For large scale earthworks, WDC recommend that an Erosion Control Plan (as per the defined term) be submitted and approved by the NRC's Compliance Manager prior to significant earthworks being undertaken in order for the efficacy of the erosion and sediment control measures to be verified by NRC staff.</li> <li>The terms under Condition 6 are not easily measurable and no method is provided to measure these criteria.</li> <li>WDC raises concerns that the sediment discharges authorised by this rule are not consistent with C.6.4.1. Discharges from public stormwater systems are restricted to a limit of 100 mg/L suspended solids, but earthworks activities which generate the sediment have no discharge limits to stormwater.</li> </ul>

### C.8.3.2

#### Earthworks - controlled activity

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited Broadspectrum NZ Ltd Carrington Resort Jade LP	Amend	Amend rule C.8.3.2 to specify that activities in all other areas are controlled activities if not meeting Rule C.8.3.1 or as an alternative relief include a separate rule or category for quarries to allow quarries operating under an approved Management Plan a controlled activity in respect of renewing their existing consents
Beef and Lamb NZ	Amend	Amend rule C.8.3.2 so that it provides a pathway for 'earthworks' where it is undertaken in accordance with an industry Farm Environment Plan.
Far North District Council	Amend	All earthworks applications should be required to consider cultural and heritage effects, not just effects IN the CMA or in freshwater bodies.
Far North District Council	Amend	Insert effects of mapped Acid Sulphate Soil Risk Areas as a matter of control.
Kaipara District Council	Amend	Insert effects of indicative Acid Sulphate Soil Risk Areas as a matter of control.

Submitter	Position	Summary of decision requested
Fonterra	Amend	Amend Table 9 to delete or increase the earthworks thresholds for natural wetlands, outstanding lakes, highly erodible land, high risk flood hazard areas and coastal hazard management areas.
GBC Winstone	Amend	Amend as follows:  <i>Earthworks including quarrying is a controlled activity provided: ... "</i>  <i>Note: If an earthworks activity can meet the location / area / volume thresholds in clause 1) of Rule C.8.3.2 and design standards in clause 2) of Rule C.8.3.2 but cannot can meet a permitted activity standard in clauses 2 - 5, and 7- 8 in C.8.3.1, then the activity would be assessed as a controlled activity.</i>
Heritage NZ	Amend	Retain Rule C.8.3.2 but modify as follows:  2) <i>the earthworks does not:</i>  <i>a) affect any Historic Heritage Site, Historic Heritage Area, or Site or Area of Significance to Tangata Whenua (refer I 'Maps').</i>  <i>b) Result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated</i>  <i>Matters of control:</i>  6) <i>Adverse effects on the following where present in adjacent fresh water bodies or the coastal marine area:</i>  a) <i>wāhi tapu,</i>  b) <del><i>Mapped Sites and Areas of Significance to Tangata Whenua (refer I 'Maps').</i></del>
LaBonte' A & R	Amend	Amend C.8.3.2 as follows:  <ul style="list-style-type: none"> <li>Amend C.8.3.2 (1) Table 9 Controlled activity thresholds - Coastal Hazard Management Area: <i>Excluding for coastal dune restoration, beach nourishment or renourishment, 200 square metres of exposed earth at any one time.</i></li> <li>Revise condition (2)(a) as follows: (2)(a) <i>The earthworks does not reduce the height of a dune crest in a coastal hazard management area, except where dunes must be recontoured through removal of non-native materials.</i></li> </ul>
Landcorp Farming Limited	Support	Support conditional on change sought in relation to the ability to use site specific information from a Farm Environment Plan to determine the zoning and overlay applicable to a particular property being addressed.

Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc.	Amend	Revise condition (2)(a) as follows:  <i>(2)(a) The earthworks does not reduce the height of a dune crest in a coastal hazard management area, <u>except where dunes must be recontoured through removal of non-native materials.</u></i>
Marsden Maritime Holdings  Northport Ltd	Amend	Comments that the permitted activity thresholds appear to be the same as the controlled activity thresholds - unclear what changes are sought.
Minister of Conservation	Amend	Amend C.8.3.2 as follows: <ul style="list-style-type: none"> <li>• Amend the rules so that no earthworks be provided for as controlled activities in C.8.3.2 within the setback areas for wetlands and beds of rivers and lakes, other than for activities with environmentally positive outcomes such as riparian planting and the fencing of waterways as permitted activities.</li> <li>• Increase the earthworks setbacks from all wetlands and the beds of lakes and rivers to 30m for sloping land of 20 degrees or more.</li> <li>• Include restrictions on earthworks in the coastal environment, including areas and features identified in the RPS as areas of high and outstanding natural character, outstanding natural features and outstanding natural landscapes to protect the natural character of these areas.</li> <li>• Add a matter of control: <u>Kauri dieback disease control measures</u></li> </ul>
New Zealand Transport Agency	Amend	Amend C.8.3.2 as follows: <ul style="list-style-type: none"> <li>• controlled activity for all other activities &gt;5000m<sup>2</sup> (ie. do not comply with last line Table 8 and would otherwise default to discretionary)</li> <li>• controlled activity for 'sensitive' activities (listed in remainder of Table 8, excluding last line) but with increased area/volume limits for each item (rather than default to discretionary);</li> <li>• restricted activity for all other activities.</li> </ul>
Northland Fish and Game  Ravensdown Limited  Tegel Foods Ltd  Transpower	Support	Retain C.8.3.2 as notified.
Northpower	Amend	Amend rule C.8.3.2 as follows:  ...  <i>4. Adverse effects on water bodies and coastal water.</i>



Submitter	Position	Summary of decision requested
		<p>5. Management of flooding effects and the ability to avoid increasing natural hazard risk on other property.</p> <p>6. Adverse effects on the following, where present in adjacent fresh water bodies or the coastal marine area:</p> <p><u>7. Management and avoidance of adverse effects on Regionally Significant Infrastructure</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Delete the controlled activity rule.</p> <p>Alternatively add the amendments sought to the permitted rule also into the controlled activity rule.</p>
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	<p>Amend the rule to include the following matters of control:</p> <ul style="list-style-type: none"> <li>• Mahinga kai and access to mahinga kai</li> <li>• Indigenous biodiversity where it affects tangata whenua ability to carry out cultural and traditional activities,</li> <li>• Wāhi tapu,</li> <li>• Mapped Sites and Areas of Significance to Tangata Whenua.</li> </ul>
Top Energy	Amend	<p>Delete or,</p> <p>Provide new conditions to ensure threshold differs from permitted activity rule or,</p> <p>Delete all other provisions because the rule was only intended to apply to Flood Hazard Areas.</p>

### C.8.3.3

#### Earthworks – discretionary activity

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Amend rule C.8.3.3 so that it provides a pathway for 'earthworks' where it is undertaken in accordance with an industry Farm Environment Plan.
Far North District Council	Amend	Amend to ensure all earthworks applications should be required to consider cultural and heritage effects, not just effects IN the CMA or in freshwater bodies.
Far North District Council	Amend	Insert effects of mapped Acid Sulphate Soil Risk Areas as a matter of control.

Submitter	Position	Summary of decision requested
GBC Winstone	Amend	Amend as follows;  <i>Earthworks including quarrying that is not a controlled activity under rule C.8.3.2 ... "</i>
Landcorp Farming Limited	Support	Support conditional on change sought in relation to the ability to use site specific information from a Farm Environment Plan to determine the zoning and overlay applicable to a particular property being addressed.
Northland Fish and Game  Transpower	Support	Retain C.8.3.3 as notified.
Royal Forest and Bird Protection Society NZ	Amend	Add a condition that:  Where the activity is not associated with maintenance provided for under other rules the activity should not be undertaken within an area of significant indigenous vegetation or habitat. The same should ally to outstanding natural character, landscapes and features in the coastal environment.  Provide a non-complying rule where this condition is not met.  Add policy direction for the protection of significant indigenous vegetation and habitats, outstanding natural character, landscapes and features consistent with the RPS.

## C.8.4 Vegetation clearance

### General submissions on vegetation clearance

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Ensure that assessments of impacts address ecological and natural character values.
Beef and Lamb NZ	Amend	Include new rules which provide a pathway for 'vegetation clearance' where it is undertaken in accordance with an industry Farm Environment Plan, and which provides an alternative gateway to the 'vegetation clearance' rules.
Bream Bay Coastal Care Trust	Unclear	Opposes the clearance of any woody vegetation as a permitted activity in riparian areas
Cathcart B	Amend	Create a new section under C.8.4 relating specifically to the protection of 'gumland vegetation' and 'vegetation on ironstone soils'.

Submitter	Position	Summary of decision requested
Cathcart B	Support	Supports proposed vegetation clearance rules.
Foy F King K & F	Amend	Amend rule to ensure consistency with District Plan rules so that it is practical for farming and forestry activities
Horticulture New Zealand	Amend	Amend title of section to 'indigenous' vegetation clearance
Mentor A	Support	<p>The submitter supports restrictions on coastal and native vegetation clearance where significant loss of habitat may occur.</p> <p>Submitter states that they would support NRC and farmers fencing off bush areas to allow understory vegetation to grow and replace the mature trees that will eventually collapse.</p>
Minister of Conservation	Amend	<p>Add new rule:</p> <p><u>Clearance of vegetation in the coastal environment – restricted discretionary activity</u></p> <p><u>Vegetation clearance in the coastal environment that is not a:</u></p> <p><u>1) permitted activity under C.8.4.1 'Vegetation clearance and coastal dune restoration within the coastal hazard management area – permitted activity', or</u></p> <p><u>2) permitted activity under C.8.4.2 'Clearance of native woody vegetation – permitted activity'</u></p> <p><u>Is a restricted discretionary activity.</u></p> <p><u>Matters of discretion:</u></p> <p><u>1) The potential adverse effects on indigenous biological diversity that is described by policy 11 of the NZCPS.</u></p> <p><u>2) Impacts on natural character, landscapes and features</u></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Use rules in place of exemptions and only provide for activities as permitted where the effects are less than minor and able to be understood with certainty and/or provided for in a National Environmental Standard.</p> <p>Rules providing for clearance around structures should be based on the minimum amount of clearance necessary to maintain the structure. Current clearance footprints are excessive.</p> <p>Vegetation clearance within a significant ecological area or an outstanding freshwater body which is not provided for under another rule in the plan is a prohibited activity</p>

### C.8.4.1

Vegetation clearance and coastal dune restoration within the coastal hazard management area – permitted activity

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Amend to provide an alternative gateway to the vegetation clearance rule where 'vegetation clearance' is undertaken in accordance with an industry Farm Environment Plan
Far North District Council Northland Fish and Game Transpower	Support	Retain C.8.4.1 as notified.
First Gas Limited	Amend	Amend Rule 8.4.1:  <i>Vegetation clearance and coastal dune restoration in the coastal hazard management area is a permitted activity, provided:</i>  ...  <i><u>9) excluding where vegetation to be cleared is to provide for regionally significant infrastructure maintenance or operation.</u></i>
Hicks M	Amend	Amend C.8.4.1 (4) as follows:  <i><u>there is no disturbance of indigenous or migratory bird nesting sites, or habitat used for feeding or roosting, and</u></i>
LaBonte' A & R	Amend	Amend rule C.8.4.1 as follows:  <i><u>1) no native dune vegetation is removed or cleared, unless it is reinstated or replaced, and ...</u></i>  And for conditions (6) and (7) – Reduce the notice requirements from 10 working days to 5 working days.
Mangawhai Harbour Restoration Society Inc.	Amend	Revise C.8.4.1 as follows:  <i><u>(4) There is no disturbance of indigenous or migratory bird nesting sites between 1 September and 28 February (inclusive) to avoid disturbance of birds during breeding, roosting and nesting periods.</u></i>  And for conditions (6) and (7) – Reduce the notice requirements from 10 working days to 5 working days.

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Amend C.8.4.1 as follows:</p> <ul style="list-style-type: none"> <li>Clarify that the areas in 2) are per property</li> <li>Amend 1) <i>no native <del>dune</del> vegetation is removed or cleared, and</i></li> <li>Amend 2) <i>excluding coastal dune restoration, the <del>area of cleared vegetation</del> amount of land exposed by vegetation clearance at any time does not exceed 200 square metres in any 12-month period, and</i></li> <li>Add a new condition: <i>the vegetation clearance does not exacerbate pests or have adverse effects on native biodiversity</i></li> </ul>
Northland District Health Board	Amend	<p>Amend C.8.4.1 (8) (b) as follows :</p> <p><i>"the rendering of fresh water unsuitable for consumption by farm animals and source water for human consumption as per Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007, or"</i></p> <p>Add a new clause C.8.4.1 (9) as follows:</p> <p><i>(9) the operator of any registered drinking water supply are given at least five working days' notice (in writing or by email) of any earthworks activity being undertaken within a drinking water catchment</i></p>
Royal Forest and Bird Protection Society NZ	Amend	Vegetation clearance must not include clearance of significant indigenous vegetation or clearance in the habitats of significant indigenous species.
Ruakaka Parish Resident and Ratepayers Association	Amend	Clarify how the notification requirements under conditions 6 and 7 will be monitored.
Spark New Zealand Trading Ltd	Amend	Delete or amend C.8.4.1(5) to ensure the standard is clear and certain as to how compliance is achieved.
Top Energy	Amend	<p>Amend as follows:</p> <p><i>Vegetation clearance and coastal dune restoration in the coastal hazard management area is a permitted activity, provided:</i></p> <p>....</p> <p><i><u>The clearance of vegetation in the coastal hazard management area required to establish new, and maintain and replace existing electricity transmission infrastructure including access tracks is excluded from Rule C.8.4.2.</u></i></p>

Submitter	Position	Summary of decision requested
Whangarei District Council	Amend	Submitter supports intent of the rule but suggests that vegetation clearance and replanting should be restricted to the appropriate coastal planting season. Submitter also suggests a shorter timeframe than the proposed 3 months in Clause 3 is appropriate to provide for revegetation due to the risk of dune erosion in adverse weather events.

### C.8.4.2

#### Clearance of native woody vegetation – permitted activity

Submitter	Position	Summary of decision requested
Auckland Council	Amend	Amend threshold for clearance of native woody vegetation on highly erodible land, if the cleared area is not replanted with woody vegetation is amended from 5000m <sup>2</sup> to 200m <sup>2</sup> , consistent with the permitted threshold for clearance near freshwater bodies C.8.4.2(1)(a).
Auckland Council	Amend	Provide clarity between the relationship between 'highly erodible land' as defined in the plan and 'erosion prone land' in the Regional Policy Statement for Northland.
Bay of Islands Planning Limited Broadspectrum NZ Ltd. Carrington Resort Jade LP Fire and Emergency NZ Simpson A	Support	Retain C.8.4.2 as notified
Bay of Islands Maritime Park Inc	Amend	That the thresholds for native vegetation clearance be reduced to 200 sq. metres per 12 month period everywhere.
Beef and Lamb NZ	Amend	Amend rule C.8.4.2 so that it provides a pathway for vegetation clearance where it is undertaken in accordance with an industry Farm Environment Plan.
Far North District Council	Amend	Amend to include consideration of significant natural areas.
Federated Farmers	Amend	Include a definition for woody vegetation.

Submitter	Position	Summary of decision requested
First Gas Limited	Amend	<p>Amend Rule C.8.4.2:</p> <p><i>Vegetation clearance outside rivers, lakes, wetlands, the coastal hazard management area, and the coastal marine area is a permitted activity, provided:</i></p> <p>..</p> <p><u>6) excluding where vegetation to be cleared is to provide for regionally significant infrastructure maintenance or operation.</u></p>
GBC Winstone	Amend	<p>Amend heading as follows</p> <p><u>Vegetation Clearance outside rivers, lakes, wetlands, the coastal hazard management area, and the coastal marine area</u><del>of native woody vegetation</del> – permitted activity</p>
Horticulture New Zealand	Amend	<p>Amend rule as follows:</p> <p><i>C.8.4.2 Clearance of <u>indigenous</u> vegetation – permitted activity</i></p> <p><i><u>Indigenous</u> vegetation clearance outside rivers, lakes, wetlands, the coastal hazard management area, and the coastal marine area is a permitted activity, provided:</i></p> <p><i>1) the activity complies with the Horticulture New Zealand code of practice 'Erosion and Sediment Control Guidelines for Vegetable Production (June 2014), or</i></p> <p><i>2) the area of cleared vegetation does not exceed the following thresholds in any 12 month period:</i></p> <p><i>a) 200 square metres within <u>5</u> <del>10</del> metres of a natural wetland or the bed of a river or lake, or.....</i></p>
Hicks M	Amend	<p>Amend so that clearance of riparian vegetation alongside rivers; cliff tops subject to erosion; or public reserves has prohibited activity status, unless it involves exotic vegetation which should have discretionary activity status, provided the activity d does not lead to erosion along cliff tops or rivers.</p>
Landcorp Farming Limited	Amend	<p>Support, provided relief sought in relation to flexibility on the application of zoning and overlay provisions applying to an activity where more detailed information exists in a Farm Management Plan is addressed,</p> <p>OR</p> <p>the rule is amended to provide for clearance of vegetation in accordance with a Farm Environment Plan where one exists and explicitly provides for clearance.</p>

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Amend C.8.4.2 as follows:</p> <ul style="list-style-type: none"> <li>Amend the title to: <i>Clearance of <del>native</del> woody vegetation – permitted activity</i></li> <li>Clarify that the areas in 1) are per property</li> <li>Amend: <i>Vegetation clearance outside rivers, lakes, wetlands, the coastal hazard management area, and the coastal <del>marine area</del> environment is a permitted activity, provided:</i></li> <li>Amend 1): <ul style="list-style-type: none"> <li><i>a) 200 square metres within <del>2010</del> metres of a natural wetland or the bed of a river or lake, or</i></li> <li><i>b) <del>5000 square metres</del> five hectares on highly erodible land if the cleared area is replanted with woody vegetation within six months from completion of the clearance, or</i></li> <li><i>c) <del>5005000</del> square metres on highly erodible land if the cleared area is not replanted with woody vegetation, and</i></li> <li><i>d) 1000 square metres in any other location</i></li> <li><i>e) The vegetation does not meet the ecological significant criteria of Appendix 5, Regional Policy Statement for Northland.</i></li> <li><i>f) the vegetation clearance is not within an area of outstanding natural character, or an outstanding natural feature.</i></li> </ul> </li> </ul>
Miru M Tinopai RMU Limited	Amend	<p>Insert a new clause 6) <i>the activity does not occur within an Area of Significance</i></p>
Northland District Health Board	Amend	<p>Amend C.8.4.2 (5) (b) as follows :</p> <p><i>“the rendering of fresh water unsuitable for consumption by farm animals and source water for human consumption as per Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007, or”</i></p> <p>Add a new condition C.8.4.2 (6) as follows:</p> <p><i>(6) the operator of any registered drinking water supply are given at least five working days’ notice (in writing or by email) of any earthworks activity being undertaken within a drinking water catchment</i></p>
Northland Fish and Game	Amend	<p>Amend the rule as follows:</p> <p><i>Vegetation clearance outside rivers, lakes, wetlands, the coastal hazard management area, and the coastal marine area is a permitted activity, provided:</i></p>



Submitter	Position	Summary of decision requested
		<p>1) the area of cleared vegetation does not exceed the following thresholds in any 12 month period:</p> <p>...</p> <p>c) <del>5000</del>200 square metres on highly erodible land if the cleared area is not replanted with woody vegetation, and</p> <p>...</p>
Royal Forest and Bird Protection Society NZ	Amend	Delete this rule.
Te Roroa Development Group	Amend	Amend the activity status of vegetation clearance in rule C.8.4.3 from discretionary to non-complying or prohibited.
Top Energy	Amend	<p>Amend as follows:</p> <p><i>C.8.4.2 Clearance of native woody vegetation – permitted activity</i></p> <p><i>Vegetation clearance outside rivers, lakes, wetlands, the coastal hazard management area, and the coastal marine area is a permitted activity, provided:</i></p> <p><i><u>a) it is required to establish new, and maintain and replace existing electricity transmission infrastructure including access tracks.</u></i></p>
Transpower	Amend	<p>Retain C.8.4.2 subject to clarifying within the rule whether it is limited to native woody vegetation;</p> <p>AND</p> <p>Provide a permitted activity standard for vegetation removal on non-highly erodible land, or amend Discretionary Rule C.8.4.3 to exclude vegetation clearance on non-highly erodible land from being subject to the rule.</p>
Whangarei District Council	Amend	<p>Submitter considers that permitted activity thresholds are very high, with the potential for significant environmental degradation, particularly as the rules are not monitorable.</p> <p>There are no rules relating to clearance within outstanding and high character areas or significant ecological areas, nor are there limits on clearance over a time period or area to address cumulative effects. For areas that are not highly erodible there are no limits at all. There is also no requirement to replant native vegetation or to stabilize large clearance areas with replanting.</p>

### C.8.4.3

#### Vegetation clearance - discretionary activity

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Amend rule C.8.4.3 so that it provides a pathway for vegetation clearance where it is undertaken in accordance with an industry Farm Environment Plan.
Far North District Council	Amend	Amend to include consideration of significant natural areas.
First Gas Limited Landcorp Farming Limited	Support	Retain rule as notified.
Royal Forest and Bird Protection Society NZ	Amend	Add condition to exclude clearance of indigenous vegetation in significant ecological areas and outstanding freshwater bodies and the CMA.

### C.8.5 Bores

#### General submissions on bores

Submitter	Position	Summary of decision requested
New Zealand Geothermal Association	Amend	Insert a new restricted discretionary activity for drilling of bores (including but not limited to geothermal bores) within 100 metres of significant geothermal features (including all geothermal features within a mapped ONF), with effects on the feature one matter of discretion.
New Zealand Geothermal Association	Amend	Insert specific rules governing construction, alteration and decommissioning of bores intersecting geothermal water that require compliance with: <ul style="list-style-type: none"><li>• The Health and Safety Guidelines for Self-Management of Shallow Geothermal Bore Systems; and</li><li>• NZS 2403:2015 (for deep geothermal bores)</li></ul>
Whangarei District Council	Support	Submitter supports the requirement for bores to be constructed and maintained in accordance with the requirements set out in the New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411, 2001).

Submitter	Position	Summary of decision requested
Whangarei District Council	Amend	<p>Where bores are used for drinking water supply, WDC seeks that the rule framework for new or altered bores aligns with the requirements of the Drinking-water Standards for New Zealand 2005 (Revised 2008). As per 4.5.2.2 of the guidelines, the guidelines require the following bore water security criterion to be satisfied:</p> <ul style="list-style-type: none"> <li>• The bore head must be judged to provide satisfactory protection by a person recognised as an expert in the field.</li> <li>• The bore head must be sealed at the surface to prevent the ingress of surface water and contaminants, and the casing must not allow ingress of shallow groundwater.</li> <li>• Animals must be excluded from within 5 m of the bore head.</li> <li>• The bore construction must comply with the environmental standard for drilling soil and rock (NZS 4411, Standards New Zealand (2001)), including providing an effective backflow prevention mechanism, unless agreed by the DWA.</li> <li>• The supply's water safety plan must address contaminant sources and contaminant migration pathways. Potential sources of contamination such as septic tanks or other waste discharges must be situated sufficiently far from the bore so contamination of the groundwater cannot occur.</li> </ul> <p>Submitter seeks that these matters are adequately considered under the permitted activity conditions and under the scope of matters over which control is reserved.</p>

### C.8.5.1

Temporary bore for geotechnical or groundwater investigation, mineral exploration, or mineral extraction – permitted activity

Submitter	Position	Summary of decision requested
Balle Bros Group First Gas Limited KiwiRail Horticulture New Zealand Landcorp Farming Limited MLP LLC National Institute of Water and Atmospheric Research Limited	Support	Retain rule C.8.5.1 as notified.

Submitter	Position	Summary of decision requested
Northport Ltd Simpson A Waiaua Bay Farm Limited		
Heritage NZ	Amend	<p>That the Rule C.8.5.1 be retained but modified as follows:</p> <p><i>Temporary bore for geotechnical or groundwater investigation, mineral exploration, or mineral extraction – permitted activity</i></p> <p>.....</p> <p>7) <i>The records required under Section 4 of the New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411, 2001) and any groundwater quality records must be kept and forwarded to the regional council no later than one month after the bore is decommissioned.</i></p> <p>-</p> <p><u>8. the bore does not affect any Historic Heritage Site, Historic Heritage Area, or Site or Area of</u></p> <p><u>Significance to Tangata Whenua (refer I 'Maps'), and</u></p> <p>-</p> <p><u>9. the bore will not result in the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</u></p> <p><u>Note: work affecting archaeological sites is subject to an authority process under the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA"). If any activity associated with a project, such as earthworks, fencing, in-ground signage or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand Pouhere Taonga must be obtained for the work to proceed lawfully. The HNZPTA contains penalties for unauthorised site damage.</u></p> <p><u>Section 6 of the HNZPTA defines an archaeological site as:</u></p> <p>(a) <u>Any place in New Zealand, including any building or structure (or part of a building or structure), that – was associated with human activity that occurred before 1900 or is the site of the wreck of any</u></p> <p>(i) <u>vessel where the wreck occurred before 1900; and</u></p> <p>(ii) <u>provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand;</u></p> <p>(a) <u>includes a site for which a declaration is made under section 43(1) of the HNZPTA.</u></p>

Submitter	Position	Summary of decision requested
		<i>Nineteenth Century buildings and structures above and below ground are archaeological sites and may require an Authority depending upon the nature of the works proposed.</i>
Miru M Tinopai RMU Limited	Amend	Amend so that if the activity is occurring within an Area of Significance, then tangata whenua are also given at least 10 days notice.  Insert a new clause 8) reading <u>the activity does not occur within an Area of Significance</u>
The oil companies	Amend	Make the following amendments to rule C.8.5.1;  <i>The construction or alteration of a bore for geotechnical or groundwater investigation, mineral exploration, or mineral extraction is a permitted activity provided:</i>  <del>1) the bore is not constructed in contaminated land; and</del>  .....
Whangarei District Council	Support	Submitter supports the requirement for permitted activity standards for temporary bores to be constructed and maintained in accordance with New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411, 2001).

### C.8.5.2

#### Alteration or decommissioning of a bore – permitted activity

Submitter	Position	Summary of decision requested
Balle Bros Group	Amend	Support rule but requests that clause 1 is amended to read:  <i>1) any alteration does <del>does</del> not change the depth of the bore, and</i>
Horticulture New Zealand Landcorp Farming Limited MLP LLC National Institute of Water and Atmospheric Research Limited Refining New Zealand	Support	Retain rule C.8.5.2 as notified.

Submitter	Position	Summary of decision requested
Simpson A The oil companies Waiaua Bay Farm Limited		
Miru M Tinopai RMU Limited	Amend	Amend clause 3) so that if the activity is occurring within an Area of Significance, tangata whenua are also given 10 days notification.
Northland District Health Board	Amend	Insert a new clause C.8.5.2 (4) – <i><u>“all water takes for the purpose of human consumption are given at least ten working days’ notice (in writing or by email) of any alteration being undertaken of the concerned bore”</u></i>

### C.8.5.3

#### Construction or alteration of a bore – controlled activity

Submitter	Position	Summary of decision requested
Balle Bros Group Landcorp Farming Limited Horticulture New Zealand MLP LLC National Institute of Water and Atmospheric Research Limited NZ Pork Industry Board Refining New Zealand The oil companies Waiaua Bay Farm Limited	Support	Retain rule C.8.5.3 as notified.
Heritage NZ	Amend	That the Rule C.8.5.3 be retained but modified as follows:  <i>Construction or alteration of a bore – controlled activity is a controlled activity, provided the bore is constructed and maintained in accordance with the requirements set out in</i>

Submitter	Position	Summary of decision requested
		<p><i>the New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411, 2001), the bore does not affect any Historic Heritage Site, Historic Heritage Area, or Sites or Areas of Significance to Tangata Whenua (refer I 'Maps'), and/or will not result in</i></p> <p><i>the modification or destruction of historic heritage that has not yet been assessed for significance and any adverse effects can be appropriately avoided or mitigated.</i></p> <p>....</p> <p><i>Matters of control:</i></p> <p>8) <i>Adverse effects on the following where present in adjacent fresh water bodies or the coastal marine area:</i></p> <p>c) <i>wāhi tapu and:</i></p> <p>d) <i>Mapped Sites and Areas of Significance to Tangata Whenua (refer I 'Maps').</i></p>
Hicks M	Amend	Unclear what submitter is requesting. Inferred that submitter wants the Plan to take a more restrictive approach to this activity.
Minister of Conservation	Amend	<p>Amend C.8.5.3 as follows:</p> <ul style="list-style-type: none"> <li>• Include a matter of control: 7) <i>Effects on and distance from any wetland.</i></li> </ul>
Northland District Health Board	Amend	<p>Add a new C.8.5.3 matter of control:</p> <p><i>"(7) if the water take is for the purpose of human consumption a separation distance to waste water disposal should be maintained as per Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007"</i></p>
Northland Fish and Game Royal Forest and Bird Protection Society NZ	Amend	Exclude bores from within or adjacent to wetlands.
Patuharakeke Te Iwi Trust Board Inc Tautari R	Support	Retain matter of control: 5) <i>Effects on tangata whenua and their taonga</i>

#### C.8.5.4

Construction, alteration, and decommissioning of a bore that is not a permitted or controlled activity – discretionary activity

Submitter	Position	Summary of decision requested
Balle Bros Group Horticulture New Zealand	Support	Retain C.8.5.4 as notified.

### C.8.6 Re-building

#### *General submissions on re-building*

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	The inclusion of discretionary and non-complying activity rules on the construction of new buildings and structures in high risk coastal or flood hazard areas.
King K & F Foy F	Amend	Opposes a non-complying status and the rule generally. There needs to be alignment with FNDC hazard rules

#### C.8.6.1

Re-building of materially damaged or destroyed buildings – restricted discretionary activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Consider delegating to district councils as a building control authority.
Fire and Emergency NZ	Support	Retain Rule C.8.6.1 as notified.
Whangarei District Council	Amend	<p>Submitter considers that matters of discretion do not give effect to the higher order Policy D.6.3, or the objectives and policies of the RPS which seek to reduce hazard risk.</p> <p>Submitter suggests an amendment to the matters of discretion as follows or alternative wording that provides for the matters below:</p> <p>a) The scale, bulk, location and form of the building;</p>



Submitter	Position	Summary of decision requested
		<p>b) The risk of adverse effects on people, property and the environment including risk to public health and safety and any cumulative effects;</p> <p>c) Any exacerbation of the coastal hazard or creation of a new hazard as a result of the building</p> <p>d) The extent to which sea-level rise has been taken into account in the location and design of the proposed building;</p> <p>e) the degree to which the building is likely to be subject to damage from erosion and/or inundation including the risk of material damage.</p>

### C.8.6.2

Re-building of materially damaged or destroyed buildings – non-complying activity

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Consider delegating to district councils as a building control authority
Fire and Emergency NZ Kaipara District Council Whangarei District Council	Support	Retain Rule C.8.6.2 as notified.

# D Policies

## General submissions on policies

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Include policies addressing the preservation of natural character and the Regional Council's role in protecting marine ecosystems from the adverse effects of fishing activities.
Bay of Islands Maritime Park Inc	Amend	<p>Include natural hazard policies on:</p> <ul style="list-style-type: none"> <li>• managed retreat in high-risk locations;</li> <li>• clarification that "soft-defences" should be tried first;</li> <li>• a requirement for an applicant to demonstrate that a "hard-defence" project will work in the long-term.</li> </ul>
Dairy NZ	Amend	Include explanations for each policy in the plan.
Federated Farmers	Amend	<p>Include the following new policy:</p> <p><u>The level of priority to apply during water shortage conditions, in descending level of importance, is as follows:</u></p> <p><u>i) Priority A activities: takes which have a zero-net take.</u></p> <p><u>ii) Priority B activities: takes for animal welfare and sanitation (including shed wash down and milk cooling), takes for perishable food processing and takes associated with electricity generation.</u></p> <p><u>iii) Priority C activities: All other takes.</u></p>
Federated Farmers	Amend	include a new policy that identifies conditions where water use reduction or cessation occurs depending on water use priority.
Fonterra	Amend	<p>In relation to the Policies in the Proposed Plan, Fonterra seeks that:</p> <ul style="list-style-type: none"> <li>• the policies are amended and expanded (and new policies to be included where necessary) to address and reflect all amendments and additions to the objectives in the Proposed Plan;</li> <li>• additional policies are included on the Region's resource management issues, including to provide for rules and guide decision making; and</li> <li>• the policies are amended to give effect to the relevant higher order planning documents.</li> </ul>
Foy F	Amend	Natural Hazards policies need to give more weighting to landholders protecting their land and buildings
Hicks M	Amend	<p>Amend policies to:</p> <ul style="list-style-type: none"> <li>• take a more restrictive approach to water takes,</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>introduce a test for a proposed water takes to satisfy that the water use activity presents a viable long term operation, and</li> <li>acknowledge Maori water rights so that water take proposal such as the Zodiac Holdings Ltd permit at Poroti Springs, cannot get approval without greater tangata whenua agreement.</li> </ul>
Hicks M	Amend	Amend to introduce a test for a proposed water takes to satisfy that the water use activity presents a viable long term operation.
Minister of Conservation	Amend	<p>Include a new policy:</p> <p><i><u>Avoid adverse effects of subdivision use, and development on the characteristics and qualities that contribute to the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes in the coastal environment.</u></i></p> <p><i><u>In all other areas of the coastal environment, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes</u></i></p>
Minister of Conservation	Amend	<p>Include a new policy:</p> <p><i><u>Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and outstanding natural landscapes and the natural character of freshwater bodies</u></i></p>
Minister of Conservation	Amend	<p>Include Policy 4.4.1 from the RPS - Maintaining and protecting significant ecological areas and habitats as a policy in this plan</p> <p>OR</p> <p>Insert a new policy that addresses Section 6(c) and Policy 11 NZCPS, allows the Plan to give effect to the NZCPS and RPS, and provide appropriate decision-making criteria.</p>
Minister of Conservation	Amend	<p>Add a new policy such as:</p> <p><i><u>Prevent the establishment and avoid the spread of pest species that threaten indigenous biodiversity, including kauri dieback.</u></i></p>
New Zealand Geothermal Association	Amend	Insert new policy indicating an enabling approach to small scale takes of heat from shallow underground formations.
New Zealand Transport Agency	Amend	Additional policies are sought, including those supporting and enabling regionally significant infrastructure.

Submitter	Position	Summary of decision requested
Robinia Investments Limited	Amend	Insert a new policy addressing the value of tourism to the Northland Region economy.
Royal Forest and Bird Protection Society NZ	Amend	<p>Add new policies for:</p> <ul style="list-style-type: none"> <li>• The identification of significant indigenous biodiversity.</li> <li>• The protection of significant biodiversity</li> <li>• The maintenance of indigenous biodiversity</li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	Include policies and rules to control the effects of fishing on the values of significant ecological areas.
Tautari R	Amend	Include a policy that acknowledges the potentially adverse effects of marinas and requiring that such effects are avoided.
The oil companies	Amend	<p>Introduce a new policy into Section D.4 to provide guidance when assessing applications for passive discharge consents to encourage management to occur, to recognise the circumstances in which it can be ceased , to allow contaminants to remain in the ground if discharges of contaminants extend beyond the site to air, water or land will not result in significant risk to human health or the environment and to manage discharges to ensure that adverse effects beyond the site boundary on people's health or safety, on human or stock water supplies, or on surface water are avoided, remedied or mitigated. The Oil Companies consider that suitable policy should be included along the following lines:</p> <p><u>1. Where land has been identified as being contaminated, contaminants are allowed to remain in the ground if discharges of contaminants beyond the site to air, water or land will not result in significant risk to human health or the environment.</u></p> <p><u>2. Any discharges of hazardous substances from contaminated land are managed to ensure that adverse effects beyond the site boundary on people's health or safety, on human or stock water supplies, or on surface water are avoided, remedied or mitigated.</u></p> <p><u>3. Active management of and/or monitoring of contaminants within the ground can be ceased once the adverse effects have stabilised and /or there is a reducing plume of contaminants.</u></p> <p><u>4. Use good management practice to identify, record and manage contaminated land, including details of land containing elevated levels of contaminants in a public register.</u></p>
Top Energy	Amend	Amend to include new policies that give effect to the NZCPS and the Northland RPS: in particular that manage infrastructure in the CMA, are enabling of regionally

Submitter	Position	Summary of decision requested
		significant infrastructure and give effect to any new/revised objectives. Also include a policy framework that provides clear direction on the effects to be addressed or mitigation measures to be considered rather than including standards to be met.
Straterra	Amend	In our submission on the Draft Regional Plan, Straterra opposed the use of 'avoid' policies in relation to landscapes. It now appears that the section from the Draft Regional Plan "D.2.4 Managing adverse effects on outstanding natural landscapes, outstanding natural features, outstanding natural character and high natural character" has no equivalent section in the current Proposed Regional Plan, i.e. it appears to have been deleted. In the case that Straterra is mistaken, we affirm our concern about the blunt 'avoid' policy originally proposed in the Draft Regional Plan.
Waiaua Bay Farm Limited	Amend	Amend policies to support the definition and rule changes requested by the submitter and to address the concerns it raised.

# D.1 Tangata whenua

## General submissions on tangata whenua policies

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	<p>Insert new policy:</p> <p><u>D.1.6. Mechanism by which Sites, Areas and Landscapes of Significance to Tangata Whenua may be added to the Plan.</u></p> <p><u>Sites, Areas and Landscapes of Significance to Tangata Whenua shall only be added to Maps in the Regional Plan (refer I Maps) in accordance with the following procedure:</u></p> <p><u>1) Any hapu or iwi, or iwi authority, may apply at any time to Council to include Sites, Areas and/or Landscapes of Significance to Tangata Whenua in Regional Plan Maps.</u></p> <p><u>2) The inclusion by Council of such Sites, Areas and/or Landscapes of Significance to Tangata Whenua in Regional Plan Maps shall be treated as a Plan Change pursuant to Section 65 of the RMA.</u></p>
CEP Services	Amend	Expand this policy to apply to Places of Significance to Tangata Whenua on land.
Kaipara District Council	Amend	Clarify application of policies in D.1.
Ngati Ruamahue of Whangaroa	Unclear	That all notified and non-notified activities proposed by NRC within Ngati Ruamahue of Whangaroa area's of interest are, in the first instance, consulted in a timely manner with the Wainui marae kōmiti, and environmental protection team.
Ngati Ruamahue of Whangaroa	Unclear	Furthermore we submit that our entire area of interest (as outlined in the map), is of significance to us.
Norris M	Amend	Review and amend all Tangata whenua values and policies to maintain the meaning of Rangatiratanga.
Whangarei District Council	Amend	Submitter raises concerns that the policies under D.1 are effectively information requirements to support a resource consent application, and are not policies. The policy does not outline how differing views will be reconciled as part of an overall assessment of effects.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

## D.1.1

When an analysis of effects on tangata whenua and their taonga is required

Submitter	Position	Summary of decision requested
Balle Bros Ltd Far North District Council Hetaraka M Refining New Zealand	Support	Retain Policy D.1.1 as notified .
Brownlie A Knausenberger E	Amend	Supports D1.1(4) but would like to see it strengthened by: <ul style="list-style-type: none"> <li>making reference to the RPS (where GE/GMOs is identified as an issue of significance to tangata whenua), and</li> <li>that it is the risk of GMO's on indigenous biodiversity that is a particular concern to Maori.</li> </ul>
GE Free Northland	Amend	Supports D1.1(4) but would like to see it strengthened by making reference to the RPS and that GMOs are an issue of significance to tangata whenua.
Haititaimarangai Marae 339 Trust	Amend	<p>Amend the policy as follows or wording to similar effect:</p> <p><i>A resource consent application must include in its assessment of environmental effects an analysis of the effects of any activity on <u>the relationship of Māori and their culture and traditions on the their ancestral lands, water, sites, wāhi tapu and other taonga tangata whenua and their taonga</u> if one or more of the following is likely:</i></p> <p><i>1) adverse effects on mahinga kai and access to mahinga kai, or</i></p> <p><i>2) any <u>alteration to or damage, destruction and loss of access to any wāhi tapu, sites of customary value and other ancestral sites and taonga which Māori have a special relationship with, or</u></i></p> <p><i>...</i></p> <p><i>7) adverse effects on Sites and Areas of Significance to Tangata Whenua mapped in the Regional Plan (refer I 'Maps'), <u>or</u></i></p> <p><i>8) <u>Adverse effects from the take and use of water on the ability of tangata whenua to carry out traditional cultural activities including mahinga kai, kai moana gathering, cleansing and baptism.</u></i></p> <p>Ensure that any additional clarification necessary and currently included as footnotes be included in the definitions of the defined terms instead of as additional information through footnotes.</p>

Submitter	Position	Summary of decision requested
Haitaitamarangai Marae 339 Trust	Amend	Amend that policy to ensure that the potential adverse effects on Māori traditional and cultural activities and relationships, particularly those affected by the take and use of water, are addressed.
New Zealand Transport Agency	Amend	D.1.1 sets out information requirements for consent applications and should be moved to Part G (Administrative Matters) of the Plan.
Patuharakeke Te Iwi Trust Board Inc	Unclear	Submitter states that the Policy is worded more like a set of information requirements.  States that it is not clear when this policy will be used and that it needs to be made clear in the policy or as a note.
Tautari R	Amend	Unclear what submitter is requesting, but assume that a note should be included under D.1.1 that states that an assessment is required for significant tangata whenua values and is case-by-case for all others.
Te Hiku Iwi Collective	Amend	Include provisions for the assessment of iwi economic interests.
Te Rarawa Anga Mua	Support	Retain D.1.1 as notified, subject to inclusion of provision for the assessment of iwi economic interests.
The oil companies	Amend	Relocate Policie D.1.1 to the information requirements section of the Plan, while retaining their intent, except to the extent that they are amended to ensure that they: <ul style="list-style-type: none"> <li>• require adverse effects of an activity to be addressed;</li> <li>• require any listed matters to be addressed only where relevant and then in sufficient detail to satisfy the purpose for which it is required;</li> <li>• remove the implication that consultation is required;</li> <li>• delete the requirement to “follow best practice”; and</li> <li>• delete the requirement to “specify the tangata whenua entity on whose behalf the assessment is being made.</li> </ul>
Transpower	Amend	Amend D.1.1 as follows:  <del>A resource consent application must include in its assessment of environmental effects an analysis of the</del> <i>Consider the effects of an activity on tangata whenua and their taonga(1) if one or more of the following is likely:</i>  <i>1) <u>significant</u> adverse effects on mahinga kai(2) and access to mahinga kai(3), or</i>  <i>...</i>  <i>7) adverse effects on <u>identified</u> Sites and Areas of Significance to Tangata Whenua mapped in the Regional Plan (refer 'Maps').</i>



Submitter	Position	Summary of decision requested
Whangarei District Council	Amend	Redraft this provision specifically as a policy and ensure that it has a relationship to the specific resources, activities or areas that are included in clauses 1-7. Ensure effects on tangata whenua and their taonga are included as matters of control or matters of discretion for the relevant activities in the Plan.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

### D.1.2

#### Requirements of an analysis of effects on tangata whenua and their taonga

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend policy as follows: ... 2) have regard to (but not be limited to): a) any relevant planning document <del>recognised by an iwi authority (lodged with the council)</del> , and .... 3) follow best practice <u>as defined in [provide a reference to what 'best practice' is]</u> , and ....
Balle Bros Group Far North District Council Hetaraka M	Support	Retain policy as notified.
Haititaimarangai Marae 339 Trust	Amend	Amend the policy as follows:  <u>An analysis of the effects of an activity on the relationship of Māori and their culture and traditions on the their ancestral lands, water, sites, wāhi tapu and other taongatangata whenua and their taonga in a resource consent application must...</u>
Horticulture New Zealand	Amend	Delete clause 2)a)

Submitter	Position	Summary of decision requested
Horticulture New Zealand	Amend	Amend clause 2) to read <i>where appropriate have regard to the following...</i>
Miru M Tinopai RMU Limited	Amend	Amend the policy to include a new clause 11 and 12, reading:  11) <i>the analysis is carried out by Tangata whenua responsible in the Rohe, and</i>  12) <i>the reasonable costs of the kaitiaki engagement is payable by the applicant.</i>
Miru M Tinopai RMU Limited	Amend	Delete clause 4) as tangata whenua should complete the analysis.
New Zealand Transport Agency	Amend	D.1.2 sets out information requirements for consent applications and should be moved to Part G of the Plan.
Tautari R	Amend	Amend policy D.1.2 to require all resource consent applications to include an assessment of effects on tangata whenua and their taonga. However, if Council decided to proceed with D.1.2 as proposed it should be amended to specify that only mana whenua can identify effects on their cultural values and an effective assessment must be undertaken by them or their mandated/approved delegate. Also, clarify how an assessment would be done if there is more than one entity.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Amend policy D.1.2 as follows:  <i>An analysis of effects of an activity on tangata whenua and their taonga in a resource consent application must:</i>  1) <i>include such detail as corresponds with the scale and significance of the effects that the activity may have on tangata whenua and their taonga, and</i>  2) <i>have regard to (but not be limited to):</i>  <i>a) any relevant planning document recognised by an iwi authority (lodged with the council), and</i>  <i>b) the outcomes of any consultation with tangata whenua with respect to the consent application provide evidence of engagement with tangata whenua and the outcomes of the engagement with respect to the consent application, and</i>  <i>c) statutory acknowledgements in Treaty Settlement legislation, and</i>  3) <i>follow best practice [if mentioned shouldn't it have a link/reference to provide example/s of what is considered best practice - noting that in s32 states "there is no currently accepted best practice for the type of analysis required"], and</i>

Submitter	Position	Summary of decision requested
		<p>4) <i>specify the tangata whenua community on whose behalf the assessment is being made, <u>and provide evidence of mandate from that community</u>, and</i></p> <p>5) <i>be evidence-based, and</i></p> <p>6) <i>incorporate, where appropriate, mātauranga Māori, and</i></p> <p>7) <i>identify and describe all the cultural resources and activities that may be affected by the activity, and</i></p> <p>8) <i>identify and describe the adverse effects of the activity on the cultural resources and cultural practices (including the effects on the mauri of the cultural resources, the cultural practices affected, how they are affected, and the extent of the effects), and</i></p> <p>9) <i>identify, where possible, how to avoid, remedy or mitigate the cultural effects of the activity that are more than minor, and</i></p> <p>10) <i>include any other relevant information.</i></p>
Te Hiku Iwi Collective	Amend	<p>Include provisions for the assessment of iwi economic interests.</p> <p>Include a footnote on the term tangata whenua with the reference 'tangata whenua through their iwi authorities'.</p>
Te Rarawa Anga Mua	Support	<p>Retain D.1.2 as notified, subject to:</p> <ul style="list-style-type: none"> <li>• inclusion of provision for the assessment of iwi economic interests.</li> <li>• include a footnote on the term tangata whenua with the reference: 'tangata whenua through their iwi authorities'</li> </ul>
Top Energy	Amend	<p>Delete the Policy or include the following assessment matter in relevant rules:</p> <p><u>The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:</u></p> <p><u>(1) the extent to which the proposal:</u></p> <p><u>(a) provides for the relationship of the site or place with Mana Whenua in the context of local history and whakapapa, if appropriate, through:</u></p> <p><u>(i) the design and location of proposed structures;</u></p> <p><u>(ii) landscaping and vegetation including removal and replanting; and</u></p> <p><u>(iii) landform and modification.</u></p> <p><u>(b) recognises the benefits derived from the upgrading of existing infrastructure to the community and the functional and operational needs of the network.</u></p>

Submitter	Position	Summary of decision requested
		<i>(c) considers the appropriate location of temporary activities to avoid, remedy or mitigate adverse effects on values and associations of Mana Whenua with the site or place.</i>
The oil companies	Amend	<p>Relocate Policie D.1.1 to the information requirements section of the Plan, while retaining their intent, except to the extent that they are amended to ensure that they:</p> <ul style="list-style-type: none"> <li>• require adverse effects of an activity to be addressed;</li> <li>• require any listed matters to be addressed only where relevant and then in sufficient detail to satisfy the purpose for which it is required;</li> <li>• remove the implication that consultation is required;</li> <li>• delete the requirement to “follow best practice”; and</li> <li>• delete the requirement to “specify the tangata whenua entity on whose behalf the assessment is being made.</li> </ul> <p>this could be achieved by amending as follows,</p> <p><b><i>D.1.2 Requirements of an analysis of effects on tangata whenua and their taonga</i></b></p> <p><i>An analysis of the effects of activities on tangata whenua and their taonga in a resource consent application must:</i></p> <p><i>1) include such detail as corresponds with the scale and significance of the effects that the activity may have on tangata whenua and their taonga, and</i></p> <p><i>2) have regard to (but not limited to):</i></p> <p><i>a. any relevant planning document recognised by an iwi authority (lodged with the council), and</i></p> <p><i>b. the outcomes of any consultation, <u>If any</u>, with tangata whenua with respect to the consent application, and</i></p> <p><i>c. statutory acknowledgements in Treaty Settlement legislation, and</i></p> <p><del><i>3) follow best practice, and</i></del></p> <p><del><i>4) specify the tangata whenua entity on whose behalf the assessment is being made, and</i></del></p> <p><i>5) be evidence based, and</i></p> <p><i>6) incorporate, where appropriate, mātauranga Māori, and</i></p> <p><i>7) identify and describe all the cultural resources and activities that may be <u>adversely</u> affected by the activity, and</i></p> <p><i>8) identify and describe the adverse effects of the activity on the cultural resources and</i></p> <p><i>cultural practices (including the effects on the mauri of the cultural resources, the cultural practices affected, how they are affected, and the extent of the effects), and</i></p>

Submitter	Position	Summary of decision requested
		<p>9) identify, where possible, how to avoid, remedy or mitigate the cultural effects of the activity that are more than minor, and</p> <p>10) include any other relevant information.</p>
Transpower	Amend	Delete D.1.2 and instead insert as an information requirement (if the requirement is to be retained by Council).
Whangarei District Council	Unclear	Unclear but infers that submitter wants the policy taken out of the plan when supported by up to date and easy to access information to enable applicants to engage early and effectively with tangata whenua.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

### D.1.3

#### Affected parties

Submitter	Position	Summary of decision requested
Balle Bros Group Far North District Council Hetaraka M	Support	Retain policy as notified.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan so that activities involving water takes, discharges to water, damming and diversion of water bodies, and activities in the CMA on the Karikari Peninsula, Te Whānau Moana and Te Rorohuri hapū are identified in the table as potentially affected persons.
New Zealand Transport Agency	Amend	Unclear, but infer it is to remove D.1.3 as a policy and move to a Part G of the Plan as an advisory provision.
Patuharakeke Te Iwi Trust Board Inc Tautari R	Amend	Amend the policy so that it references the notification requirements under the MACA Takutai Moana Act.

Submitter	Position	Summary of decision requested
Te Hiku Iwi Collective	Amend	Include a footnote on the term tangata whenua with the reference 'tangata whenua through their iwi authorities'.
The oil companies	Amend	Delete or make the following amendments to D.1.3;  <i>The following <del>persons parties must</del> may be considered an affected <del>person party</del> with regard to notification where the adverse effects on the following resources and activities are minor or more than minor:</i>
Transpower	Amend	Delete D.1.3. If it is to be retained, it is sought that the provisions be inserted as a method.
Whangarei District Council	Unclear	Submitter suggests this policy will operate as a rule and as such may need to be supported by a general rule such as:  <i><u>An application for resource consent for a restricted discretionary, discretionary or noncomplying activity is subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991, unless otherwise specified by a rule applying to the particular activity.</u></i>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendment sought.

#### D.1.4

##### Managing effects on Places of Significance to Tangata Whenua

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend the policy as follows:  <i>'Resource consent for any activity may only be granted if the <u>net</u> adverse effects from the activity on the values of Places of Significance to Tangata Whenua in the coastal marine area and water bodies are avoided, remedied or mitigated so they are <del>no more than minor</del> <u>to moderate</u>'.</i>
Balle Bros Group Far North District Council Haititaimarangai Marae 339 Trust	Support	Retain policy as notified.

Submitter	Position	Summary of decision requested
Tautari R Patuharakeke Te Iwi Trust Board Inc		
Kaipara District Council	Amend	Clarify how D.1.4 is applied and the threshold for declining a resource consent.
New Zealand Transport Agency	Support	Retain the intent of D.1.4
Te Rarawa Anga Mua Te Hiku Iwi Collective	Amend	Expand D.1.4 to apply to land and air.
The oil companies	Amend	Delete or make the following amendments to D.1.4;  <del>Resource consent for an activity may only be granted if</del> <u>Avoid, remedy or mitigate</u> the adverse effects from the activity on the values of Places of Significance to Tangata Whenua in the coastal marine area and water bodies <u>are avoided, remedied or mitigated</u> so they are no more than minor.
Transpower	Amend	Amend D.1.4 as follows:  <del>Resource consent for an activity may only be granted if</del> <u>the Significant</u> adverse effects from the activity on the values of Places of Significance to Tangata Whenua in the coastal marine area and water bodies are avoided, remedied or mitigated so they are no more than minor.
Whangarei District Council	Unclear	Clarification sought that policy may be contrary to the decision making threshold set out under the Act. Further clarity around the application of this policy is required, and the threshold which would be applied for declining a resource consent as part of an overall assessment (which may include consideration of positive effects, and weighting of both qualitative and quantitative data).  Guidance is sought on how these views will be reconciled under this policy under the RMA decision making framework.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

## D.1.5

### Places of Significance to Tangata Whenua

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend wording as follows:  <i>2) is either</i>  <i>a) a Site or Area of Significance to Tangata Whenua, which is a single resource or set of resources identified, described and <u>mapped in the Regional Plan (refer I Maps)</u> contained in a mapped location, or</i>  <i>b) a Landscape of Significance to Tangata Whenua which is a collection of related resources identified and described and mapped in the Regional Plan (refer I Maps) <del>within a mapped area....</del></i>
Balle Bros Group Far North District Council Hetaraka M The oil companies	Support	Retain policy as notified.
Haititaimarangi Marae 339 Trust	Amend	Amend Clause 3) by replacing the word "attributes" with "values", and ensure the policy provides for the requirements of sections 6(e) and 7(a) of the RMA.
King K & F Foy F	Amend	Provide tighter criteria to ensure all sites are not identified as significant
New Zealand Transport Agency	Amend	Remove D.1.5 and add as a definition.
Patuharakeke Te Iwi Trust Board Inc	Amend	Amend wording as follows:  <i>For the purposes of this plan, a Place of Significance to Tangata Whenua in the coastal marine area or a water body:</i>  <i>1) is:</i>  <i>a) a historic heritage resource, or</i>  <i>b) ancestral land, water, site, wāhi tapu, or other taonga, and</i>  <i>2) is either:</i>



Submitter	Position	Summary of decision requested
		<p>a) a Site or Area of Significance to Tangata Whenua, which is a single resource or set of resources identified, described and contained in a mapped location, or</p> <p>b) a Landscape of Significance to Tangata Whenua, which is a collection of related resources identified and described within a mapped area, with the relationship between those component resources identified.</p> <p><u>The council will work with Tangata Whenua to develop a methodology for identifying, researching and assessing unscheduled places of significance to Tangata Whenua that will be nominated for scheduling and/or mapping. The Council will schedule and/or map Tangata Whenua cultural heritage where it has been identified by Tangata Whenua as being of significance to Tangata Whenua.</u></p> <p><u>Tangata whenua may require information on places of significance to not be made public. Sensitive information may be held in a silent file which is not publicly</u></p> <p><u>available, but can trigger a consent requirement, or held by Tangata Whenua. Council will hold sufficient information to indicate that an area is of significance, and</u></p> <p><u>consultation will be undertaken directly with Tangata Whenua for details.</u></p>
Tautari R	Amend	Amend the policy to include a directive that it is about protecting places of significance to tangata whenua from adverse effects and include a clear statement on who decides if the criteria in the policy are met.
Te Hiku Iwi Collective	Amend	Amend policy to apply to land and air.
Te Rarawa Anga Mua	Amend	<p>Expand D.1.5 to apply to land and air.</p> <p>Clarify the definition of 'mapped' clause 2)a) and b)) means an area defined by tangata whenua and evidence is held by the tangata whenua/entity, which may or may not be held by Council.</p>
Top Energy	Amend	Map all sites in the plan.
Whangarei District Council	Unclear	Submitter states that the policy appears to be a definition of a "place of significance to tangata whenua in the coastal marine area or a water body" and is not a policy. This policy seems to include an outline of the process and evidence required to have scheduled the Place of Significance rather than provide any directive.

Submitter	Position	Summary of decision requested
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Unclear	No specific amendments sought

## D.2 General

### General submissions on general policies

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	That policies 1 to 27, inclusive, of the Coastal Policy Statement 2010 in full in section D of the proposed Plan.
CEP Services Matauwhi Limited	Amend	That policies from national policy statements that relate to the resource management matters covered by the proposed Plan are included, in full.
CEP Services Matauwhi Limited	Amend	The inclusion of a policy, or policies, stating that in addition to consideration of all relevant policies in national policy statements, all the relevant policies from the Regional Policy Statement are to be considered when implementing the proposed Plan, including when making decisions on resource consent applications under the proposed Plan.
CEP Services Matauwhi Limited	Amend	Insert a further policy in section D, Policies, of the proposed Plan that sets out that an activity in the vicinity of an historic heritage area or site shall only be approved if the historic heritage values are protected.
Fonterra	Amend	<p>Insert a New Policy as follows:</p> <p><u>D.2.X Adaptive management</u></p> <p><u>When considering resource consent applications, recognise that an adaptive management approach may be appropriate where:</u></p> <p><u>1) there is an adequate baseline of information on the receiving environment,</u></p> <p><u>2) conditions can provide for effective monitoring of adverse effects,</u></p> <p><u>3) thresholds can be set to trigger remedial action before adverse effects become significant, and</u></p> <p><u>4) potential adverse effects can be remedied before they become irreversible.</u></p>
Horticulture New Zealand	Amend	<p>Insert the following new Policy:</p> <p><u>When assessing resource consent applications or complaints about permitted activities being noxious, 'dangerous', 'offensive', or 'objectionable' the following factors will be taken into consideration:</u></p> <p><u>i) The extent to which a discharge is likely to cause adverse physical health effects, or significant adverse effects on the environment (e.g. on plant and animal life)</u></p>

Submitter	Position	Summary of decision requested
		<p><i>(ii) The location of the activity and sensitivity of the receiving environment – For example, what may be considered offensive or objectionable in an urban area, may not necessarily be considered offensive or objectionable in a rural area.</i></p> <p><i>(iii) Reasonableness - Whether or not an activity is offensive or objectionable should be determined by an ordinary person who is representative of the community at large and neither hypersensitive nor insensitive, in deciding whether the activity is disgusting, nauseous, repulsive or otherwise objectionable.</i></p> <p><i>(iv) Existing uses - It is important to consider what lawfully established activities exist in an area, i.e. if a new activity requires a permit, the effect of existing discharges of contaminants into air should be considered.</i></p> <p><i>The MfE Guidelines for Managing odour may be used in assessing cases, based on the FIDOL factors- frequency, intensity, duration, offensiveness, location.</i></p>
Mataka Residents Association  Paroa Bay Station  Robinia Investments Limited	Amend	Insert a new policy addressing the value of tourism to the Northland Region economy.
New Zealand Geothermal Association	Amend	<p>Insert a new policy providing that activities should avoid effects on the characteristics of geothermal features that make them significant, and if avoidance is not</p> <p>practicable, any unavoidable effects should be offset by greater protection and/or enhancement of other significant geothermal features in the Region.</p>
Refining New Zealand	Amend	<p>Insert new policy D.2.9 as follows:</p> <p><u>D.2.9 Recognising and providing for Regionally Significant Infrastructure</u></p> <p><u>1) When considering resource consents, regard must be had to the importance and significant benefits of Regionally Significant Infrastructure.</u></p> <p><u>2) When considering a resource consent application for Regionally Significant Infrastructure, decision makers will give weight to:</u></p> <p><u>a) The importance and significant benefits of Regionally Significant Infrastructure;</u></p> <p><u>b) Practical requirements and locational constraints, functional needs, and operational needs associated with the activity;</u></p>

Submitter	Position	Summary of decision requested
		<p><i>c) Whether the activity must be recognised and provided for as directed by a national policy statement;</i></p> <p><i>d) Any constraints that limit the design of the activity, including alternatives that have proven to be impractical or have greater adverse effects;</i></p> <p><i>e) Whether the proposal is for Regionally Significant Infrastructure which is in Schedule 1 of the Civil Defence Emergency Management Act as a lifeline utility and meets the reasonably foreseeable needs of Northland;</i></p> <p><i>f) The extent to which the adverse effects of the activity can be practicably reduced. Such an assessment shall also take into account appropriate measures, when offered, to provide positive effects, either within the subject site or elsewhere provided that the positive effects accrue to the community of interest and/or resource affected;</i></p> <p><i>g) Whether a monitoring programme for any identified adverse effects with unknown or uncertain outcomes could be included as a condition of consent and an adaptive management regime (including modification to the activity) is used to respond to such effects;</i></p> <p><i>h) Whether the infrastructure proposal helps to achieve consolidated development and efficient use of resources, including land and the coastal marine area.</i></p> <p><i>3) When considering resource consents, decision makers will give weight to potential adverse effects on the operation, maintenance, upgrading and potential expansion of Regionally Significant Infrastructure (including, without limitation, direct adverse effects on Regionally Significant Infrastructure; reverse sensitivity effects; and any constraints that may result for Regionally Significant Infrastructure, including as a result of cumulative effects).</i></p>
Transpower	Amend	<p>Add new policy:</p> <p><i>Provide for the ongoing use, maintenance, and upgrade of regionally significant infrastructure.</i></p>

## D.2.1

Rules for managing natural and physical resources

Submitter	Position	Summary of decision requested
Aquaculture NZ Balle Bros Group Far North District Council	Support	Retain policy D.2.1 as notified.

Submitter	Position	Summary of decision requested
Fire and Emergency NZ Federated Farmers Horticulture New Zealand NZ Pork Industry Board Parua Bay Oysters Refining New Zealand		
CEP Services Matauwhi Limited The oil companies Transpower	Amend	Delete policy D.2.1.
Dairy NZ	Amend	Amend clause 1 & 3 as follows:  1). ... <i>objectives <u>required under relevant legislation</u></i> ...  3) <i>use or support <u>industry-defined</u> good management practices</i> ...
First Gas Limited	Amend	Amend as follows:  ...  5) <i>enable use and development, <u>including of Regionally Significant Infrastructure</u></i> .  ...
Fonterra	Amend	Delete Policy D.2.1 or revise to provide meaningful guidance to plan users.
GBC Winstone	Amend	Delete policy D.2.1
Leonard B	Amend	Replace clause D.2.1 (4) with ' <i><u>minimise harm to or exploitation of any living creature</u></i> '.
New Zealand Transport Agency	Amend	Amend D.2.1 as follows:  5) <i>enable use and development that <u>is consistent with</u> <del>complies</del> with the Regional Policy Statement for Northland,</i>
Northland Fish and Game	Amend	Replace the policy with policies that provide regional direction on resource management issue and give effect to the RPS and NZCPS

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	<p>Replace the policy with policies which provide regional direction on resource management issue and give effect to the RPS and NZCPS. Amongst other things policy direction is required to provide:</p> <ul style="list-style-type: none"> <li>• for each of the section 6 matters of national importance.</li> <li>• for Policy 11, 13 and 15 of the NZCPS</li> <li>• to give effect to the RPS for council's functions in the CMA, beds of lakes and rivers and wetlands.</li> </ul>
Ravensdown Limited	Support	Submitter supports policy as written, subject to the inclusion of a new definition of <i>good management practice</i> as sought in definition section.
Westpac Mussels Distributors Limited	Amend	Amend sub-part 6) to read: " <i>focus on effects, <u>including positive effects</u>, and, where suitable, use performance standards</i> ".

## D.2.2

Social, cultural and economic benefits of activities

Submitter	Position	Summary of decision requested
Aquaculture NZ Ballance Agri-Nutrients Limited Balle Bros Group Bay of Islands Planning Limited Broadspectrum NZ Ltd Carrington Resort Jade LP Dairy NZ Far North District Council Far North Holdings Limited Federated Farmers Fonterra Horticulture New Zealand KiwiRail	Support	Retain D.2.2 as notified.

Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc. New Zealand Transport Agency NZ Pork Industry Board Parua Bay Oysters Refining New Zealand Spark New Zealand Trading Ltd Sweetwater Farms The oil companies Top Energy Transpower Westpac Mussels Distributors Limited		
CEP Services Matauwhi Limited	Amend	Delete policy D.2.2.
First Gas Limited	Amend	Amend as follows:  <i>When considering resource consents, <del>regard must be had to</del> the social, cultural and economic benefits of the proposed activity <u>must be taken into account.</u></i>
GBC Winstone	Amend	Amend D.2.2 as follows:  <i>When considering resource consents, <u>particular</u> regard must be had to the social, cultural and economic benefits of the proposed activity.</i>
Irrigation New Zealand	Amend	Amend D.2.2 as follows:  <i>When <u>setting allocation limits and</u> considering resource consents, regard must be had to the social, cultural and economic benefits of the proposed <u>activity including:</u></i> <ul style="list-style-type: none"> <li>• <i><u>community and domestic water supply</u></i></li> <li>• <i><u>food production and harvesting</u></i></li> <li>• <i><u>irrigation and stock water</u></i></li> </ul>
Leonard B	Amend	Delete ' <del>and economic</del> '



Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	Delete the policy unless it is balanced by the inclusion of policies as sought by submitter on Policy D.2.1
Royal Forest and Bird Protection Society NZ	Amend	Delete the policy unless it is balanced by the inclusion of policies as sought by submitter on Policy D.2.1.

### D.2.3

Application of policies in the Regional Policy Statement for Northland to non-complying activities

Submitter	Position	Summary of decision requested
Auckland Council Balle Bros Group Dairy NZ Federated Farmers Heritage NZ Westpac Mussels Distributors Limited	Support	Retain policy D.2.3 as notified.
CEP Services Matauwhi Limited	Amend	Include reference to policies 1 to 27 of the Coastal Policy Statement in this policy.
Far North District Council Kaipara District Council	Amend	Amend D.2.3 so that the full suite of RPS policies are considered when processing non-complying activities.
First Gas Limited	Amend	Amend Policy D.2.3:  <i>The following policies in the Regional Policy Statement for Northland apply when considering a resource consent for a non-complying activity under Section 104D of the RMA:</i>  ..  <u>11) 3.7 Regionally significant infrastructure</u>  <u>12) 3.8 Efficient and effective infrastructure</u>  <u>13) 3.9 Security of energy supply</u>  <u>14) 5.2.1 Policy – Managing the use of resources</u>

Submitter	Position	Summary of decision requested
		<u>15) 5.2.2 Policy – Future-proofing infrastructure</u> <u>16) 5.2.3 Policy – Infrastructure, growth and economic development</u> <u>17) 5.3.1 Policy – Identifying regionally significant infrastructure</u> <u>18) 5.3.2 Policy – Benefits of regionally significant infrastructure</u> <u>19) 5.3.3 Policy – Managing adverse effects arising from regionally significant infrastructure</u>
Fonterra The oil companies	Amend	Delete Policy D.2.3.
Horticulture New Zealand	Amend	Amend Policy D.2.3 as follows: <b><i>Application of the Regional Policy Statement for Northland to non-complying activities</i></b> <u>When considering a resource consent for a non-complying activity under Section 104D of the RMA, all the objectives and policies in the Regional Policy Statement for Northland which are relevant to that activity shall be applied.</u>
New Zealand Transport Agency	Amend	Delete D.2.3. Refer submitters submission on the objective - submitter seeks objectives be included in the Plan (independent of RPS).
NZ Pork Industry Board	Amend	Unclear what submitter seeks, but infer that it is amend policy to remove potential for other provisions of the RPS (not referenced in the policy but equally important) to be ignored when considering resource consent applications. (e.g. Objective 3.5 Enabling economic wellbeing and 3.6 Economic activities – reverse sensitivity and sterilization).
Northland Fish and Game	Amend	Replace the policy with policies that provide for regional outcomes on resource management issues and give effect to the RPS and NZCPS. Alternatively (this is not preferred) refer to all objectives and policies in the RPS relevant to the matters addressed in this Plan.
Northpower	Amend	Delete Policy D.2.3 and re-state the appropriate policies from the RPS, and any other useful policies and objectives in the RPS, in the PRP in full.
Royal Forest and Bird Protection Society NZ	Amend	Replace the objective with objectives and policies which provide for regional outcomes on resource management issue and give effect to the RPS and NZCPS. Alternatively (this is not preferred) refer to all objectives and policies in the RPS relevant to the matters addressed in this Plan.

Submitter	Position	Summary of decision requested
Top Energy	Amend	Delete this policy and insert new policies that give effect to the RPS rather than referring to RPS policies.
Transpower	Amend	<p>Insert a revised suite of policies based on the matters identified within Policy D.2.3 that give effect to the RPS as opposed to referring/cross referencing to the RPS.</p> <p>AND</p> <p>Insert a new policy as follows:</p> <p><u>Consideration of Regionally Significant Infrastructure</u></p> <p><u>When considering a resource consent application for regionally significant infrastructure, particular regard must be had to:</u></p> <p><u>1) the extent to which any adverse environmental effects have been avoided, remedied or mitigated by the route, site and method selection;</u></p> <p><u>2) whether the activity must be recognised and provided for as directed by a national policy statement; and</u></p> <p><u>the constraints imposed by the technical and operational requirements of the regionally significant infrastructure.</u></p> <p>OR</p> <p>If new policies are not supported, amend Policy D.2.3 as follows:</p> <p><u>Application of policies in the Regional Policy Statement for Northland to non-complying activities</u></p> <p><u>The following policies in the Regional Policy Statement for Northland apply when considering a resource consent for a non-complying activity under Section 104D of the RMA:</u></p>
Upperton T	Support	Retain D.2.3 1), 2) and 3) as notified.
Whangarei District Council	Amend	Submitter states there is no consideration for discretionary activities under this policy and that the purpose of the policy is unclear.

## D.2.4

### Resource consent duration

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Add a specific policy relating to aquaculture resource consent duration along the lines of Policy AQ 11 in the Bay of Plenty Regional Coastal Environment Plan which states:</p> <p><i><u>Policy AQ 11 The Regional Council will impose the maximum consent duration allowable under the RMA in order to provide certainty and security to the applicant, except where one or more of the following circumstances apply, in which case the Regional Council may consider limiting the consent duration for aquaculture activities:</u></i></p> <p><i><u>(a) The applicant has requested a shorter consent duration; or</u></i></p> <p><i><u>(b) A shorter period is required to ensure that adverse effects on the environment are adequately managed – circumstances that may necessitate a shorter period include, but are not limited to:</u></i></p> <p><i><u>(i) There is uncertainty regarding the ability of consent conditions to avoid, remedy or mitigate adverse environmental effects;</u></i></p> <p><i><u>(ii) There will be foreseeable change to the receiving environment; or</u></i></p> <p><i><u>(iii) The receiving environment is particularly sensitive to the potential effects of aquaculture activities.</u></i></p>
Ballance Agri-Nutrients Limited	Amend	<p>Amend as follows:</p> <p><i>When determining the expiry date for resource consent, particular regard must be had to:</i></p> <p><i>1) the security of tenure for investment (the larger the investment, the longer the consent duration), and</i></p> <p><i>2) <u>the need to aligning the expiry date with other resource consents in the surrounding area or catchment and the environmental benefit of doing so, and</u></i></p> <p><i>3) <u>to the extent relevant to each resource, the reasonably foreseeable demands for the resource (the greater the foreseeable demands, the shorter the consent duration), and...</u></i></p>
Balle Bros Group Far North District Council Federated Farmers Horticulture New Zealand	Support	Retain Policy D.2.4 as notified.

Submitter	Position	Summary of decision requested
NZ Pork Industry Board		
Bay of Islands Planning Limited Carrington Resort Jade LP Far North Holdings Limited Broadspectrum NZ Ltd.	Amend	Retain Policy D.2.4 with amendment to Item 3) to add after duration "unless the demand for the resource is in conflict with item 1) or like effect.
CEP Services Matauwhi Limited	Amend	Delete clause 1 of this policy.  <i>When determining the expiry date for resource consent, particular regard must be had to:</i>  <del>1) the security of tenure for investment (the larger the investment, the longer the consent duration), and</del>  <i>2) aligning the expiry date with other resource consents in the surrounding area or catchment, and</i>
Dairy NZ	Amend	Provide detail of how 'reasonable foreseeable demands' will be assessed.
First Gas Limited	Amend	Amend policy D.2.4:  <u>5) whether the resource consent is for regionally significant infrastructure which delivers significant benefits to the region.</u>
Fonterra	Amend	Amend Policy D.2.4 as follows:  <i>When determining the expiry date for resource consent, particular regard must be had to:</i>  <i>1) the security of tenure for investment (the larger the investment, the longer the consent duration), and</i>  <del><i>2) aligning the expiry date with other resource consents in the surrounding area or catchment, and</i></del>  <del><i>3) the reasonably foreseeable demands for the resource (the greater the foreseeable demands, the shorter the consent duration), and</i></del>  <u><i>24) certainty of effects (the less certain the effects, the shorter the consent duration).</i></u>
GBC Winstone	Amend	Amend subclause 3 as follows

Submitter	Position	Summary of decision requested
		<i>3) the reasonably foreseeable demands for the resource (the greater the foreseeable demands, the shorter the consent duration); and</i>
Irrigation New Zealand	Amend	<p>Amend D.2.4 as follows:</p> <p><i>When determining the expiry date for resource consent, particular regard must be had to:</i></p> <p>...</p> <p><i>3) the reasonably foreseeable demands for the resource (the greater the foreseeable demands, the shorter the consent duration); and</i></p> <p>...</p>
HFM NZ KiwiRail	Support	Retain D.2.4 (1) as notified.
Marsden Maritime Holdings Northport Ltd	Amend	Clarify how D.2.4 (2) will be applied when there are both long term and short term consent durations in the locality/catchments.
Northland Fish and Game	Amend	<p>Amend the policy as follows:</p> <p><i>When determining the expiry date for resource consent, particular regard <del>must</del> will be <del>had</del> given but not limited to:</i></p> <p><i>1) the security of tenure for investment (the larger the investment, the longer the consent duration), and</i></p> <p><i>2) aligning the expiry date with other resource consents in the surrounding area or catchment, and</i></p> <p><i>3) the reasonably foreseeable demands for the resource (the greater the foreseeable demands, the shorter the consent duration), and</i></p> <p><i>4) certainty of effects (the less certain the effects, the shorter the consent duration), <u>and</u></i></p> <p><i><u>5) the applicant's compliance with the conditions of any previous resource consent, and the applicant's adoption, particularly voluntarily, of good management practices.</u></i></p>
Riverside Drive Marina	Amend	Amend D.2.4(2) to clarify how it will be applied when there are long and short term consent duration in the same location.
Refining New Zealand	Amend	Amend D.2.4 as follows:

Submitter	Position	Summary of decision requested
		<p><i>When determining the expiry date for resource consent, particular regard must be had to the following (acknowledging that the issue of consent duration depends on the particular context of each application):</i></p> <p><i><u>1) the nature and scale of the activity and any potential effects (including positive effects), and proposed conditions of consent; and</u></i></p> <p><i><u>2) the security of tenure for investment (generally, the larger the investment, the longer the consent duration), and</u></i></p> <p><i><u>3) any benefits in aligning the expiry date with other resource consents in the surrounding area or catchment, and balanced against countervailing factors including any prejudice to the applicant, and</u></i></p> <p><i><u>4) to the extent relevant to each resource, the reasonably foreseeable demands for the resource (generally, the greater the foreseeable demands, the shorter the consent duration), and</u></i></p> <p><i><u>5) certainty of effects (generally, the less certain the effects, the shorter the consent duration, although other factors such as the council's ability to review conditions under s128 of the RMA, or the existence of an adaptive management regime (or similar) in proposed consent conditions may also be relevant).</u></i></p> <p><i><u>6) the need to provide for the ongoing operation of Regionally Significant Infrastructure (resource consents that enable Regionally Significant Infrastructure receive longer durations; while applications with potential adverse effects on Regionally Significant Infrastructure receive shorter durations, if consent is granted)</u></i></p>
Royal Forest and Bird Protection Society NZ	Amend	This policy should also refer to the extent and reversibility of adverse effects.
Sweetwater Farms	Amend	<p>Retain D.2.4 as notified and amend to add a new matter:</p> <p><i><u>4) Generally granting resource consents for the take of water for irrigation with a minimum term of 20 years.</u></i></p>
Tegel Foods Ltd	Amend	<p>Amend D.2.4 as follows:</p> <p><i>When determining the expiry date for resource consent, particular regard must be had to:</i></p> <p>...</p> <p><i><u>2) aligning the expiry date with other resource consents in the surrounding area or catchment, and</u></i></p> <p>...</p>
The oil companies	Amend	That this policy is retained with the following amendments;

Submitter	Position	Summary of decision requested
		<p><b>D.2.4 Resource consent duration</b></p> <p>When determining the expiry date for resource consent, particular regard must be had to:</p> <ol style="list-style-type: none"> <li>1. the security of tenure for investment (the larger the investment, the longer the consent duration), and</li> <li>2. aligning the expiry date with other resource consents in the surrounding area or catchment, <u>where it is both practicable and necessary to do so where the effects of those activities are interrelated and where it is more appropriate to address them together, and</u></li> <li>3. the reasonably foreseeable demands for the resource (the greater the foreseeable demands, the shorter the consent duration), and</li> <li>4. certainty of effects (the less certain the effects, the shorter the consent duration), <u>and</u></li> <li>5. <u>the degree of compliance with relevant guidelines and/or codes of practise.</u></li> </ol>
Top Energy	Amend	<p>Amend Policy D.2.4 is amended as follows:</p> <p>When determining the expiry date for resource consent, particular regard must be had to:</p> <ol style="list-style-type: none"> <li>1) the security of tenure for investment (the larger the investment, the longer the consent duration), and</li> <li>2) <u>whether it is appropriate to aligning</u> the expiry date with other resource consents in the surrounding area or catchment,</li> </ol> <p>and</p> <ol style="list-style-type: none"> <li>3) the reasonably foreseeable demands for the resource (the greater the foreseeable demands, the shorter the consent duration),</li> </ol> <p>and</p> <ol style="list-style-type: none"> <li>4) <u>whether it is appropriate to impose a shorter consent duration where there is uncertainty</u> <del>certainty of effects (the less certain the effects, the shorter the consent duration)</del> <u>or whether some other mechanism should be employed.</u></li> </ol>
Westpac Mussels Distributors Limited	Amend	<p>Amend D.2.4 1) to include reference to any existing investment (for example, in respect of applications for coastal permits for the re-consenting of existing aquaculture) and D.2.4 2).</p>



## D.2.5

## Recognising community and tangata whenua values

Submitter	Position	Summary of decision requested
Balle Bros Group Northland Fish and Game Refining New Zealand	Support	Retain policy D.2.5 as notified.
Far North District	Amend	Amend to include any commitments associated with an Iwi Partnership Agreement. <u>3) have regard to any relevant Iwi Partnership Agreement</u> (or similar relief).
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to better identify what the council considers as being the values of the local community and tangata whenua and how a plan users or decision makers are expected to understand what these values are.
GBC Winstone	Amend	Delete clause D.2.5
Leonard B	Amend	Add clause <u>3) overall have regard for the freedom and well-being of all living creatures.</u>
Royal Forest and Bird Protection Society NZ	Amend	Delete reference to the values of the local community. Replace with a suite of objectives and policies that incorporate community values.
Van Alphen R	Unclear	Unclear what submitter is requesting. Inferred that submitter has concern over the implementation of this policy.

## D.2.6

## Managing adverse effects on historic heritage

Submitter	Position	Summary of decision requested
Balle Bros Group HFM NZ	Support	Retain Policy as notified.

Submitter	Position	Summary of decision requested
Northland Fish and Game  Refining New Zealand  Transpower  Upperton T		
CEP Services Matauwhi Limited	Amend	The expansion of the policy to apply to land based historic heritage as well.  The deletion of sub-clause 3c of the policy.
Donald A	Amend	Add clause 2(e)  <i>"e) Loss of authenticity, integrity and original fabric"</i>
Far North District Council	Amend	No specific amendments sought here but comment that the heritage map should be reviewed and if any heritage sites, buildings or objects have been overlooked in error, the new regional plan is written in a manner that will provide for their protection.
Fieldman P	Amend	Add the following wording to notification criteria:  <u><i>Any change requiring resource consent and/or building consent must be notified. Such notification must include a placard prominently displayed outside the location of said construction/change of use before earthworks or construction is consented. Timing to be sufficient to allow local community and interested parties to make submissions.</i></u>
GBC Winstone	Unclear	Amend to remove Portland wharf and causeway from the list of historic heritage sites in the PRPN.
Heritage NZ	Amend	Retain Policy but amend as follows:  <i>1) recognising that historic heritage sites and historic heritage areas in coastal and fresh water identified in I 'Maps' have been identified in general accordance with Policy 4.5.3 of the Regional Policy Statement for Northland, and in particular the following criteria using a qualitative assessment methodology:</i>  <i>a. <b>Archaeology:</b> The resource has the potential to contribute significantly to our understanding of human history or archaeological research through investigation using archaeological methods.</i>  <i>b. <b>Architecture:</b> The resource is significant due to design, form, scale, materials, style, ornamentation, period, craftsmanship or other.</i>

Submitter	Position	Summary of decision requested
		<p><u>architectural elements.</u></p> <p><u>c. <b>Technology:</b> The resource demonstrates innovative or important methods of design, construction materials or techniques, or has potential to contribute information on technical history.</u></p> <p><u>d. <b>Scientific:</b> The resource has the potential to provide significant scientific information about the history of the district, region or nation.</u></p> <p><u>e. <b>Rarity:</b> The resource is unique, uncommon or rare at a district, regional or national level.</u></p> <p><u>f. <b>Representativeness:</b> The resource is an excellent example of its class in terms of design, type, use, technology, time period or other characteristic.</u></p> <p><u>g. <b>Integrity:</b> The resource retains a high proportion of its original characteristics and integrity compared with other examples in the District.</u></p> <p><u>h. <b>Context:</b> The resource forms part of an association of heritage sites or buildings which, when considered as a whole, become important at a district, regional or national scale.</u></p> <p><u>i. <b>Vulnerability:</b> The resource is vulnerable to deterioration or destruction or is threatened by</u>  <u>land use activities.</u></p> <p><u>j. <b>People:</b> The resource is directly associated with the life or work of a well-known or important individual, group or organisation.</u></p> <p><u>k. <b>Events:</b> The resource is associated with locally, regionally or nationally significant historic event or events.</u></p> <p><u>l. <b>Patterns:</b> The resource is associated with important aspects, processes, themes or patterns of local, regional or national history.</u></p> <p><u>m. <b>Identity:</b> The resource provides, or significantly contributes to, a sense of place, community identity or cultural or historical continuity.</u></p> <p><u>n. <b>Public esteem:</b> The resource is held in high public esteem for its heritage or aesthetic values or as a focus of spiritual, political, national or other social or cultural sentiment.</u></p> <p><u>o. <b>Commemorative:</b> The resource has symbolic or commemorative significance to past or present users or their descendants, resulting from its special interest, character, landmark, amenity or visual appeal.</u></p> <p><u>p. <b>Education:</b> The resource contributes, through public education, to peoples awareness, understanding and appreciation of New Zealand's history and cultures.</u></p> <p><u>q. <b>Tangata whenua:</b> The resource place or feature is important to tangata whenua for traditional, spiritual, cultural or historic reasons (with criteria for Sites of Significance to Maori to be determined by hapu).</u></p> <p><u>r. <b>Statutory:</b> The resource is recognised nationally or internationally, including:</u>  <u>i. <b>World Heritage Site status under the World Heritage Convention 1972.</b></u></p>

Submitter	Position	Summary of decision requested
		<p><u>ii. Listing under the Heritage New Zealand Pouhere Taonga Act 2014.</u></p> <p><u>iii. Recognition as having significant heritage value under a statutory acknowledgement (statement in Treaty of Waitangi settlements recognising the mana of tangata whenua groups in relation to identified sites and areas) or other legislation.</u></p> <p><u>One or more of these heritage criteria need to be satisfied.</u></p> <p><u>Category A comprises items considered to be of special or outstanding significance, including the most significant examples of their type in the region.</u></p> <p><u>Category B comprises items of historical or cultural significance, and</u></p> <p>3)</p> <p><u>a) the historic heritage is irreparably damaged as assessed by suitably qualified and experienced heritage practitioners and professionals and there are significant health and safety risks if it were to remain, or</u></p> <p><u>b) alterations, additions, affecting the setting, repair or maintenance will not result in the loss, or significant degradation of any values contributing to it being historic heritage in accordance with Policy 4.5.3 of the Regional Policy Statement, or</u></p> <p>4)</p> <p><u>b) the outcomes of any consultation with:</u></p> <p><u>i) Heritage New Zealand Pouhere Taonga (particularly where an item is listed by Heritage New Zealand Pouhere Taonga and/or is an archaeological site requiring an 'Authority to Modify'), the Department of Conservation or any other appropriate body, and</u></p> <p>5)</p> <p><u>e) the development of management and <del>restoration</del> conservation plans, and</u></p> <p><u>f) gathering and recording information on historic heritage by suitably qualified and experienced practitioners and professionals, and</u></p> <p><u>g) accordance with the stabilisation, preservation and conservation principles of the ICOMOS New Zealand Charter Revised 2010.</u></p> <p><u>6) recognising that any previously unidentified historic heritage shall be managed in a way that avoids damage or destruction until its significance is assessed and adverse effects can be appropriately avoided or mitigated.</u></p> <p><u>7) recognising that for the purposes of Section 95E of the RMA, Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") shall be considered an affected person in relation to resource consents and other applications under the RMA affecting:</u></p> <p><u>a. Historic Heritage Sites or Areas, Sites and Areas of Significance to Tangata Whenua scheduled in the Regional Plan where these are also listed by Heritage New Zealand Pouhere Taonga.</u></p>

Submitter	Position	Summary of decision requested
		<p><u>b. Pre-1900 recorded and unrecorded archaeological sites.</u></p> <p><u>8) Determining if an archaeological advice note or Accidental Discovery Protocol advice note should be included if there is a possibility of unrecorded archaeology being encountered or the proposal will or may affect recorded archaeological sites. An advice note will outline that work affecting archaeological sites is subject to an authority process under the HNZPTA. It is an offence to modify or destroy a site for any purpose without an authority. The HNZPTA contains penalties for unauthorised site damage.</u></p> <p><u>9) Recognising that Northland Regional Council shall consider (subject to the Northland Regional Annual Plan process) providing resources to enable further staged work in the future to be undertaken to determine the suitability (or otherwise) of additional Historic Heritage Sites, Areas, or Sites and Areas of Significance to Tangata Whenua (refer I 'Maps') for inclusion in the Schedule.</u></p> <p><u>10) Recognising that Historic Heritage is based on the following principles:</u></p> <ul style="list-style-type: none"> <li><u>• our inheritance and legacy;</u></li> <li><u>• the recognition of both tangible and intangible heritage;</u></li> <li><u>• a story-based approach that acknowledges and respects all our cultures;</u></li> <li><u>• under-pinning our local and community sense of place and identity.</u></li> </ul>
Straterra	Unclear	Straterra remains concerned about the policies to “avoid” certain effects on heritage in D.2.6, but accepts the Regional Council’s explanation in the Proposed Regional Plan that this is required by Policy 4.5.3 in the higher order Regional Policy Statement.
Whangarei District Council	Unclear	Concerns raised that the permitted rules of the plan do not give effect to this policy and this approach may be contrary to Method 4.6.3(2)(v) of the RPS.

## D.2.7

Managing adverse effects on indigenous biodiversity

Submitter	Position	Summary of decision requested
Auckland Council Aquaculture NZ Federated Farmers New Zealand Transport Agency Northland Fish and Game	Support	Retain Policy D.2.7 as notified.

Submitter	Position	Summary of decision requested
Refining New Zealand Transpower		
Balle Bros Group Horticulture New Zealand KiwiRail Mentor A	Support	Retain clause 3) as notified
Bay of Islands Planning Limited	Amend	Amend clause 2 of Policy D.2.7 to read  <i>"recognising damage, disturbance or loss to the following as being potential adverse effects, subject to contextual evaluation in respect of item 3) below"</i>
CEP Services Matawhi Limited	Amend	The expansion of clause 1 of the policy to include all areas which meet the criteria for 'significance' stated in Appendix 5 of the Regional Policy Statement, and amend the policy to ensure that it appropriately addresses all the matters given in the reasons for the submission.
Far North District Council	Amend	Amend policy to require consideration of significant natural areas.
GBC Winstone	Amend	Amend subclause (2) - (5) as follows  <del>2) recognising managing damage, disturbance or loss of to the following as being adverse effects:....</del>  3)...  <del>(b) recognising that discrete, localised or otherwise minor effects not impacting on the ecological area may be acceptable; and</del>  <del>c) recognising that activities with transitory effects may be acceptable, where they can demonstrate the effects are not long-term and/or irreversible;</del>  4)...  <del>f) reversing previous damage or disturbance to areas of indigenous biodiversity; and</del>  <del>g) improving the public use, value or understanding to areas of indigenous biodiversity; and</del>  5) recognising that biodiversity offsetting and environmental compensation (as defined in the Regional Policy Statement for Northland) may be appropriate to manage significant residual adverse effects. after consideration of the methods in (4) above.

Submitter	Position	Summary of decision requested
Hicks M	Amend	Unclear what submitter is requesting. Inferred that submitter wants the Plan to take a permissive approach to providing restoration, but is otherwise supportive of the policy.
Honeymoon Valley Landcare Group	Amend	That clauses on the following topics be added to policy D.2.7; <ul style="list-style-type: none"> <li>exclude carnivorous animals for the protection of Kiwi</li> <li>support the reversion of marginal steep land to indigenous forest.</li> </ul>
Landcorp Farming Limited	Amend	Provide clarity on the term “connections” through specific criteria including size of area and distance between areas of indigenous biodiversity that is more explicit in its meaning and therefore will not be subject to multiple interpretations.
LaBonte' A & R	Amend	Delete clauses 2) and 3)a) and revise the policies to better reflect policies 6, 14 and 18 and objectives 1, 4, and 7 of the NZCPS.
Mangawhai Harbour Restoration Society Inc	Amend	<ul style="list-style-type: none"> <li>Revise Policy D.2.7</li> <li>Delete Subparts (2) and (3)(a)</li> <li>Add several other policies and objectives, as required by the NZCPS and Part 2 RMA</li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	<p>The policy should recognise that identification of mapped SEAs is not infallible and provide for the protection of areas subsequently identified as meeting RPS significance criteria.</p> <p>Sub-policy (3) requires a “system-wide” assessment of effects which has the potential to minimise the impact of effects at a smaller scale. While a system-wide assessment provides important context, focusing on systems to the exclusion of particular impacts is not ecologically sound.</p> <p>The policy suggests that any effect that is not long term and irreversible is transitory and therefore acceptable. There is a major difference between a transitory and an irreversible effect, and anything beyond transitory is not “acceptable”.</p> <p>Policy (4) refers to the “identified values” of indigenous biodiversity but the Plan does not include a schedule of identified values for SEAs. Is it intended that the plan user goes back to the Kerr reports? If so this is not an effective method. This information should be included in the plan as it assists in guiding consent decisions (but should not be treated as an exclusive list).</p> <p>This policy is inconsistent with policy direction to manage effects on significant indigenous biodiversity in the RPS. The Plan should implement, and expand on, the effects management regime in RPS Policy 4.4.1.</p> <p>As proposed this policy does not give effect to the NZCPS.</p> <p>The policy fails to provide direction consistent with councils functions for the maintenance of indigenous biodiversity and to have particular regard to natural resource and ecological matters under s 7.</p>

Submitter	Position	Summary of decision requested
		Item 4 methods of avoiding, remedying or mitigating adverse effects should include pest control (particularly relevant to freshwater and coastal wetlands and their margins).
Minister of Conservation	Amend	<p>Amend policy D.2.7 as follows:</p> <p><del>Protect indigenous biodiversity by managing</del>Manage the adverse effects of activities requiring resource consent <del>on indigenous biodiversity</del> by:</p> <p>1) <del>recognising</del>avoiding adverse effects on the following layers in I 'Maps' as showing areas of significant indigenous vegetation and habitats of indigenous fauna in the coastal marine area, in accordance with the assessment criteria of Appendix 5, Regional Policy Statement for Northland:</p> <p>a) Significant Ecological Areas, and</p> <p>b) Significant Bird Areas, and</p> <p>c) Significant Marine Mammal and Seabird Areas, and</p> <p><u>d) Inanga spawning habitat</u></p> <p><u>e) Threatened and at-risk species habitat</u></p> <p>2) <del>recognising</del>avoiding, remedying, or mitigating damage, disturbance or loss to the following as being adverse effects:</p> <p>...</p> <p><u>5) Requiring biodiversity offsetting of any significant residual adverse effects on indigenous vegetation and biodiversity values (as defined in the Northland Regional Policy Statement) in accordance with the mitigation hierarchy, and where biodiversity offsetting is not appropriate or achievable, consider applying environmental compensation in accordance with its definition in the Northland Regional Policy Statement. recognising that biodiversity offsetting and environmental compensation (as defined in the Regional Policy Statement for Northland) may be appropriate after consideration of the methods in (4) above.</u></p>
Straterra	Unclear	Straterra supports the removal of the blunt policy to "avoid" effects, as per our submission on the Draft Regional Plan.
Top Energy	Amend	<p>Amend Policy D.2.7 as follows:</p> <p>Managing adverse effects on indigenous biodiversity</p> <p>Manage the adverse effects of activities <del>requiring resource consent</del> on indigenous biodiversity by:</p> <p>...</p> <p>2) <del>recognising</del><u>managing</u> damage, disturbance or loss <del>of to the following</del> as being adverse effects:</p> <p>...</p>



Submitter	Position	Summary of decision requested
		<p>3) assessing the potential adverse effects of the activity against the identified values of indigenous biodiversity, including by:</p> <p>...</p> <p><del>c) recognising that activities with transitory effects may be acceptable, where they can demonstrate the effects are not long-term and/or irreversible, and</del></p> <p>4) recognising that methods of avoiding, remedying or mitigating adverse effects may include:</p> <p>...</p> <p><del>f) reversing previous damage or disturbance to areas of indigenous biodiversity, and</del></p> <p><del>g) improving the public use, value or understanding to areas of indigenous biodiversity, and</del></p> <p><del>h) the development of ecological management and restoration plans, and</del></p> <p>5) recognising that biodiversity offsetting and environmental compensation (as defined in the Regional Policy Statement for Northland) may be appropriate <u>to</u></p> <p><del>manage significant residual adverse effects. after consideration of the methods in (4) above.</del></p>
Vision Kerikeri	Amend	Amend policy D.2.7 by adding pest control to the methods listed in clause 4.
Waldron S	Amend	<p>Include clauses to:</p> <ul style="list-style-type: none"> <li>• protect kiwi by excluding carnivorous animals, and</li> <li>• support reversion of marginal steep land to indigenous forest</li> </ul>
Whangarei District Council	Amend	<p>Submitter believes the rules of the plan do not give effect to this policy.</p> <p>The policy only covers the coastal marine area and should apply to all indigenous biodiversity.</p>

## D.2.8

Precautionary approach to managing effects on significant indigenous biodiversity

Submitter	Position	Summary of decision requested
Aquaculture NZ	Amend	Amend Policy D.2.8 as follows (or words to like effect to give effect to the submission point).

Submitter	Position	Summary of decision requested
Parua Bay Oysters		<p><i>Where there is scientific uncertainty about the adverse effects of activities on:</i></p> <p>...</p> <p><i>then the greatest extent of adverse effects reasonably predicted by science, must be given the most weight; <u>or</u></i></p> <p><u>3) Recognise that the precautionary approach may be implemented in aquaculture activities through an adaptive management method where this would sufficiently diminish risk and uncertainty</u></p>
Auckland Council Balle Bros Group Honeymoon Valley Landcare Group Mentor A Northland Fish and Game Waldron S	Support	Retain D.2.8 as notified.
CEP Services Matauwhi Limited	Amend	Expand clause 1 of the policy to include all areas which meet the criteria for 'significance' stated in Appendix 5 of the Regional Policy Statement. Amend policy to better reflect the unpredictability that is inherent in uncertainty.
Far North District Council Kaipara District Council	Support	Retain D.2.8 as notified but with amendment to require consideration of Significant Natural Areas.
GBC Winstone LaBonte' A & R Top Energy	Amend	Delete Policy D.2.8
Mangawhai Harbour Restoration Society Inc.	Amend	Delete Policy D.2.8  OR  Amend Policy D.2.8 as follows:  <i>D.2.8 —<del>Precautionary approach</del> Adaptive management approach to managing effects on significant indigenous biodiversity</i>  <i>Where there is scientific uncertainty about the adverse effects of activities on:</i>  ...

Submitter	Position	Summary of decision requested
		<p><i>then the greatest extent of adverse effects reasonably predicted by science, must be given the most weight take an adaptive management approach.</i></p> <p>"Adaptive management" should then be defined in the Plan as:</p> <p><u><i>A system for managing the effects of (generally) large projects where the nature and extent of those effects is uncertain and the outcome of methods to avoid, remedy or mitigate them is similarly uncertain. These are regimes commonly established through conditions of consent incorporating management plans which seek to manage the effects of any given activity in a flexible and responsive manner.</i></u></p>
New Zealand Transport Agency	Amend	Clarify what "the values ranked high in the ..." in D.2.8(2) means.
Refining New Zealand	Amend	<p>Amend D.2.8 as follows:</p> <p><i>Where there is scientific uncertainty about the adverse effects of activities on:</i></p> <p>...</p> <p><u><i>a precautionary approach may be appropriate, where the effects are potentially significantly adverse. Consideration should be given to the imposition of conditions that provide an adaptive management approach to enable the monitoring of effects and collection of data as a means to decrease knowledge gaps and allow for the adjustment of the activity based on actual effects. The Council's ability to review conditions under s128 of the RMA should also be considered, then the greatest extent of adverse effects reasonably predicted by science, must be given the most weight</i></u></p>
Royal Forest and Bird Protection Society NZ	Amend	Amend to ensure that the greatest weight is on protection of significant indigenous biodiversity.
Whangarei District Council	Unclear	Concerns raised that the rules of the plan do not give effect to this policy, particularly in regard to management of effects on significant indigenous terrestrial biodiversity.

## D.3 Air

### General submissions on air policies

Submitter	Position	Summary of decision requested
Fonterra	Amend	<p>Amend or replace D.3 Air with policies that provide the following:</p> <p>General air policies:</p> <ol style="list-style-type: none"> <li>1) A policy that seeks to maintain ambient air quality across the Northland region</li> <li>2) A policy that seeks to manage localised air quality effects, including from burning, dust and odour and spray generation</li> </ol> <p>Specific air policies:</p> <ol style="list-style-type: none"> <li>1) A policy requiring activities with air discharges to improve air quality over time</li> <li>2) A policy requiring air discharges from industrial and trade premises to adopt the best practicable option to prevent or minimise actual or potential adverse effects on the environment</li> <li>3) A policy enabling discharges from industrial and trade premises, provided that significant adverse effects are avoided</li> <li>4) A policy that seeks to avoid discharges to air that are assessed as causing offensive or objectionable effects, in accordance with the FIDOL criteria</li> <li>5) A policy that seeks to manage localised air quality effects, including by regulating burning, dust and odour generating activities and spray generating activities</li> </ol>
Northland District Health Board	Amend	<p>Add a new policy <b><i>D.3.6. Monitoring of PM10 from unsealed roads</i></b></p> <p><i>Northland Regional Council will monitor PM10 from unsealed roads to inform and support the Northland Regional Dust from Unsealed Roads Mitigation Framework and compliance with the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.</i></p>
Pipiwai Titoki Advocacy for Community Health and Safety Group	Amend	<p>Insert a new policy:</p> <p><u><i>D.3.6.</i></u></p> <p><u><i>Monitoring of PM10 from unsealed roads</i></u></p> <p><u><i>Northland Regional Council will monitor PM10 from unsealed roads to demonstrate progress and compliance with the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.</i></u></p>

Submitter	Position	Summary of decision requested
Pipiwai Titoki Advocacy for Community Health and Safety Group	Amend	<p>Insert a new policy:</p> <p><u>D.3.7.</u></p> <p><u>Action Plan to achieve compliance with national environmental standards for air quality</u></p> <p><u>Northland Regional Council will prepare an action plan to achieve compliance with the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.</u></p>

### D.3.1

#### General approach to managing air quality

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited	Amend	<p>Delete 8) from the policy as follows:</p> <p><del>8) consider the following factors when determining consent duration:</del></p> <p><del>a. scale of discharge including effects, and</del></p> <p><del>b. regional and local benefit, and</del></p> <p><del>c. location including proximity to sensitive areas, and</del></p> <p><del>d. alternatives available, and</del></p>
Egg Producers Federation New Zealand	Amend	<p>Amend clause 3) to refer to air quality assessment rather than prescribing air dispersion modelling.</p> <p>Include clear guidance regarding whether the effects of an air discharge are likely to be significant on the surrounding environment.</p>
Far North District Council New Zealand Transport Agency NZ Pork Industry Board Pipiwai Titoki Advocacy for Community Health and Safety Group The oil companies Transpower	Support	Retain D.3.1 as notified.

Submitter	Position	Summary of decision requested
First Gas Limited	Support	Support conditional - if the relief sought to rules relating to gas flaring and gas venting, is not accepted, submitter will seek amendments to this policy, specifically relating to chimney heights.
GBC Winstone	Amend	<p>Amend D.3.1 as follows</p> <p>.....</p> <p><del>6) recognise that discharges to air may have adverse effects on natural character, and</del></p> <p>.....</p> <p>9) use national guidance produced by the Ministry for the Environment, including:</p> <p>a) Good Practice <del>Guidance on</del> Guide for Assessing and Managing Odour, 2016, and</p> <p>b) Good Practice <del>Guidance on</del> Guide for Assessing and Managing Dust, 2016, and</p> <p>c) Good Practice <del>Guide for Assessing Discharges to Air from Industry</del> <u>Guidance on Industrial Emissions, 2016</u></p> <p><u>10. recognise the long term economic and social benefits of industrial activities.</u></p> <p><u>11. consider national, regional and local significance and benefit of the proposal.</u></p>
Horticulture New Zealand	Amend	<p>Amend clause 4) as follows:</p> <p><i>take into account the New Zealand Ambient Air Quality Guidelines 2002 when assessing the effects of the Discharge <u>on ambient air quality</u>, and</i></p>
Horticulture New Zealand	Amend	<p>Amend clause 7) as follows:</p> <p><i>.....including existing amenity values <u>and potential for reverse sensitivity effects</u></i></p>
Lee T	Amend	Provide for burning of green waste in the Kerikeri airshed
Ravensdown Limited	Support	Retain intent of policy but request the following words added to the end of clause 9) <i>...<u>and any subsequent update or revision of these national guidance documents.</u></i>
Refining New Zealand	Amend	<p>Amend D.3.1 as follows:</p> <p>...</p>

Submitter	Position	Summary of decision requested
		<p>5) <u>take into account the cumulative effects of air discharge and any constraints that may occur from the granting of the consent on the operation of existing activities, in particular the current and future operation of Regionally Significant Infrastructure, and</u></p> <p>...</p> <p>8) <u>consider the following factors when determining consent duration:</u></p> <p><del>a) scale of discharge including effects, and</del></p> <p><del>b) regional and local benefit, and</del></p> <p><del>c) location including proximity to sensitive areas, and</del></p> <p><del>d) alternatives available, and</del></p> <p>...</p>
Tegel Foods Ltd	Amend	<p>Delete D.3.1 clause 2) and add new clause:</p> <p><u>9) recognise the need for the security of supply of energy in the region, which may include non-renewable sources.</u></p>
Te Kopu Pacific Indigenous and Local Knowledge Centre of Distinction	Amend	<p>Unclear exactly what changes are sought but appears submitter wants the following new policy to be inserted:</p> <p><u>Tangata whenua Relationship with Ancestral resources</u></p> <p><u>The air resource should be managed in a way that recognises and provides for the relationship of</u></p> <p><u>tangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu,</u></p> <p><u>and other taonga.</u></p>
Te Kopu Pacific Indigenous and Local Knowledge Centre of Distinction	Amend	<p>Unclear exactly what changes are sought but appears submitter wants the following to be inserted:</p> <p><u>PM10 Air Quality Targets</u></p> <p><u>a) Northland's ambient air quality will be managed in accordance with the MfE National Air Quality Guidelines...</u></p> <p><u>b) Threshold concentration of will not exceed 50 micrograms per cubic metre expressed as a 24-hour mean, not more than 1 exceedance in a 12 month period... (NES) From dust on metal roads</u></p> <p><u>c) Consistent with the NES, Regional council must monitor air quality if standard breached.</u></p> <p><u>a. If it is likely that the ambient air quality standard for a contaminant will be breached in an airshed, the regional council must –</u></p>

Submitter	Position	Summary of decision requested
		<p><u>i. Monitor the airshed in relation to that contaminant; and</u></p> <p><u>ii. Conduct the monitoring</u></p> <p><u>1. In that part of the airshed where</u></p> <p><u>a. There are one or more people; and</u></p> <p><u>b. The standard is breached by the greatest margin or the standard is breached the most frequently, whichever is the most likely; and</u></p> <p><u>iii. In accordance with the relevant method listed in Schedule 2</u></p> <p><u>d) Regional council must give public notice if standard breached</u></p> <p><u>a. A regional council must give public notice if the ambient air quality standard for a contaminant is breached in an airshed in its region</u></p> <p><u>b. The notice must</u></p> <p><u>i. Be given periodically, at least once a month, until the standard is no longer being breached,</u></p> <p><u>ii. Be given in accordance with the Act; and</u></p> <p><u>iii. Include</u></p> <p><u>1. The name of the contaminant to which the notice relates, and</u></p> <p><u>2. The time and place at which the standard was breached, and</u></p> <p><u>3. The extent to which the standard was breached.</u></p>

### D.3.2

#### Burning and smoke generating activities

Submitter	Position	Summary of decision requested
Auckland Council	Amend	Amend to explicitly recognise the impact on human health and the environment from outdoor burning of toxic compounds and materials.
Far North District Council HFM NZ	Support	Retain policy as notified.



Submitter	Position	Summary of decision requested
Horticulture New Zealand		
Lee T	Amend	Provide for burning of green waste in the Kerikeri airshed.
Tegel Foods Ltd	Amend	<p>Amend D.3.2 as follows:</p> <p><i>When considering resource consent applications for <del>the open</del> burning of waste or burning associated with an energy generation process:</i></p> <p>...</p> <p><i>3) recognise the need for the security of supply of energy in the region, which may include non<del>renewable</del> renewable sources, and</i></p>

### D.3.3

#### Dust and odour generating activities

Submitter	Position	Summary of decision requested
Far North District Council GBC Winstone NZ Pork Industry Board Ravensdown Limited Tegel Foods Ltd The oil companies	Support	Retain Policy D.3.3 as notified.
First Gas Limited	Amend	<p>Insert the following exception:</p> <p><i><u>Note: policy D.3.3 does not apply to odour associated with the discharge of gas from pipelines and ancillary equipment.</u></i></p>
Northland District Health Board	Amend	<p>Amend as underlined D.3.3 Dust and odour generating activities</p> <p><i><u>When considering resource consent applications for discharges to air from dust and/or odour generating activities, or activities such as forestry resulting in more than 15 heavy vehicles per day on unsealed roads that are likely to cause a breach of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004:</u></i></p>

Submitter	Position	Summary of decision requested
		<p>1) require a dust and/or odour mitigation plan to be produced where there is a likelihood that there will be objectionable and offensive discharges of dust and/or odour across the property boundary of where the activity is to take place <u>or the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 are likely to be breached in dust sensitive areas as a result of discharges to air from unsealed roads.</u> The dust and/or management plan must include:</p> <p>a) a description of dust/odour generating activities, and</p> <p>b) <del>adjacent</del> <u>potentially affected</u> dust sensitive areas and/or odour sensitive areas, and</p> <p>c) details of good management practice that will be used to control dust and/or odour to the extent that adverse effects from dust and/or odour at, or beyond, the site of the boundary of the site are <del>managed/avoided, remedied or mitigated,</del> and</p> <p>2) take into account any proposed use of low dust generating blasting mediums when assessing the effects of fixed or mobile outdoor dry abrasive blasting or wet abrasive blasting, and</p> <p><u>3) take into account the relevant road controlling authority programme to mitigate the effects of dust on dust sensitive areas.</u></p>
Pipiwai Titoki Advocacy for Community Health and Safety Group	Amend	<p>Amend as follows:</p> <p>When considering resource consent application for discharges to air from dust and/or odour generating activities:</p> <p>1) require a dust and/or odour management plan to be produced where there is a likelihood that there will be objectionable and offensive discharges of dust and/or odour <del>across the and/or a breach of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 in dust or odour sensitive areas</del> <u>property boundary of where the activity is to take place.</u> The dust and/or odour management plan must include:</p> <p>a) a description of dust/odour generating activities, and</p> <p>b) adjacent dust sensitive areas and/or odour sensitive areas, and</p> <p>c) details of good management practice that will be used to control dust and/or odour to the extent that adverse effects from dust and/or odour <del>at the boundary of the site are avoided, remedied or mitigated</del> <u>managed,</u> and</p> <p>.....</p>

## D.3.4

## Spray generating activities

Submitter	Position	Summary of decision requested
HFM NZ Landcorp Farming Limited	Support	Retain policy
Horticulture New Zealand	Amend	Amend clause 2)e) as follows: <i>details of good management practice that will be used to <del>control</del> <u>spray</u> manage the risk of spraydrift to the extent that.....</i>
Larcombe M	Unclear	Submitter mentions that a commercial business in Opuia undertakes water blasting of boats on an esplanade reserve without drop cloths or ground cover to contain contaminants.
Leonard B	Amend	'Eliminate' (delete) policy.
Minister of Conservation	Amend	<i>Add to D.3.4: <u>1c) The activity is for significant environmental and biodiversity protection</u></i>
Ravensdown Limited	Amend	Support intent of policy, with following amendments: a) Defining the term ' <i>spray generating activities</i> ' that specifically excludes the aerial application of fertiliser; or b) Specifically excluding the aerial application of fertiliser from the policy; and c) Include the requirement for a 'spray management plan' as a condition of a rule.

## D.3.5

## Activities in the Marsden Point airshed

Submitter	Position	Summary of decision requested
Marsden Maritime Holdings Northport Ltd	Support	Retain policy D.3.5 as notified.

Submitter	Position	Summary of decision requested
The oil companies		
Refining New Zealand	Amend	<p>Amend policy D.3.5 and insert policy D.3.6 as follows:</p> <p><i>D.3.5 Activities in the Marsden Point airshed</i></p> <p><i>The objectives of the Marsden Point Air Quality Strategy must be taken into account when considering resource consent applications for discharges to air in the Marsden Point airshed as shown in I 'Maps'. It is recognised that changes have occurred within the airshed since the time the Marsden Point Air Quality Strategy was drafted, and consideration of resource consent applications must reflect this. The Marsden Point Air Quality Strategy shall be updated to reflect the current activities undertaken within it.</i></p> <p><i>D.3.6 Protection of Regionally Significant Infrastructure in the Marsden Point airshed</i></p> <p><i>1) Resource consent applications for discharges to air that are located within the Marsden Point airshed shall only be approved where:</i></p> <p><i>a) There are no adverse effects from the proposed activity on Regionally Significant Infrastructure (including their operation, any consented but unimplemented development and any development that can occur as a permitted activity), and</i></p> <p><i>2) Dust or odour sensitive activities shall not be located in close proximity to, nor impede, the current and future operation of sites of Regionally Significant Infrastructure.</i></p>

## D.4 Land and water

### General submissions on land and water policies

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Include new policies which provide a pathway around rules restricting activities where the activity is undertaken in accordance with an industry Farm Environment Plan
Beef and Lamb NZ	Support	Retain the approach to delineating livestock exclusion areas within the pRPN based on: Lowland areas, which is land below an average slope of 15°; and Hill country areas, which is land above 15° slope.
Beef and Lamb NZ	Support	Retain the approach to setting river water quantity management units based on a river's uses, values and sensitivity to extraction. These management units are coastal rivers, small inland rivers, large rivers and outstanding rivers.
Beef and Lamb NZ	Amend	<p>Include a new policy and methods to enable the following nutrient allocation principles:</p> <p>Nutrient Allocation Framework</p> <p>The following principles should apply across the catchment in the determination of nutrient allocation allowances.</p> <ul style="list-style-type: none"> <li>• Principle 1: Like land should be treated the same</li> <li>• Principle 2: Those undertaking activities that have caused water quality problems should be required to improve their management to meet water quality limits</li> <li>• Principle 3: Flexibility of land use must be maintained</li> <li>• Principle 4: The allocation system should be technically feasible, simple to operate and understandable</li> <li>• Principle 5: The natural capital of soils should be the primary consideration when establishing an allocation mechanism for nutrient loss</li> <li>• Principle 6: Allocation approaches should provide for adaptive management and new farm systems information</li> <li>• Principle 7: Appropriate time frames must be set to allow for transition from current state to one where allocation of nutrients applies</li> <li>• Principle 8: Long term investment certainty is a critical feature of a viable nutrient management system</li> <li>• Principle 9: Improvement in water quality must remain the primary objective of adopting any nutrient allocation regime</li> <li>• Principle 10: In under-allocated catchments, where property based nutrient allocation has not been adopted in setting water quality limits, the system for allocating nutrients must be determined well before the limit is reached, be clear and easy to understand and designed to avoid over-allocation</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>• Principle 11: In designing the allocation system the benefits of a nutrient transfer system within the catchment or water management unit must be considered</li> <li>• Principle 12: Regulation, monitoring, auditing and reporting of nutrients within an allocation regime needs to relate to the degree of environmental impact and pressure</li> <li>• Principle 13: As a minimum expectation, in all catchments, all land users should be at or moving towards (industry defined) Good Management Practice (GMP), recognising that GMP is constantly evolving and continuous improvement is inherent in GMP</li> <li>• Principle 14: Nutrient allocation must be informed by sound science and stable and reliable catchment and farm system modelling and measurement.</li> </ul>
Beef and Lamb NZ	Amend	Amend to include policies (and rules) which establish the criteria to be applied when assessing whether the take and use of water is necessary, reasonable, and efficient. These criteria should specify how and when water restrictions apply. Provision for stock drinking water as section 14(3)(b) take, should be provided for before consented activities, as a priority take, including when restrictions are considered for other uses.
Beef and Lamb NZ	Amend	<p>Include the following new or amend existing policies for water quantity and allocation as follows:</p> <p><u>A. Water quantity is managed to ensure that the take and use of water is reasonable and justifiable for the intended use.</u></p> <p><u>The following specific measures for ensuring reasonable and justifiable use of water must be taken into account when establishing catchment plans and considering consent applications (as applicable) to take water for irrigation, stock drinking, public water supply, dairy shed washdown or industrial use, and during reviews of consent conditions for these activities.</u></p> <p><u>(a) For irrigation, resource consent applications must be required to meet a reasonable use test in relation to the maximum daily rate of abstraction, the irrigation return period and the seasonal or annual volume of the proposed take. When making decisions on the reasonableness of the rate and volume of take sought, the Regional Council must:</u></p> <p><u>(i) consider land use, crop water use requirements, on-site physical factors such as soil water-holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration</u></p> <p><u>(ii) assess applications either on the basis of an irrigation application efficiency of 60%, or on the basis of a higher efficiency where an application is for an irrigation system with a higher efficiency</u></p> <p><u>(iii) link actual irrigation use to soil moisture measurements or daily soil moisture budgets in consent conditions.</u></p> <p><u>(b) For domestic use, animal drinking water and dairy shed washdown water, reasonable needs must be calculated where possible in accordance with good management practice for water efficiency for that particular use, climate, and stocking policies</u></p>

Submitter	Position	Summary of decision requested
		<p><i>(c) For industrial uses, water allocation must be calculated where possible in accordance with best management practices for water efficiency for that particular industry.</i></p> <p><i>(d) For public water supplies, the following must generally be considered to be reasonable:</i></p> <p><i>(i) an allocation of 300 litres per person per day for domestic needs as appropriate, plus</i></p> <p><i>(ii) an allocation for commercial use equal to an appropriate % of the total allocation for domestic needs, plus</i></p> <p><i>(iii) an allocation for industrial use calculated, where possible, in accordance with best management practices for water efficiency for that particular industry, plus</i></p> <p><i>(iv) an allocation necessary for hospitals, other facilities providing medical treatment, marae, schools or other education facilities, plus</i></p> <p><i>(v) an allocation necessary to cater for the reasonable needs of animals or agricultural uses that are supplied by the public water supply system, plus</i></p> <p><i>(vi) an allocation necessary to cater for growth, where growth of the municipality is provided for in an operative plan for the area and is reasonably forecast</i></p> <p><i>(e) When making decisions on consent applications where the existing allocation for a public water supply exceeds the allocation determined in accordance with (d)(i) to (d)(vi) above:</i></p> <p><i>(i) consideration must be given to imposing a timeframe within which it is reasonably practicable for the existing allocation to be reduced to the determined amount, or (ii) if (i) is not imposed, an alternative allocation must be determined based on the particular social and economic circumstances of the community serviced by the public water supply and the actual and potential effects of the abstraction on the community values for freshwater within the catchment.</i></p> <p><i>B. Water quantity is managed to ensure that the take and use of water is efficient, including by the following measures:</i></p> <p><i>(a) requiring water audits and water budgets to check for leakages and water - use efficiency as appropriate</i></p> <p><i>(b) requiring the use of, or progressive upgrade to, infrastructure for water distribution that minimises the loss of water</i></p> <p><i>(c) enabling the transfer of water permits, including temporary transfer</i></p> <p><i>(d) promoting water storage</i></p> <p><i>(e) promoting the shared use of water through water user groups, or alternative arrangements which result in improving certainty of supply and efficient use of water</i></p> <p><i>(f) raising awareness about water efficiency issues and techniques</i></p>

Submitter	Position	Summary of decision requested
		<p><u>C. Water quantity and the take and use of water shall be managed by apportioning, restricting and suspending takes in times of minimum flow.</u></p> <p><u>When a waterbody is approaching, at, or below its minimum flow, takes from it must be managed in the following manner:</u></p> <p><u>(a) Permitted takes - Takes that are permitted by this Plan must be allowed to continue regardless of river flow, these includes takes for stock drinking water.</u></p> <p><u>(b) Supplementary takes - must cease at a flow specified in their consent conditions and that cessation flow must be higher than the minimum flow such that permitted takes, essential takes, and takes within the core allocation are not adversely effected.</u></p> <p><u>(c) Essential takes - The following core water allocation takes are deemed essential and must be managed in the manner described:</u></p> <p><u>(i) takes that are required for reasonable domestic needs, reasonable needs of animals for drinking water, and reasonable dairy shed washdown water must be allowed to continue regardless of river flow.</u></p> <p><u>(ii) takes required to meet the reasonable needs of hospitals, other facilities providing medical treatment, marae, schools or other education facilities, must be allowed to continue regardless of river flow, but must be required to minimise the amount of water taken to the extent reasonably practicable</u></p> <p><u>(iii) takes which were lawfully established at the time of Plan notification required for industries which, if their take were to cease, would significantly compromise a community's ability to provide for its social, economic or cultural wellbeing or for its health or safety (including the hygienic production and processing of perishable food), must be allowed to continue regardless of river flow, but must be required to minimise the amount of water taken to the extent reasonably practicable</u></p> <p><u>(iv) Consideration of best management practices for water efficiency in relation to public water supplies.</u></p> <p><u>(v) Crop and rootstock survival water</u></p> <p><u>(d) Non-essential takes - Other core water allocation takes, including irrigation takes but excluding the essential takes described above, must be managed in the following manner:</u></p> <p><u>(i) water takes must be required to cease when the river is at or below its minimum flow</u></p> <p><u>(ii) water takes must be allowed to recommence once the river flow has risen above its minimum flow.</u></p>
Bryan N	Amend	<p>Amend, so that:</p> <ul style="list-style-type: none"> <li>disproportionate allocations are removed, to improve sustainable water use, and</li> </ul>



Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>when allocating Aupouri Aquifer water, review existing takes in terms of justifying reasonable and efficient use for the given purpose e.g. avocado orchard irrigation, and</li> <li>a boundary bore take of 5,000 m<sup>3</sup> triggers neighbouring property as affected, and</li> <li>protect reasonable future water use by local horticulture and agricultural families from big business allocations that shut out future local growth.</li> </ul>
Bryan K	Amend	<p>Change the policy on how water allocation is granted from the Aupouri Aquifer.</p> <p>Plan should re-address the resource consents that have been previously allocated and create a ruling that will allow all businesses (big and small) to continue accessing the aquifer in a fair and sustainable way. All water resource consents above 1000m<sup>3</sup> a day to be restricted.</p> <p>After the first 1000m<sup>3</sup>/day, the larger businesses need to provide an alternative source of water (other than the aquifer) to match any further water allocation. Businesses with large volumes of water draw also need to recycle the water before it leaves their property.</p>
Dairy NZ	Amend	<p>Add a new policy on levels of priority to apply during water shortages:</p> <p><i>'The level of priority to apply during water shortage conditions in surface water (SW) bodies, in descending level of importance is as follows:</i></p> <p><i>i) Priority SW-A activities: takes which have a zeronet take, or for fire fighting</i></p> <p><i>ii) Priority SW-B activities: stock watering supplies, takes for animal welfare and sanitation (including shed wash down and milk cooling), takes for</i></p> <p><i>perishable food processing, takes associated with electricity generation, all permitted and s14(3)(b) RMA takes, and takes for domestic or municipal supply.'</i></p>
Dairy NZ	Amend	<p>Introduce a policy which requires differently prioritised takes (if introduced via the addition of a new policy on levels of priority during water shortage) to reduce water usage as low flows are approached. The policy should specify that s14(3)(b) takes have priority, followed by water takes that are essential for human and animal health such as shed washdown and milk cooling.</p>
Dairy NZ	Amend	<p>Introduce the following policy on replacement water takes:</p> <p><i>'Applications for replacement water permits will generally be granted, and the matters for discretion limited in recognition of existing takes in catchment accounting and significant levels of investment associated with water permits.'</i></p>
Far North District Council	Amend	<p>Add the following new policy</p>

Submitter	Position	Summary of decision requested
		<i><u>When considering an application for resource consent in mapped acid sulphate soil risk areas, consider the proposed methods for avoiding remedying or mitigating effects on infrastructure, water quality and biodiversity</u></i>
Far North District Council	Amend	<p>Add the following new policy:</p> <p><i><u>When considering an application for resource consent in mapped acid sulphate soil risk areas, consider the proposed methods for avoiding remedying or mitigating effects on infrastructure, water quality and biodiversity</u></i></p>
Far North District Council	Amend	<p>Reinstate policy D.4.17 from the Draft Regional Plan:</p> <p><i><u>Water shortage direction</u></i></p> <p><i><u>When issuing a water shortage direction pursuant to section 329 of the RMA, give priority to the following needs (in order of priority from highest to lowest:</u></i></p> <p><i><u>1) takes for domestic or municipal supply and the maintenance of animal health, and</u></i></p> <p><i><u>2) water required for the sole purpose of preventing the death of permanent viticulture or horticulture crops (...) provided a contingency plan is implemented, and</u></i></p> <p><i><u>3) other takes.</u></i></p>
Fonterra	Amend	<p>Insert a New Policy for providing priority in the event of water restrictions as follows:</p> <p><i>The level of priority to apply during water shortage conditions in surface water (SW) bodies, in descending level of importance is as follows:</i></p> <p><i>i) Priority SW-A activities: takes which have a zero net take, or for fire fighting</i></p> <p><i>ii) Priority SW-B activities: stock watering supplies, takes for animal welfare and sanitation (including shed wash down and milk cooling), takes for perishable food processing, takes associated with electricity generation, all permitted and s14(3)(b) RMA takes, and takes for domestic or municipal supply.</i></p>
Fonterra	Amend	Amend or replace D.4 Land and water with water quality policies that provide guidance on how effects are to be managed and gives effect to the National Policy Statement for Freshwater Management 2014.
Fonterra	Amend	<p>Amend or replace D.4 Land and water with water allocation policies that provide the following:</p> <p>General policies:</p>

Submitter	Position	Summary of decision requested
		<ol style="list-style-type: none"> <li>1) A policy requiring that ecological values are protected by managing minimum flows</li> <li>2) Policies specifying allocation limits for each catchment, and providing a cascading response for: <ol style="list-style-type: none"> <li>a) over allocated catchments – restricting further allocation</li> <li>b) catchments that are nearly at full allocation – carefully managing further allocation</li> <li>c) under allocated catchments – managing further allocation</li> </ol> </li> </ol> <p>Specific policies:</p> <ol style="list-style-type: none"> <li>1) Establishing annual volume and maximum rates on resource consents</li> <li>2) Providing that in over allocated catchments that resource consent will not be granted, unless the take is non-consumptive</li> <li>3) Providing that resource consent applications must demonstrate that the volume of water sought is reasonable and will be used efficiently</li> <li>4) Encouraging water storage to improve the reliability of supply</li> <li>5) Enabling the transfer of water permits</li> <li>6) Protecting community supply, including for drinking water</li> <li>7) Promoting water metering</li> <li>8) Providing a priority regime in times of water</li> <li>9) shortage (refer to submission point 16 in Attachment B)</li> <li>10) Excluding non-consumptive takes from the allocation regime</li> </ol>
Fonterra	Amend	<p>Insert a New Policy as follows:</p> <p><u><i>D.4.X Wastewater discharges from industrial and trade premises and domestic and municipal sources to water</i></u></p> <p><u><i>Wastewater discharges from industrial trade premises, domestic or municipal sources shall apply the best practicable option for treatment and discharge, and shall not exceed the receiving water quality standards listed in Policies D.4.1 or D.4.3 beyond the zone of reasonable mixing.</i></u></p>
Fonterra	Amend	<p>Include a New Policy as follows:</p> <p><u><i>D.4.X Water storage</i></u></p> <p><u><i>Encourage water storage to improve the reliability of water supply.</i></u></p>
Grammer Z	Amend	<p>General comment that council needs to take a stronger, and much quicker, pro-active stance to the regions waterways.</p> <p>This should include more active monitoring and preventive action taken for dealing with known problems such as livestock being allowed into streams and rivers, the continual leakage of excessive nitrates into fresh waterways, or other contaminants, and ensuring safeguards are put in place to improve water quality and minimise future threats.</p>

Submitter	Position	Summary of decision requested
Grammer Z	Unclear	General support for central government approach to forestry and wishes the regional council to fine and prosecute those who breach the regulations regarding large scale tree plantations in particular, and protect our soils and waterways.
Haititaimarangai Marae 339 Trust	Amend	Include policy in the Plan to manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens. The policy needs to ensure the management of nutrients, sediment and pathogens to a level that ensures that ecosystem health and mahinga kai is maintained, and that where degraded, water quality is enhanced through a reduction in nutrients, sediments and pathogens.
Haititaimarangai Marae 339 Trust	Amend	Include policies in the plan that align with maintaining the values of freshwater bodies and that overall water quality in Northland is maintained or enhanced.
Haititaimarangai Marae 339 Trust	Amend	Include policies in the plan that support the setting of numerical standards/limits/targets/outcomes for water quality and quantity which safeguard the life supporting capacity and ecosystem processes of freshwater, protect natural character, and provide for recreation, cultural, amenity and intrinsic values.
Haititaimarangai Marae 339 Trust	Amend	Include policies that ensure land uses are managed, including through regulation where necessary, to ensure the sustainable management and avoidance, remediation or mitigation of effects, including cumulative effects on the environment.
Haititaimarangai Marae 339 Trust	Amend	Include a policy in the Plan to manage, including reducing where necessary, the nutrients entering dune lakes through both direct and diffuse discharges to ensure ecosystem health, mahinga kai and Māori cultural and traditional relationships are maintained and, where currently degraded, enhanced.
Haititaimarangai Marae 339 Trust	Amend	Include provisions in the Plan which describe the freshwater limits for rivers to be met in accordance with the table attached as Appendix 1 in the submission (see page 64).
Haititaimarangai Marae 339 Trust	Amend	Include a policy in the Plan regarding wastewater that ensures any adverse effects on the values and attributes that result in an area being identified as an Outstanding Natural Features and Landscapes, Areas of Outstanding Natural Character and Outstanding Water Bodies are avoided. A policy is also required to ensure that where existing activities have resulted or are resulting in degradation of the qualities and characteristics that result in an area outstanding, the policy directs that these activities, in future, are responsible for resolving these effects. Make consequential changes to rules to give effect to these policies.
Irrigation New Zealand	Amend	Add policies for water take consent duration and lapse time periods.

Submitter	Position	Summary of decision requested
Irrigation New Zealand	Amend	Add policies that encourage water storage options.
Irrigation New Zealand	Amend	Add policy to encourage the establishment of water user groups.
Irrigation New Zealand	Amend	Add new policy, or integrate into policy D.2.4 ,that sets default minimum consent duration of 20 years for resource consents to take and use water, subject to Policy D.2.4.
Irrigation New Zealand	Amend	<p>Add new policy:</p> <p><u>Water take and use consent lapse periods</u></p> <p><u>Resource consents to take water shall be given effect to within three years unless a longer lapsing period is justified due to the scale or complexity of the activity. For the purpose of this policy, "given effect" requires the installation of infrastructure or water measurement or device and taking of the water as proposed.</u></p>
Irrigation New Zealand	Amend	<p>Add new policy:</p> <p><u>Water User Groups</u></p> <p><u>The formation of water user groups should be encouraged to allow permit holders who choose to work with other water permit holders in the same catchment or subcatchment to temporarily share all or part of the water take authorised by their water permit provided:</u></p> <p><u>a) all water permits are subject to conditions that specify a maximum rate of take, a daily volume, and a seasonal or annual volume;</u></p> <p><u>b) metering and telemetry of data is undertaken for all takes; and</u></p> <p><u>c) all water permits are subject to common restriction conditions, or any discrepancies in restriction conditions are addressed prior.</u></p>
Mahanga-Nisbet K	Amend	<p>Unclear where exactly in the plan to be inserted but submitter wishes the maintenance and enhancement of water quality to include 'cultural purposes' among the purposes for which water quality is to be maintained or enhanced.</p> <p>Suggested text includes:</p> <p><u>"For all classifications of water so that water standards could be maintained at a high level to sustain Mauri"</u></p>
Mahanga-Nisbet K	Amend	Unclear where exactly in the plan to be inserted but submitter wishes water quality for 'cultural purposes' to include the gathering of shellfish for human consumption as a purpose for which quality of water in estuaries and inner harbours is to be maintained or enhanced.

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Include policies in the Plan to manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens.</p> <p>Amend the policies in the Plan that protect freshwater to ensure that activities are managed in a way that will maintain the values of freshwater bodies to ensure the management of nutrients, sediment and pathogens to a level that ensures that ecosystem health is maintained, and that where degraded, water quality is enhanced through a reduction in nutrients, sediments and pathogens.</p>
Minister of Conservation	Amend	<p>Set policies in the plan that align with maintaining the values of freshwater bodies and that water quality in water bodies in Northland is maintained or enhanced.</p> <p>Include policies in the Plan that define and support the setting of numerical standards/limits/targets/outcomes for water quality and quantity which safeguard the life supporting capacity and ecosystem processes and indigenous species of freshwater, protect natural character, and intrinsic values.</p>
Minister of Conservation	Amend	<p>Include policies in the Plan which seek to provide for the involvement of tāngata whenua in the management of freshwater and tāngata whenua values and interests are reflected in the management of freshwater.</p> <p>This should be linked to the Freshwater objective setting process requested in other parts of this submission.</p>
Minister of Conservation	Amend	<p>Include a policy in the Plan to manage, including reducing where necessary, land uses and discharges that result in nutrients entering dune lakes through both direct and diffuse discharges to ensure ecosystem health is maintained and, where currently degraded, enhanced.</p>
Minister of Conservation	Amend	<p>Replace all plan references to “water quality standards” with “<u>water quality limits</u>”.</p>
Minister of Conservation	Amend	<p>Add a new policy:</p> <p><u>To establish an accurate record of permitted takes within the region by:</u></p> <p><u>(a) Requiring all permitted water takes to be metered if, in combination with water taken for stock drinking water under section 14(3)(b) of the Act the total volume exceeds the Permitted Activity volume on a property.</u></p>
Minister of Conservation	Amend	<p>Include appropriately worded policy to protect the high quality of groundwater.</p>
New Zealand Geothermal Association	Amend	<p>Insert policies indicating construction, alteration and decommissioning of geothermal bores will be enabled provided best practice industry standards are used.</p>

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	<p>Include the following new policy in the plan:</p> <p><u>Wetlands – assessment criteria</u></p> <p><u>When considering resource consents for activities in wetlands, have regard to:</u></p> <p><u>1) The practicality of avoiding the wetland, including alternative locations or methods for the activity;</u></p> <p><u>2) The ecological significance of the wetland, and the actual and potential for adverse effects on the significant values of the wetland;</u></p> <p><u>3) Any off-setting of actual and potential adverse effects through the enhancement or creation of additional wetland area;</u></p> <p><u>4) The magnitude and proportion of reduction in area of the wetland;</u></p> <p><u>5) The amenity values of the wetland (including cultural, recreational, and aesthetic values);</u></p> <p><u>6) The cultural values of the wetland;</u></p> <p><u>7) The degree to which the wetland provides for the continued functioning of ecological and physical processes including ecological connectivity linking surrounding habitat;</u></p> <p><u>8) The presence of 'threatened' or 'at-risk' species;</u></p> <p><u>9) The effects on the hydrological regime of a wetland;</u></p> <p><u>10) Effects on ecosystem services provided by the wetland such as maintaining water quality;</u></p> <p><u>11) Whether the activity will achieve Policy D.4.27 and D.4.28.</u></p>
New Zealand Transport Agency	Amend	Relocate policies D.4.1, D.4.2, D.4.3, and D.4.4 to Section C.6 (rules) and replace with appropriate policies for rivers, coastal water and coastal sediment quality (submitter states that these policies are rules).
Puhipuhi Mining Action Group	Amend	<p>Add new policies to the plan to:</p> <p>1. Ensure all Dairy Cows, Pigs, Beef, sheep, deer and support cattle are excluded from ALL permanently flowing rivers, streams and drains, natural wetlands and lakes from January 2020 or earlier - whether in the higher lands or lowlands</p> <p>2. Reduce the potential for the fouling of freshwater rivers and streams from the urine of farm animals such as dairy, beef, pigs, sheep, through research into different feeds or plants, and encouragement to farmers to change their feed supplies</p> <p>3. Make applications for resource consents to use the waterways for agricultural, quarrying and/or mineral exploration use to be non-complying and publicly notified</p>

Submitter	Position	Summary of decision requested
		<p>4. Ensure proper electronically controlled fencing is in place for both sides of any waterway crossing, and maintained at all times to ensure stock does not wander up or down the waterway river</p> <p>5. Ensure that no contaminated or recirculated waters from quarrying or mineral exploration are returned to the original freshwater bores, aquifers, streams or rivers from which they were taken.</p>
Ravensdown Limited	Support	Support the establishment of the 'anti-degradation' policy approach where a resource consent that would allow water quality or sediment quality standard to be exceeded or further exceeded will be declined, except where lowering the quality of water when values and uses of freshwater body not adversely affected by the exceedance.
Refining New Zealand	Amend	<p>Insert policy D.4.3A Coastal Water Quality Standards Mixing Zone for Major Discharges (Marsden Point) as follows:</p> <p><u>D.4.3A Coastal water quality standards mixing zone for major discharges (Marsden Point)</u></p> <p><u>A discharge of a contaminant into the mixing zone for major discharges (Marsden Point) shall not result in any of the following effects in the receiving water, following reasonable mixing, at the perimeter of the mixing zone:</u></p> <p><u>1) A reduction in the dissolved oxygen concentration to below 80 percent of saturation;</u></p> <p><u>2) A change in the natural water temperature greater than 3 degrees Celsius;</u></p> <p><u>3) A change in the pH greater than 0.2 units;</u></p> <p><u>4) Any significant change in colour and clarity;</u></p> <p><u>5) The production of any conspicuous oil or grease films, scums or conspicuous floating or suspended materials;</u></p> <p><u>6) The median value of the faecal coliform bacteria content of the waters shall not exceed 14 per 100 millilitres, nor shall the 90 percentile value exceed 43 per 100 millilitres;</u></p> <p><u>7) Any emission of objectionable odour; and</u></p> <p><u>8) Any adverse effect on aquatic life, or any edible aquatic life becoming unfit and/or unsuitable for human consumption.</u></p> <p><u>For the avoidance of doubt, the water quality standards of policy D.4.3 are not applicable to the identified mixing zone for major discharges (Marsden Point) water quality management unit.</u></p>
Royal Forest and Bird Protection Society NZ	Amend	Add standards for wetlands.



Submitter	Position	Summary of decision requested
Ruakaka Parish Resident and Ratepayers Association	Amend	Clarify whether the standards listed in D.4.1, D.4.4 and D.4.5 are manageable.
Soil and Health Association	Amend	<p>Require that freshwater monitoring data for the following pesticide screens are required annually. If a freshwater body is identified as degraded, then require</p> <p>pesticide screens quarterly. Ensure this information is published and fully available online. The pesticides are:</p> <ol style="list-style-type: none"> <li>1. Glyphosate and AMPA residues in freshwater and/or sediment</li> <li>2. Organonitrogen, Organophosphorus and Pesticides (ONOP) in Water and Soil.</li> <li>3. Multiresidue Pesticides (MR) in Water and Soil.</li> <li>4. Acidic Herbicides in Water and Soil</li> <li>5. Sulfonylureas (metsulfuron is widely applied on NZ roadsides)</li> <li>6. Semi-Volatile Organic Compounds (SVOC)</li> <li>7. Organochlorines.</li> </ol>
Tegel Foods Ltd	Amend	<p>Add new policy:</p> <p><u>An application to discharge wastewater to land is generally acceptable and will be granted if the following applies:</u></p> <p><u>1) discharging wastewater from a farm, domestic or municipal source to land is the best practicable option, or</u></p> <p><u>2) there is no trade waste connection available to receive industrial or trade wastewater or the network operator is unable or unwilling to accept the discharge.</u></p>
The oil companies	Amend	Delete Policies D.4.1, D.4.2 D.4.3 and D.4.4. In the alternative, move the standards / limits to a Schedule and make appropriate linkages via the relevant rules to those standards (eg: for activities requiring consents).
Valadares R	Amend	<p>Change the policy on how water allocation is granted from the Aupouri Aquifer.</p> <p>Plan should re-address the resource consents that have been previously allocated and create a ruling that will allow all businesses (big and small) to continue accessing the aquifer in a fair and sustainable way. All water resource consents above 1000 m3 a day to be restricted and/or rigorously reviewed. Any business operation that is big enough to need this amount of water should require alternative sources for water collection (like rainwater</p>

Submitter	Position	Summary of decision requested
		storage) or even water recycling if at all possible. At the very least, the businesses that already have their allocation granted, should be reviewed to ascertain how much water they really need and use vs the allocated resource and "free up" any excess.
Whangarei District Council	Amend	Insert a policy on the 'disturbance of acid sulphate soils'.
Yachting NZ	Amend	With reference to D.4.3 (Coastal water quality standards) and D.4.7 (Wastewater discharges to water), either amend these policies, or in the alternative introduce a new policy, which has the effect of making clear that maintenance and where necessary enhancement of water quality must recognise and allow for discharge of sewage from ships in line with the Resource Management (Marine Pollution) Regulations 1998. The policies should identify that wastewater discharge to coastal water of untreated and treated sewage from vessels is subject to specific provision.
Yachting NZ	Amend	If a more comprehensive suite of objectives is introduced addressing coastal waters and discharge of sewage from ships, then policies giving effect to those objectives are required.

## D.4.1

### Water quality standards for rivers

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend wording as follows: <i>A discharge of a contaminant into a river or any surface water flowing to a river must not cause any of the following river water quality standards to be exceeded, <u>after allowing for reasonable mixing.</u></i>
AFFCO New Zealand	Amend	Amend the table in D.4.1 as follows:  Nitrate (toxicity) on an annual median basis for other rivers <del>≤ 1.0</del> <u>&gt; 1.0 and ≤ 2.4</u>  Nitrate (toxicity) on an annual 95th percentile basis for other rivers <del>≤ 1.5</del> <u>&gt; 1.5 and ≤ 3.5</u>  Ammonia (toxicity) on an annual median basis for other rivers <del>&gt; 0.3</del> <u>and ≤ 0.24</u> <u>&gt; 0.24 and ≤ 1.30</u>  Ammonia (toxicity) on an annual maximum basis for other rivers <del>&gt; 0.05</del> <u>and ≤ 0.40</u> <u>&gt; 0.40 and ≤ 2.20</u>

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Federated Farmers	Support	Retain policy D.4.1 as notified.
Bay of Islands Maritime Park Inc	Amend	Move this from the policy to the rule section. Expand to include eutrophication measures including Northland- specific macro-invertebrate measures and standards.
Egg Producers Federation New Zealand	Amend	Remove from policies and insert as a 'rule' in section C. Subsequently rephrase the new rule so that it is more readily understood.
Far North District Council	Amend	FNDC may seek to propose alternative water quality standards. Council will provide further support for this submission at the Regional Council Hearing. Submitter comments that FNDC holds existing resource consents that are not required to meet these standards.
GBC Winstone	Amend	Amend to make D.4.1 a rule or an appendix to a rule
Haititaimarangai Marae 339 Trust	Amend	<p>Include freshwater objectives and freshwater limits for rivers to be met in accordance with the table attached as Appendix 1 in the submission. This table includes measures for:</p> <ul style="list-style-type: none"> <li>• Dissolved inorganic nitrogen (DIN) mg/m3</li> <li>• Dissolved reactive phosphorus (DRP) mg/m3</li> <li>• Toxicants / metals (ANZECC 2000)</li> <li>• Water temperature</li> <li>• pH</li> <li>• Reduction in water clarity (% black disc).</li> </ul> <p>As well as parameters for ensuring river water quality is safe for human health for contact recreation including:</p> <ul style="list-style-type: none"> <li>• E. coli</li> <li>• Periphyton cover</li> <li>• Deposited sediment - aesthetics</li> <li>• Benthic cyanobacteria cover</li> </ul>
Horticulture New Zealand	Amend	<p>Amend policy as follows:</p> <p><b><i>Water quality <del>standards</del> <u>targets</u> for rivers</i></b></p> <p><i>A discharge of a contaminant into a river or any surface water flowing to a river must not cause any of the following river water quality <del>targets</del> <u>standards</u> to be exceeded:</i></p> <p><i>Insert NOF table with SOE current state levels.</i></p> <p><i>Source from Northland Regional Council (2016).</i></p>

Submitter	Position	Summary of decision requested
Kaipara District Council  Whangarei District Council	Amend	Amend D.4.1 as follows: <ul style="list-style-type: none"> <li>• Replace standards with reference to the national standards under the NPS Freshwater Management, or the NPS itself.</li> <li>• Add clarification that standards apply beyond the mixing zone.</li> <li>• Add reference to source of the standards</li> </ul>
Landcorp Farming Limited	Amend	Objectives that are developed should replicate those in the National Objectives Framework in the NPSFM, rather than the Council developing its own numeric objectives.
Leonard B	Amend	Amend figures to pre-1900 estimated standards.
Minister of Conservation	Amend	<p>Include freshwater objectives and freshwater limits for rivers to be met in accordance with Table B Recommended NOF band limits to support attributes and objectives for Northland Rivers and Streams attached as Appendix 1 of submission.</p> <p>This table includes measures for:</p> <ul style="list-style-type: none"> <li>• Dissolved inorganic nitrogen (DIN) mg/m3</li> <li>• Dissolved reactive phosphorus (DRP) mg/m3</li> <li>• Toxicants / metals (ANZECC 2000)</li> <li>• Water temp.</li> <li>• pH</li> <li>• Reduction in water clarity (% black disc)</li> </ul> <p>As well as parameters for ensuring river water quality is safe for human health for contact recreation including:</p> <ul style="list-style-type: none"> <li>• E. coli</li> <li>• Periphyton cover</li> <li>• Deposited sediment</li> <li>• Benthic cyanobacteria cover</li> </ul>
Northland Fish and Game	Amend	Include phosphorus and total suspended solids as water quality attributes.
Ravensdown Limited	Amend	Retain general intent of policy while ensuring the 'other rivers' values included in Policy D.4.1 are aligned with the s.32 Evaluation Report standards which align with the NPSFM Attribute State B.
Royal Forest and Bird Protection Society NZ	Amend	<p>Identify all the FMUs and indicate their current status, set thresholds, and targets if the status is below the National Bottom Line (NBL), and put together a timeline and plan to meet the thresholds or targets.</p> <p>Add values for dissolved oxygen, Escherichia coli, periphyton, Macroinvertebrate Community Index (MCI), dissolved inorganic nitrogen (DIN), and dissolve reactive phosphorus (DRP).</p>

Submitter	Position	Summary of decision requested
		<p>The table needs a title for reference.</p> <p>The table needs to be referenced in the text.</p>
Top Energy	Amend	Amend so that policies D.4.1, D.4.2, D.4.3 and D.4.4 either become rules or appendices that are directly linked to the rules.

## D.4.2

### Water quality standards for lakes

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Federated Farmers Northland Fish and Game	Support	Retain policy D.4.2 as notified.
Bay of Islands Maritime Park Inc	Amend	Move from the policy to the rule section.
Egg Producers Federation New Zealand	Amend	Remove from policies and insert as a 'rule' in section C. Subsequently rephrase the new rule so that it is more readily understood.
Far North District Council	Amend	FNDC may seek to propose alternative water quality standards. Council will provide further support for this submission at the Regional Council Hearing. Submitter comments that FNDC holds existing resource consents that are not required to meet these standards.
GBC Winstone	Amend	Amend to make D.4.2 a rule or an appendix to a rule
Haititaimarangai Marae 339 Trust	Amend	Include a specific Lake SPI objective be included in the plan with the following levels: >50% for deep lakes (i.e. high Lake SPI) 20-50% for shallow lakes (moderate Lake SPI). Also, include targets for macrophytes depth limits in the Plan at >7m for deep lakes and >3m for shallow lakes
Horticulture New Zealand	Amend	Amend policy as follows: <i><b>Water quality <del>standards</del> <u>targets</u> for lakes</b></i>

Submitter	Position	Summary of decision requested
		<p>.....any of the following lake water quality <u>targets</u> <del>standards</del> to be exceeded:</p> <p>Update table to include cyanobacteria attribute levels for Deep Lakes A Band level and Shallow Lakes C band level.</p>
Kaipara District Council	Amend	<p>Amend D.4.2 as follows:</p> <ul style="list-style-type: none"> <li>Replace standards with reference to the national standards under the NPS Freshwater Management, or the NPS itself.</li> </ul>
Leonard B	Amend	Amend figures to pre-1900 estimated standards.
Minister of Conservation	Amend	<p>Include a specific Lake SPI standard in the plan with the following levels:</p> <ul style="list-style-type: none"> <li>&gt;50% for deep lakes (i.e. high Lake SPI)</li> <li>20-50% for shallow lakes (moderate Lake SPI)</li> </ul> <p>Also include targets for macrophytes depth limits in the Plan at &gt;7m for deep lakes and &gt;3m for shallow lakes</p>
Ravensdown Limited	Amend	Retain general intent of policy while ensuring the Attribute States for lakes included in Policy D.4.2 are consistent with the NPSFM approach taken in the s.32 Evaluation Report logic or provides justification for the difference in choice of Attribute States than those included in the NPSFM.
Royal Forest and Bird Protection Society NZ	Amend	<p>Add the following attributes: cyanobacteria (mm<sup>3</sup>/L) and Escherichia coli (E.coli/100 mL), MCI and add appropriate standards for them.</p> <p>The table needs a title for reference.</p> <p>The table needs to be referenced in the text.</p>
Top Energy	Amend	Amend so that policies D.4.1, D.4.2, D.4.3 and D.4.4 either become rules or appendices that are directly linked to the rules.
Whangarei District Council	Amend	<p>Amend policy as follows:</p> <ul style="list-style-type: none"> <li>Replace standards with reference to the national standards under the NPS Freshwater Management, or the NPS itself.</li> <li>Add clarification that standards apply beyond the mixing zone.</li> <li>Add reference to source of the standards</li> </ul>

### D.4.3

#### Coastal water quality standards

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited  Carrington Resort Jade LP	Amend	Delete turbidity as a measure for the open coast management unit.
Bay of Islands Maritime Park Inc	Amend	Move from policy to the rule section.
Dairy NZ  Westpac Mussels Distributors Limited	Support	Retain policy as notified.
Egg Producers Federation New Zealand	Amend	Remove from policies and insert as a 'rule' in section C. Subsequently rephrase the new rule so that it is more readily understood.
Far North District Council	Amend	FNDC may seek to propose alternative water quality standards. Council will provide further support for this submission at the Regional Council Hearing. Submitter comments that FNDC holds existing resource consents that are not required to meet these standards.
GBC Winstone	Amend	Amend to make D.4.3 a rule or an appendix to a rule
Horticulture New Zealand	Amend	Insert a column for temporal period for the compliance state.
Kaipara District Council	Amend	Amend D.4.3 as follows: <ul style="list-style-type: none"> <li>• Replace standards with reference to the national standards under the NPS Freshwater Management, or the NPS itself.</li> <li>• Add clarification that standards apply beyond the mixing zone.</li> <li>• Add reference to source of the standards.</li> </ul>
LaBonte' A & R	Amend	Amend Policy D.4.3, especially for turbidity levels, to set a threshold above background of 10 NTU measured at a distance of 150 metres upstream of the point where the confluence of a visible plume enters the receiving water.

Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Make appropriate amendments to D.4.3 (Turbidity) to address the following:</p> <p>1) Turbidity standards for tidal creeks and estuaries should be based on threshold values above background turbidity levels (as estuaries and tidal creeks are affected by weather events as well as discharge / disturbance activities).</p> <p>2) The background turbidity levels for tidal creeks and estuaries should be set based on the estuary / tidal creek in which the activity is taken place (as background turbidity levels will vary depending on the estuary and catchment soil type).</p> <p>3) Past project monitoring results should form the basis for establishing background levels, turbidity limits and mixing zones within a particular estuary / tidal creek.</p>
Refining New Zealand	Amend	<p>Amend D.4.3 as follows:</p> <ul style="list-style-type: none"> <li>Amend the introduction to the policy as follows: <i>A discharge of a contaminant into coastal water or any surface water flowing to coastal water must not cause any of the following coastal water quality standards to be <del>exceeded</del> breached, following reasonable mixing:</i></li> <li>Provide guidance with regard to the 'natural state' value assigned to the Open Coast Water Management Unit.</li> </ul>
Top Energy	Amend	Amend so that policies D.4.1, D.4.2, D.4.3 and D.4.4 either become rules or appendices that are directly linked to the rules.
Whangarei District Council	Unclear	<p>Submitter states there is no mention of mixing zone, or where testing should take place.</p> <p>There is no reference to the source of the standards, associated methods or justification of using this source.</p>

#### D.4.4

##### Coastal sediment quality standards

Submitter	Position	Summary of decision requested
Bay of Islands Planning Limited	Amend	Amend to clarify whether the standards refer to a desired goal in respect of water quality or a tool for managing effects of discharges.



Submitter	Position	Summary of decision requested
Far North District Council	Amend	FNDC may seek to propose alternative water quality standards. Council will provide further support for this submission at the Regional Council Hearing. Submitter comments that FNDC holds existing resource consents that are not required to meet these standards.
GBC Winstone	Amend	Amend to make D.4.4 a rule or an appendix to a rule
Horticulture New Zealand	Support	Retain policy as notified.
Kaipara District Council	Amend	Unclear - submitter concerned that policy may not be achievable given highly permissive earthworks limits.
Kurmann A	Amend	Unclear - submitter seems to be either requesting a higher coastal sediment quality standard for copper in the Mangonui Harbour or removal of the standard (defaulting to coastal water quality standards).
Refining New Zealand	Amend	Amend D.4.4 as follows:  <i>A discharge of a contaminant into coastal water or any surface water flowing to coastal water must not cause any of the following benthic sediment quality standards to be exceeded in the coastal marine area, <u>following reasonable mixing</u>:</i>  ...
Top Energy	Amend	Amend so that policies D.4.1, D.4.2, D.4.3 and D.4.4 either become rules or appendices that are directly linked to the rules.
Whangarei District Council	Amend	This Policy should be rewritten as a statement of what NRC is trying to achieve (i.e. water quality objectives), which would be consistent with ANZECC. The tabulated discharge quality limits should be rules, not a policy.  Submitter raises concerns that this policy may not be achievable in the context of highly permissive earthworks limits and questions where the rules for land disturbance achieve these limits.

## D.4.5

### Maintaining overall water quality

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	<p>Amend wording as follows:</p> <p><i>An application for a resource consent that would allow a water quality standard or sediment quality standard to be exceed or further exceeded will generally be declined. <u>Notwithstanding this, resource consent may be granted if associated adverse effects are adequately remedied or mitigated</u> <del>existing beneficial water quality dependent values of water are not adversely affected.</del></i></p>
Ballance Agri-Nutrients Limited	Amend	<p>Amend wording as follows:</p> <p><i>An application for a resource consent that would allow a water quality standard or sediment quality standard to be exceeded or further exceeded will generally be declined. <u>Resource consent may be granted if existing beneficial water quality dependent values of water are not adversely affected—except where:</u></i></p> <p><i><u>i. The existing values supported by the <del>existing beneficial water quality dependent values of water are not adversely</del></u></i></p> <p><i><u>affected; or</u></i></p> <p><i><u>ii. Any effects will be temporary and minor (or less); or</u></i></p> <p><i><u>iv. Any adverse effects will be less than minor</u></i></p> <p><i><u>the resource consent application may be approved.</u></i></p>
Balle Bros Group Westpac Mussels Distributors Limited	Support	Retain policy as notified.
Dairy NZ	Amend	<p>Insert the following text to the policy,</p> <p><i>'beneficial water quality dependent <u>socio-cultural, ecological and economic values of water...</u></i></p>
Far North District Council	Amend	<p>Insert the following policy or similar relief:</p> <p><i><u>Where the quality of water in a water body (excluding an outstanding freshwater body) or coastal water is within or in a better attribute state than set in a water quality limit, resource consent may only be granted for any activity that will result in a lower attribute state if allowing a lower water quality is necessary for important economic or social development in the area which the water are located.</u></i></p>

Submitter	Position	Summary of decision requested
		<p><u>When considering an application for a resource consent to discharge contaminants to a water body or coastal water with water quality in a lower attribute state than set in a water quality limit, resource consent may only be granted if:</u></p> <p><u>1) the exceedance is caused by any of the following:</u></p> <p><u>a) naturally occurring processes, or</u></p> <p><u>b) anthropogenic sources that cannot be remedied, or</u></p> <p><u>c) any dams or diversions, or regionally significant infrastructure, or District Council infrastructure, lawfully established at the notification date of this plan, and it is not practicable to restore the water body to its original condition, and</u></p> <p><u>2) discharging to land is prohibitively expensive.</u></p>
Federated Farmers	Amend	<p>Amend policy D.4.5 as follows:</p> <p><u>"...beneficial water quality dependent social, cultural and economic values of water"</u></p>
GBC Winstone	Amend	Provide amendments that clarify the intent of the second part of the policy
Horticulture New Zealand	Amend	<p>Amend as follows:</p> <p><u>An application for a resource consent that would allow diffuse or point source discharge to the environment will generally be declined where (after the reasonable mixing zone):</u></p> <p><u>a) a coastal sediment standard will be exceeded or further exceeded; or</u></p> <p><u>b) a coastal water quality standard will be exceeded or further exceeded; or</u></p> <p><u>c) a lake water quality target will be exceeded or further exceeded; or</u></p> <p><u>d) a lake water quality target will be exceeded or further exceeded.</u></p> <p><u>Resource consent may be granted if existing water quality targets are achieved through catchment offsetting of non-toxic contaminants beyond the mixing zone.</u></p>
Haititaimarangai Marae 339 Trust	Amend	Support the policy with amendment by deleting the second sentence "Resource consent may be granted if existing beneficial water quality dependent values of water are not adversely affected." Or alternatively, that the "beneficial water quality dependent values" of each individual water body be clearly defined and documented in the Plan and that the water quality limits required to ensure these values can be achieved are also clearly identified in the Plan.
Kaipara District Council	Amend	Redraft D.4.5 to provide certainty.

Submitter	Position	Summary of decision requested
Whangarei District Council		
KiwiRail	Amend	Amend D.4.5 as follows:  <i>An application for a resource consent that would allow a water quality standard or sediment quality standard to be exceeded or further exceeded will generally be declined. Resource consent may be granted if existing beneficial water quality dependent values of water are not adversely affected, <u>or the nature of the exceedance is temporary.</u></i>
Larcombe M	Unclear	Submitter mentions that water quality in the Waikare Inlet has gone from pristine to silt laden
Mangawhai Harbour Restoration Society Inc.	Amend	Revise D.4.5 as follows:  <i>An application for a resource consent that would allow a water quality standard or sediment quality standard to be exceeded or further exceeded will generally be declined. Resource consent may be granted <u>if the water quality standards in D.4.3 are not exceeded, or if the proposed activity will maintain or enhance existing beneficial qualities and values of the surrounding CMA and coastal environment</u> existing beneficial water quality dependent values of water are not adversely affected.</i>
Minister of Conservation	Support	Retain:  <i>"An application for a resource consent that would allow a water quality standard or sediment quality standard be exceeded or further exceeded will generally be declined."</i>
Minister of Conservation	Amend	Amend D.4.5 by deleting <i>"Resource consent may be granted if existing beneficial water quality dependent values of water are not adversely affected."</i>
New Zealand Transport Agency	Amend	Amend D.4.5 as follows: <ul style="list-style-type: none"> <li>• Add definition for "existing beneficial water quality dependent values".</li> <li>• Addition of reference to terms such as minimum acceptable state and Objective A3(b) within the NPS Freshwater Management may be useful.</li> </ul>
Northland Fish and Game	Amend	Amend the policy as follows:  <b><i>Maintaining <del>overall</del> water quality <u>where standards are met</u>:</i></b>  <i>An application for a resource consent that would allow a water quality standard or sediment quality standard to be exceeded or further exceeded <u>met</u> will generally be declined: <u>approved providing</u>. Resource consent may be granted if existing beneficial water quality dependent values of water are not adversely affected.</i>

Submitter	Position	Summary of decision requested
		<p><u>1. the adverse effects of new discharges are avoided, remedied or mitigated, so that beyond the zone of reasonable mixing, those standards or sediment guidelines will continue to be met; and</u></p> <p><u>2. an applicant for the replacement of an expiring discharge permit demonstrates how the adverse effects of the discharge are avoided, remedied or mitigated, so that beyond the zone of reasonable mixing those standards or sediment guidelines will continue to be met.</u></p> <p><b><u>Improve water quality where standards are not met:</u></b></p> <p><u>Where existing water quality does not meet the water quality standards or sediment quality standard, improve water quality by:</u></p> <p><u>1. avoiding where practicable and otherwise remedying or mitigating any adverse effects of new discharges on water quality or sediment quality that would exacerbate the exceedance of those standards or sediment guidelines beyond the zone of reasonable mixing; and</u></p> <p><u>2. requiring any application for replacement of an expiring discharge permit to demonstrate how and by when adverse effects will be avoided where practicable and otherwise remedied or mitigated, so that beyond the zone of reasonable mixing water quality will be improved to assist with meeting those standards or sediment guidelines.</u></p> <p><b><u>Maintaining and improving water quality after FMU processes</u></b></p> <p><u>Following the establishment of freshwater objectives and limits under Freshwater Management Unit processes and through implementation of non-regulatory methods, improve water quality where it is degraded to the point where freshwater objectives are not being met and is otherwise maintain where freshwater objectives are being met.</u></p>
Patuharakeke Te Iwi Trust Board Inc	Amend	Redraft policy to achieve enhancement rather than maintenance of water quality.
Ravensdown Limited	Amend	<p>Retain intent of D.4.5, while amending policy to read:</p> <p><u>Applications for resource consents to discharge contaminants that may enter water must demonstrate mitigation that will ensure that overall water quality is maintained.</u></p>
Refining New Zealand	Amend	<p>Amend policy D.4.5 as follows:</p> <p><u>An application for a resource consent that would allow a water quality standard or sediment quality standard to be exceeded or further exceeded will generally be declined <del>except where: Resource consent may be granted if existing beneficial water quality dependent values of water are not adversely affected.</del></u></p> <p><u>i. The existing values supported by the water quality values are not adversely affected; or</u></p>

Submitter	Position	Summary of decision requested
		<p><i>ii. The activity is associated with the operation of Regionally Significant Infrastructure; or</i></p> <p><i>iii. Any effects will be temporary and minor (or less); or</i></p> <p><i>iv. Any adverse effects will be less than minor</i></p> <p><i>in which case the activity may be appropriate.</i></p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the policy title to read "Maintain or improve all water quality".</p> <p>Delete the second sentence.</p>
The oil companies	amend	<p>Delete Policy D.4.5.</p> <p>Or</p> <p>In the alternative retain the policy except to the extent it is amended as follows;</p> <p><b><i>D.4.5 Maintaining overall water quality</i></b></p> <p><i>An application for a resource consent that <u>would, after reasonable mixing,</u> allow a water quality standard or sediment quality standard to be exceeded or further exceeded will generally be declined. Resource consent may be granted if existing beneficial water quality dependent values of water are not adversely affected.</i></p>

## D.4.6

### Offsetting residual non-toxic contaminants

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	<p>Amend as follows:</p> <p><i>Regardless of the quality of the receiving waters, ensure that <u>the effects on the environment of</u> non-toxic contaminants that cannot be removed from a discharge are <u>mitigated</u> <del>offset</del> to the fullest extent practicable in the catchment of the water body or coastal water, such as by way of re-vegetating riparian margins and restoring or constructing wetlands.</i></p>
Balle Bros Group	Support	Retain policy as notified.
Far North District Council	Amend	Provide a definition of 'non-toxic contaminant'.

Submitter	Position	Summary of decision requested
Fonterra GBC Winstone	Amend	Delete Policy D.4.6.
Haititaimarangai Marae 339 Trust	Amend	<p>Delete Policy D.4.6 or amend it to ensure that the effects of the discharge of contaminants to the environment are appropriately avoided, remedied or mitigated. Offsetting should only be used as a last resort option where avoiding, remedying or mitigation is not an available option or is not appropriate and that offsetting only be used in instances where clear guidelines are set in the Plan.</p> <p>If this policy is pursued in light of the comments above, the plan needs to provide greater certainty to plan users and decision makers about what is considered to be a "non-toxic contaminant" so it is clear what is intended to apply here.</p>
Horticulture New Zealand	Amend	<p>Amend as follows:</p> <p><b><i>Offsetting residual <del>non-toxic</del> contaminants</i></b></p> <p><i>Regardless of the quality of the receiving waters, ensure that <del>non-toxic</del> contaminants that:</i></p> <p><i><u>a) are not causing coastal sediment standards to be exceeded; and</u></i></p> <p><i><u>b) are not causing toxic changes in stream chemistry; and</u></i></p> <p><i><u>c) cannot be removed from a discharge</u></i></p> <p><i>are offset to the fullest extent practicable in the catchment of the water body or coastal water <u>where the discharges occur.</u></i></p> <p><i>This will be achieved by way of re-vegetating riparian margins and restoring or constructing wetlands.</i></p>
Kaipara District Council Whangarei District Council	Amend	Redraft D.4.6 to provide certainty.
Leonard B	Amend	'Eliminate' (delete) Policy D.4.6.
Minister of Conservation	Amend	<p>Amend D.4.6 as follows:</p> <ul style="list-style-type: none"> <li>• <i>Offsetting residual <del>non-toxic</del> contaminants</i></li> <li>• <i>Regardless of the quality of the receiving waters, ensure that <del>non-toxic</del> contaminants...</i></li> </ul>
New Zealand Transport Agency	Amend	<p>Amend D.4.6 as follows:</p> <p><i>D.4.6 Offsetting <del>residual non-toxic</del> contaminants</i></p>

Submitter	Position	Summary of decision requested
		<i>Regardless of the quality of the receiving waters, ensure that <del>non-toxic</del> contaminants that cannot be removed from a discharge <u>and result in ongoing environment effects</u> are offset to the fullest extent practicable in the catchment of the water body or coastal water, such as by way of re-vegetating riparian margins and restoring or constructing wetlands.</i>
Ravensdown Limited	Amend	Retain D.4.6 as notified, while: <ul style="list-style-type: none"> <li>including definition for 'non-toxic contaminant' and</li> <li>providing criteria or reference to best practice or Codes of Practice that will be used to determine if off-setting is to the fullest extent practicable.</li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014. Amend the policy to set out further direction to avoid breaching the standards and minimising any such discharges. Any offsetting needs to be consistent with the New Zealand biodiversity offsetting guidelines.
Te Runanga o Whaingaroa	Amend	Amend to make clear that water quality sources used for human consumption are protected from any form of contamination and that any discharge of this nature be to land.

#### D.4.7

##### Wastewater discharges to water

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	<ul style="list-style-type: none"> <li>Amend to the policy by adding a requirement to have particular regard to tangata whenua values and the effects on them.</li> <li>Amend clause 2 to add a no practicable alternative to a discharge to water test.</li> </ul>
Dairy NZ	Amend	<p>Amend as follows:</p> <p><i>Wastewater discharges <del>to water</del>: <u>Preference for discharges to land</u></i></p> <p><i>An application to discharge wastewater to water will generally not be granted unless:</i></p> <p><i>1) discharging wastewater from a farm, domestic or municipal source to water is the best practicable option;</i></p> <p><i>or</i></p>



Submitter	Position	Summary of decision requested
		<p><i>2)1) there is no trade waste connection available to receive industrial or trade wastewater or the network operator is unable or unwilling to accept</i></p> <p><i>the discharge, <u>and</u>:</i></p> <p><i><u>2) options for discharge to land have been assessed and are not economically or practically viable.</u></i></p>
Far North District Council	Amend	Clarify the term 'best practicable option'.
Fonterra	Amend	<p>Delete Policy D.4.7 and replace with:</p> <p><i>D.4.7 <u>Farm</u> wastewater discharges to water</i></p> <p><i>An application to discharge <u>farm</u> wastewater to water will generally not be granted unless:</i></p> <p><i><u>1. all other options have been considered and found not to be economically or practically viable, and</u></i></p> <p><i><u>2. the discharge will not cause any of the river water quality standards in Policy D.4.1 to be exceeded.</u></i></p>
GBC Winstone	Amend	<p>Amend by adding subclause (3) as follows:</p> <p><i><u>the adverse effects, with particular regard to cultural effects, associated with a discharge to land are greater than a discharge to water.</u></i></p>
Horticulture New Zealand	Amend	<p>Add the following text after clause 2)</p> <p><i><u>Resource consent may be granted if the discharge is to land entering water as a diffuse discharge and water quality targets are achieved through catchment offsetting of nontoxic contaminants beyond the mixing zone.</u></i></p>
Kaipara District Council Whangarei District Council	Amend	Redraft D.4.7 to provide certainty.
Landcorp Farming Limited	Amend	Delete and replace with text to ensure that that applications to discharge wastewater to water meet the requirements of the NPSFM and Part 2 of the Act, including an assessment of environmental and cultural effects.
Leonard B	Amend	'Eliminate' (delete) D.4.7

Submitter	Position	Summary of decision requested
Haititaimarangi Marae 339 Trust  Minister of Conservation	Amend	Amend the D.4.7 so that the actual and potential adverse effects of any discharge on the environment and on the identified values of a particular water body or FMU are considered, that limits are not exceeded and to ensure that any adverse effects can be appropriately avoided, remedied or mitigated.  Amend D.4.7 to remove (2) and to ensure that all industrial and trade waste generating activities are located in a way that ensures their waste can be appropriately dealt with through a connection to a reticulated system and do not result in the discharge of trade or industrial waste entering water.
Patuharakeke Te Iwi Trust Board Inc	Amend	Delete Policy - wastewater discharges to water are not acceptable under any circumstances.
Ravensdown Limited	Amend	Retain the intent of the policy while inserting the following text (or similar) at the start of the policy:  <u>The discharge of wastewater to land is the preferred option in the first instance. ...</u>
Refining New Zealand	Amend	Amend D.4.7 as follows:  <i>An application to discharge wastewater to water will generally not be granted unless:</i>  ...  <i>2) there is no trade waste connection available to receive industrial or trade wastewater or the network operator is unable or unwilling to accept the discharge, <u>or</u></i>  <i><u>3) the discharge originates from the Refining NZ Marsden Point Oil Refinery.</u></i>
Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014.  Amend to policy to set out avoidance of discharge of wastewater to water and to ensure water quality standards are achieved.
Te Runanga o Whaingaroa	Amend	Amend to make clear that alternatives must be sought to the highest level regardless of cost to the developer or applicant.
Federated Farmers  Tegel Foods Ltd	Support	Retain D.4.7 as notified.
Upperton T	Amend	Be more precise about what the 'best practicable option' means in D.4.7 (1).

## D.4.8

### Zone of reasonable mixing

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend as follows:  <i>When determining what constitutes a reasonable mixing zone, use the smallest zone necessary to achieve the required water quality in the receiving water and ensure that <u>within</u> the mixing zone is free from contaminant concentrations and levels of dissolved oxygen <u>will not</u> that cause acute toxicity.</i>
Balle Bros Group Horticulture New Zealand	Support	Retain policy as notified.
Far North District Council	Amend	FNDC seek to remove the following part as it appears more restrictive than s107(1)(g). S107(1)(g) allows that the zone of reasonable mixing can have significant adverse effects on aquatic life.  <del>...and ensure that the mixing zone is free from contaminant concentrations and levels of dissolved oxygen that cause acute toxicity</del>
First Gas Limited	Amend	Include a definition of 'reasonable mixing' in the plan.  Amend the wording of the policy as follows:  <del>When determining what constitutes a reasonable mixing zone, use the smallest zone necessary to achieve the required water quality in the receiving water and ensure that the mixing zone is free from contaminant concentrations and levels of dissolved oxygen that cause acute toxicity</del>  <i>The zone of reasonable mixing shall be minimised and will be determined on a case-by-case basis The zone of reasonable mixing shall be minimised and will be determined on a case-by-case basis. In determining the zone of reasonable mixing, particular regard shall be given to</i>  <i>a) using the smallest zone necessary to achieve the required water quality in the receiving water</i>  <i>b) ensuring that the mixing zone is free from contaminant concentrations and levels of dissolved oxygen that cause acute toxicity.</i>
Fonterra	Amend	Delete and provide definition of zone of reasonable mixing, as sought.
GBC Winstone	Amend	Amend by deleting policy and including a zone of reasonable mixing in the definition section

Submitter	Position	Summary of decision requested
Haititaimarangi Marae 339 Trust	Amend	<p>Amend the description of the zone of reasonable mixing as follows, or as an alternative, include this text as a definition, in the definitions section of the plan:</p> <p><i>Reasonable mixing in relation to the discharge of contaminants into a river or an artificial watercourse, means either:</i></p> <p><i>a. a distance downstream of the discharge that is the least of:</i></p> <p><i>i. the distance that equals seven times the width of the river at the point of discharge when the flow is at half the median flow, or</i></p> <p><i>ii. 200 metres from the point of discharge or, for discharges to artificial watercourses, 200 metres from the point of discharge or the property boundary, whichever is the greater, or</i></p> <p><i>iii. the point at which mixing of the particular contaminant concerned has occurred across the full width of the body of water in the river, artificial watercourse, or</i></p> <p><i>b. a distance for reasonable mixing determined as appropriate for a consent application where special circumstances apply.</i></p>
Kaipara District Council  Whangarei District Council	Amend	Amend D.4.8 to make it clearer what a zone of reasonable mixing is.
Mangawhai Harbour Restoration Society Inc.	Amend	Delete D.4.8, or better define "reasonable mixing".
Minister of Conservation	Amend	<p>Amend the description of the zone of reasonable mixing as follows, or as an alternative, include this text as a definition, in the definitions section of the plan.</p> <p><u><i>Reasonable mixing in relation to the discharge of contaminants into a river or an artificial watercourse, means either:</i></u></p> <p><u><i>a) a distance downstream of the discharge that is the least of:</i></u></p> <p><u><i>i. the distance that equals seven times the width of the river at the point of discharge when the flow is at half the median flow, or</i></u></p> <p><u><i>ii. 200 metres from the point of discharge or, for discharges to artificial watercourses, 200 metres from the point of discharge or the property boundary, whichever is the greater, or</i></u></p> <p><u><i>iii. the point at which mixing of the particular contaminant concerned has occurred across the full width of the body of water in the river, artificial watercourse, or</i></u></p>

Submitter	Position	Summary of decision requested
		<i>b) a distance for reasonable mixing determined as appropriate for a consent application where special circumstances apply.</i>
New Zealand Transport Agency	Amend	Relocate D.4.8 to C.6 as a rule for ascertaining compliance with water quality standards.
Refining New Zealand	Amend	Amend policy D.4.8 to provide clarity with the use of the term 'acute toxicity'.
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the policy to give effect to Policy A3 of the NPS-FM 2014.</p> <p>Add a definition of "mixing zone" which can be applied to permitted activities as well as consented.</p> <p>Clarify the policy by setting out:</p> <ul style="list-style-type: none"> <li>• what can be mixed into the receiving water</li> <li>• the contaminant concentrations</li> <li>• whether it applies to all contaminants or only certain ones</li> <li>• how toxicity is to be avoided</li> <li>• appropriate levels of dissolved oxygen.</li> </ul>
The oil companies	Amend	<p>Retain Policy D.4.8 except to the extent it is amended to achieve certainty as to how to determine the zone of reasonable mixing. This could be achieved by making amendments along the following lines:</p> <p><b><i>D.4.8 Zone of reasonable mixing</i></b></p> <p><i>When determining what constitutes a reasonable mixing zone, use the smallest zone necessary to achieve the required water quality in the receiving water and while ensuring that the mixing zone is free from both contaminant concentrations and levels of dissolved oxygen that cause acute toxicity.</i></p>

#### D.4.9

Transitional policy under the National Policy Statement for Freshwater Management

Submitter	Position	Summary of decision requested
Balle Bros Group Bay of Islands Planning Ltd Dairy NZ Far North District Council	Support	Retain D.4.9 as notified.

Submitter	Position	Summary of decision requested
Federated Farmers Tegel Foods Ltd		
Haititaimarangai Marae 339 Trust	Amend	<p>Amend the inclusion of the transitional policy to ensure that its wording directly reflects the wording in Policy B7 of the NPSFM stated below:</p> <p><u>1. When considering any application the consent authority must have regard to the following matters:</u></p> <p><u>a. the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and</u></p> <p><u>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.</u></p> <p><u>2. This policy applies to:</u></p> <p><u>a. any new activity and</u></p> <p><u>b. 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 –</u></p> <p><u>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).</u></p> <p><u>3. This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.</u></p>
Leonard B	Amend	Replace 'communities' with 'other animals'. (2a)
Minister of Conservation	Amend	Replace D.4.9 with the wording on Policy B7 of the National Policy Statement for Freshwater Management.
Ravensdown Limited	Amend	Retain intent of D.4.9 while deleting the term 'secondary' in clauses 2a) and 2b).

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014.  Use this schedule 1 process to give effect to Policy A1 and Policy A2 (freshwater quality limits and targets) of the NPSFM

#### D.4.10

##### Discharge of hazardous substances to land or water

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited  Far North District Council  The oil companies	Support	Retain Policy D.4.10 as notified.
Horticulture New Zealand	Amend	Amend clause 1c) as follows:  <i>c) <u>containment against accidental spillage, and</u></i>
Ravensdown Limited	Support	Retain policy subject to the inclusion of a new definition of <i>good management practice</i> .
Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014.
Whangarei District Council	Amend	Clarification on the definition of 'hazardous substances' is required, noting that hazardous substances as defined in the RMA can include a wider range than those in the HSNO Act. There is no definition in the plan, with milk and dairy effluent managed separately. There is no mention of coastal waters in the policy which appears to be an inconsistency between the rules and policy.

#### D.4.11

##### Discharges from landfills

Submitter	Position	Summary of decision requested
Far North District Council	Support	Retain policy D.4.11 as notified.
Horticulture New Zealand	Amend	<p>Amend policy as follows:</p> <p><i>The adverse effects on surface water, groundwater, and coastal water from discharges to land associated with landfills must be minimised by ensuring landfill <u>location</u>, design, construction, operation and maintenance include:.....</i></p> <p><i><u>3) methods for the separation of leachate and stormwater within the surface and subsurface water controls and reticulations, and</u></i></p> <p><i>4) maintenance and monitoring to minimise contamination of the receiving environment,</i></p> <p><i>and</i></p> <p><i><u>5) ensuring landfills are located in such a way as to avoid sensitive aquifers and recharge zones, and</u></i></p> <p><i>6) ensuring.....</i></p>
Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014.

#### D.4.12

##### Application of biosolids to land

Submitter	Position	Summary of decision requested
Bioenergy Association	Support	Retain policy as notified.
Far North District Council Kaipara District Council	Amend	Clarify that that sludge from a municipal wastewater treatment plant is a biosolid and can be applied to land.
Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014.



Submitter	Position	Summary of decision requested
Whangarei District Council	Amend	The policy be amended to refer to "current New Zealand biosolid guidelines" or a future plan change may be required to reflect the future revised guideline.

#### D.4.13

##### Achieving freshwater quantity related outcomes

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Egg Producers Federation New Zealand Federated Farmers Irrigation New Zealand New Zealand Defence Force Tegel Foods Ltd The oil companies	Support	Retain policy D.4.13 as notified.
Bay of Islands Maritime Park Inc	Amend	Support but expand to include the protection and restoration of natural character.
Beef and Lamb NZ	Amend	Replace policy D.4.13 with the following:  <u>Water quantity is managed to enable people, industry and agriculture to take and use water to meet their reasonable needs while ensuring that:</u>  <u>(a) For surface water:</u>  <u>(i) minimum flows and allocation regimes are set for the purpose of maintaining or enhancing (where degraded) the existing life supporting capacity of rivers and their beds, and providing for communities' values for freshwater. These values include community wellbeing, cultural values, economic values, and existing use and investment;</u>

Submitter	Position	Summary of decision requested
		<p><u>(ii) in times of water shortage where limits are being approached or are breached, takes are restricted to those that are essential to the health or safety of people and communities, and drinking water for animals, and other takes are progressively reduced;</u></p> <p><u>(iii) the amount of water taken from waterbody does not compromise its existing life-supporting capacity or physical form and function;</u></p> <p><u>b) For groundwater:</u></p> <p><u>(i) takes do not cause a significant adverse effect on the long-term groundwater yield</u></p> <p><u>(ii) groundwater takes that are hydrologically connected to surface waterbodies, are managed within the minimum flow and allocation regimes established for these waterbodies</u></p> <p><u>(iii) the significant adverse effects of a groundwater take on other groundwater and surface water takes are avoided</u></p> <p><u>(iv) saltwater intrusion into coastal aquifers, induced by groundwater takes, is avoided.</u></p> <p><u>(c) In all cases, water is used efficiently</u></p>
CEP Services Matauwhi Limited	Amend	<p>Amend the policy to address the following;</p> <ul style="list-style-type: none"> <li>• that it does not include any natural character consideration;</li> <li>• that it limits the natural hydrological variation requirement to outstanding waterbodies and wetlands when it should also include, at a minimum, all waterbodies that meet the criteria for 'significance' stated in Appendix 5 of the Regional Policy Statement;</li> <li>• that it makes no provision for managing the taking, use, diversion and damming of water in the light of climate change;</li> <li>• that there is no recognition of tangata whenua values being affected by the taking, use, damming or diversion of water.</li> </ul>
Far North District Council	Amend	FNDC want to add a line under the six items, around balancing the FW quantity outcomes with obligations under other acts (LGA) to provide potable water.
Fonterra	Amend	<p>Include a new policy</p> <p><u><b>D.4.X Water storage</b></u></p> <p><u>Encourage water storage to improve the reliability of water supply.</u></p>
Haititaimarangai Marae 339 Trust	Amend	Retain Clause 1) as notified.

Submitter	Position	Summary of decision requested
		<p>Amend Clause 2) to read, or wording to similar effect: "<u>the significant values, including natural hydrological variation of outstanding freshwater bodies and natural wetlands are protected</u><del>not altered</del>"</p> <p>Amend Clause 3) to read, or wording to similar effect: "rivers have sufficient flow variability to maintain habitat quality, <u>natural movement of indigenous</u> including to flush rivers of deposited sediment and nuisance algae and macrophytes, and"</p> <p>Add a new Clause 7) which states: "<u>the extent of littoral zones in natural lakes are maintained.</u>"</p>
Horticulture New Zealand	Amend	<p>Amend clause 2) as follows:</p> <p>2) <u>there are no significant adverse effects to the</u> <del>natural</del> hydrological variation of outstanding freshwater bodies and natural wetlands <del>are not altered</del>, and</p>
Horticulture New Zealand	Amend	<p>Insert a new clause 7) as follows:</p> <p><u>7) irrigation, cultivation and food production values are recognised with reliable and secure access to water provided.</u></p>
Kaipara District Council	Amend	Unclear - submitter notes that they (as a council) must provide potable water where they reticulate, and water storage may be required to simultaneously meet freshwater outcomes and provide potable water.
Minister of Conservation	Supoprt	Retain D.4.13 (1) as notified.
Minister of Conservation	Amend	<p>Amend D.4.13 as follows:</p> <ul style="list-style-type: none"> <li>Amend 2) <u>the significant values, including natural hydrological variation of outstanding freshwater bodies and natural wetlands are protected</u><del>not altered</del></li> <li>Add a new "6" which states: <u>the extent of littoral zones in natural lakes are maintained</u></li> </ul>
NZ Pork Industry Board	Amend	Amend D.4.13 to identify a freshwater quality related outcome related to the provision of reliable access to water for rural production activities.
Northland Fish and Game	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014.
Patuharakeke Te Iwi Trust Board Inc	Amend	Amend clause 6) to read <u>recreational and amenity values associated with fresh water are enhanced.</u>
Refining New Zealand	Amend	Amend policy D.4.13 (and any consequential amendments) as follows:

Submitter	Position	Summary of decision requested
		<p>Manage the taking, use, damming, and diversion of fresh water so that:</p> <p>...</p> <p>5) saline intrusion in, and land subsidence above, aquifers is avoided, <u>unless the effects of saline intrusion are outweighed by the adverse effects which could result from not effectively managing passive discharges</u>; and</p> <p>...</p>
Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy A3 of the NPS-FM 2014.

#### D.4.14

##### Minimum flows for rivers

Submitter	Position	Summary of decision requested
Balle Bros Group Brocx T Horticulture New Zealand Irrigation New Zealand Landcorp Farming Limited	Support	Retain Policy as notified.
Booth A	Support	Support technical basis for setting minimum flows.
Booth A	Unclear	<p>Has concerns around how the level set for minimum flows will affect his farm.</p> <p>Wants to know whether there will be any priority given to dairy shed water given its economic impact on the region.</p>
CEP Services Matauwhi Limited	Amend	Amend the minimum flows so that they achieve the outcomes set out in the sought amended policy D.4.1.13.
Clements B	Support	Comments that dairys shed use should be given a higher priority over other takes due to potential economic impacts. Unclear whether a change is sought.
Dairy NZ	Amend	Clarify where the point of take occurs.

Submitter	Position	Summary of decision requested
		<p>Amend D4.14 (4) as follows:</p> <p><i>Apply the following minimum flows.....:</i></p> <p><i>4) for large rivers, <del>70%</del>80% of the seven day mean annual low flow.</i></p>
Far North District Council	Amend	FNDC may seek to propose suggested changes to this control. Council will provide further support for this submission at the Regional Council Hearing
Federated Farmers	Amend	<p>Amend policy D.4.14 as follows:</p> <p><i>1) for outstanding rivers, <del>100%</del>70% of the seven-day mean annual low flow, and</i></p> <p><i>2) for coastal rivers, <del>90%</del>70% of the seven-day mean annual low flow, and</i></p> <p><i>3) for small rivers, <del>80%</del>70% of the seven-day mean annual low flow, and</i></p> <p><i>4) for large rivers, <del>80%</del>70% of the seven-day mean annual low flow.</i></p>
Fonterra	Amend	<p>Amend to clarify how mean annual low flows are to be determined.</p> <p>Amend D.4.14 to clarify that it does not apply to non-consumptive water takes.</p>
Haititaimarangai Marae 339 Trust	Amend	<p>Amend the plan to ensure that:</p> <ul style="list-style-type: none"> <li>the natural flow patterns of the Regions Rivers, lakes, and wetlands are provided for and protected. This includes minimum flows, core allocations, and hydrological variability.</li> <li>Minimum flows should not exceed 70% of the natural MALF.</li> <li>Supplementary takes shall not cause departure from the natural hydrological regime.</li> </ul>
Kaipara District Council Whangarei District Council	Support	Support D.4.14 provided Policy D.4.19 is taken into consideration in tandem during resource consent applications for water takes for registered water supplies.
Minister of Conservation	Amend	Amend so that minimum flow for rivers less than 5m/s is 100% MALF in the absence of river specific assessment.
Northland Fish and Game Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy B1 of the NPS-FM 2014.

Submitter	Position	Summary of decision requested
Smart P	Amend	Provide provision or priority to dairy shed use when minimum water flows are pending and or reached. Otherwise retain D.4.14 as notified.

## D.4.15

### Minimum levels for lakes and wetlands

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Amend the minimum levels so that they achieve the outcomes set out in the sought amended policy D.4.1.3.
Dairy NZ Horticulture New Zealand Irrigation New Zealand Landcorp Farming Limited	Support	Retain D.4.15 as notified.
Far North District Council	Amend	FNDC may seek to propose suggested changes to this control. Council will provide further support for this submission at the Regional Council Hearing
Federated Farmers	Amend	Amend the policy because it is too conservative and there is insufficient data to set minimum flows for lakes and wetlands.
Fonterra	Amend	Amend D.4.15 to clarify that it does not apply to non-consumptive water takes.
Haititaimarangai Marae 339 Trust	Amend	Amend the policies and rules in the Plan so that the water levels and natural fluctuations of levels in lakes and wetlands are maintained in a way that provides for the life-supporting capacity, mahinga kai, habitat values and mauri of those water bodies.
Kaipara District Council	Amend	Unclear - submitter notes that they (as a council) must provide potable water, and water storage may be required to simultaneously meet freshwater outcomes and provide potable water.
Minister of Conservation	Amend	In the absence of lake specific assessment, amend the minimum levels for lakes to no change to lake level.

Submitter	Position	Summary of decision requested
Minister of Conservation	Support	Retain requirement that there is no change in seasonal or annual range in water levels for wetlands.
Northland Fish and Game Royal Forest and Bird Protection Society NZ	Amend	Amend the policy to give effect to Policy B1 of the NPS-FM 2014.

#### D.4.16

##### Allocation limits for rivers

Submitter	Position	Summary of decision requested
Balle Bros Group Brocx T Irrigation New Zealand Landcorp Farming Limited	Support	Retain D.4.16 as notified.
CEP Services Matawhi Limited	Amend	Amend the allocation limits so that they achieve the outcomes set out in the sought amended policy D.4.1.3.
Clements B	Amend	Policy needs more clarification with regards to implementation.
Dairy NZ	Amend	Clarify where the allocation limits are measured from.
Dairy NZ	Amend	Insert new clause 3)  <i><u>3) 'Information on existing levels of surface water allocation will be introduced to the plan via a Plan Change on or before 1 January 2018.'</u></i>
Egg Producers Federation New Zealand	Amend	Remove from policies and insert as a 'rule' in section C. Subsequently rephrase the new rule so that it is more readily understood.
Far North District Council	Amend	FNDC may seek to propose suggested changes to this control. Council will provide further support for this submission at the Regional Council Hearing

Submitter	Position	Summary of decision requested
Federated Farmers	Amend	<p>There is insufficient data to set allocation limits and the NRC indicative allocation map currently sits outside of the plan.</p> <p>Considers that a primary, secondary and harvesting allocation regime could be adopted whereby lower allocation limits are set for primary takes but higher limits are set for secondary and harvesting takes.</p>
Fonterra	Amend	<p>Amend D4.16 to clarify that it does not apply to non-consumptive water takes. Amend Policy D4.16 as follows:</p> <p><i>1) The allocation limits in Clause 2 apply to:</i></p> <p><i>a) rules in this plan that permit any activity involving the taking and use of fresh water from rivers <u>but do not apply to minor permitted takes under C.5.1.1, and</u></i></p>
GBC Winstone	Amend	Amend by including "Surface Water Allocation Maps"
Haititaimarangai Marae 339 Trust	Amend	<p>Ensure that allocation limits for rivers are set to ensure the values of individual waterbodies/FMU's are achieved and where over-allocation exists, include a new policy that sets out the timeframes and methods for phasing out this over-allocation.</p> <p>In the interim use a default allocation of 30% of the natural MALF, including any permitted activity takes and existing resource consent where water take is enabled.</p> <p>Ensure that allocation limits are set taking into account all the water available to be taken from surface water bodies, including any permitted takes or takes authorised by resource consents. Unauthorised takes need to be managed to ensure that the effects of these activities are understood and that they are managed within the appropriate allocation limits set for the waterbody.</p> <p>Make consequential changes to rules in the Plan to be consistent with the amended policies</p>
Horticulture New Zealand	Amend	<p>Amend clause 2) b) iii) as follows:</p> <p><u>unauthorised takes that existed at the notification date of this plan, which are now authorised via resource consent.</u></p>
Kaipara District Council Whangarei District Council	Amend	Add reference to rule C.5.1.6 in D.4.16(1)(b) to provide for replacement water permits for registered drinking water supplies.
Minister of Conservation	Amend	Amend table 11 to: <u>30% MALF allocation limit in the absence of river specific information.</u>



Submitter	Position	Summary of decision requested
		Include stock drinking and domestic takes in setting allocation limits for rivers.
Ngati Ruamahue of Whangaroa	Amend	<p>Make amendments to require that all applications to take water within the rivers within Ngati Ruamahue of Whangaroa's rohe be notified.</p> <p>That district-specific allocations are inserted into the plan to replace blanket Northland-wide regime of allocations.</p>
Ngāwhā Generation Ltd	Amend	<p>Seeks changes to Policy D.4.16 to protect the existing allocation of water for the Ngāwhā geothermal power station activities. This can be achieved by either:</p> <p>i) Deleting the provision; or</p> <p>ii) Amending Clause 1(a) of Policy D.4.16 as follows:</p> <p><i>... rules in this plan that permit any activity involving the taking and use of fresh water from rivers <u>except where water is taken for regionally significant infrastructure pursuant to resource consents current at the notification date of this plan, and...</u> or</i></p> <p>iii) Amending Clause 1(a) of Policy D.4.16 as follows:</p> <p><i>... rules in this plan that permit any activity involving the taking and use of fresh water from rivers <u>except for the Ngāwhā and Mangamutu Streams upstream of map reference 1682855E 6084531N and the Mangatawai Stream upstream of map reference 1683215E 6082991N, and...</u> or</i></p> <p>iv) Amending Clause 2(b) of Policy D.4.16 by adding the following sub-clause (iv) as follows:</p> <p><i>... <u>resource consents for the taking of water for regionally significant infrastructure at the date of public notification of this plan less, any resource consents subsequently surrendered, lapsed, cancelled or not replaced, ...</u> and</i></p> <p>v) making changes to the Proposed Plan rules as may be necessary in order to provide for the taking of water from the taking of water from surface streams for the Ngāwhā geothermal development separately from rules providing for the taking of water from other surface water resources.</p>
Northland Fish and Game	Amend	<p>Amend clause 2) to limit the allocation from "<i>whichever is greater of:</i>" to "<i>whichever is lesser of:</i>".</p> <p>Amend the words '<i>the following table</i>' to '<i>Table 11</i>'</p> <p>Add a definition 'median flow' or clarify in the context of relevant policies.</p>

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend clause 2) to limit the allocation from “whichever is greater of:” to “<i>whichever is lesser of:</i>”.</p> <p>Amend the words ‘the following table’ to ‘<i>Table 11</i>’</p> <p>Add a definition ‘median flow’ or clarify in the context of relevant policies.</p>
Smart P	Amend	Allow for the modification of the allocation maps as more accurate information is able to be collated.

#### D.4.17

##### Allocation limits for aquifers

Submitter	Position	Summary of decision requested
Balle Bros Group Irrigation New Zealand	Support	Retain policy as notified.
Dairy NZ	Amend	<p>Insert new clause 3)</p> <p><i>3) ‘Information on existing levels of surface water allocation will be introduced to the plan via a Plan Change on or before 1 January 2018.’</i></p>
Egg Producers Federation New Zealand	Amend	Remove from policies and insert as a ‘rule’ in section C. Subsequently rephrase the new rule so that it is more readily understood.
Far North District Council	Amend	FNDC may seek to propose suggested changes to this control, including prioritising registered drinking water supplies. Council will provide further support for this submission at the Regional Council Hearing
King K & F Foy F	Amend	Allow increased allocation from aquifers to ensure efficient use of the resource
Federated Farmers	Amend	Replace 35% annual average recharge with 50% annual average recharge.
Fonterra	Amend	Amend D.4.17 to clarify that it does not apply to non-consumptive water takes.

Submitter	Position	Summary of decision requested
GBC Winstone	Amend	Amend by including "Surface Water Allocation Maps"
Haititaimarangai Marae 339 Trust	Amend	Ensure that allocation limits for groundwater and aquifers are set to ensure the values of individual waterbodies/FMU's are protected and freshwater objectives achieved. Where over-allocation exists, include a new policy that sets out the timeframes and methods for phasing out this over-allocation.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to provide for groundwater allocation of up to 10% of average annual recharge for all groundwater (except the Aupouri aquifer) which would achieve a low potential risk of hydrological alteration as identified in the Ministry for the Environment's Draft Guidelines for the Selection of Methods to Determine Ecological Flows and Water Levels.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to ensure that allocation limits are set taking into account all the water available to be taken from aquifers, including any permitted takes or takes authorised by resource consents.
Haititaimarangai Marae 339 Trust	Amend	Unauthorised takes need to be managed to ensure that the effects of these activities are understood and that they are managed within the appropriate allocation limits set for the waterbody. Amend the policy to ensure that currently unauthorised takes are not automatically authorised and that such takes are subject to the necessary scrutiny to ensure they do not cause over-allocation to occur or persist.
Hayward Family Trust Honeytree Farms Ltd KSL Limited Motutangi Waiharara Water Group	Amend	Amend so that the minimum default provisions for all sub-zones in the Aupouri aquifer (including the Aupouri-Houhora, Aupouri-Motutangi and Aupouri-Waiparera sub-zones) be changed to 15% of mean annual recharge, where mean annual recharge is 38% of mean annual rainfall (1,250 mm/year).
Horticulture New Zealand	Amend	Amend Table 12 in Policy D.4.17 to increase the groundwater allocation limits of the Aupouri-Houhora, Aupouri-Motutangi and Aupouri-Waiparera zones to 15% annual average recharge.
Laurenson D	Support	Retain the allocation limits in Table 12 of Policy D.4.17
Minister of Conservation	Amend	Include stock drinking and domestic takes in setting allocation limits for aquifers.
Ngati Ruamahue of Whangaroa	Oppose	Allocation limits for acquifers fails to acknowledge that these natural 'puna' are sites of significance for Ngati Ruamahue of Whangaroa and as such request consultation and input into allocation levels.

Submitter	Position	Summary of decision requested
Ngāwhā Generation Ltd	Amend	<p>Seeks changes to Policy D.4.17 and associated rules to provide for the management of geothermal resources separately from “other” aquifers. This can be achieved by either:</p> <p>i) Deleting Policy D.4.17;</p> <p>OR</p> <p>ii) Adding a new Clause 3 to Policy D.4.17 as follows:</p> <p><u>3) The allocation limits in this policy do not apply to any activity involving the taking and use of water or energy from geothermal resource aquifers.</u></p> <p>OR</p> <p>ii) Adding a new Clause 3 to Policy D.4.17 as follows:</p> <p><u>3) Allocation of water and energy in geothermal resource aquifers shall be assessed on a case by case basis.</u></p> <p>AND</p> <p>iii) Making changes to the Proposed Plan rules as may be necessary in order to provide for the taking of water and energy from geothermal aquifers separately from rules providing for the taking of water from other aquifers.</p>
Northland Fish and Game	Amend	Amend for both “For coastal aquifers” and “other aquifers”, by changing “whichever is greater of.” to “ <u>whichever is lesser of.</u> ”
Refining New Zealand	Amend	<p>Amend D.4.17 as follows:</p> <p>1) <i>The allocation limits in Clause 2 apply to:</i></p> <p>...</p> <p><i>b) applications for water permits for the taking and use of fresh water from aquifers, but do not apply to applications for water permits for the taking and use of fresh water:</i></p> <p><i>i) under rule C.5.1.7 'Takes existing at the notification date of the plan - controlled activity' and</i></p> <p><i>ii) rule C.5.1.9 'Takes existing at the notification date of this plan - discretionary activity' <u>and</u></i></p> <p><i>iii) <u>new resource consents to take water associated with the management of passive discharges from Regionally Significant Infrastructure.</u></i></p>
Royal Forest and Bird Protection Society NZ	Amend	Amend for both “For coastal aquifers” and “other aquifers”, by changing “whichever is greater of.” to “ <u>whichever is lesser of.</u> ”

Submitter	Position	Summary of decision requested
Shine S	Amend	Amend the % annual average recharge limit in the Motutangi and Waiparera Aquifers from 10% to 20% .
Sucich R	Amend	Clarify if Aupouri Aquifer is coastal or not.
Smart P	Amend	Allow for the modification of the allocation maps as more accurate information is able to be collated.
Te Runanga o Whaingaroa	Amend	Require tangata whenua consultation and input into allocation levels for aquifers as these natural 'puna' are sites of significance for tangata whenua.
Tegel Foods Ltd	Amend	Move D.4.17 to an appendix.

#### D.4.18

##### Conjunctive surface water and groundwater management

Submitter	Position	Summary of decision requested
Balle Bros Group Northland Fish and Game Horticulture New Zealand	Support	Retain policy as notified.
Far North District Council	Amend	Rename policy 'integrated' as 'conjunctive' is not plain English.
Fonterra	Amend	Amend D.4.18 to clarify that it does not apply to non-consumptive water takes.
GBC Winstone	Amend	Amend by including "Surface Water Allocation Maps"
Haititaimarangai Marae 339 Trust	Amend	Support the policy as notified but remove the word "generally" so it is clear the instances where water takes will not be granted
Irrigation New Zealand	Amend	Amend D.4.18 as follows:

Submitter	Position	Summary of decision requested															
		<ul style="list-style-type: none"><li>Apply minimum flows, minimum levels and allocation limits set for rivers, lakes and natural wetlands to water takes from aquifers that are directly or highly connected, <u>as defined in Appendix H4...</u></li><li>Add new Appendix H4: <u>Assessment of Stream / River Depletion Effect</u>  <u>Direct stream depletion is where the modelled effect of 7-days of steady continuous groundwater abstraction on the surface waterbody is greater than 90%.</u>  <u>High stream depletion is where the modelled effect of 7-days of steady continuous groundwater abstraction on the surface waterbody is greater than 90% but where 150 days of steady continuous groundwater abstraction is greater than 60%.</u>  <u>Moderate stream depletion is where the modelled effect of 150 days of steady continuous groundwater abstraction on the surface waterbody is less than 60% but greater than 40%, or where the effect of 150 days of continuous steady groundwater abstraction on the surface waterbody less than 40% but pumping the annual volume over 150 days at a continuous steady rate is greater than 5 l/s.</u>  <u>Low stream depletion is where the effect of 150 days of steady continuous groundwater abstraction on the surface waterbody is less than 40% and the effect of pumping the annual volume over 150 days at a continuous steady rate is less than 5 l/s.</u>  <u>Borefields</u>  <u>Where there is greater than one bore on a property that is hydraulically connected to a stream, the stream depletion effect shall be determined independently. If the bores have the same stream depletion effect the bores shall be determined in combination. The combined stream depletion effect shall be determined using the maximum possible effect under the consent conditions.</u></li></ul> <table><tr><th><u>Effect</u></th><th><u>Amount in surface water allocation limit</u></th><th><u>Amount in groundwater allocation</u></th><th><u>Pumping schedule</u></th><th><u>Flow restrictions</u></th></tr><tr><td><u>Direct</u></td><td><u>Maximum daily rate of take and 100% of the annual volume</u></td><td><u>None</u></td><td><u>N/A</u></td><td><u>Yes</u></td></tr><tr><td><u>High</u></td><td><u>Effect estimated using the pumping schedule and 75% of annual volume</u></td><td><u>25%</u></td><td><u>150 days</u></td><td><u>Yes - if more than stream depletion effect cut-off</u></td></tr></table>	<u>Effect</u>	<u>Amount in surface water allocation limit</u>	<u>Amount in groundwater allocation</u>	<u>Pumping schedule</u>	<u>Flow restrictions</u>	<u>Direct</u>	<u>Maximum daily rate of take and 100% of the annual volume</u>	<u>None</u>	<u>N/A</u>	<u>Yes</u>	<u>High</u>	<u>Effect estimated using the pumping schedule and 75% of annual volume</u>	<u>25%</u>	<u>150 days</u>	<u>Yes - if more than stream depletion effect cut-off</u>
<u>Effect</u>	<u>Amount in surface water allocation limit</u>	<u>Amount in groundwater allocation</u>	<u>Pumping schedule</u>	<u>Flow restrictions</u>													
<u>Direct</u>	<u>Maximum daily rate of take and 100% of the annual volume</u>	<u>None</u>	<u>N/A</u>	<u>Yes</u>													
<u>High</u>	<u>Effect estimated using the pumping schedule and 75% of annual volume</u>	<u>25%</u>	<u>150 days</u>	<u>Yes - if more than stream depletion effect cut-off</u>													

Submitter	Position	Summary of decision requested				
		<u>Moderate</u>	<u>Effect estimated using the pumping schedule and 50% of annual volume</u>	<u>50%</u>	<u>150 days</u>	<u>No</u>
		<u>Low</u>	<u>None</u>	<u>100%</u>	<u>N/A</u>	<u>No</u>

#### D.4.19

Exceptions to minimum flows or levels

Submitter	Position	Summary of decision requested
Balle Bros Group	Amend	Support the policy but requests the word 'aquifer' is inserted after lake - <i>An application for a water permit that would allow water to be taken from a river, lake, <u>aquifer</u> or natural wetland..</i>
CEP Services Matauwhi Limited	Amend	Amend policy D.4.19 by adding further qualifiers to limit and control the allowance of any exception to minimum flows and levels.
Far North District Council	Amend	Amend as follows:  <u>"An application for a water permit that would allow water to be taken from a river, lake or natural wetland when flows or levels are below a minimum flow or minimum level, or which would exceed an allocation limit, may only be granted if:</u>  <u>1) the water is to be taken for:</u>  <u>a) the health of people as part of a registered drinking water supply.</u> <u>Or</u>  <u>b) the sole purpose of preventing the death of permanent viticulture or horticulture crops (...), or</u>  <u>2) a different minimum flow or minimum level has been set for the water body in a resource consent.</u>
Federated Farmers	Amend	Amend policy D.4.19 as follows:  <u>1) the water is to be taken for:</u>  ...

Submitter	Position	Summary of decision requested
		<i>c) fire-fighting purposes and s14(3)(b) RMA takes</i> ...
Fonterra	Amend	Amend D.4.19 to clarify that it does not apply to non-consumptive water takes.
Haititaimarangai Marae 339 Trust	Amend	Delete provisions which allow takes below minimum flow for the sole purpose of preventing the death of permanent viticulture or horticulture crops and encourage water saving and storage options.
Haititaimarangai Marae 339 Trust	Amend	Amend all rules and associated policies to ensure that takes below minimum flows and levels are not able to occur.
Horticulture New Zealand	Amend	Amend clause 1)b) as follows:  <i>b) the sole purpose of preventing the death of <del>permanent</del> viticulture or <del>permanent or water sensitive</del> horticulture crops (excluding pasture species, animal fodder crops, and maize), or</i>
Irrigation New Zealand Kaipara District Council Landcorp Farming Limited Whangarei District Council	Support	Retain D.4.19 as notified.
Hicks M Minister of Conservation	Amend	Delete 1)b)
Northland Fish and Game	Amend	Amend the policy as follows:  <i>An application for a water permit that would allow water to be taken from a river, lake or natural wetland when flows or levels are below a minimum flow or minimum level will generally not be granted. A resource consent may be granted if:</i>  <i>1) the water is to be taken for:</i>  <i>a) the health of people as part of a registered drinking water supply, or</i>  <i>b) the sole purpose of preventing the death of permanent viticulture or horticulture crops (excluding pasture species, animal fodder crops, and maize); <del>or</del>.</i>



Submitter	Position	Summary of decision requested
		<del>2) a different minimum flow or minimum level has been set for the water body in a resource consent.</del>
Royal Forest and Bird Protection Society NZ	Amend	Remove part 2, which states "a different minimum flow or minimum level has been set for a water body in a resource consent".
The oil companies	Amend	<p>Amend the policy as follows:</p> <p><i>1. the water is to be taken for:</i></p> <p><i>a) the health of people as part of a registered drinking water supply, or</i></p> <p><i>b) the sole purpose of preventing the death of permanent viticulture or horticulture crops (excluding pasture species, animal fodder crops, and maize), or</i></p> <p><i>c) the take comprises a take and diversion of groundwater for temporary and short term construction dewatering purposes where the take is shallow and there is an almost immediate return to the catchment.</i></p>

#### D.4.20

Reasonable and efficient use of water - irrigation

Submitter	Position	Summary of decision requested
Balle Bros Group Federated Farmers Irrigation New Zealand Landcorp Farming Limited	Support	Retain Policy D.4.20 as notified.
CEP Services Matauwhi Limited	Amend	Amend to explicitly require consideration of a water balance model using climate factors as expected in 2070, in order to account for the effects of climate change.
Far North District Council	Amend	Unclear what exact changes are sought. Submitter comments that applications for water takes that are not for municipal, community, horticultural or productive purposes should have

Submitter	Position	Summary of decision requested
		to demonstrate that they will not adversely affect existing water users. Priority should be given to potable water, stock animal and root stock supply as per D.4.19.
Hayward Family Trust Honeytree Farms Ltd KSL Limited Motutangi Waiharara Water Group	Amend	Regarding the “field-validated” water balance model – either be more specific about what it meant or remove the word “field-validated”.
Hayward Family Trust Honeytree Farms Ltd KSL Limited Motutangi Waiharara Water Group	Amend	Delete reference to “within an accuracy of 15 percent”.
Hicks M	Amend	Amend to so that irrigation can only take place if there is an uninterrupted supply of water that does not fall below the minimum flow levels.
Horticulture New Zealand	Amend	<p>Amend policy as follows:</p> <p><i>An application for a resource consent to take water for irrigation purposes must include an assessment using a <del>field-validated</del> water balance model that considers land use, crop water use requirements <u>(that includes the specified growth requirements of a business and the requirements of a crop through all phases of the life cycle)</u>, on-site physical factors such as soil water holding capacity, and climate factors such as rainfall variability and potential evapotranspiration. The model must reliably predict annual irrigation volume <del>within an accuracy of 15 percent</del>.</i></p> <p><i>The annual volume calculated using the model must meet the following criteria....</i></p>

## D.4.21

Reasonable and efficient use of water - group or community water supplies

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Include the following matters in the water management plan required by the policy: (i) how water demand will be managed, (ii) water reuse, (iii) resilience in the light of climate change.
Dairy NZ Irrigation New Zealand Federated Farmers Horticulture New Zealand NZ Pork Industry Board	Support	Retain Policy D.4.21 as notified.
Far North District Council	Amend	Unclear what exact changes are sought. Submitter comments that applications for water takes that are not for municipal, community, horticultural or productive purposes should have to demonstrate that they will not adversely affect existing water users. Priority should be given to potable water, stock animal and root stock supply as per D.4.19.
Sweetwater Farms	Amend	Delete D.4.20 and provide an appendix outlining reasonable and efficient use of water - irrigation.
Van Alphen R	Unclear	Inferred that submitter wants NRC to observe management plans when considering community consent applications.

## D.4.22

Reasonable and efficient use of water - other uses

Submitter	Position	Summary of decision requested
Dairy NZ Federated Farmers Irrigation New Zealand Landcorp Farming Limited	Support	Retain D.4.22 as notified.

Submitter	Position	Summary of decision requested
NZ Pork Industry Board		
Far North District Council	Amend	FNDC seek to amend D.4.22 which requires that such takes must not adversely affect existing water users, and that aquifers must be protected from salt water intrusion.
GBC Winstone	Amend	Amend by deleting current wording and adding the following  <u>A resource consent application to take water for any other use may include an assessment of reasonable and efficient use by including consideration of possible wastage and opportunities for re-use or conservation if appropriate.</u>
Hicks M	Amend	Amend to: <ul style="list-style-type: none"> <li>• restrict use of water for recreational purposes and to grow lawn, especially if the water would otherwise be recharged a lake or wetland;</li> <li>• encourage use of drought resistant species, rainwater storage and town water supply.</li> </ul>
Horticulture New Zealand	Amend	Amend policy as follows:  <u>A resource consent application to take water for any other use of water must include an assessment of reasonable and efficient use by which should include demonstrating that water will not be wasted and identify any opportunities for re-use or conservation.</u>  <u>Priority should be given to potable water, stock animal and viticulture and permanent or water sensitive horticulture supply as per D.4.19.</u>
Refining New Zealand	Amend	Amend D.4.22 as follows:  <u>A resource consent application to take water for any other use of water must include an assessment of reasonable and efficient use by demonstrating that water will not be wasted and identify any opportunities for re-use or conservation (this requirement does not apply to water takes for the management of passive discharges from Regionally Significant Infrastructure).</u>
Tegel Foods Ltd	Amend	Amend D.4.22 as follows:  <u>A resource consent application to take water for any other use of water must include an assessment of reasonable and efficient use taking into account the nature of the activity and by demonstrating that water will not be wasted and identify any opportunities for re-use or conservation.</u>

## D.4.23

### Conditions on water permits

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Far North District Council Haititaimarangai Marae 339 Trust Irrigation New Zealand Balle Bros Group Whangarei District Council	Support	Retain Policy D.4.23 as notified.
Bay of Islands Maritime Park Inc	Amend	Move from the policy to the rule section.
Egg Producers Federation New Zealand	Amend	Amend policy so that it does not appear to be a rule and does not apply to all consents.
Federated Farmers	Amend	Unclear but requests further guidelines (new policies) about water quantity restriction and cessation trigger points and the priority of water uses are required for clarity
Horticulture New Zealand	Amend	Include a new clause 7) as follows:  <i>7) In the case of takes from a modified watercourse, conditions of consent that recognise the particular functions of modified watercourses in rural production systems and that many do not display high natural or ecological values but are important for land drainage services and water supply.</i>
Kaipara District Council	Support	Retain: <ul style="list-style-type: none"> <li>• requirement for all water takes to be metered, particularly in high or over allocated catchments.</li> <li>• requirement for the installation (and ongoing maintenance) of backflow prevention systems to prevent contamination of drinking water supplies.</li> </ul>
Laurenson D	Amend	Amend Policy D.4.23 as follows:

Submitter	Position	Summary of decision requested
		<p>2) require that the water take is metered and information on rates and total volume of <del>daily the takes</del> is provided electronically <u>monthly</u> to the regional council, and</p> <p>...</p> <p><u>7) set higher trigger level for cessation of pumping should the water table drop below the predicted value on the test/monitor bore in the sub-aquifer zone.</u></p>
The oil companies	Amend	<p>Retain Policy D.4.23 except to the extent that it is amended to recognise that not all water takes need to be metered and, more particularly, to ensure that water takes associated with dewatering undertaken by the Oil Companies does not be required to be metered. One way of achieving this would be to make the following changes:</p> <p>Identify and specify in the Policy, those activities and rules for which metering requirements are not anticipated, with this to include temporary construction dewatering takes for underground petroleum storage systems.</p>
The oil companies	Amend	<p>Amend Policy D.4.23 along the following lines:</p> <p>1. clearly define the take amount in instantaneous take rate (L/s) and total volume, including by reference to the temporal aspects of the take and use, and</p> <p>2. <u>require, unless exempt by Section 4(2) of the Resource Management (Measurement and Reporting Takes) Regulations 2010, that the water take is metered and information on rates and total volume of the take is provided to Northland Regional Council, and</u></p> <p>3. for water permits for takes equal to or greater than 10 litres per second <u>and where the take is required to be metered in accordance with clause (3),</u> require the water meter to be telemetered to Northland Regional Council, and</p> <p>4. clearly define when any restrictions and cessation of the water take must occur to ensure compliance with freshwater water quantity limits set in this plan, and</p> <p>5. require the use of a backflow prevention system to prevent the backflow of contaminants to surface water or ground water from irrigation systems used to apply animal effluent, agrichemical or nutrients, and</p> <p>6. specify when and under what circumstances the permit will be reviewed pursuant to</p> <p>section 128(1) of the RMA, including by way of a common review date with other water permits in a catchment.</p>
Tegel Foods Ltd	Amend	Delete D.4.23.

## D.4.24

### Transfer of water permits

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Federated Farmers Horticulture New Zealand Irrigation New Zealand	Support	Retain D.4.24 as notified.
CEP Services Matauwhi Limited	Amend	<p>Make amendments as necessary to ensure that taking water at the new point will not reduce the flow below the minimum flow (after allowing for 50 year plus out flow changes due to climate change).</p> <p>Make amendments that require applicants for water permit transfers to demonstrate reasonable and efficient use of the water transfer upstream needs to still be within minimum flow for that stretch of the stream.</p>
Haititaimarangai Marae 339 Trust	Amend	Amend the policy to ensure that the nature and extent of actual or potential effects on aquatic ecosystems from the transfer of a water permit are not increased.
Horticulture New Zealand	Amend	Include a Restricted Discretionary Activity status and relevant matters of discretion for the transfer of water permits.
Laurenson D	Amend	<p>Delete Policy D.4.24 or replace with the following:</p> <p><u>1) All water permits are issued to land title and are not transferable except with sale of land.</u></p> <p><u>2) Should a water permit be underutilised the Northland Regional Council reserve the right to decrease the allocation amount.</u></p> <p><u>3) Should an issued water permit not be utilised within two years the permit is void and the water is made available for reallocation.</u></p>
Leonard B	Amend	Add provisions to ensure continued compliance with social and environmental conditions (as they may have changed from the issuance of the initial permit).
Northland Fish and Game	Amend	Amend policy to include the commitments of the NPS-FM.

Submitter	Position	Summary of decision requested
Patuharakeke Te Iwi Trust Board Inc Sweetwater Farms	Amend	Delete Policy D.4.24.
Upperton T	Amend	Remove ability to transfer water permits.
Van Alphen R	Amend	Unclear what submitter is requesting. The submitter wants a re-consenting process to prevent water banking.

#### D.4.25

##### Activities affecting flood control schemes

Submitter	Position	Summary of decision requested
Balle Bros Group	Support	Retain policy as notified.
Horticulture New Zealand	Amend	Amend policy as follows: <i>Activities affecting flood control <u>and land drainage</u> schemes</i> <i>Avoid activities that are likely to:</i> <i>1) compromise the functional integrity of flood control <u>or land drainage</u> schemes, or</i> <i>2) impede access to flood control <u>or land drainage</u> schemes for maintenance purpose</i>
Kaipara District Council	Amend	Unclear - submission notes that acid sulphate soils can release acids that damage water quality, biodiversity and infrastructure.

#### D.4.26

##### New land drainage

Submitter	Position	Summary of decision requested
Balle Bros Group Horticulture New Zealand	Support	Retain policy as notified.



Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Move from the policy to the rule section. Add in provisions for protecting natural character and ecological attributes.
King K & F	Amend	Existing drainage should be a permitted activity.
Foy F	Amend	Amend to include a policy recognising and providing for existing land drainage
Far North District Council	Amend	Amend D.4.26 to require that new land drainage avoids, remedies or mitigates the effects of dewatering mapped acid sulphate soils.
Kaipara District Council Whangarei District Council	Amend	Amend D.4.26 to require that new land drainage avoids, remedies or mitigates the effects of dewatering acid sulphate soils.
Landcorp Farming Limited	Amend	Refer to comments made by the submitter for D.4.27 in relation to wetlands.
New Zealand Transport Agency	Amend	Amend D.4.26 as follows:  <i>4) ensure the effects of ground subsidence from de-watering are avoided, or where avoidance is not possible, remedied or mitigated, and</i>
Northland Fish and Game	Amend	Amend the policy as follows:  <i>Land drainage activities that require consent must:</i>  ...  <i>5) <del>recognise the values of existing wetlands,</del> protect the significant values of wetlands and of outstanding freshwater bodies, and</i>  ...
Royal Forest and Bird Protection Society NZ	Amend	Amend 5) by changing the wording of " <i>recognise the values of existing wetlands</i> " to " <i>protect significant values of wetlands and of outstanding freshwater bodies</i> " in accordance with NPS-FM 2014 Objective B4.  Amend 6) by changing the words " <i>and where possible, encourage development of new fish passage opportunities</i> " to " <i>and if drainage lends to deteriorated or non-functional fish passages, the development of a new functional fish passage to fulfil the loss of passage is required.</i> "
Tegel Foods Ltd	Amend	Amend D.4.26 as follows:

Submitter	Position	Summary of decision requested
		<p><i>Land drainage activities that require consent must:</i></p> <p>...</p> <p><del>6) maintain existing fish passage and where possible, encourage development of new fish passage opportunities.</del></p>

## D.4.27

### Wetlands – requirements

Submitter	Position	Summary of decision requested
Balle Bros Group Horticulture New Zealand	Support	Retain policy as notified
Bay of Islands Maritime Park Inc	Amend	Move from the policy to the rule section. Add in “natural character” to clause 1.
CEP Services Matauhi Limited	Amend	<p>Amend policy to address the following;</p> <ul style="list-style-type: none"> <li>• no avoid adverse effects on wetland circumstances identified,</li> <li>• there is no natural character consideration</li> <li>• it is probably not giving effect to policy 11 NZCPS</li> <li>• climate change effects are ignored</li> <li>• it doesn't prevent change from low fertility to high fertility wetland.</li> </ul>
Far North District Council	Amend	Unclear what exact changes are sought - submitter comments that offsetting and compensation is only appropriate if there are no reasonable alternatives to avoid, remedy or mitigate adverse effects. Ethical, ecological and cultural concerns need to be carefully considered in the design of biodiversity offsets and compensation as per Guidance on Good Practice Biodiversity Offsetting in New Zealand.
Federated Farmers	Amend	<p>Amend policy D.4.27 as follows:</p> <p><i>Activities affecting a <u>significant or natural wetland</u> must:</i></p>
First Gas Limited	Amend	<p>Include the following exception:</p> <p><u>Note: policy D.4.27 does not apply to constructed wetlands. The outcomes under (2) shall not result in obstructions to pipelines and ancillary equipment.</u></p>

Submitter	Position	Summary of decision requested
Fonterra	Amend	<p>Amend the Proposed Plan to provide a cascading approach to significant, natural and constructed wetlands which reflects their different environmental value and significance. Amend Policy D.4.27 as follows:</p> <p><i>Wetlands - requirements</i></p> <p><i>Activities affecting a <u>significant or natural</u> wetland must:</i></p> <p>...</p>
GBC Winstone	Amend	<p>Amend as follows</p> <p><b>D.4.27</b></p> <p><b>Wetlands - requirements</b></p> <p><i>Activities affecting a wetland (<u>excluding man-made wetlands</u>) must:</i></p> <p><i>1) maintain the following important functions and values of wetlands:</i></p> <p><i>a) .....</i></p> <p><i><del>2) avoid, remedy, or mitigate effects, or provide biodiversity offsetting or environmental biodiversity compensation, so that residual adverse effects are no more than minor.</del></i></p> <p><i><u>2) and where the significant adverse effects cannot be adequately avoided, remedied or mitigated, ensuring any significant residual effects that are more than minor, are offset in a similar ecological context (in accordance with best practice principles) to achieve 'no net loss' or a 'net gain' of indigenous biodiversity or some form of environmental compensation is sought.</u></i></p>
Landcorp Farming Limited	Amend	<p>Amend the policy to be more simplified so that assessment of effects can be more readily undertaken by an applicant.</p>
LaBonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	<p>Amend D.4.27 as follows:</p> <p>...</p> <p><i>1) maintain the following important functions and values of <u>freshwater</u> wetlands:</i></p> <p><i>a) water purification, and</i></p> <p><i>b) contribution to maintaining stream flows during dry periods, and</i></p> <p><i>c) Peak stream flow reduction, and</i></p> <p><i>d) Habitat for indigenous flora and fauna, or</i></p> <p><i><u>2) maintain the following important functions and values of tidal wetlands:</u></i></p> <p><i><u>a) water purification, and</u></i></p>

Submitter	Position	Summary of decision requested
		<p><u>b) habitat for indigenous flora and fauna, and</u></p> <p><u>3) avoid, remedy, or mitigate effects, or provide biodiversity offsetting or environmental biodiversity compensation, so that residual adverse effects are no more than minor.</u></p>
Minister of Conservation	Amend	<p>Amend 2) as below:</p> <p><del>Avoid, remedy or mitigate effects or provide biodiversity offsetting or environmental biodiversity compensation, so that residual adverse effects are no more than minor and require biodiversity offsetting of any residual adverse effects on indigenous vegetation and biodiversity values (as defined in the Northland Regional Policy Statement) in accordance with the mitigation hierarchy, and where biodiversity offsetting is not appropriate or achievable, consider applying environmental compensation in accordance with its definition in the Northland Regional Policy Statement.</del></p>
Northland Fish and Game	Amend	<p>Amend the policy as follows:</p> <p>Activities affecting a wetland must:</p> <p>1) maintain the following important functions and values of wetlands:</p> <p><del>a) water purification</del> <u>For their role in the hydrological cycle including water purification, flood protection, ecosystem services,</u></p> <p><del>b) contribution to</del> <u>maintaining stream flows during dry periods, and</u></p> <p><del>c) peak stream flow reduction, and</del></p> <p><del>d) b) habitat for indigenous flora and fauna</del> <u>wildlife, and</u></p> <p><u>c) food gathering including as a fisheries resource;</u></p> <p><u>d) for recreation including but not limited to walking, fishing, bird watching, game bird hunting and boating;</u></p> <p><u>e) for education and scientific research; and</u></p> <p><u>f) for their amenity and natural character; and</u></p> <p><u>g) for ecological connectivity linking surrounding habitat.</u></p> <p>2) avoid, remedy, or mitigate effects, or provide biodiversity offsetting or environmental biodiversity compensation, so that residual adverse effects are no more than minor.</p>
Top Energy	Amend	<p>Amend Policy D.4.27 as follows:</p> <p>Wetlands - requirements</p> <p>Activities affecting a <u>significant or natural</u> wetland must:</p> <p>...</p>

## D.4.28

## Wetland – values

Submitter	Position	Summary of decision requested
Balle Bros Group Federated Farmers Horticulture New Zealand	Support	Retain policy D.4.28 as notified.
CEP Services Matawhi Limited	Amend	Make amendments to; <ul style="list-style-type: none"> <li>• recognise and preserve natural character of wetlands,</li> <li>• protect wetland ecosystems,</li> <li>• consider effects of climate change.</li> </ul>
Far North District Council	Amend	Amend policy to require consideration of cultural values of wetlands.
First Gas Limited	Amend	Amend Policy D.4.28: <i>When considering resource consents for activities in wetlands, recognise:</i> <i><u>4) the necessity for undertaking the works</u></i>
Fonterra	Amend	Amend Policy D.4.28 as follows:  <b><i>Wetland – values</i></b>  <i>When considering resource consents for activities in <u>significant or natural</u> wetlands, recognise:</i>  ...
GBC Winstone	Amend	Amend as follows  <b>D.4.28 Wetland - values</b>  <i>When considering resource consents for activities in wetlands (<u>excluding constructed</u>), recognise:</i>  <i>1) the benefits of wetland creation, restoration and enhancement of wetland functions, and</i>  <i>2) the values of induced wetland or reverted wetland are likely to relate to:</i>  <i>a) the length of time the wetland has been in existence (<del>ecological values are generally lower in newly established wetlands</del>), and</i>

Submitter	Position	Summary of decision requested
		<p><i>b) whether long-term viability of the wetland relies on maintenance works to maintain suitable hydrological conditions (wetlands that don't require maintenance are of greater value), and</i></p> <p><i>3) that the consent duration should be as long as the time it takes for the wetland to reach its expected end state. <u>The time it takes to achieve a wetland that functions as a natural system and has ecological values.</u></i></p>
Leonard B	Amend	Add <u>4) the inherent right to life of all creatures living in the wetland.</u>
Minister of Conservation	Amend	Add to the policy D.4.28 to require: <u>no change in wetland water levels beyond the water level variation that has been provided for by resource consents</u>
Northland Fish and Game	Amend	<p>Amend the policy as follows:</p> <p><i>Wetland – values</i></p> <p><del>When considering resource consents for activities in wetlands, recognise:</del></p> <p><del>1) the benefits of wetland creation, restoration and enhancement of wetland functions; and</del></p> <p><del>2) the values of induced wetland or reverted wetland are likely to relate to:</del></p> <p><del>a) the length of time the wetland has been in existence (ecological values are generally lower in newly established wetlands); and</del></p> <p><del>b) whether long-term viability of the wetland relies on maintenance works to maintain suitable hydrological conditions (wetlands that don't require maintenance are of greater value); and</del></p> <p><del>3) that the consent duration should be as long as the time it takes for the wetland to reach its expected end state.</del></p> <p><u>Protect the significant values of wetlands and their margins from the inappropriate effects of land and water use.</u></p>
Top Energy	Amend	<p>Amend Policy D.4.28 as follows:</p> <p><i>Wetland – values</i></p> <p><i>When considering resource consents for activities in <u>significant or natural</u> wetlands, recognise:</i></p>
Whangarei District Council	Unclear	Submitter seeks clarification on the use of the term 'end state' under D.4.28(3) and whether this policy is intended to apply only constructed wetlands?

## D.4.29

### Freshwater fish

Submitter	Position	Summary of decision requested
Belle Bros Group	Support	Retain policy as notified.
CEP Services Matawhi Limited	Amend	<p>Revise the policy to more clearly state when adverse effects on freshwater fish as to be avoided, and to recognise that nutrient runoff into water bodies can adversely affect some fish species.</p> <p>Amend the policy to recognise the particular importance of head-waters and order 1 and 2 streams to native fish</p>
Far North District Council	Amend	<p>Remove item 1) of this policy:</p> <p><del>1) that in the absence of alternative evidence, most Northland rivers and some lakes and wetlands provide habitat for threatened indigenous species</del></p> <p>Amend item 2) to list specific species which are considered sensitive.</p> <p>Amend 5)b) to read:</p> <p><u>"Spawning habitat disturbance, during spawning periods, in areas where availability of spawning habitat is limited".</u></p>
GBC Winstone	Amend	<p>Amend as follows:</p> <p><b>D.4.29 Freshwater fish</b></p> <p>When considering resource consent applications for activities in freshwater bodies recognise:</p> <p><del>1) that in the absence of alternative evidence, most Northland rivers and some lakes and wetlands provide habitat for threatened indigenous fish species, and</del></p> <p>2) that some fish species are sensitive to habitat disturbance, changed water flow and degraded water quality, particularly increased turbidity or sedimentation, and</p> <p>3) the need to maintain the ability for non-pest fish species to effectively move up and downstream of the activity site, and</p> <p><del>4) opportunities to reduce the risk of spreading or introducing pest species; and</del></p> <p>5) the benefits of avoiding:</p> <p>a) impact during migration periods, and</p> <p>b) spawning habitat disturbance, particularly during spawning periods</p>

Submitter	Position	Summary of decision requested
Leonard B	Amend	Delete 'non' from clause 3).
Minister of Conservation	Amend	<p>Amend policy D.4.29 as follows:</p> <p><i>When considering resource consent applications for activities in freshwater bodies recognise:</i></p> <p>1) <u>Protect</u> the lakes and wetlands that provide habitat for threatened indigenous fish species, and</p> <p>2) <u>Avoid</u> that some species are sensitive to habitat disturbance, changed water flow and degraded water quality, particularly increased turbidity or sedimentation if it would adversely affect fish species, and</p> <p>3) <del>the need to</del> maintain the ability for non-pest fish species to effectively move up and downstream of the activity site, and</p> <p>4) <del>opportunities to</del> reduce the risk of spreading or introducing pest species, and</p> <p>5) <del>the benefits of</del> avoiding:</p> <p style="padding-left: 40px;">a) impact during migration periods, and</p> <p style="padding-left: 40px;">b) spawning habitat disturbance, particularly during spawning periods.</p> <p>Introduce maps identifying inanga spawning habitat and waterways that provide habitat for threatened fish species such as shortjaw kōkopu, lamprey, and Northland mudfish.</p>
Northland Fish and Game	Amend	<p>Amend the policy as follows:</p> <p><i>When considering resource consent applications for activities in freshwater bodies recognise:</i></p> <p>1) <del>that in the absence of alternative evidence, most Northland rivers and some lakes and wetlands</del> <u>freshwater bodies</u> provide habitat for <del>threatened indigenous</del> fish species, and</p> <p>2) that some fish species are sensitive to habitat disturbance, changed water flow and degraded water quality,</p> <p><i>particularly increased turbidity or sedimentation, and</i></p> <p>3) the need to maintain the ability for <del>non-pest</del> fish species to effectively move up and downstream of the activity site, and</p> <p>...</p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the policy to provide effective direction consistent with the RPS and NPS-FM</p> <p>Amend 2) by changing "that some fish species are sensitive" to "<u>that all fish species have varying degrees of sensitivity</u>".</p>



## D.4.30

## Benefits of freshwater structures, dams and diversions

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Far North District Council Federated Farmers Fonterra KiwiRail New Zealand Transport Agency Transpower	Support	Retain D.4.30 as notified.
CEP Services Matauwhi Limited	Amend	Delete Policy D.4.30.
GBC Winstone	Amend	Amend as follows:  <b>D.4.30</b>  <b>Benefits of freshwater structures, dams and diversions</b>  Recognise <del>Have regard to</del> the significant benefits activities in water bodies can provide to local communities, Māori and the region, including:  1) .....  5) public access along, over or in the water body <u>or</u>  <u>6) regionally significant industry and regionally significant mineral extraction activities.</u>
Irrigation New Zealand	Amend	Amend D.4.30 as follows:  <i>Recognise the significant benefits activities in water bodies can provide to local communities, Māori and the region, including:</i>  ...  <u>6) resilience of communities to climate change.</u>
Leonard B	Amend	Delete clause 5.

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	<p>Amend the policy as follows:</p> <p><i>Recognise the significant benefits activities in water bodies can provide to local communities, Māori and the region, including:</i></p> <p>...</p> <p><i>5) public access along, over or in the water body, <u>or</u></i></p> <p><i>6) enhancing recreation opportunities including walking, bird watching, fishing, game bird hunting and boating, <u>or</u></i></p> <p><i>7) for education and scientific research, <u>or</u></i></p> <p><i>8) for enhancing amenity and natural character.</i></p>
Royal Forest and Bird Protection Society NZ	Amend	Include policies to give effect to the RPS and NZCPS.

#### D.4.31

##### Managing the effects of land-disturbing activities

Submitter	Position	Summary of decision requested
Balle Bros Group Dairy NZ Tegel Foods Ltd Northpower The oil companies	Support	Retain policy as notified.
Bay of Islands Maritime Park Inc	Amend	Move from the policy to the rule section. Add in "Avoiding adverse adverse effects on natural character".
Beef and Lamb NZ	Amend	<p>Amend policy D.4.31 to provide to provide for farming land based activities undertaken in accordance with an industry LEP/FEP (such as B+LNZ</p> <p>Land and Environment Plan) rather than the activity based and more prescriptive standards in the policy.</p>

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Insert additional clauses include extra clauses to cover when adverse effects to be avoided as identified in the Coastal Policy Statement and the Regional Policy Statement and addressing matters of national importance, especially 6(c).
Far North District Council	Amend	Expand policy to include production forestry activities within proximity to drinking water catchment supplies.
Far North District Council Kaipara District Council Whangarei District Council	Amend	Insert clause: <i>2)d). Aquatic receiving environments that are sensitive to acidity and heavy metals released by acid sulphate soils.</i>
Federated Farmers	Support	Retain the policy subject to appropriate refinement through further submissions.
GBC Winstone	Amend	Support Policy D.4.31 provided that 'quarrying' is included in the definition of 'earthworks and that a definition of 'quarrying' included in Section B – Definitions, as sought in the submissions on Section B - Definitions
Haititaimarangai Marae 339 Trust Minister of Conservation	Amend	That best management practice be clearly defined in the Plan and that (2) be amended as follows:  <i>2) avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects <u>on the environment</u> including on:</i>  ...  <i><u>d) coastal lakes</u></i>  <i><u>e) the coastal environment</u></i>  <i><u>f) identified values of waterbodies</u></i>
Horticulture New Zealand	Amend	Amend policy as follows:  <i>Earthworks, <u>indigenous</u> vegetation clearance and <del>cultivation</del> <u>land preparation</u> must:.....</i>
Leonard B	Amend	Delete 'human' from clause 2)a.
Northland Fish and Game	Amend	Amend the policy as follows:  <i>Earthworks, vegetation clearance and cultivation must:</i>  <i>1) be done in accordance with established good management practices, and</i>

Submitter	Position	Summary of decision requested
		<p>2) <i>avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on:</i></p> <p>a) <i>human drinking water supplies, and</i></p> <p>b) <i>areas of <del>high</del> recreational use, and</i></p> <p>c) <i>aquatic receiving environments <del>that are sensitive to sediment or phosphorus accumulation.</del></i></p>
Ravensdown Limited	Support	Retain intent of policy subject to the inclusion of a new definition for 'good management practice'.
Royal Forest and Bird Protection Society NZ	Amend	<p>Amend the policy to recognise effects on indigenous biodiversity must be avoided, remedied and mitigated consistent with objective and policies with give effect to the RPS and NZCPS.</p> <p>Include the words "water quality or quantity" in part (2) such that it reads "<u><i>avoid significant adverse effects to water quality or quantity, and avoid, remedy or mitigate other adverse effects to water quality or quantity on:</i></u>"</p> <p>Add to part (2) the following: "d) <u><i>wetlands and outstanding water bodies</i></u>".</p>
Top Energy	Amend	<p>Include more directive policies that set out the particular effects of earthworks, vegetation clearance and cultivation that the Council is</p> <p>seeking to manage.</p>
Whangarei District Council	Amend	<p>Insert a new clause 3)</p> <p><u><i>3) avoid adverse effects on areas of outstanding natural character, outstanding natural features and outstanding natural landscapes in the coastal environment</i></u></p>

#### D.4.32

##### Exceptions to livestock exclusion requirements

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Amend policy D.4.32 to provide to provide for farming land based activities undertaken in accordance with an industry LEP/FEP (such as B+LNZ

Submitter	Position	Summary of decision requested
		Land and Environment Plan) rather than the activity based and more prescriptive standards in the policy.
CEP Services Matauwahi Limited	Amend	Amend to address the unwanted adverse effects of stock access.  Amend the policy to consider policies 11 and 21(d) of the Coastal Policy Statement and the relevant policies of the Regional Policy Statement.
Dairy NZ Upperton T	Support	Retain D.4.32 as notified.
Federated Farmers	Amend	Amend the policy as follows:  <i>3) the implementation of substitute mitigations such as constructed wetlands and stocking density, to avoid or minimise losses of sediment and faecal microbes to downstream water bodies and coastal waters</i>
Friends of Rangitane Stream	Amend	Revise the grounds for obtaining exceptions so they are more restricted. They should be limited to a maximum of 6 months.  Delete the words 'or minimise' in condition 3).
Hicks M	Amend	Amend so that there are no livestock exclusion time-frame exceptions.
Landcorp Farming Limited	Amend	Amend so that clarity is given to what constitutes a farm plan and that it includes any industry or council approved Farm Environment Plan.
Leonard B	Amend	'Eliminate' (delete) policy.
Matauri Trustee Limited	Amend	Amend Policy D.4.32 to make it clear that:  1. Exceptions to livestock exclusion requirements are appropriate where adverse effects on the values of waterbodies, wetlands and the coastal marine area are avoided, remedied or mitigated, and not limited to the matters listed in 1), 2) and 3) in the policy; and  2. Livestock exclusion will be phased in over time, allowing for practical implementation and planning.
Northland Fish and Game	Amend	Amend the policy as follows:  <i>When considering an application for a resource consent to allow livestock access to the bed of a lake or a permanently flowing river, a permanently flowing drain, a natural wetland, or the coastal marine area, have particular regard to:...</i>

Submitter	Position	Summary of decision requested
Ravensdown Limited	Amend	Support the intent of the policy while clarifying whether livestock is excluded or not from all areas.
Royal Forest and Bird Protection Society NZ	Amend	<p>1) An existing farm plan prepared or approved by regional council must not provide grounds for postponing the date of stock exclusion – the exclusion dates set out in C.8.1.1 should apply to all.</p> <p>2) If the deadline is extended on grounds of significant practical constraints, it should only be a one-time extension for 6 months maximum.</p> <p>3) Substitute mitigations are only acceptable if they prevent/avoid (not just minimise) losses of sediment and other pollutants to downstream water.</p> <p>Amend to give effect to the RPS, NZCPS and NPSFM significant indigenous biodiversity and outstanding freshwater body provisions</p>

## D.5 Coastal

### General submissions on coastal policies

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Include new policies in Section D.5 which address:</p> <ul style="list-style-type: none"> <li>• How the continued operation of existing aquaculture activities will be provided for, including where they are located inside outstanding or significant areas.</li> <li>• How minor extensions and realignment of existing aquaculture will be provided for.</li> <li>• How biodiversity risks will be managed.</li> <li>• That aquaculture research trials be provided for in appropriate locations and for limited scale and duration.</li> <li>• That reverse sensitivity effects on aquaculture be avoided.</li> </ul>
Bay of Islands Maritime Park Inc	Amend	Include a policy addressing above water noise in the CMA including impacts on other organisms and residents/users.
Donald A	Amend	Include in the policies related to coastal structures the requirement to consider the townscape character of adjacent heritage precincts
First Gas Limited	Amend	<p>Add a new policy:</p> <p><u>Regionally Significant Infrastructure</u></p> <p><u>Recognise and provide for Regionally Significant Infrastructure which, for operational need, must be sited in the coastal environment.</u></p>
Larcombe M	Unclear	Submitter states that NRC has not managed the designated mooring areas and that after the 2014 storm many boats dragged their moorings and no attempt has been made to reposition them. The navigation channels into the Waikare and Kawakawa rivers are no longer discernible.
Mangawhai Harbour Restoration Society Inc	Amend	<p>Adopt a new policy Mangrove Removal Policy for the 'Mangawhai Harbour Mangrove Management Area' – see Schedule 4 of the submitter's submissions for the entire Mangrove Removal Policy proposed.</p> <p>Parts of the submitter's proposed Mangrove Removal Policy are as follows:</p> <p><u>Recognise that the benefits of mangrove removal at Mangawhai include:</u></p> <p><u>1) Preventing the loss of salt marsh and rush marsh, and restoration of tidal flats and other valuable estuarine environments;</u></p> <p><u>2) Restoring and maintaining long-term sustainable coastal processes and functions, including the tidal prism;</u></p>

Submitter	Position	Summary of decision requested
		<p><u>3) Reducing sediment deposition within the coastal marine area that facilitates ongoing mangrove colonisation and spread;</u></p> <p><u>4) Maintaining and increasing foraging and roosting habitat available for bird life, including threatened and at-risk species;</u></p> <p><u>5) Enabling or re-establishing public access to and within the coastal marine area, and improving access to, and use of, the coastal marine area by educational facilities (e.g. schools);</u></p> <p><u>6) Enabling Harbour areas recently colonised by mangroves due to anthropogenic influences to be rehabilitated and restored back to their historical natural state; and</u></p> <p><u>7) Maintaining and preserving the natural character of the coastal environment. Mangrove removal will change the current state of the environment, but where the proposed removal seeks to restore an area historically free from mangroves (including reversing the effects of anthropogenic influences in recent decades), the change is unlikely to diminish the natural character of that area and would instead restore and enhance the historical natural character of the area.</u></p> <p><u>Provide for mangrove removal (particularly where mangroves have colonised areas of the Harbour that historically have been free from mangroves) where the proposed removal is to maintain, restore, rehabilitate or enhance any of the following:</u></p> <p><u>1) biodiversity and ecological values, including significant wading bird feeding or roosting areas, that existed prior to the spread of the mangroves;</u></p> <p><u>2) the natural state of coastal environments, where the environment has historically been free (or largely free) from mangroves;</u></p> <p><u>3) public access to, along or within the coastal marine area;</u></p> <p><u>4) connections with reserves or publicly owned land and the coast;</u></p> <p><u>5) public use (including recreation) and amenity values;</u></p> <p><u>6) water access for vessels and navigation;</u></p> <p><u>7) public health and safety, including sightlines and traffic safety;</u></p> <p><u>8) scheduled historic heritage places or natural features;</u></p> <p><u>9) ongoing authorised activities and infrastructure;</u></p> <p><u>10) maintenance of drainage channels, control of flooding or erosion caused by mangroves;</u></p> <p><u>11) indigenous environments and habitats that have been displaced or colonised by mangroves, including rush marsh, salt marsh and intertidal flats (including preventing future mangrove expansion into these habitats from contiguous or nearby locations);</u></p> <p><u>12) pre-anthropogenic natural environments; or</u></p>



Submitter	Position	Summary of decision requested
		<p><u>13) natural harbour, estuary and coastal environment processes (including tidal flows).</u></p> <p><u>Require mangrove removal operations to meet all of the following:</u></p> <p><u>1) minimise the disturbance of the foreshore and seabed and to shorebird breeding and feeding, including migratory species;</u></p> <p><u>2) provide for the long-term maintenance of cleared areas; and</u></p> <p><u>3) take an adaptive management approach for mangrove removal and disposal where a significant area of removal is proposed and there is uncertainty over the extent of adverse effects.</u></p> <p><u>Policies D.5.22, D.5.23 and D.5.24 shall not apply to mangrove management and removal at</u></p> <p><u>Mangawhai Harbour.</u></p>
Marks M	Unclear	Coastal waters should be managed to a standard which provides for cultural purposes
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Insert new policies per the provisions of the Operative (Coastal) Plan.
New Zealand Defence Force	Amend	Insert policy in section D.5 to support submitter's proposed rules for temporary use and associated occupation.
Northport Ltd	Amend	<p>Add a new policy</p> <p><u>D.5.7B</u></p> <p><u>Benefits of regionally significant infrastructure in the Coastal Commercial Port Zone</u></p> <p><u>When determining applications for resource consent or notices of requirement for regionally significant infrastructure part, particular regard shall be had to:</u></p> <p><u>1) The locational needs of the activity(s) and other practical alternatives;</u></p> <p><u>2) The need for infrastructure to be flexible, resilient and adaptable to the reasonable foreseeable needs of the community.</u></p> <p><u>3) The social, economic and cultural benefits of the activity(s) and</u></p>

Submitter	Position	Summary of decision requested
		<p><u>4) The efficient and safe operation of ports and the development of their capacity for shipping; and</u></p> <p><u>5) The need for efficient connections with other transport nodes.</u></p>
Northport Ltd	Amend	<p>Add a new policy</p> <p><u>D.5.7C</u></p> <p><u>Managing the effects of regionally significant infrastructure in the Coastal Commercial Port Zone</u></p> <p><u>When managing the effects of regionally significant infrastructure, decision makers will give weight to:</u></p> <p><u>1) The benefits of the activity in terms of D.5.7B</u></p> <p><u>2) Whether the activity must be recognised and provided for as directed by a national policy statement</u></p> <p><u>3) Any constraints that limit the design of the activity, including alternatives that have proven to be impractical or have greater adverse effects.</u></p> <p><u>4) Whether the proposal is for regionally significant infrastructure which is in Schedule 1 of the Civil Defence Emergency Management Act as a lifeline utility and meets the reasonably foreseeable needs of the Northland.</u></p> <p><u>5) The extent to which the adverse effects of the activity can be practicably reduced. Such an assessment shall also take into account appropriate measures, when offered, to provide positive effects, either within the subject site or elsewhere provided that the positive effects accrue to the community of interest and/or resource affected.</u></p> <p><u>6) Whether a monitoring programme for any identified significant adverse effects with unknown or uncertain outcomes could be included as a condition of consent and an adaptive management regime (including modification to the activity) is used to respond to such effects.</u></p> <p><u>7) Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land.</u></p>
Northport Ltd	Amend	Amend the plan to include additional policy(s) to provide guidance in the consideration of reclamations.
Royal Forest and Bird Protection Society NZ	Amend	<p>Add objective to give effect to the NZCPS.</p> <p>Amend the coastal policies and add further policies as required to give effect to the NZCPS.</p> <p>Amend and add rules as necessary to implement changes to policies which give effect to the NZCPS.</p>

Submitter	Position	Summary of decision requested
Riverside Drive Marina	Amend	Add policies to provide guidance in the consideration of minor reclamations where effects are generally positive.
Russell Boating Club	Support	Submitter generally supportive of efforts to prevent spread of marine pests in Northland - unclear what decision they request.
Russell Boating Club	Amend	Add policies to improve public utilization of existing mooring areas.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Include a policy that acknowledges the potential adverse effects of marinas and require that such effects be avoided.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	<p>Include a policy on the use of vehicles on beaches, which is needed to support rule C.1.5.1, as follows:</p> <p><u>The use of vehicles on beaches is to avoid:</u></p> <p><u>a) damage to indigenous vegetation and shellfish beds</u></p> <p><u>b) disturbance to the roosting or breeding of indigenous bird species;</u></p> <p><u>c) damage to the protective functions of dunes, and</u></p> <p><u>d) disturbance of sites or areas of significance to tangata whenua.</u></p>
Yachting NZ	Amend	Introduce policies equivalent to those incorporated into the Operative Regional Coastal Plan through Plan Change 4.
Yachting NZ	Amend	<p>Introduce a policy which addresses adverse effects associated with aquaculture:</p> <p><u>Aquaculture – adverse effects</u></p> <p><u>Recognise the adverse effects associated with aquaculture, including:</u></p> <p><u>(i) Physical exclusion of other uses from the area occupied by aquaculture, such as recreational activities.</u></p> <p><u>(ii) Restriction of public access.</u></p> <p><u>(iii) Impacts on waahi tapu, customary activities, and sites and areas of cultural, spiritual and historical significance to Maori.</u></p> <p><u>(iv) Interference with navigation, including anchoring and the ability to seek shelter in adverse weather conditions.</u></p> <p><u>(v) Visual impacts of farm structures, particularly in areas of significant landscapes or high natural character.</u></p>

Submitter	Position	Summary of decision requested
		<u>(vi) Impacts of abandoned or deteriorated farm structures.</u> <u>(vii) Potential siltation and build-up of organic matter.</u> <u>(viii) Disposal of shell debris from oyster washing and sorting processes.</u> <u>(ix) Impacts on the feeding activity of some species of wading birds.</u> <u>(x) Impacts on the migration, feeding, resting, and recovery of marine mammals.</u> <u>(xi) Loss of ecological carrying capacity.</u>
Yachting NZ	Amend	Introduce a policy which addresses avoiding, remedying or mitigating adverse effects on water transportation and recreation. The policy should refer to recognised navigational routes (both commercial and recreational), Recognised Anchorages, Recognised Recreational Anchorages, and port or harbour approaches.

## D.5.1

### Aquaculture - benefits

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	Add the following additional matters to D.5.1 Aquaculture – benefits (or words to like effect to give effect to the submission point): ... <u>6) providing a sustainable nutritious local source of seafood, and</u> <u>7) supporting recreational fishing and associated tourism, and</u> <u>8) supporting a broad range of service industries, and</u> <u>9) providing research and training opportunities – which can grow the community's knowledge base and upskill the labour force;</u>
Auckland Council Far North District Council National Institute of Water and Atmospheric Research Limited	Support	Retain Policy D.5.1 as notified.

Submitter	Position	Summary of decision requested
Tautari R Patuharakeke Te Iwi Trust Board Inc Westpac Mussels Distributors Limited		
Leonard B	Amend	Delete Policy D.5.1 clauses 1,2,4 and 5.
Mataka Residents Association Paroa Bay Station Robinia Investments limited	Amend	Amend so that Policy D.5.2 takes precedence over Policy D.5.1.

## D.5.2

### Aquaculture - avoid adverse effects

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council MLP LLC Parua Bay Oysters	Support	Retain policy D.5.2 as notified
Bay of Islands Maritime Park Inc	Amend	Add in natural character and ecological attributes/ values as matters which aquaculture adverse effects are to avoid.
Bay of Islands Planning Limited Far North Holdings Limited	Amend	Support clause 8 of Policy D.5.2 but seeks that the Plan take a more proactive approach to achievement of integrated management of cross boundary issues.
Durham G	Support	Support parts 4 and 5.
Durham G	Amend	Insert a requirement that aquaculture activities are to avoid adverse biosecurity effects.
Far North District Council	Amend	Amend provision 2) "lawfully established land based activities in urban areas"
Leonard B	Amend	Add <u>12) the health and well-being of any living creature.</u>

Submitter	Position	Summary of decision requested
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Amend to include reference to Aquaculture Exclusion Areas, Significant Ecological Areas, Outstanding Natural Features, Areas of Outstanding Natural Character, Mooring Zones or Sites or Areas of Significance to Tangata Whenua (e.g. in accordance with Policy 6 in the Operative Plan).  Amend to describe “significant tourism and/or recreation areas” (e.g. in accordance with the explanation to Policy 6 in the Operative Plan).
Minister of Conservation	Amend	Amend D.5.2 to include the matters referred to in NZCPS policy 11, 13, and 15.
New Zealand Defence Force	Amend	Amend D.5.2 as follows:  <i>Aquaculture activities must avoid adverse effects <del>(after taking into account any remediation or mitigation)</del>, on...</i>
Northport Ltd	Amend	Amend 6) as follows:  <i>port or harbour approaches <u>(including commercial shipping channels)</u>, and</i>
Patuharakeke Te Iwi Trust Board Inc  Tautari R	Amend	Amend D.5.2 to include the following additional cultural matters: <ul style="list-style-type: none"> <li>• mahinga kai and access to mahinga kai; or</li> <li>• any damage, destruction on and loss of access to wāhi tapu, sites of customary value and other ancestral sites and taonga which Māori have a special relationship with, or</li> <li>• adverse effects on indigenous biodiversity where it impacts on the ability of tangata whenua to carry out cultural and traditional activities.</li> </ul>
Westpac Mussels Distributors Limited	Amend	Amend to read: “Aquaculture activities must avoid, <u>remedy or mitigate significant</u> adverse effects <del>(after taking into account any remediation or mitigation)</del> on: ...”
Yachting NZ	Amend	Amend D.5.2 by replacing “5) anchorages referred to in cruising guides, pilot books and similar publications as  <i>being suitable for shelter in adverse weather</i> ” with “ <u>Recognised Anchorages and Recognised Recreational Anchorages</u> ”
Whangarei District Council	Amend	Add 12) <u>outstanding natural character areas.</u>

### D.5.3

#### Aquaculture – avoid significant adverse effects

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Far North District Council Parua Bay Oysters Patuharakeke Te Iwi Trust Board Inc	Support	Retain policy D.5.3 as notified.
Bay of Islands Maritime Park Inc	Amend	Add in natural character and ecological attributes/values as matters which aquaculture adverse effects are to avoid.
Leonard B	Amend	Add 4) <u>the health and well-being of any living creature.</u>
Mataka Residents Association Paroa Bay Station Robinia Investments Limited	Amend	Amend to include these matters in D.5.2. as suggested by submitter.
Minister of Conservation	Amend	Amend D.5.3. to: <ul style="list-style-type: none"> <li>• provide better guidance for decision making on consents to carry out aquaculture activities.</li> <li>• give effect to the NZCPS.</li> </ul>
Shanks J	Amend	Amend to ensure that aquaculture activities avoid releasing plastic into the marine environment.
Westpac Mussels Distributors Limited	Amend	Amend as follows: "Aquaculture activities should avoid, <u>remedy or mitigate significant adverse effects...</u> "
Whangarei District Council	Amend	Add 4) <u>high natural character areas</u>

## D.5.4

### Aquaculture – general matters

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	Amend D.5.4 Aquaculture – general matters as follows:  <i>New aquaculture activities should:</i>  <i>1) be located in areas that have suitable access, and where they can be supported by adequate and appropriate land-based infrastructure where required, and</i>  <i>2) provide for the integrated management of the associated activities, including any required land-based facilities and operations, and</i>  <i>3) not be considered within any part of the coastal marine area deemed unsuitable under the relevant regulations or standards for the growing and/or harvesting of shellfish where the aquaculture is for the purpose of harvesting shellfish for human consumption, and</i>  <i>4) be located, maintained, marked and lit in a way which does not compromise the safety of commercial or recreational navigation, and</i>  <i>5) be encouraged outside of areas of significant or outstanding value in order to provide for growth in appropriate locations.</i>
Auckland Council Far North District Council Patuharakeke Te Iwi Trust Board Inc Westpac Mussels Distributors Limited	Support	Retain policy D.5.4 as notified.
Far North Holdings Limited Bay of Islands Planning Limited	Amend	Support Policy D.5.4 but seeks that the Plan take a more proactive approach to achievement of integrated management of cross boundary issues.
Leonard B	Amend	<i>Add 5) primarily, take into consideration the freedom and well-being of all living creatures.</i>
Moana NZ	Amend	Amend D.5.4 Aquaculture – general matters as follows:  <i>New aquaculture activities should:</i>



Submitter	Position	Summary of decision requested
		<p>1) be located in areas that have suitable access, and where they can be supported by adequate and appropriate land-based infrastructure where required, and</p> <p>2) provide for the integrated management of the associated activities, including any required land-based facilities and operations, and</p> <p>3) not be considered within any part of the coastal marine area deemed unsuitable under the relevant regulations or standards for <u>both the growing and/or harvesting of shellfish where the aquaculture is for the purpose of harvesting shellfish for human consumption.</u></p> <p>OR</p> <p>Similar relief</p> <p>OR</p> <p>Delete the policy.</p>
NZ Oyster Industry Association	Amend	That the statement “growing and/or harvesting” be amended to “both the growing and harvesting” or suchlike relief, or delete that Policy.

### D.5.5

#### Aquaculture – staged development

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Amend D.5.5 Aquaculture – staged development as follows (or words to like effect to give effect to the submission point):</p> <p><i>New aquaculture activities may be required to be developed and monitored in a staged manner, for example where:</i></p> <p>1) <i>The potential adverse effects cannot be adequately predicted and are potentially significant; or</i></p> <p>2) <i>New species are farmed, or new technology is used, and any adverse effects may not be known and are potentially significant; or</i></p> <p>3) <i>the scale or type of marine farm warrants a cautious approach.</i></p>
Auckland Council Patuharakeke Te Iwi Trust Board Inc	Support	Retain policy D.5.5 as notified.

Submitter	Position	Summary of decision requested
Leonard B	Amend	Change 'new' to 'any animal'.
Westpac Mussels Distributors Limited	Amend	<p>Amend to read:</p> <p><i>"New aquaculture activities may be required to be developed and monitored in a staged manner, for example, where:</i></p> <p><i>1) the potential adverse effects cannot adequately be predicted, or</i></p> <p><i>2) new species are farmed or new technology is used <u>and effects cannot adequately be predicted</u>, <del>or</del></i></p> <p><i>3) <del>the scale or type of marine farm warrants a cautious approach.</del>"</i></p>

## D.5.6

### Aquaculture – abandoned or derelict farms

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	<p>Amend D.5.6 Aquaculture – abandoned or derelict farms to (or words to like effect to give effect to the submission point):</p> <p><i>Coastal permits for aquaculture activities involving structures in the coastal marine area must include conditions requiring:</i></p> <p><i>1) The repair or removal of structures that have been abandoned or have fallen into a state of disrepair, and</i></p> <p><i>2) A bond or alternative surety <del>to cover the actual and that</del> <u>reflects the reasonable risks and costs of removing...</u></i></p>
Auckland Council Mataka Residents Association Paroa Bay Station Patuharakeke Te Iwi Trust Board Inc Robinia Investments Limited	Support	Retain policy D.5.6 as notified.`
Bay of Islands Maritime Park Inc	Amend	<p>Move from policy to rule section.</p> <p>A policy is also needed on the ongoing management of abandoned and derelict farms, especially those having ongoing adverse effects on natural character and ecological values, and increasing local sedimentation.</p>

Submitter	Position	Summary of decision requested
Leonard B	Amend	<i>Add 3) the protection or, if necessary, the safe removal and relocation of any and all living creatures.</i>
Moana NZ	Amend	That Policy D. 5. 6 (2) re Bonds be deleted or be complemented by a Risk Management Framework and Policy on Risk.
NZ Oyster Industry Association	Amend	That the Policy be deleted or be complemented by a Risk Management Framework and Policy on Risk.
Vision Kerikeri	Support	Retain D.5.6 (2) as notified.
Westpac Mussels Distributors Limited	Amend	Amend as follows:  "Coastal permits for aquaculture activities involving structures in the coastal marine area <del>must</del> may include conditions requiring, <u>where appropriate:</u> ...."

## D.5.7

### Coastal commercial zone

Submitter	Position	Summary of decision requested
GBC Winstone	Amend	Amend to provide clearer direction on the appropriate activities within the zone and the outcomes intended for the Coastal Commercial Zone.
Northport Ltd	Amend	<p>Renumber to D.5.7A</p> <p>Amend as follows</p> <p><i>Development in the Coastal Commercial Zone <u>or Coastal Commercial Port Zone</u>, and</i></p> <p>.....</p> <p><i>3) development anticipated on the land above mean high water springs by the relevant district plan,</i></p> <p><i><u>and/or associated with</u></i></p> <p><i><u>4) Regionally significant infrastructure</u></i></p>
Refining New Zealand	Support	Retain policy D.5.7 as notified.

## D.5.8

### Whangārei City Centre Marine Zone

Submitter	Position	Summary of decision requested
LaBonte' A & R	Amend	<p>Amend Policy D.5.8 as follows:</p> <p><i>D.5.8 Whangarei City Centre Marine Zone <u>and Mangawhai Harbour and Estuary Marine Zone</u></i></p> <p><i>1) Recognise that the purpose of the Whangarei city Centre Marine Zone is to enable the development of structures for amenity and public good purposes.</i></p> <p><i>2) Recognise that the purpose for the Mangawhai Harbour and Estuary Marine Zone is to promote the maintenance, enhancement, restoration and stability of the harbour, estuary, river channels, sand spit and open water space for the health of the harbour, its indigenous and migratory marine and avian species and public good.</i></p>
Whangarei District Council	Amend	<p>Submitter supports policy but considers that the policy as proposed is not as prescriptive as other policies in the plan and does not provide decision makers with sufficient guidance when assessing applications for discretionary activities within this zone.</p>

## D.5.9

### Moorings outside Mooring Zones

Submitter	Position	Summary of decision requested
Auckland Council Durham G Refining New Zealand	Support	Retain Policy D.5.9 as notified
Bay of Islands Planning Limited	Amend	The Plan should take a more proactive approach to achievement of integrated management of cross boundary issues.
Bay of Islands Maritime Park Inc	Amend	<p>Move from the policy to the rule section.</p> <p>Also exclude from areas of high ecological value unless they are public moorings.</p>

Submitter	Position	Summary of decision requested
CEP Services Matauwahi Limited	Amend	<p>Amend clause 7 to identify more special areas, including Areas of High Natural Character, and areas that meet the criteria for 'significance' in Appendix 5 of the Regional Policy Statement.</p> <p>Clause 7 f) to g) should be subject to it being established that there is no practicable alternative location outside the special area.</p>
Far North District Council	Amend	Amend clause by added proposed D.5.9.1, change D.5.9.1 to have all necessary shore based facilities, including, but not limited to, toilet facilities, parking, dinghy storage and refuse disposal available long term
Far North Holdings Limited	Amend	Unclear exactly what changes are sought - submitter requests that the Plan should take a more proactive approach to achievement of integrated management of cross boundary issues.
GBC Winstone	Amend	<p>Amend D5.9 (2), (3), (5), (7)h and add 7)(i) as follows:</p> <p><i>2) not by itself or in combination with existing moorings in the same bay or inlet, result in more than minor <u>significant</u> adverse effects, and</i></p> <p><i>3) not be allowed where the mooring will <del>more likely than not</del> set a precedent for additional new moorings in the same bay or inlet, and ...</i></p> <p><i>5) not be located within a navigation channel and not be located within the coastal commercial zone unless it is directly associated with a maritime related commercial enterprise <u>or existing industrial activity</u>, and ...</i></p> <p><i>7) ....</i></p> <p><i>(h) the mooring is associated with a maritime related commercial enterprise <u>or existing industrial activity</u> that could not otherwise be located within a Mooring Zone.</i></p> <p><i><u>i) the mooring is associated with an existing and established industrial activity</u></i></p>
Heritage NZ	Amend	<p>Retain policy but modify as follows:</p> <p><i>Moorings outside Mooring Zones that require resource consent must:</i></p> <p><i>7) Not be in the following areas (refer I 'Maps')</i></p> <p><i>.....</i></p> <p><i>b) Historic Heritage Areas <u>or Sites</u>, or</i></p> <p><i>.....</i></p> <p><i>e) Regionally Significant Anchorage, <u>or</u></i></p> <p><i>-</i></p> <p><i><u>f) Sites and Areas of Significance to Tangata Whenua.</u></i></p>

Submitter	Position	Summary of decision requested
		-
Mace CR	Amend	<p>Delete D.5.9(2) and D.5.9(3).</p> <p>Amend D.5.9(7) by including the following new clauses:</p> <p><i>i) the mooring by itself or in combination with existing moorings in the same bay or inlet, will not result in more than minor adverse effects, and</i></p> <p><i>j) the mooring with establish a precedent for additional new mooring in the same bay or inlet.</i></p>
Matauri Trustee Limited	Amend	<p>Amend Policy D.5.9 to provide the policy basis for rule C.1.2.5 to recognise that existing moorings outside mooring zones are appropriate and are not subject to consenting requirements of policy D.5.9.</p> <p>Specifically amend the policy to specify that existing moorings outside Mooring Zones are appropriate where adverse effects on the environment, navigation and on other users of the coastal marine area are appropriately avoided, remedied or mitigated, with specific reference to the type of standards included at rule C.1.2.5.</p>
Northport Ltd	Amend	<p>Amend as follows</p> <p><i>5) not be located within a <u>commercial shipping channel, navigation channel</u> and not be located within the coastal commercial zone or <u>coastal commercial port zone</u> unless it is directly associated with a maritime related commercial enterprise.</i></p>
Whangarei District Council	Unclear	<p>Submitter considers that this is an information requirement to support a resource consent application rather than a policy.</p>
Yachting NZ	Amend	<p>Amend D.5.9 as follows:</p> <p><del>2) not by itself and/or in combination with existing moorings in the same bay/inlet, result in</del></p> <p><del>more than minor adverse effects, and</del></p> <p><del>3) not be allowed where the mooring will more likely than not result in setting a precedent</del></p> <p><del>for additional new moorings in the same bay/inlet;</del></p> <p>...</p> <p><del>7) e) Regionally Significant Anchorage Recognised Anchorages and Recognised Recreational Anchorages.</del></p>

## D.5.10

## New moorings in Mooring Zones with limited shore-based facilities

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain as notified
Bay of Islands Planning Limited	Amend	The Plan should take a more proactive approach to achievement of integrated management of cross boundary issues
Far North District Council	Amend	Amend as follows: <i>"Adequate parking, toilet facilities, refuse disposal and dinghy storage <del>from</del> <u>are</u> provided at all times of the year <del>at their own</del> <u>on</u> private property near the proposed mooring".</i>
Far North Holdings Limited	Amend	Do not allow any more moorings to be approved at Opuia until wider issues around public parking, lack of control over live-aboard owners and vessels without holding tanks are resolved.
Far North Holdings Limited	Amend	Unclear exactly what changes are sought - submitter requests that the Plan should take a more proactive approach to achievement of integrated management of cross boundary issues.
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity. New structures should not be anticipated in outstanding natural character, features or landscape areas.

## D.5.11

## Regionally Significant Anchorages

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain policy D.5.11 as notified

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity. New structures should not be anticipated in outstanding natural character, features or landscape areas.
Yachting NZ	Amend	Reorder D.4.11 after proposed policy D.4.12 and amend to state:  <u>Recognised Recreational Anchorages</u>  <u>(i) Recognise the value of Recognised Recreational Anchorages (refer Maps) to the boating community because of their shelter, holding, amenity and/or significant recreational values, and</u>  <u>(ii) Avoid adverse effects upon Recognised Recreational Anchorages, including by avoiding structures that would adversely affect the ability of vessels to anchor in Recognised Recreational Anchorages, except structures installed to reduce the environmental impact of repetitive anchoring where the structure is available for public use.</u>

## D.5.12

### Recognised Anchorages

Submitter	Position	Summary of decision requested
Auckland Council Durham G	Support	Retain policy D.5.12 as notified
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity. New structures should not be anticipated in outstanding natural character, features or landscape areas.
Yachting NZ	Amend	Reorder Policy D.5.12 ahead of current D.5.11 and amende to state:  <u>Recognised Anchorages</u>  <u>(i) Recognise the value of Recognised Anchorages to the boating community, and</u>  <u>(ii) Avoid adverse effects upon Recognised Anchorages, including by avoiding structures that would adversely affect the ability of vessels to anchor in Recognised Anchorages, except structures installed to reduce the environmental impact of repetitive anchoring where the structure is available for public use.</u>



### D.5.13

#### Marinas – managing the effects of marinas

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Move from the policy to the rule section. There should be a provision recognising marinas as potential sources for pest species (especially when there are new surfaces).  Also there should be a provision recognising marinas as potential sources for pest species (especially when there are new surfaces)
CEP Services Matauwhi Limited	Amend	Amend to include fundamental adverse effects and to recognise and provide for matters of national importance.
Far North District Council Durham G Marsden Maritime Holdings Patuharakeke Te Iwi Trust Board Inc Riverside Drive Marina	Support	Retain D.5.13 as notified.
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity. New structures should not be anticipated in outstanding natural character, features or landscape areas.

### D.5.14

#### Marinas – recognising the benefits of marina development

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Delete Policy D.5.14 .
Marsden Maritime Holdings Riverside Drive Marina	Support	Retain D.5.14 as notified.

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity. New structures should not be anticipated in outstanding natural character, features or landscape areas.

### D.5.15

#### Marina Zones – purpose

Submitter	Position	Summary of decision requested
Marsden Maritime Holdings Riverside Drive Marina	Support	Retain D.5.15 as notified.
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity.  New structures should not be anticipated in outstanding natural character, features or landscape areas.

### D.5.16

#### Marina Zones – structures

Submitter	Position	Summary of decision requested
Marsden Maritime Holdings Riverside Drive Marina	Support	Retain D.5.16 as notified.
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity.  New structures should not be anticipated in outstanding natural character, features or landscape areas.

## D.5.17

### Marinas and moorings in high demand areas

Submitter	Position	Summary of decision requested
Baker T	Unclear	Concerns about increased boat users demand for harbour infrastructure (hard structures, channel dredging) that may follow from allowing a marina in mangawhai and the adverse impacts on the surfbreak
CEP Services Matauwhi Limited	Amend	Delete the policy, or revise it to set clear thresholds for development as anticipated under policy 7(2) of the Coastal Policy Statement.
CEP Services Matauwhi Limited	Amend	Delete "Russell" from the policy. <del>3) Russell</del>
Durham G	Support	Retain Policy as notified.
Mangawhai Waka Ama	Amend	Prohibit future marine development in Mangawhai.
Mangawhai Waka Ama Minister of Conservation New Zealand Fairy Tern Charitable Trust	Amend	Delete <del>6) Mangawhai</del>
McConchie A	Amend	Prohibit intensive boat storage in Mangawhai harbour.
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity. New structures should not be anticipated in outstanding natural character, features or landscape areas.
Scott M	Amend	Oppose the creation of a marina in Mangawhai estuary.
Stone D	Amend	Opposes the designation of Mangawhai estuary as suitable for a marina due to the bar and changing tide and weather conditions. Infer submitter would like it deleted from consideration.
Vaughan J	Amend	Would like Mangawhai removed from the list as it is unsuitable for a marine

## D.5.18

### Dredging, disturbance and deposition activities

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	<p>Add in that dredging activities should be avoided except where necessary to maintain access to community facilities.</p> <p>Extensive private dredging should be avoided and dredging should be avoided where it causes ongoing ecological damage.</p>
KiwiRail Marsden Maritime Holdings Northport Ltd Riverside Drive Marina	Support	Retain C.5.18 as notified.
McConchie A	Amend	<p>Make amendments as necessary to prevent significant dredging in Mangawhai Harbour.</p> <p>Provide for bare minimum volume of dredging to retain a natural recreational harbour primarily for non-motorised activity in Mangawhai.</p>
New Zealand Fairy Tern Charitable Trust	Amend	Amend as necessary to implement the heavier regulatory approach (Option B) outlined in the Section 32 report.
Refining New Zealand	Amend	<p>Amend D.5.18 as follows:</p> <p><i>Dredging, disturbance and deposition activities should not:</i></p> <p><i>1) cause long-term erosion within the coastal marine area or on adjacent land, and</i></p> <p><i>2) cause damage to any authorised structure.</i></p> <p><u><i>While recognising that dredging, disturbance and deposition activities are necessary:</i></u></p> <p><u><i>1) for the continued operation of existing infrastructure, and</i></u></p> <p><u><i>2) to provide for the expansion of infrastructure and community facilities, and</i></u></p> <p><u><i>3) to maintain and improve access and navigational safety, and</i></u></p> <p><u><i>4) for replenishment activities.</i></u></p>

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Amend policy D.5.18 by adding a third clause as follows:  ...  <u>3) cause:</u>  <u>a) adverse effects on mahinga kai and access to mahinga kai; or</u>  <u>b) any damage, destruction on and loss of access to wāhi tapu, sites of customary value and other ancestral sites and taonga which Māori have a special relationship with, or</u>  <u>c) adverse effects on indigenous biodiversity where it impacts on the ability of tangata whenua to carry out cultural and traditional activities, or</u>  <u>d) adverse effects on tāiapure, mataitai or Māori non-commercial fisheries, or</u>  <u>e) adverse effects on protected customary rights, or</u>  <u>f) adverse effects on Sites and Areas of Significance to Tangata Whenua mapped in the Regional Plan (refer I 'Maps').</u>

## D.5.19

Disposal of dredge spoil material

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Amend clause 3) so that it only applies to public benefit reclamations.
LaBonte' A & R	Amend	Amend condition 1) of D.5.19 as follows:  ...  <u>1) it is for beach maintenance, replenishment, enhancement or ecological restoration, or...</u>
Mangawhai Harbour Restoration Society Inc.	Amend	Revise D.5.19 as follows:  <del>Disposal</del> <u>Dumping</u> of dredge spoil <u>and other waste</u> material  <u>Discourage the disposal</u> <del>dumping</del> of dredge spoil and other waste in the coastal marine area, unless:

Submitter	Position	Summary of decision requested
		<p>1) it is for beach <u>maintenance, replenishment, enhancement</u> or ecological restoration, or</p> <p>2) it is for restoration, <u>maintenance</u> or enhancement of natural coastal defences that provide protection against coastal hazards, or</p> <p>3) it is associated with a reclamation.</p> <p><del>The disposal</del><u>dumping</u> of dredge spoil or other waste that is inconsistent with clauses 1-3 above may be appropriate, if it is demonstrated that the location is the best practicable option, given the type of material to be <del>disposed of</del><u>dumped</u>.</p>
McConchie A	Amend	Do not allow sand to be exported out of the Mangawhai area.
Northport Ltd	Amend	<p>Amend 3) as follows:</p> <p><i>Discourage the disposal of dredge spoil and other waste in the coastal marine area, unless:</i></p> <p>...</p> <p>3) it is associated with a reclamation, <u>or the disposal of dredging material associated with regionally significant infrastructure.</u></p>
Patuharakeke Te Iwi Trust Board Inc	Amend	Amend Policy title to <u>Discourage the disposal of dredge spoil and other waste in the coastal marine area</u>
Refining New Zealand	Amend	<p>Amend policy D.5.19 as follows:</p> <p><i>Discourage the disposal of dredge spoil and other waste in the coastal marine area, unless:</i></p> <p>...</p> <p>3) it is associated with a reclamation, <u>or</u></p> <p>4) <u>it is associated with the operation of Regionally Significant Infrastructure, will not adversely affect a mapped Nationally Significant Surfbreak, Regionally Significant Anchorage, Outstanding Natural Feature, Area of Outstanding Natural Character, Site or Area of Significance to Tangata Whenua or Historic Heritage Area, and will not otherwise generate unacceptable adverse effects.</u></p> <p><del>The disposal of dredge spoil or</del> other waste that is inconsistent with clauses 1 -4 above may be appropriate, if it is demonstrated that the location is the best practicable option, given the type of material to be disposed of</p>
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity.

Submitter	Position	Summary of decision requested
Tautari R	Amend	<p>Amend policy as follows:</p> <p><i>Discourage the disposal of dredge spoil and other waste in the coastal marine area, unless:</i></p> <p><i>1) it is for beach replenishment of ecological restoration, or</i></p> <p><i>2) it is for restoration or enhancement of natural coastal defences that provide protection against coastal hazards, or</i></p> <p><i>3) it is associated with a reclamation.</i></p> <p><i>The disposal of dredge spoil or other waste that is inconsistent with clauses 1-3 above may be appropriate if it is demonstrated that the location is the best practicable option, given the type of material to be disposed of.</i></p>

### D.5.20

Dredging, disturbance and deposition – effects on areas with significant values

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain Policy as notified.
Bay of Islands Maritime Park Inc	Amend	Clarify that using this material for mitigating natural hazards should only be considered where there are no better alternatives.
CEP Services Matauwhi Limited	Amend	Amend Policy D.5.20 by including further special areas including Areas of High Natural Character, and areas that meet the criteria for 'significance' in Appendix 5 of the Regional Policy Statement.
Fonterra	Amend	<p>Amend Policy D.5.20 as follows:</p> <p>...</p> <p><i>take into account whether the proposal provides for any of the following beneficial activities:</i></p> <p>...</p> <p><i>12) is in association with the operation, maintenance and protection of regionally significant infrastructure <u>or industry</u>, or ...</i></p>
Heritage NZ	Amend	<p>Retain Policy but modify as follows:</p> <p><i>Dredging, disturbance and deposition – effects on areas with significant values</i></p>

Submitter	Position	Summary of decision requested
		<p>When considering a resource consent application for dredging, disturbance or deposition that is likely to have any adverse effect on any mapped (refer I 'Maps'):</p> <p>6) <i>Historic Heritage Area <u>or Site</u>, or</i></p> <p>7) <i><del>Nationally or Regionally Significant Surf Break</del><u>Site or Area of Significance to Tangata Whenua</u>, or</i></p> <p>8) <i>Nationally or Regionally Significant Surf Break,</i></p> <p>Take into account whether the proposal provides for any of the following beneficial activities:</p>
KiwiRail Transpower Northpower	Support	Retain clause 12) of D.5.20 as notified (relates to regionally significant infrastructure).
LaBonte' A & R	Amend	<p>Amend Policy D.5.20 by adding the following paragraphs:</p> <p><i><u>18) provides for restoration, replenishment or enhancement of degraded shorelines, or</u></i></p> <p><i><u>19) provides for restoration and enhancement of access to public facilities or historic sites.</u></i></p> <p>Amend proposed condition 18) as follows:</p> <p><i><u><del>18)20) involves sand extraction within areas excluding the nearshore environment out to closure depth. within areas where this has previously occurred and adverse effects have been demonstrated as being no more than minor.</del></u></i></p>
Leonard B	Amend	Delete clauses 10, 11 and 17.
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Amend Policy D.5.20 as follows:</p> <ul style="list-style-type: none"> <li>• Insert the phrase "<i><u>provides or restores access to public facilities and historic sites</u></i>" within the list set out in subparts (8) to (18).</li> <li>• Insert the phrase "<i><u>excluding the nearshore environment out to closure depth</u></i>" at the end of subpart (18).</li> </ul>
Minister of Conservation	Amend	<p>Amend D.5.20 as follows:</p> <p>1) <i><u>Avoid</u> Areas of Outstanding Natural Character, and</i></p> <p>2) <i><u>Avoid</u> Outstanding Natural Feature, and</i></p> <p>3) <i><u>Avoid</u> Significant Ecological Area, and</i></p> <p>4) <i><u>Avoid</u> Significant Bird Area, and</i></p>



Submitter	Position	Summary of decision requested
		<p>5) <u>Avoid</u> significant adverse effects on Marine Mammal and Seabird Area, and</p> <p>6) <u>Avoid</u> significant adverse effects on Historic Heritage Area, and</p> <p>7) <u>Avoid</u> significant adverse effects on Nationally or Regionally Significant Surf Break, and ...</p>
New Zealand Transport Agency	Amend	Amend items 1 to 7 by giving them roman numeral or letter numbering to distinguish from items 8-18.
Northport Ltd	Amend	<p>Amend 12) as follows:</p> <p><i>When considering a resource consent application for dredging, disturbance or deposition that is likely to have an adverse effect on any mapped</i></p> <p>...</p> <p><i>take into account whether the proposal provides for any of the following beneficial activities:</i></p> <p>...</p> <p><i>12) is in association with the operation, maintenance, <u>expansion</u> and protection of regionally significant infrastructure.</i></p>
Patuharakeke Te Iwi Trust Board Inc  Tautari R	Amend	Delete policy D.5.20.
Refining New Zealand	Amend	<p>Amend D.5.20 as follows:</p> <p><i>When considering a resource consent application for dredging, disturbance or deposition that is likely to have an adverse effect on any mapped</i></p> <p>...</p> <p><i>take into account whether the proposal provides for any of the following beneficial activities:</i></p> <p>...</p> <p><i>18) involves sand extraction within areas where this has previously occurred and adverse effects have been demonstrated as being no more than minor, <u>and</u></i></p> <p><i><u>Take into account the following factors associated with the proposal:</u></i></p> <p><i><u>19) locational constraints of the activity/infrastructure associated with the proposal, and</u></i></p>

Submitter	Position	Summary of decision requested
		<i>20) the functional and operational needs of the activity/infrastructure associated with the proposal, and</i> <i>21) the availability of practicable alternatives to dredging, disturbance and deposition.</i>
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity.
KiwiRail Transpower Northpower	Support	Retain clause 12) of D.5.20 as notified (relates to regionally significant infrastructure).
Whangarei District Council	Amend	Amend clause 1) to include high natural character areas - <i>areas of high or outstanding ..</i>

## D.5.21

### Underwater noise

Submitter	Position	Summary of decision requested
Auckland Council Tautari R Patuharakeke Te Iwi Trust	Support	Retain D.5.21 as notified.
Bay of Islands Maritime Park Inc	Amend	Move from the policy to the rule section.
Leonard B	Amend	Delete 3) 'significant' Delete 4) 'more than minor'
New Zealand Defence Force	Amend	Retain D.5.21 but amend to provide greater direction as to when an acoustic assessment will be required.
New Zealand Transport Agency	Amend	Clause 3 is an information requirement rather than a policy. A linkage between relevant rules relating to underwater noise and the policy needs to be established.

Submitter	Position	Summary of decision requested
Refining New Zealand	Amend	<p>Amend policy D.5.21 as follows:</p> <p><i>Activities causing underwater noise (such as blasting, vibratory piling and drilling, construction, demolition and marine seismic surveying) must:</i></p> <p><del>1) demonstrate that the best practicable option is being used to minimise noise,</del> <u>adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level and</u></p> <p>...</p> <p>3) require an acoustic assessment where the activity may cause significant adverse effects on marine animals, and</p> <p><del>4) demonstrate that there are no more than minor adverse effects on marine mammals.</del> <u>avoid significant adverse effects on marine animals; and avoid, remedy or mitigate other adverse effects on marine mammals; and</u></p> <p><u>shall take into account the location and duration of the proposed activity and whether the purpose of the proposal:</u></p> <p><u>5) is to be undertaken in association with scientific research and analysis, or</u></p> <p><u>6) is to be undertaken in association with the operation, maintenance and protection of Regionally Significant Infrastructure, or</u></p> <p><u>7) involves the maintenance or enhancement of navigational safety in permanently navigable harbour waters, or</u></p> <p><u>8) is in association with the mitigation of natural hazards.</u></p>
Royal Forest and Bird Protection Society NZ	Amend	These activities should not be anticipated in areas with significant indigenous biodiversity.

## D.5.22

### Mangrove removal – purpose

Submitter	Position	Summary of decision requested
Auckland Council	Support	Retain D.5.22 as notified.
Far North District Council		
Federated Farmers		
Kaipara District Council		

Submitter	Position	Summary of decision requested
New Zealand Transport Agency Top Energy Whangarei District Council		
Bay of Islands Maritime Park Inc	Amend	Distinguish between removal of mature trees and shrubs versus seedlings. It should also be expanded to include a requirement that the effectiveness of removal for an asserted purpose be demonstrated.
CEP Services Matauwhi Limited	Amend	Amend the policy so that: <ul style="list-style-type: none"> <li>it gives effect to policies 11, 13 and 26 of the Coastal Policy Statement,</li> <li>it is qualified by a general requirement that there is no reasonable alternative available to mangrove removal to achieve the intended outcome</li> <li>is subject to policies D.5.23 and D.5.24.</li> </ul>
CEP Services Matauwhi Limited	Amend	Delete sub-clause 1d), 1e), 1k), and <i>1 j) maintenance of drainage channels, control of flooding or erosion caused by mangroves, or</i>
Foy F	Amend	There shouldn't be any provisions for keeping mangroves. In addition this "rule" (sic) is unenforceable
GBC Winstone	Amend	Amend as follows: <i>Resource consent for mangrove removal:</i> <i>1) may be granted when it is necessary to maintain, restore or improve one or more of the following:</i> <i>a) biodiversity and ecological values, natural features, scheduled historic places, or</i> <i>b) public recreation and walking access to, or along, the coastal marine area, or</i> <i>c) connections with reserves or publicly owned land and the coast, or</i> <i>d) public use and public amenity values, or</i> <i>e) water access for vessels and navigation, or</i> <i>f) public health and safety, including sightlines and traffic safety, or</i>

Submitter	Position	Summary of decision requested
		<p>g) access to the coast from marae, or to areas of traditional use, or</p> <p>h) ongoing authorised activities, or</p> <p>i) infrastructure, or</p> <p><u>j) the continued operation of regionally significant industry and quarries;</u></p> <p>jk) maintenance of drainage channels, control of flooding or erosion caused by mangroves, or</p> <p><del>kl</del>) tidal flows, or</p> <p><del>lm</del>) scientific research, and</p> <p>2) must not be granted where it is for the purpose of improving private views.</p>
Hayes I	Amend	Support but take a more permissive approach to allow the free flow of water through tidal river mouths
King K & F	Amend	Unclear, but infer submitter seeks D.5.22 be deleted.
KiwiRail	Support	Retain D.5.22(1)(i) as notified.
Leonard B	Amend	Delete a), b), c), d), e), g), h) and i).
LaBonte' A & R	Amend	<p>Amend Policy D.5.22 as follows:</p> <p><i>Resource consent for mangrove removal:</i></p> <p>1) <del>may be</del> <u>should be granted</u> when it is necessary to maintain, restore or improve one or more of the following:</p> <p>...</p> <p>l) scientific research, <del>and/or</del></p> <p><u>m) displaced historic habitats where the CMA was generally free of mangroves, and</u></p> <p>2) must not be granted where it is <u>only</u> for the purpose of improving private views.</p>
Mangawhai Harbour Restoration Society Inc.	Amend	<p>Amend Policy D.5.22 as follows:</p> <p><i>Resource consent for mangrove removal:</i></p> <p>1) <del>may be granted</del> <u>should be provided</u> when it is necessary to maintain, restore or improve one or more of the following:</p>

Submitter	Position	Summary of decision requested
		<p>...</p> <p><u>k) natural harbour, estuary and coastal environment processes (including tidal flows), or</u></p> <p><u>l) the natural state of coastal environments, where the environment has historically been free (or largely free) from mangroves, or</u></p> <p><u>m) scientific research, and/or</u></p> <p><u>n) indigenous environments and habitats that have been displaced or colonised by mangroves, including rush marsh, salt marsh and intertidal flats (including preventing future mangrove expansion into these habitats from contiguous or nearby locations), and</u></p> <p>2) must not be granted where it is <u>solely</u> for the purpose of improving private views.</p>
New Zealand Fairy Turn Charitable Trust	Amend	Make amendments as necessary to ensure resource consents will not be approved unless they can prove scientifically that no harm will be caused to flora and fauna, especially endangered birds such as the New Zealand fairy tern
Primrose B	Amend	Amend policy D.5.22 by adding a third clause as follows:  <u>3) Mangrove removal that is not necessary for one or more of the purposes listed in 1) will not necessarily be inappropriate.</u>
Royal Forest and Bird Protection Society NZ	Amend	Delete as notified.
Ruakaka Parish Resident and Ratepayers Association	Amend	Delete the requirement to not grant a consent where the purpose of the consent is to improve private views.
Tautari R Patuharakeke Te Iwi Trust Board Inc	Amend	Amend policy D.5.22 by deleting the word "improve" from "1) may be granted when it is necessary to maintain, restore <del>or improve</del> one or more of the following".
Tautari R Patuharakeke Te Iwi Trust Board Inc	Support	Retain clause 2) of D.5.22 as notified.

## D.5.23

### Mangrove removal – outcome

Submitter	Position	Summary of decision requested
Auckland Council Bay of Islands Maritime Park Inc Far North District Council Federated Farmers Kaipara District Council Tautari R Patuharakeke Te Iwi Trust Board Inc Whangarei District Council	Support	Retain policy D.5.23 as notified.
Hayes I	Amend	Support but take a more permissive approach to allow the free flow of water through tidal river mouths
LaBonte' A & R Mangawhai Harbour Restoration Society Inc. Royal Forest and Bird Protection Society NZ	Amend	Delete D.5.23.
New Zealand Fairy Tern Charitable Trust	Support	Retain the requirement to scientifically demonstrate how the desired outcome will be achieved.
Ruakaka Parish Resident and Ratepayers Association	Amend	Oppose requirement to scientifically demonstrate how the desired outcome will be achieved. NRC should set up one or two case studies such as those undertaken in Tauranga.

## D.5.24

### Mangrove removal – adverse effects

Submitter	Position	Summary of decision requested
Auckland Council Bay of Islands Maritime Park Inc Federated Farmers Tautari R Patuharakeke Te Iwi Trust Board Inc Kaipara District Council Whangarei District Council	Support	Retain Policy D.5.24 as notified.
CEP Services Matauwhi Limited	Amend	Amend policy to give effect to policies 11, 13 and 26 of the New Zealand Coastal Policy Statement.
CEP Services Matauwhi Limited	Amend	Amend policy to set out stricter management regime in significant areas, including high natural character areas (which are often mangrove-marsh areas that meet the criteria for 'significance' in Appendix 5 of the Regional Policy Statement.  Amend the policy to better recognise the role of mangroves as part of sensitive ecological areas.
Hayes I	Amend	Support but take a more permissive approach to allow the free flow of water through tidal river mouths
Hicks M	Amend	Unclear what submitter is requesting. Inferred that submitter wants the Plan to restoration to be encouraged, but is supportive of the policy.
Hicks M	Amend	Unclear what submitter is requesting. Inferred that submitter wants the Plan to recognise mangrove carbon sink values.
LaBonte' A & R	Amend	Delete Policy D.5.24
Mangawhai Harbour Restoration Society Inc.	Amend	Delete Policy D.5.24  OR



Submitter	Position	Summary of decision requested
		Revise this Policy to remove unsubstantiated or discredited "adverse effects", and also recognise the benefits attributed with mangrove removal (such as those recorded in Policy D.5.22 or in Schedule 4 of the submitter's submission.
Minister of Conservation	Amend	Amend D.5.24 as follows:  <i>When considering resource consents for mangrove removal, <u>take into account</u> <del>recognise</del> that mangrove removal can result in a range of adverse effects, in particular:</i>  <i>1) <u>Avoid</u> effects on ecological values including:</i>
Royal Forest and Bird Protection Society NZ	Amend	Amend to give effect to Policy 11 and 13 of the NZCPS
Top Energy	Amend	Amend Policy D.5.24 as follows:  <i>Mangrove removal – adverse effects</i>  <i><u>Manage the removal of mangroves to minimise the following adverse effects:</u></i>  <i><del>When considering resource consents for mangrove removal, recognise that mangrove removal can result in a range of adverse effects, in particular: .....</del></i>

## D.5.25

### Marine pests

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc Patuharakeke Te Iwi Trust Board Inc Refining New Zealand Tautari R	Support	Retain policy as notified.
Far North Holdings Limited	Amend	Delete rules (C.1.7) and provisions (including maps) dependent on the Marine Pathways Plan for Northland until the Marine Pathways Plan has been finalised.

Submitter	Position	Summary of decision requested
Minister of Conservation	Amend	<p>Amend D.5.25 as follows:</p> <p><i>Protect <u>the biodiversity and the intrinsic value of ecosystems of Northlands coastal marine area by reducing the risk of introducing or spreading</u> from the adverse effects from marine pests by:</i></p> <p><i>1) Recognising that <del>the introducing or spreading of</del> marine pests could have significant and irreversible adverse effects on Northland's <del>marine environment</del> <u>coastal marine area</u>, and</i></p> <p><i>2) Recognising that the main risk of introducing and spreading <del>of</del> marine pests <del>in</del> <u>biofouling</u> is from the movement <u>and maintenance of vessels, structures, equipment, marine livestock and materials</u>, and</i></p> <p><i><u>X) Recognising that marine pests can be introduced by passive release where a vessel or structure develops macrofouling</u></i></p> <p><i><u>X) Restricting vessel access to and use of Northland's coastal marine area to vessels that: can provide evidence of an anti-fouling system that is has applied in accordance with the manufacturer's instructions, and is within the manufacturer's timeframe of effectiveness; and maintain the level of fouling on the vessels hull and niche areas to an appropriate level.</u></i></p> <p><i>3) Decision makers applying the precautionary principle when there is scientific uncertainty as to the extent of effects from the introduction or spread of marine pests, and</i></p> <p><i><u>X) Encouraging regular maintenance of vessels and marine structures to minimise the development of macrofouling, provided the anti-fouling is suitable for cleaning and any discharge is managed to avoid excess release of contaminants and is within approved limits</u></i></p> <p><i>4) Putting conditions in resource consents <del>requiring that best practicable option measures are implemented so that there is</del> <u>to ensure</u> a very low risk of introducing or spreading marine pests as a result of the consented activity.</i></p> <p><i><u>X) Raising the awareness of users of Northland's coastal marine area of the risks and impacts of introducing or spreading marine pests, and methods to minimise the risk such as type of anti-fouling system and regular maintenance.</u></i></p>
Moana NZ	Amend	<p>That policy D.5.25 (4) be amended as follows;</p> <p><i>putting conditions in resource consents requiring that best practicable option measures are implemented so that there is <del>a very low risk</del> <u>an acceptably low risk</u> of introducing or spreading marine pests as a result of the consented activity.</i> or such like relief.</p>
New Zealand Defence Force	Amend	<p>Provide greater direction in policy or assessment criteria to allow for robust assessment and greater transparency of assessment of resource consent applications.</p> <p>Include policy provisions which relate to the proposed rule framework and which respond to the level of risk and effects of activities.</p>

Submitter	Position	Summary of decision requested
NZ Oyster Industry Association	Amend	That the statement "very low risk" in clause 4) be amended to "an acceptably low risk" or such like relief.
Northport Ltd	Amend	Add as follows:  <u>5) Acknowledging the role of other agencies (including the Ministry for Primary Industries).</u>

### D.5.26

#### Significant surf breaks

Submitter	Position	Summary of decision requested
Auckland Council Minister of Conservation Tautari R Patuharakeke Te Iwi Trust Board Inc Whangarei District Council	Support	Retain Policy D.5.26 as notified.
Baker T	Amend	Amend policy by adding  <u>"Avoid significant adverse effects on surf breaks in the first instance, and avoid, remedy and mitigate all other adverse effects".</u>
Mangawhai Waka Ama	Amend	Prohibit development that may result in any change to a naturally occurring surf-break.
McConchie A	Amend	Infers that amendments should be made to policy D.5.26 requiring all adverse effects on recognised surf breaks to be avoided.  Retain the requirement to maintain access to all recognised surf breaks.  Where access to recognised surf breaks is enhanced this should be accomplished through education not necessarily roading and amenities. Preserve wilderness qualities where they exist.
Surfbreak Protection Society	Amend	Supports the inclusion of surfbreaks in the plan but seeks that all the surfbreaks listed are categorised as being regionally significant.

Submitter	Position	Summary of decision requested
Surfbreak Protection Society	Amend	<p>Amend Policy D.5.26 as follows:</p> <p><i>Significant surf breaks Provide for the use and enjoyment of Nationally and Regionally Significant Surf Breaks (refer: I 'Maps' )by ensuring that:</i></p> <p><i>1) resource consent applications for activities within the coastal marine area that are within a one kilometre radius of a Nationally Significant Surf Break or a Regionally Significant Surf Break are accompanied by an assessment of environmental effects of the activity on the identified values of the surf break, and</i></p> <p><i>2) 1) significant adverse effects on Nationally Significant Surf Breaks are avoided, and;</i></p> <p><i>3) 2) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on regionally significant surf breaks</i></p> <p><i>3) access to Nationally and Regionally Significant Surf Breaks is maintained or enhanced.</i></p>

## D.5.27

### Managing effects on surf breaks

Submitter	Position	Summary of decision requested
Auckland Council Tautari R Patuharakeke Te Iwi Trust Board Inc Whangarei District Council	Support	Retain D.5.27 as notified.
Surfbreak Protection Society	Amend	Amend the title of Policy D.5.27 as follows: <del>Managing protect</del> effects on surf breaks.

## D.6 Natural Hazards

### General submissions on natural hazards policies

Submitter	Position	Summary of decision requested
Fire and Emergency NZ	Amend	Add a policy to section D.6.X of the plan as follows:  <i>Recognise and enable the benefits that emergency services provide in reducing risks and supporting the wellbeing of people, property and the environment.</i>
King K & F	Amend	Give more weighting to protecting land and buildings for land owners. Does not agree with coastal hazard rules.

#### D.6.1

##### Appropriateness of hard protection structures

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Support clause 1)  Amend 2) to delete " <i>proposed</i> " in the first sentence.
CEP Services Matauwhi Limited	Amend	Amend Policy D.6.1 to give effect to Policies 25 and 27 of the New Zealand Coastal Policy Statement and to require consideration of climate change.
Far North District Council New Zealand Transport Agency Refining New Zealand Northpower	Support	Retain policy D.6.1 as notified.
Hicks M	Amend	Limit hard protection structures to those necessary to protect infrastructure.
Kaipara District Council	Support	Retain reference to "core local infrastructure" in this policy and add a definition for it.
KiwiRail	Support	Retain D.6.1(2)(a) as notified.

Submitter	Position	Summary of decision requested
Leonard B	Amend	Delete 2) 'or proposed'  Add <u>'e) they are not harmful to the freedom and well-being of any living creature'</u>
Patuharakeke Te Iwi Trust Board Inc Tautari T	Amend	Amend the policy so that it is stronger in terms of discouraging new hard protection structures.
Whangarei District Council	Amend	Support reference to core local infrastructure but requests that under clause 2b), <i>local roads</i> is amended to <u>public roads</u> .

## D.6.2

### Design and location of hard protection structures

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Use the latest sea level rise estimates from reputable scientific sources.
CEP Services Matauwhi Limited	Amend	Revise the 100 year sea level rise magnitude to reflect current knowledge and best practice.
Clarkson S	Amend	Amend so that biodegradable material is encouraged and plastic discouraged.
Far North District Council Northport Ltd Whangarei District Council	Support	Retain policy as notified.
Shanks J	Amend	Amend to ensure that any further erosion control measures only utilize matting that is biodegradable and non toxic.

### D.6.3

#### Re-building of materially damaged or destroyed buildings in high risk hazard areas

Submitter	Position	Summary of decision requested
Far North District Council Fire and Emergency NZ	Support	Retain Policy D.6.3 as notified
Top Energy	Amend	Identify High-Risk Flood Hazard areas and High Risk Coastal Hazard Areas on the Planning Maps.
Whangarei District Council	Amend	Amend the policy to read:  <i>Avoid the re-building of materially damaged or destroyed buildings in high risk flood hazard areas and high risk coastal hazard areas <del>if</del> unless the natural hazard risk to the building is demonstrated to be reduced (compared with the risk to the building previously) and hazard risk to other property is not increased.</i>

### D.6.4

#### Flood hazard management – flood defences

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	Add another clause to recognise the significant damage that flood defences can have on wetlands and alluvial plain ecological sequences and their associated natural character
CEP Services Matauwhi Limited	Amend	Amend the policy to state that while there may be short term benefits, in the longer term managed retreat may provide more significant benefits.
Far North District Council	Support	Retain Policy D.6.4 as notified

## D.6.5

### Flood hazard management – development within floodplains

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	Amend policy to take into account climate change and give consideration to the flood hazard projections for the next 100 years, and the wider costs to society of development in flood hazard areas.
Far North District Council Spark New Zealand Trading Ltd	Support	Retain Policy D.6.5 as notified.
GBC Winstone Top Energy	Amend	That the Flood Hazard Areas are identified on the Planning Maps.
The oil companies	Amend	Retain with the following amendments;  <b><i>D.6.5 Flood hazard management – <del>development within floodplains</del></i></b>  <i>Development in flood hazard areas and rivers (including high risk flood hazard areas) must not increase the risk of adverse effects from flood hazards on other property or another person's use of land or property.</i>
The Oil Companies	Amend	<i>Amend the formatting of 'high risk flood hazard areas' to clearly show that this term is defined in the Proposed Regional Plan.</i>
Whangarei District Council	Amend	Unsure - submitter supports the intent of the policy but notes that most development within a flood plain or river will increase the risk of adverse effects on neighbouring property therefore the policy may have the effect of prohibiting all development within these areas.





# E Catchments

## General submissions on catchment provisions

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	<p>Amend the plan to:</p> <ul style="list-style-type: none"> <li>include policies which incentivise collaborative endeavors between the regional council, industry, and farmers to: (1) support the identification of targeted research programs to fully investigate the causal linkages between land uses and water quality; and (2) the adoption of farm specific environment plans</li> <li>provide for industry farm environment plans as an alternative to land use and activity specific rules in section E and GMP plans such as the 'erosion control plan'.</li> <li>enable and incentivise community collective approaches to managing land and water resources.</li> <li>include new rules which provide a pathway for 'Pastoral land use' where it is undertaken in accordance with an industry Farm Environment Plan, and which provides an alternative gateway to the stock exclusion rules in E.0.7 and E.0.9</li> </ul>
Lewis N	Amend	<p>Include an additional rule within the Mangare catchment requiring councils to seal the dirt/metal roads between the Purua bridge and the Mangakahia State highway bridge.</p>
McIntyre S	Amend	<p>All catchment rules relating to exclusion of stock from waterways and wetlands should be amended to include the exclusion of beef cattle, deer, sheep and pigs from said waterways according to the same timeline as those proposed for dairy cattle.</p>
Northland Fish and Game	Amend	<p>Supports the approach taken to catchment management plans, particularly the rules around stock exclusion, provided that:</p> <ul style="list-style-type: none"> <li>Catchment rules are integrated with the general scheme of the plan to avoid confusion.</li> <li>Catchment plans are revised to give effect to any new stock exclusion rules or regulations.</li> <li>The Northland Regional Council guarantees the that full Schedule 1 process is used for all future plan changes.</li> </ul>
Smart P	Support	<p>Retain all catchment provisions except for forestry. All existing as well as new forestry should have the same rules pertaining to setback of planting. i.e. after current trees have been harvested.</p>
Puhipuhi Mining Action Group	Amend	<p>Extend and amend the catchment-specific rules to cover all the catchments within the NRC's boundaries – whether or not the Catchment Management Plans have been completed.</p>

Submitter	Position	Summary of decision requested
Puhipuhi Mining Action Group	Amend	Amend the plan so that all catchments have the same stock exclusion rules, not only just for dairy cows and pigs, but for all farmed livestock (including support cattle, beef, sheep, deer, etc), , and that all streams – no matter what size – need to have livestock excluded from them:
Puhipuhi Mining Action Group	Amend	<p>Amend the stock exclusion provisions for the priority catchments to:</p> <p>(a) Ensure that any livestock access to the bed of a river or lake or a wetland in these priority catchments becomes a controlled activity.</p> <p>(b) Review all current resource consents for livestock access to the bed of a river or lake or a wetland in all water catchments to ensure the waterway crossings are adequately fenced and the fencing maintained for all time to ensure livestock do not wander outside of the fenced area.</p> <p>(i) Ensure the fenced crossings also have gateways which can be shut once the livestock have crossed the waterway, and that these gates remain shut except at times the animals are crossing.</p> <p>(c ) Bring the exclusion dates for all lowland river waterways in all water catchments forward to January 2020.</p> <p>(d) Include all hill country river waterways as exclusion zones. There should be no waterways which livestock are able to access whenever they wish. Hill country exclusion deadline dates to be the same as for lowland river waterways – Jan 2020.</p>
Puhipuhi Mining Action Group	Amend	Amend the plan to put in place a method for identifying bores and aquifers which people tap into for personal use in their homes.

### Doubtless Bay catchment

#### E.0.1

Erosion control plans in the Doubtless Bay catchment - controlled activity

Submitter	Position	Summary of decision requested
Balle Bros Group	Amend	Supports the use of erosion control plans but wants them formulated in unison with the land owner/occupier.
Beef and Lamb NZ	Amend	<p>Amend rule so that it provides an alternative pathway to compliance where 'erosion control' occurs in accordance with an industry Farm Environment Plan</p> <p>Land and Environment Plan) rather than the activity based and more prescriptive standards in the rule.</p>

Submitter	Position	Summary of decision requested
Dairy NZ	Support	Retain E.0.1 as notified
Federated Farmers	Amend	Amend rule E.0.1 to include the following matter of control: <i>'3) Information and monitoring requirements'</i>
Hayes M	Amend	Unclear exactly what changes are sought but submitter is opposed to the requirement for an Erosion Control Plan by 1 January 2025, the rationale and practicality for such a plan and general scientific underpinnings of the catchment plan itself (e.g. use of faecal source tracking).
Honeymoon Valley Landcare Group	Support	Submitter fully supports the Doubtless Bay Catchment plan. Particularly the requirement for erosion control plan on high sediment yielding land.  particular requirement for erosion control plans on high sediment yielding land.
Jospehsons Farms Ltd.	Unclear	That practicalities of managing a large farm area with erosion priorities both within the Doubtless Bay Catchment and considerable areas outside the catchment, are taken into account when considering the appropriateness of erosion controls and implementation period.
Royal Forest and Bird Protection Society NZ	Amend	Amend the rule to only provide for sediment yields from pastoral use.  Make consequential changes to all catchment rules
Waldron S	Support	Retain proposed text particularly the requirement for erosion control plans on high sediment yielding land.

## E.0.2

Water takes from Lake Waiporohita - discretionary activity

Submitter	Position	Summary of decision requested
Balle Bros Group	Support	Retain rule as notified.
Federated Farmers	Amend	Amend the rule by stating that RMA s14(3)(b) takes are exempt from the rule.

## Poutō catchment

### E.0.3

Water takes from a lake in the Poutō catchment - permitted activity

Submitter	Position	Summary of decision requested
Balle Bros Group Federated Farmers Kaipara District Council	Support	Retain E.0.3 as notified.

### E.0.4

New plantation forestry in the Poutō Forestry Restriction Area - restricted discretionary activity

Submitter	Position	Summary of decision requested
Kaipara District Council	Support	Retain E.0.4 as notified.

### E.0.5

New plantation forestry within 20 metres of outstanding Poutō Lakes - restricted discretionary activity

Submitter	Position	Summary of decision requested
Kaipara District Council	Support	Retain E.0.5 as notified.

## Waitangi catchment

### E.0.6

Erosion control plans in the Waitangi catchment - controlled activity

Submitter	Position	Summary of decision requested
Balle Bros Group	Amend	Supports the use of erosion control plans but wants them formulated in unison with the land owner/occupier.

Submitter	Position	Summary of decision requested
Bay of Islands Maritime Park Inc	Amend	This is supported as far as it goes but there should be more rules on sediment, nutrient and riparian management. The speed of implementation should be increased.
Bainbridge J	Amend	It is inferred that the submitter seeks that E.0.6 be deleted.
Beef and Lamb NZ	Amend	Amend rule so that it provides an alternative pathway to compliance where 'erosion control' occurs in accordance with an industry Farm Environment Plan
Dairy NZ Federated Farmers Upperton T Way D	Support	Retain E.0.6 as notified.
Lemon E	Amend	Tree planting should not affect farmers ability to graze livestock or affect profitability.
Lemon R	Amend	That the maps are very broadbased and inaccurate, which affects the ability to farm and future farm income.

## Mangere catchment

### E.0.7

Access of livestock to the bed of a water body or permanently flowing watercourse in the Mangere catchment – permitted activity

Submitter	Position	Summary of decision requested
Bainbridge J	Support	Retain the lack of riparian setback in rule E.0.7.
Beef and Lamb NZ	Amend	Amend rule so that it provides an alternative pathway to compliance where 'livestock access' occurs in accordance with an industry Farm Environment Plan
Federated Farmers	Amend	Amend the rule by:  Specifying a minimum size threshold for stock exclusion from natural and significant wetlands (eg. 5ha).  Mapping significant wetlands for livestock exclusion.

Submitter	Position	Summary of decision requested
		Changing the requirement for beef cattle, dairy support cattle and deer to be excluded from 'permanently flowing rivers, streams and drains greater than 1m wide and 30cm deep' to:  <i>Hill country areas as mapped in I 'Maps': Excluded from 1 January 2025 to 2030.</i>
Hartigan B	Amend	Delete rules restricting grazing of pasture on parents land at Matarau.
Hartigan L	Amend	Delete rules (or it is assumed mapped layer) restricting grazing of pasture on our land at Matarau.
King G	Amend	Table 13 has an asterisk in the heading of column 2. The submitter assumes this denotes a footnote. However there is no footnote. The submitter requests that the footnote be inserted or the asterisk be deleted.
Minister of Conservation	Support	Retain the sections of the rule that require beef cattle, dairy support cattle and deer to be excluded from all permanently flowing rivers, streams and drains.
Ravensdow Limited	Amend	Review provision to address the apparent inconsistency between Clause 2) and 4) b) and Tables 13 and 14 regarding if stock exclusion is required or not in the Hill country areas.
Royal Forest and Bird Protection Society NZ	Amend	Refer to submission on the general stock access rules and amend as required.

### E.0.8

#### Erosion control plans in the Mangere catchment - controlled activity

Submitter	Position	Summary of decision requested
Balle Bros Group	Amend	Supports the use of erosion control plans but wants them formulated in unison with the land owner/occupier.
Beef and Lamb NZ	Amend	Amend rule so that it provides an alternative pathway to compliance where 'erosion control' occurs in accordance with an industry Farm Environment Plan  Land and Environment Plan) rather than the activity based and more prescriptive standards in the rule.

Submitter	Position	Summary of decision requested
Dairy NZ Federated Farmers	Support	Retain E.0.8 as notified.

### Whangārei Harbour catchment

#### E.0.9

Access of livestock to the bed of a water body in the Whangārei Harbour catchment – permitted activity

Submitter	Position	Summary of decision requested
Beef and Lamb NZ	Amend	Amend rule so that it provides an alternative pathway to compliance where 'livestock access' occurs in accordance with an industry Farm Environment Plan
Federated Farmers	Amend	Amend rule E.0.1 by extending the exclusion timeframe to 1 January 2025.
Kallu R	Amend	Amend the western perimeter of the Whangarei Swimming Sites Stock Exclusion Area (part of the Whangarei Harbour Catchment Plan) as it relates to Lot 3 DP 160629 Blk V111 Purua SD so that it is moved off the submitter's property and east onto the centreline of Parakiore Rd.
Minister of Conservation	Support	Retain the sections of the rule that require beef cattle, dairy support cattle and deer to be excluded from all permanently flowing rivers, streams and drains.
Ravensdown Limited	Amend	Review provision to address the apparent inconsistency between Clause 2) and 4) b) and Tables 13 and 14 regarding if stock exclusion is required or not in the Hill country areas.
Whangarei Harbour Catchment Group Patuharakeke Te Iwi Trust Board Inc	Support	Retain rule E.0.9 as notified.
Whangarei District Council	Support	Submitter supports the shorter timeframes for stock exclusion upstream of swimming sites on the Hatea and Raumanga Rivers.



## E.0.10

### Erosion control plans in the Whangārei Harbour catchment - controlled activity

Submitter	Position	Summary of decision requested
Balle Bros Group	Amend	Supports the use of erosion control plans but wants them formulated in unison with the land owner/occupier.
Beef and Lamb NZ	Amend	Amend rule so that it provides an alternative pathway to compliance where 'erosion control' occurs in accordance with an industry Farm Environment Plan
Dairy NZ Federated Farmers	Support	Retain E.0.10 rule as notified
Kelly C	Unclear	Submission was a series of questions. Unclear whether submitter seeks any change to Plan.
King G	Amend	Table 14 has an asterisk in the heading of column 2. The submitter assumes this denotes a footnote. However there is no footnote. The submitter requests that the footnote be inserted or the asterisk be deleted.
Patuharakeke Te Iwi Trust Board Inc  Whangarei Harbour Catchment Group	Support	Retain rule E.0.10 as notified.

# F Objective

## General submissions on objectives

Submitter	Position	Summary of decision requested
AFFCO New Zealand	Amend	Amend the plan to include rule specific objectives and a comprehensive policy framework.
Dairy NZ	Amend	Include explanations for each objective in the plan.
Dairy NZ	Amend	<p>Insert the objectives from the RPS into the regional plan.</p> <p>In doing so consider whether the 15 Objectives in the RPS adequately address issues that might have arisen from an improved understanding of the regional water quality issues and the provisions in national regulation either in draft or put in place after the Regional Policy Statement became operative.</p>
Far North District Council	Amend	<p>Add the following objectives:</p> <p><u>1. Regionally significant infrastructure</u></p> <p><u>Recognise and promote the benefits of regionally significant infrastructure, (a physical resource), which through its use of natural and physical resources can significantly enhance Northland's economic, cultural, environmental and social wellbeing.</u></p> <p><u>2. Economic activities – reverse sensitivity and sterilization</u></p> <p><u>The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:</u></p> <p><u>(a) Reverse sensitivity for existing:</u></p> <p><u>(i) Primary production activities;</u></p> <p><u>(ii) Industrial and commercial activities;</u></p> <p><u>(iii) Mining*; or</u></p> <p><u>(iv) Existing and planned regionally significant infrastructure; or</u></p> <p><u>(b) Sterilisation of:</u></p> <p><u>(i) Land with regionally significant mineral resources; or</u></p> <p><u>(ii) Land which is likely to be used for regionally significant infrastructure.</u></p> <p><u>*Includes aggregates and other minerals.</u></p> <p><u>3. Integrated Catchment Management</u></p>

Submitter	Position	Summary of decision requested
		<i>Integrate the management of freshwater and the subdivision, use and development of land in catchments to enable catchment specific objectives for fresh and associated coastal water to be met.</i>
First Gas Limited	Amend	<p>Add the following new objectives:</p> <ul style="list-style-type: none"> <li>• <i>The safe, effective and efficient use, operation, maintenance, upgrade and development of regionally significant infrastructure is provided for.</i></li> <li>• <i>The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised within the region and beyond.</i></li> <li>• <i>The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i></li> </ul>
Fonterra	Amend	<p>Fonterra seeks that the Plan is amended to include objectives that clearly set out the outcomes for:</p> <ul style="list-style-type: none"> <li>• air quality;</li> <li>• water quality;</li> <li>• water quantity;</li> <li>• the coastal environment;</li> <li>• the use of land; and</li> <li>• other relevant matters within the function of the Northland Regional Council.</li> </ul> <p>Furthermore, Fonterra seeks that the Proposed Plan includes objectives that recognise the contribution of regionally significant industry, such as dairying and dairy manufacturing to the regional and national economy. These objectives also need to give effect to higher order documents, such as the NZCPS and</p> <p>the Northland RPS.</p> <p>Fonterra also seeks that the Proposed Plan is amended to redraft the existing policies and include new policies that achieve the redrafted objectives. These policies also need to give effect to the NZCPS and the Northland RPS, be enabling of regionally significant industry and provide appropriately for discharges to water in the coastal environment.</p>
GBC Winstone	Amend	<p>That Objective F.0.1 and the supporting policy provisions be amended as follows</p> <ul style="list-style-type: none"> <li>• That any objective(s) of clearly set out the outcomes or states intended for air quality, water quality, water quantity, wetlands, the beds of waterbodies, the coastal environment and the land resource in the Northland region, and</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>That the PNRP includes 'enabling' objectives that provide for the consideration of regionally significant industry and regionally significant mineral extraction activities and their contribution to the regional as well as national economy, and the wellbeing of the regional community, and</li> <li>That all policies be recast to align with the intent of any revised or new objectives.</li> </ul>
Haititaimarangai Marae 339 Trust	Amend	<p>Amend the plan to include objectives which:</p> <ul style="list-style-type: none"> <li>Safeguard the life supporting capacity and ecosystem health of freshwater and coastal water</li> <li>Safeguards ecosystem health and the health of indigenous species.</li> <li>Describe the outcomes to be achieved for the regions rivers, lakes, wetlands and the coastal environment</li> <li>Ensures that water quality is, at a minimum, maintained and where degraded, is improved</li> <li>That all remaining wetland habitats are recognised as significant and protected from further degradation and loss and protect the values of outstanding wetlands</li> <li>Describe outcomes that are consistent with recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</li> </ul> <p>That the new objectives be supported by a clear suite of policies and methods which set out how the objectives will be implemented and the anticipated timeframe for this implementation to occur.</p>
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to include an objective that recognises and provides for the values of habitat of freshwater fish species and that the values of these habitats be identified in an appendix to the Plan and protected through objectives and associated policies.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to clearly identify freshwater objectives to recognise and provide for the intrinsic values in all Freshwater Management Units.
Haititaimarangai Marae 339 Trust	Amend	Coastal Environment & New Zealand Coastal Policy Statement 2010 - The Trust seeks to include an objective in the Plan to address the 'mountains to sea' nature of catchments. The Trust seeks to ensure that freshwater ecosystems from the mountains to the sea are restored and consideration of estuaries, coastal lakes and wetlands, and the wider coastal environment as part of the catchment are vital to achieving this. The Proposed Plan should also identify which water bodies support the values set out in Schedule 3 of the RMA and include numerical water quality standards, objectives, outcomes and limits or targets to protect these values. Rules in the Plan will need to be amended/incorporated to ensure compliance with the standards set in Schedule 3 of the RMA.
Haititaimarangai Marae 339 Trust	Amend	Outstanding Natural Features - The Trust considers that an objective such as the one set out below, or wording to similar effect, would be an appropriate addition to include in the Proposed Plan Objective: Outstanding natural features and landscapes, and natural character

Submitter	Position	Summary of decision requested
		<p><i>(a) The characteristics and values of:</i></p> <p><i>(i) the Region's outstanding natural features and landscapes, including those identified on Maps XX, and</i></p> <p><i>(ii) the natural character of the coastal environment, wetlands, rivers and lakes and their margins; are protected from inappropriate subdivision, use and development.</i></p> <p><i>(b) Adverse effects, including cumulative adverse effects, on the natural character of the coastal environment, wetlands, rivers and lakes and their margins, are:</i></p> <p><i>(i) avoided in areas with outstanding natural character, and</i></p> <p><i>(ii) avoided where they would have more than minor adverse effects on the attributes and qualities of areas that have high natural character, and</i></p> <p><i>(iii) avoided, remedied or mitigated in other areas.</i></p> <p><i>(c) Promote the rehabilitation or restoration of the natural character of the coastal environment, wetlands, rivers and lakes and their margins.</i></p> <p>The Trust consider that Proposed Plan needs to include policies and associated methods (including rules) to achieve the above objective including policies as specified in their submission</p>
Heritage NZ	Amend	<p>Insert a new Objective <u>F.0.2</u> as follows:</p> <p><u>Objective.</u></p> <p><u>Identify and protect from inappropriate subdivision, use and development:</u></p> <p><i>(a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;</i></p> <p><i>(b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;</i></p> <p><i>(c) The integrity of historic heritage (including any previously unidentified historic heritage).</i></p>
Hetaraka M	Amend	<p>Only having one objective is opposed. It is assumed that the submitter is seeking objectives on a range of resource management issues covered by the Proposed Regional Plan.</p>
Horticulture New Zealand	Amend	<p>Insert a new Objective <u>F.0.2</u> as follows:</p> <p><u>Objective F.0.2:</u></p>

Submitter	Position	Summary of decision requested
		<p><i>Resource management decision making is holistic and consistent and:</i></p> <p><i>a) is aligned across legislation and national and regional strategies;</i></p> <p><i>b) considers the issues and explanations outlined in the Section 32 analysis report – Proposed Regional Plan for Northland (September 2017)</i></p> <p><i>c) takes an integrated approach to managing resources that cross regional and functional boundaries;</i></p> <p><i>d) adopts an appropriate planning timeframe;</i></p> <p><i>e) is transparent and maximises certainty in the decision-making process;</i></p> <p><i>f) allows for flexible solutions for local variations;</i></p> <p><i>g) recognises that time may be needed for change to occur;</i></p> <p><i>h) is assisted by adequate and timely consultation between parties; and</i></p> <p><i>i) considers a mix of methods to achieve objectives</i></p>
Horticulture New Zealand	Amend	<p>Insert a new Objective F.0.3 as follows:</p> <p><u>Objective F.0.3</u></p> <p><u>Controls exercised by the Plan are matched to the significance of adverse effects of the activity on the environment, either individually or cumulatively, and unnecessary bureaucracy and costs are avoided, so that:</u></p> <p><u>a. activities requiring resource consent that do not have more than minor adverse environmental effects are allowed to occur; and</u></p> <p><u>b. activities that require resource consent and have more than minor adverse environmental effects are managed to avoid, remedy, or mitigate those adverse effects.</u></p>
Marks M	Unclear	Coastal waters should be managed to a standard which provides for cultural purposes
Mangawhai Harbour Restoration Society Inc.	Amend	Add appropriate objectives, taking into account the NZCPS and Part 2 RMA (and other relevant items).
Marsden Maritime Holdings	Amend	Concern about lack of objectives in plan and general bottom up approach. It is assumed the submitter would like more objectives to be added.
Mataka Residents Association Paroa Bay Station	Amend	<p>Insert new objectives addressing:</p> <ul style="list-style-type: none"> <li>• The value of tourism to the Northland Region economy;</li> </ul>

Submitter	Position	Summary of decision requested
Robinia Investments Limited		<ul style="list-style-type: none"> <li>The protection of indigenous biodiversity, natural character, and natural features and landscapes;</li> <li>The need to avoid aquaculture areas in inappropriate locations (e.g. in accordance with Objective 4 and 4a in the Operative Plan).</li> </ul>
Minister of Conservation	Amend	<p>Delete the single objective</p> <p>Include objectives for the region which give effect to the NZCPS, NPSFM and Northland RPS, which achieve the purpose of the Act and which set out what the policies in the Plan are intended to implement.</p>
Minister of Conservation	Amend	<p>Introduce objectives that:</p> <ul style="list-style-type: none"> <li>Safeguard the life supporting capacity and ecosystem health of freshwater; Describe the freshwater outcomes to be achieved for the regions rivers, lakes, wetlands and the coastal environment</li> <li>Ensures that water quality is at a minimum, maintained and where degraded, is improved</li> <li>That all remaining wetland habitats are recognised as significant and protected from further degradation and loss and protect the values of outstanding wetlands</li> <li>recognise and provide for the intrinsic values in Freshwater Management Units in the Northland Region.</li> </ul> <p>That the objectives in the plan be supported by a clear suite of policies which set out how the objectives will be implemented and the anticipated timeframe for this implementation to occur.</p>
Minister of Conservation	Amend	<p>Include of an objective which safeguards ecosystem health and the health of indigenous species.</p> <p>Include an additional objective is also sought that recognises and provides for the values of habitat of freshwater fish species and that the values of these habitats be identified in an appendix to the Plan and protected through objectives and associated policies.</p>
Minister of Conservation	Amend	<p>Insert suite of objectives to give effect to the NZCPS, including the following:</p> <p><i><u>The qualities and characteristics that contribute to the natural character of the coastal environment and freshwater bodies and their margins, outstanding natural features and outstanding natural landscapes, are protected from inappropriate subdivision, use and development, and their restoration is promoted</u></i></p>
Minister of Conservation	Amend	<p>Insert new objective:</p> <p><u>Safeguard Northland's ecological integrity by:</u></p> <p><u>a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;</u></p>

Submitter	Position	Summary of decision requested
		<p><u>b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and</u></p> <p><u>c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.</u></p>
New Zealand Transport Agency	Amend	<p>Add additional objectives to the Regional Plan, including those supporting and enabling regionally significant infrastructure.</p> <p>If the current approach is to be continued; the following is requested:</p> <p>a. Explicit cross referencing to relevant RPS policies for each Part of the Plan is recommended. The more general reference in D.2.3 contains only a very limited range of objectives from within the RPS and is considered to be overly limited and lacking suitable breadth to support the Plan's policies.</p> <p>b. An objective supporting and enabling regionally significant infrastructure.</p> <p>c. A diagrammatic outline of which Plan policies stem from the specified (D.2.3) RPS objectives</p>
Northland District Health Board	Amend	<p>Add a new objective F.0.2 as follows</p> <p><i><u>"To maintain and, where needed, enhance the quality of Northland's environment to meet national environmental standards and/or health-based guidelines."</u></i></p>
Northport Ltd	Amend	Request for more specific objectives relating to regionally significant infrastructure, coastal structures, reclamations and dredging.
Ravensdown Limited	Amend	Provide a well-crafted set of objectives that provide directives on how regional resource management issues are to be addressed in accordance with s.67(1)(a) of the RMA.
Royal Forest and Bird Protection Society NZ	Amend	Replace with objectives giving effect to the RPS, NZCPS or NPS FM.
Tegel Foods Ltd	Amend	Include additional objectives in the plan addressing key regional issues and which give effect to the Regional Policy Statement provisions as required under s67 of the RMA.
Te Kopu Pacific Indigenous and Local Knowledge Centre of Distinction	Amend	<p>Unclear exactly what changes are sought but appears submitter would like a new objective included:</p> <p><i><u>The maintenance, and the enhancement where it is degraded, of Northland's ambient air quality, and the avoidance, mitigation or remediation of any adverse effects on the environment of localised discharges into air</u></i></p>



Submitter	Position	Summary of decision requested
Top Energy	Amend	<p>Amend to include objectives that clearly set out the outcomes or states intended for the coastal environment, regionally significant infrastructure and the land</p> <p>resource in the Northland region. Furthermore, amend so that the PRPN includes objectives that recognise the importance of regionally significant infrastructure.</p>
Transpower	Amend	<p>Insert new objectives as follows:</p> <p><u>The national significance of nationally and regionally significant infrastructure is recognised and provided for and its effective development, operation, maintenance, repairs, upgrading and removal is enabled.</u></p> <p>AND</p> <p><u>The positive contribution and benefits of regionally significant infrastructure to economic, cultural and social wellbeing are recognised.</u></p> <p>(Alternately, Transpower would support the sought above objectives being specific to the National Grid (or nationally significant infrastructure).</p> <p>AND</p> <p>Insert a suite of objectives in the proposed plan that recognise other national policy statements, and provide a clear indication and direction as to what the issues for the region are and what is to be achieved.</p>
Yachting NZ	Amend	<p>A more comprehensive suite of objectives should be introduced (which would be appropriate) then objective(s) should be introduced which:</p> <ul style="list-style-type: none"> <li>a. Specifically address coastal waters;</li> <li>b. Address matters such as mooring and anchorages; and</li> <li>c. Seek to maintain and where necessary enhance water quality including in coastal waters, while recognising: <ul style="list-style-type: none"> <li>i. The recognition on a national scale by way of Regulation that management of discharge of untreated and treated sewage from vessels requires specific provision; and</li> <li>ii. Health and safety risks to vessels if they are required to discharge sewage significant distances from Mean High Water Springs.</li> </ul> </li> </ul>
Yachting NZ	Amend	<p>An objective should be introduced which makes specific reference to health and safety matters associated with discharge of sewage from ships. For example:</p> <p><u>Protect the values of the CMA, and activities that rely on high water quality, from the adverse effects from the discharge of sewage from ships, while providing for the health and safety of ships and their occupants.</u></p>

## F.0.1

### Objective

Submitter	Position	Summary of decision requested
Ballance Agri-Nutrients Limited Balle Bros Group Fire and Emergency NZ Heritage NZ Horticulture New Zealand New Zealand Defence Force Refining New Zealand	Support	Retain Objective as notified.
Kaipara District Council	Amend	Amend objective and if necessary, add additional objectives, to provide a clearer outcome of what the plan is hoping to achieve, and to provide for trade-offs where appropriate.
Landowners Coalition Inc	Amend	Add a new clause to the objective <i><u>whilst respecting the rights of landowners to pursue their activities free from undue interference.</u></i>
Leonard B	Amend	Add <i><u>'4) overall, protecting the freedom and well-being of all living creatures'.</u></i>
Whangarei District Council	Amend	Amend objective and if necessary, add additional objectives to: <ul style="list-style-type: none"> <li>• Better assist plan users with a clearer understanding of the intent and purpose of the policies.</li> <li>• Articulate a clear outcome(s) that the plan is seeking to achieve</li> <li>• Where appropriate address trade-offs and resolutions of particular issues.</li> </ul>



# G Administrative matters

## G.1 Cross-river coastal marine area boundary

No submissions.

## G.2 Statutory acknowledgements

Submitter	Position	Summary of decision requested
King G	Amend	Amend the second paragraph for it to read in such a way that either party to the Treaty of Waitangi is capable of breaking the terms of the treaty.
Landowners Coalition Inc	Amend	Delete the section.

## G.3 Financial contributions

Submitter	Position	Summary of decision requested
Fonterra GBC Winstone Top Energy	Amend	Delete G.3 Financial contributions.
Landowners Coalition Inc	Amend	That the Council adopt an independent review mechanism to hear objections to the amount of financial contribution determined by the Council.
Minister of Conservation	Amend	Table 15 - use an alternative word to "offsetting", for example "compensation" or "financially address" which is distinct from environmental compensation as defined in the RPS.
Minister of Conservation	Amend	Amend G.3 by deleting the word "offset" and replacing with appropriate alternative words to remove any implied messaging that financial payments might be offsets.

Submitter	Position	Summary of decision requested
New Zealand Transport Agency Northport Ltd	Support	Retain G.3 as notified.
Northland Fish and Game	Amend	Amend table 15 to remove the term "indigenous".
Refining New Zealand	Amend	Amend administrative matter G.3 to provide certainty as to the circumstances for when, and to what value, a financial contribution will apply.

## G.4 Coastal occupation charging

Submitter	Position	Summary of decision requested
Landowners Coalition Inc Moana NZ NZ Oyster Industry Association Refining New Zealand Tautari	Support	Retain G.4 as notified.
Ruakaka Parish Resident and Ratepayers Association	Amend	Clarify what the regime may entail and who is likely to be affected.
Upperton T	Amend	Charges should be in place for occupation of public coastal space.

# H Appendices

## H.1 Wastewater network management plans

Submitter	Position	Summary of decision requested
Far North District Council	Amend	Amend as follows:  <i>A wastewater network management plan <del>must</del> may include:</i>  submitter states that requested information to support the preparation of Wastewater Management Plans is not readily available and therefore NRC should assess and approve Wastewater Management Plans on a case-by-case basis.
Far North District Council Kaipara District Council Whangarei District Council	Amend	Unclear - submitter states that requested information to support the preparation of Wastewater Management Plans is not readily available and therefore NRC should assess and approve Wastewater Management Plans on a case-by-case basis.
Whangarei District Council	Amend	Submitter requests a minimum of 5 years timeframe for management plans to be produced.

## H.2 Stormwater management plans

Submitter	Position	Summary of decision requested
Far North District Council Kaipara District Council	Amend	Unclear - submitter states that requested information to support the preparation of Stormwater Management Plans is not readily available and therefore NRC should assess and approve Wastewater Management Plans on a case-by-case basis.
Whangarei District Council	Amend	Submitter states that requested information to support the preparation of Stormwater Management Plans is not readily available and therefore NRC should assess and approve Wastewater Management Plans on a case-by-case basis.  <i>Amend clause 8) to read: <u>a description of the operation and maintenance programme for the network</u></i>

Submitter	Position	Summary of decision requested
		Submitter requests a 5 year timeframe for management plans to be produced.

## H.3 Chimney height requirements

Submitter	Position	Summary of decision requested
Bioenergy Association	Amend	<p>Review chimney height calculation requirements to:</p> <ul style="list-style-type: none"> <li>• broaden the focus of these rules from being based on SO<sub>2</sub> concentrations and emissions,</li> <li>• remove unnecessary aspects that would result in very high chimney heights</li> <li>• take a more consistent approach with other regions that is more in line with Nelson and Canterbury.</li> </ul>
Fonterra	Amend	Delete Appendix H.3 and replace with a simpler tabular format such as that contained in the Canterbury Air Regional Plan.

# I Maps

## General submissions on the Plan maps

Submitter	Position	Summary of decision requested
CEP Services Matauwhi Limited	Amend	The mapping of special areas are extended to show the extent and type of special areas located on land;
CEP Services Matauwhi Limited	Amend	Insert outstanding natural landscapes mapped in the Regional Policy Statement in the proposed Plan;
CEP Services Matauwhi Limited	Amend	That NRC carrying out of a landscape assessment of the coastal marine area to identify landscape values and outstanding natural landscapes as required under policy 15 of the Coastal Policy Statement.
CEP Services Matauwhi Limited	Amend	Identify the High Risk Coastal Hazard areas in the maps to the proposed Plan.
Donald A	Amend	Accept the maps and retain the inclusion of historic heritage sites and areas but with the addition of reference numbers for historic heritage sites and areas with an accompanying Schedule appended to the text document to indicate what the sites and areas are. The reference numbers could be located next to the small purple squares on the map overlay
Federated Farmers	Amend	Develop a process to ground-truth maps where landowners have not been able to access maps due to broadband or other technological barrier.
Heritage NZ	Support	Retain heritage sites and areas in the coastal marine area and freshwater bodies through the GIS map Layer and rules intended to protect historic heritage.
Johnston J	Amend	Add the Waitangi Bridge and the Drive from Te Tii Marae to the Bledisloe Lookout □ into the map of "Priority Areas for Improving Walking and Cycling" and also include this route as "Regionally significant Infrastructure"
Johnston J	Amend	Add a map in the Plan to show where the public has access, and where/how the Regional Plan intends to improve and enhance public access, to the coast and marine environment, as well as to the margins of rivers and lakes.



Submitter	Position	Summary of decision requested
Kaipara District Council Whangarei District Council	Amend	Add map of abstraction points for registered public water supplies, supported by a rule framework which allows for a buffer zone around the intakes to regulate catchment management and discharges within the specified proximity to these intakes.
Kaipara District Council Whangarei District Council	Amend	Add map of acid sulphate soils across Northland.
King G	Amend	Clarify what the authoritative source for the maps is. Concerned that if it's the computer maps, then what precautions have been taken to ensure that rendering on different machines is the same.  Only having the maps available online makes them difficult to access and some concerns in regards to providing unfettered access to the law.
Northland Fish and Game	Amend	Schedule and map significant wetlands in the proposed plan.
Landcorp Farming Limited	Amend	In relation to maps of: <ul style="list-style-type: none"> <li>• Highly erodible land</li> <li>• High sediment yield land: high producing exotic grassland Doubtless Bay</li> <li>• River flood hazard zone and flood susceptible land</li> <li>• Livestock exclusion area - lowland area; hill country area; other</li> </ul> Incorporate a policy to accommodate that where a property falls within an overlay area defined by [the four overlays identified], but site-specific information is available for that property from a Farm Environment Plan, then that information shall be used to determine whether the relevant overlay provisions apply to an activity.
Te Hui Amorangi Ki Te Tokerau Trust Board	Amend	Remove the Significant Ecological Area and Natural Character overlays on Part OLC 251, Te Haumi.
Te Hui Amorangi Ki Te Tokerau Trust Board	Amend	Remove the Significant Ecological Area and Natural Character overlays on Part OLC 251, Te Haumi from a portion of the site and enable appropriate development.
The oil companies	unclear	Ensure that the following areas are either readily and easily identifiable and/or mapped in the Regional Plan: <ul style="list-style-type: none"> <li>• The catchment of an outstanding lake</li> <li>• Highly erodible land</li> <li>• High risk flood hazard area</li> <li>• Coastal hazard management area</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>Flood hazard area</li> </ul>
Top Energy	Amend	Include maps of: <ul style="list-style-type: none"> <li>Significant wetlands</li> </ul>
Top Energy	Amend	Include maps of: <ul style="list-style-type: none"> <li>High risk flood hazard areas, high risk coastal hazard areas and flood hazard areas</li> </ul>
Top Energy	Amend	Include complete maps of: <ul style="list-style-type: none"> <li>Sites of significance to tangata whenua</li> </ul>

### Coastal

Submitter	Position	Summary of decision requested
Aquaculture NZ Parua Bay Oysters	Amend	Amend the significant marine ecological areas worksheets to recognise existing marine farm structures.
Auckland Council	Support	Retain: <ul style="list-style-type: none"> <li>surfbreak maps as notified/mapped</li> <li>significant mammal and seabird areas</li> <li>significant bird areas</li> </ul>
Auckland Council Vision Kerikeri	Support	Retain the areas mapped as Significant Ecological Areas.
Bay of Islands Planning Limited Far North Holdings Limited	Amend	Rezone the ferry ramp at Okiato as Coastal Commercial.
Bay of Islands Maritime Park Inc Eastern Bay of Islands Preservation Society	Amend	Amend 'aquaculture exclusion areas' to include Waitangi and Te Haumi estuaries and Kawakawa River estuary.
CEP Services Matauwhi Limited	Amend	Reduce the extent of the Coastal Commercial zone to a line 10 metres outside the footprint of the Russell wharf.

Submitter	Position	Summary of decision requested
Eastern Bay of Islands Preservation Society	Amend	Amend 'regionally significant anchorages' to include the north western half of Waipiro Bay. It has been a very significant storm anchorage site for decades and is still used by hundreds of boats each year. The Waipiro Bay anchorage area works in conjunction with the north eastern Parekura Bay regionally significant anchorage zone. When winds shift boats can safely move between anchorages.
Far North Holdings Limited	Amend	Rename 'General Coastal Zone' as 'General Marine Zone' or other similar name distinguishable from terrestrial zone names.
Galbraith C	Amend	Opposes the mooring management zone in Mangonui Harbour at its most southern end closest to Mangonui wharf and its proposed movement east into the navigation channel.  Realign the mooring area to an adjacent point on the MN3 channel point, on a line from there to the south side of the Mangonui fish shop.
GBC Winstone	Amend	Remove historic heritage site annotation over the disused jetty/wharf at Portland  Map extent of Coastal Commercial Zone with the amendments outlined in Attachment A to the submission which reflects the existing consented infrastructure and the extent of the newly extended berth and turning basin.
Hicks M	Amend	Amend the maps to include a: <ul style="list-style-type: none"> <li>coastal environment incorporating a more comprehensive extent of dunes systems, including: business zoned land south of Marsden Point refinery, much of Marsden village and the racecourse.</li> <li>cross-river coastal marine area boundary further up-stream to better reflect tidal influence.</li> <li>greater extent of area vulnerable to natural hazards.</li> </ul>
Howell J	Amend	Add the north-west portion of Waipiro Bay as a regionally significant anchorage.
Howell J	Support	Retain Parekura Estuary as a Significant Ecological Area.
Johnston J	Amend	Amend the zoning maps to accurately reflect the full extent of zones in which the rules will apply, to account for the existing base line as provided for with approved resource consents applying to the coastal and marine environment.

Submitter	Position	Summary of decision requested
Kaipara District Council	Amend	Amend Mooring Zone at Mangawhai Harbour to allow room for recreational activities (i.e. swimming) close to the coastal edge, similar to the mapping for the Pahi Mooring Zone.
LaBonte' A & R	Amend	Amend the Significant Marine Mammal and Seabird Areas map as set out in Figure 8 (page 22) of the submission.
Lang R	Amend	The Proposed Regional Plan needs to re-address the size of mooring fields and increase the boundaries, especially in Matauwhi Bay, by establishing the new boundaries as proposed in the 2014 Mooring and Marinas Plan.
LaBonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	Limit the designation of 'Significant Ecological Areas in the Mangawhai Estuary to areas of the channel that contain significant shellfish (See area C and part of B in Schedule 5 of the submitter's submission).
LaBonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	The 'Significant Bird Area' Map should be amended, with the 'Significant Bird Area' designation removed from the Upper Harbour areas landward of the two main causeways (apart from areas of rush marsh and salt marsh)
LaBonte' A & R Mangawhai Harbour Restoration Society Inc.	Amend	Delete the designation of the following five areas in Mangawhai as 'High Natural Character' - unique identifier 36/40; 36/39; 36/25; 36/45; 36/18
Mangawhai Harbour Restoration Society Inc.	Amend	Remove the incorrect designation of various areas in Mangawhai as a 'Marine Mammal and Seabird Area'. – for example, in the Upper Harbour areas landward of the two main causeways.
Marsden Maritime Holdings	Amend	Amend mooring zone map so that it is not located across the Marsden Cove entry channel.
Marsden Maritime Holdings	Amend	Amend Significant Ecological Area map so that it is not located across the Marsden Cove entry channel.
Mataka Residents Association  Robinia Investments Ltd  Paroa Bay Station  Vision Kerikeri	Support	Retain the Aquaculture Exclusion Areas as notified.
Northport Ltd	Amend	Rename the Coastal Commercial Zone adjacent to Northport and the Refinery 'Coastal Commercial Port Zone'.

Submitter	Position	Summary of decision requested
Northport Ltd	Amend	Amend the extent of the Coastal Commercial Port Zone to the immediate west of Northport's current reclamation (as shown on plan attached to submission).
Northport Ltd	Amend	Amend the extent of the Significant Ecological Area to the immediate west of Northport's current reclamation (as shown on plan attached to submission).
Northport Ltd	Amend	Include the commercial shipping channel on the planning maps (as indicated in the plan attached to submission).
Patuharakeke Te Iwi Trust Board Inc	Amend	Amend the SEA overlay at Ruakaka Estuary to follow the original MM1 boundary as per the current Regional Coastal Plan maps and to align with the natural character mapping in the RPS.
Primrose B	Amend	<p>Review the mapping of 26 Princess Road, Ruakaka as being part of a Significant Bird Area for the following reasons:</p> <ul style="list-style-type: none"> <li>• While the area contains some saltmarsh, it is now largely occupied by small mangroves (see photographs in submission).</li> <li>• None of the species listed in the relevant assessment worksheet, with the possible exception of the Australasian Bittern, are likely to use the small mapped area.</li> <li>• The area immediately adjoins existing dwellings, the use of which will create some localised noise and light disturbance meaning that the site is unlikely to be used by secretive bird species such as the Bittern (or the unlisted NZ Banded Rail).</li> </ul>
Paroa Bay Station Robinia Investments Limited	Amend	Retain the Mooring Zone applying to part of Jacks Bay, but annotate the maps so it is clear that it is also an Aquaculture Exclusion Area.
Mataka Residents Association submission  Paroa Bay Station Robinia Investments Limited	Amend	<p>Ensure that the Aquaculture Exclusion Area over the Bay of Islands includes all:</p> <ul style="list-style-type: none"> <li>- RPS mapped high and outstanding natural character areas, outstanding natural features and outstanding natural landscapes;</li> <li>- Proposed Plan mapped high and outstanding natural character areas, outstanding natural features and significant ecological areas, and all</li> <li>- significant tourism and recreation areas and navigational routes.</li> </ul>
Refining New Zealand	Amend	Remove the Mair Bank Significant Ecological Area from the maps.
Refining New Zealand	Amend	Remove the Significant Marine Mammal and Seabird Area overlay from the Whangarei Harbour and Bream Bay.

Submitter	Position	Summary of decision requested
Riverside Drive Marina	Support	Retain the marina zone being applied to the Riverside Drive marina.
Royal Forest and Bird Protection Society NZ	Amend	<p>Include significant Marine Mammal and Seabird areas on the maps.</p> <p>SEA/SBAs should include bird breeding areas, including those associated with inland water bodies.</p> <p>Need a schedule or similar setting out the values for each area.</p>
Royal Forest and Bird Protection Society NZ	Amend	<p>Add the IBA areas to the Significant Bird Areas.</p> <p>Identifies these areas within all parts of the region managed under this plan. This should at the least include the bed of lakes, rivers and wetlands.</p> <p>Distinguish these areas within significant ecological areas on the maps</p>
Royal Forest and Bird Protection Society NZ	Amend	Identify Significant Marine Mammal and Seabird Areas on the maps
Royal Forest and Bird Protection Society NZ	Amend	Aquaculture exclusion areas - amend the maps to recognise all significant ecological areas, outstanding natural character, features and landscapes within the exclusion zone.
Westpac Mussels Distributors Limited	Amend	Submitter opposes mapping of significant ecological areas, significant bird areas and significant marine mammal and seabird areas in the vicinity of Houhora Bay and Stephenson Island. It is assumed the submitter wants these to be deleted.
Westpac Mussels Distributors Limited	Amend	Submitter supports the absence of an aquaculture exclusion area in the vicinity of Houhora Bay and opposes the application of an aquaculture exclusion area in the vicinity of Stephenson Island. It is assumed that the submitter wants this area to be deleted.
Westpac Mussels Distributors Limited	Support	Submitter supports the absence of regional significant anchorages in the vicinity of Houhora Bay and Stephenson Island.
Whangarei District Council	Amend	<p>Amend the Outstanding Natural Feature mapping at One Tree Point. Specifically, amend map so that no part of the feature extends onto the beach or intertidal area.</p> <p>Submitter believes that it is not appropriate for a 'buffer' area which extends well beyond the actual feature which meets the criteria for 'Outstanding' classification to be incorporated into the proposed maps.</p>

Submitter	Position	Summary of decision requested
Yachting NZ	Amend	Replace "Anchorages referred to in cruising guides, pilot books or similar publications as being suitable for shelter in adverse weather" (in the Aquaculture exclusion areas map) with "Recognised Anchorages" and "Recognised Recreational Anchorages".
Yachting NZ	Amend	Replace the "Regionally significant anchorages map" with a map series (either consolidated or separate by reference to each definition) which identifies "Recognised Anchorages" and "Recognised Recreational Anchorages". Further significant work is required to make the maps accurate. Associated text to be consequentially amended.
Yachting NZ	Amend	Amend the marine pollution limits map in accordance with sought amendments to the objectives, policies and rules addressing the discharge of treated and untreated sewage from ships.

### ***Natural, historic and cultural heritage - fresh and coastal waters***

Submitter	Position	Summary of decision requested
Aquaculture NZ Auckland Council Parua Bay Oysters	Support	Retain the outstanding natural features in fresh and coastal waters map.
Aquaculture NZ Parua Bay Oysters	Amend	Ensure there is a 30m buffer around marine farms that are within areas of High and Outstanding Natural Character.
Aquaculture NZ Parua Bay Oysters	Amend	Amend the worksheet for the Outstanding Natural Character Area in Rangaunu Harbour that has oyster farms within it to recognise that the 'pacific oyster farms are excluded' as per the worksheet for Parengarenga.
Auckland Council	Support	Retain high and outstanding natural character areas
CEP Services Matauwhi Limited	Amend	Complete the mapping of significant ecological areas to include all areas and species that meet criteria for significance set out in the Regional Policy Statement; or amend all rules applying to significant ecological areas to also apply to any area which meets the criteria for significance set out in the Regional Policy Statement
CEP Services Matauwhi Limited	Amend	Extend the identification of historic heritage areas or sites in the proposed Plan to include all historic heritage areas and sites on land, especially in the coastal environment, including those areas and sites identified in district plans;

Submitter	Position	Summary of decision requested
Far North Holdings Limited	Amend	Amend the Plan to include a statement of intent to include Sites of Significance to Tangata Whenua in the Plan only by means of a Variation or Plan Change to facilitate comprehensive evaluation of such a proposal and its implications.
Heritage NZ	Amend	<p>Amend so that (I 'Maps') Historic Heritage Sites and Areas mapped layers be retained but that the 'Historic heritage' mapped layer 'Description' table be modified as follows:</p> <p><i>Historic Heritage:</i></p> <p><i>5-8 historic heritage areas.</i></p> <p><i>o 3-6 of these are water based areas that form part of a cultural heritage landscape in combination with land based historic sites. They have been assessed by Clough and Associates and Heritage New Zealand Pouhere Taonga and are considered to be significant enough to include in the plan.</i></p> <p><i>Site and area reports comprising the Historic Heritage Schedule are available on the regional council's website.</i></p> <p><i>Recorded New Zealand Archaeological Association ("NZAA") archaeological sites protected under the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") are also mapped as a live layer. Note:</i></p> <p><i>Non-recorded archaeological sites that predate 1900 also receive automatic protection under the HNZPT Act.</i></p> <p><i>Note: Northland Regional Council shall consider providing resources to enable further staged work to be undertaken (subject to the Northland Annual Plan process) to determine the suitability (or otherwise) of additional mapped Historic Heritage Sites or Areas for inclusion in the Schedule.</i></p>
Heritage NZ	Amend	<p>Recommend scheduling in the plan:</p> <ul style="list-style-type: none"> <li>• Tawatawhiti / Mair's Land Historic Area</li> <li>• SS Ventnor and</li> <li>• HMNZS Puriri &amp; Memorial</li> </ul> <p>Consider other items (e.g. Rainbow Warrior) for assessment.</p>
Johnston J	Amend	Amend the significant values map to include the Waitangi estuary.
Joiner C & K	Support	Support mapping of historic heritage of Rawene Boatshed cafe and shop
Malan D	Amend	Amend map of Lake Manuwai as an outstanding natural feature (submission includes comprehensive details including maps and photos).



Submitter	Position	Summary of decision requested
Mangawhai Harbour Restoration Society Inc.	Support	<p>Map – Outstanding Natural Features</p> <p>The submitter supports the classification of the Mangawhai Spit as an Outstanding Natural Feature, subject to the Plan's adoption of the submitter's requested amendments to the section C.1.5 Rules (see submitter's submission on these Rules) – in particular, the submitter's requested New Rule relating to the non-commercial deposition of dredge spoil (see "General submissions on dredging, disturbance and disposal" above).</p>
New Zealand Geothermal Association	Amend	Expand the mapped Ngawha ONF to include all identified geothermal springs and other significant geothermal features, as shown on the map attached as Appendix 1 of the full submission.
New Zealand Geothermal Association	Amend	Identify which of the features identified and mapped in Appendix 2 of the full submission together with any others meeting the proposed definition of "geothermal surface feature", are considered significant, list and map same in an appendix to the Plan.
Patuharakeke Te Iwi Trust Board Inc	Amend	Include the Outstanding Natural Landscape overlay along Bream Bay to Waipu Cove in the Proposed Plan.
Patuharakeke Te Iwi Trust Board Inc	Amend	Submitter unsure how high natural character areas will receive sufficient protection through the plan.
Patuharakeke Te Iwi Trust Board Inc	Support	Retain the two currently mapped sites/areas of significance in the plan, namely Ruakaka Dune Lake, Ruakaka; and Lake Humuhumu, Pouto
Patuharakeke Te Iwi Trust Board Inc	Amend	<p>Include the following additional sites/areas of significance to tangata whenua in the plan:</p> <ul style="list-style-type: none"> <li>* Patuharakeke Mahinga Mataitai</li> <li>* Mangawhati Cultural Area (also known as Skull Creek)</li> <li>* Tahuna Tohora (located behind the fore-dunes at Uretiti beach).</li> </ul>
Royal Forest and Bird Protection Society NZ	Amend	Amend the outstanding natural features map to identify outstanding natural features <u>and landscapes</u> . Make amendments as necessary to give effect to Policy 15 of the NZCPS.
Ruakaka Parish Resident and Ratepayers Association	Amend	<p>Include:</p> <ol style="list-style-type: none"> <li>1. the old whaling station ruins at Whangamumu</li> <li>2. the old gun emplacements at Home Point, Whangarei Harbour.</li> </ol>

Submitter	Position	Summary of decision requested
Te Runanga o Whaingaroa	Amend	Amend to include a full register of sites or areas of significance relating to the Whangaroa Catchment in collaboration with Te Runanga o Whangaroa.
Upperton T	Amend	Include Waimate North Heritage area on maps.
Upperton T	Amend	Include Maungakawakawa as a site of significance to tangata whenua.
Westpac Mussels Distributors Limited	Support	Supports the absence of outstanding natural features, natural character and outstanding natural character in the vicinity of Houhora Bay and Stephenson Island

### ***Water quality and quantity management units***

Submitter	Position	Summary of decision requested
Royal Forest and Bird Protection Society NZ	Amend	Amend the outstanding freshwater bodies: rivers maps to extend from the mapped headwaters (in Conservation land) to the coastal marine area.
Vision Kerikeri	amend	Support the identification of Outstanding freshwater bodies. However, in order to fully protect the ecological values (especially migrating fish) of Outstanding Rivers, the mapping should extend from the mapped headwaters (in Conservation land) to the Coastal Marine Area.

### ***Catchment specific layers***

Submitter	Position	Summary of decision requested
Simpson A	Amend	Remap high sediment yielding land on submitter's farm with proper classifications and direct consultation (Waitangi catchment).
Whangarei Harbour Catchment Group	Support	Retain the following maps that apply to the Whangarei Harbour Catchment as notified: <ul style="list-style-type: none"> <li>Catchment specific layers - catchment boundaries</li> <li>High sediment yielding land</li> <li>Whangarei swimmit sites stock exclusion areas</li> </ul>

### ***Flood protection schemes and drainage districts***

No submissions.

## **Airsheds**

No submissions

## **Livestock exclusion**

Submitter	Position	Summary of decision requested
Adamson C	Amend	Amend map layer name "Livestock exclusion areas" to state that livestock activities in these areas are required to meet the exclusion rules from waterways.
Nelley A	Amend	Change low land stock exclusion area on property on Hicks Road, Broadwood to hill country (submission includes map).
Simpson A	Amend	Remap submitter's farm with proper classifications and direct consultation.

## **Highly erodible land**

Submitter	Position	Summary of decision requested
Lemon E	Amend	Submitter states that the maps do not accurately reflect the contours of the land. No relief is stated but it is assumed that the submitter is seeking that the accuracy of the mapping of their land is improved.
Ruakaka Parish Resident and Ratepayers Association	Amend	Include highly erodible harbourside coastal lands on the maps
Simpson A	Amend	Remap submitter's farm with proper classifications and direct consultation.
Upperton T	Amend	Include Maungakawakawa on erodible land map.

# J General submissions on whole plan

Submitter	Position	Summary of decision requested
Auckland Council	Support	<p>Various (unspecified) rules that effect to the New Zealand Coastal Policy Statement 2010 and are consistent with the Auckland Unitary Plan, relating to:</p> <ul style="list-style-type: none"> <li>• Significant ecological areas, bird areas, marine mammal areas and seabird areas.</li> <li>• Outstanding and high natural character and outstanding natural features</li> </ul>
Bay of Islands Maritime Park Inc	Amend	Amend the layout so that the rules follow policies.
Beef and Lamb NZ	Support	That the balance of regulatory and non-regulatory approaches in the Proposed Plan, and the relatively permissive planning structure of the plan is retained as proposed.
Beef and Lamb NZ	Amend	Seeks amendments to existing provisions/ and inclusion of new provisions, to provide for farming land based activities undertaken in accordance with an industry LEP/FEP (such as B+LNZ Land and Environment Plan). This route should also provide an alternative gateway to the activity based and more prescriptive input standard type regulatory approaches, such as policies D.4.31, and D.4.32, and rules C.8.1.1, C.8.1.2, C.8.2.1, C.8.2.2, C.8.3.1, C.8.3.2, C.8.4.1, C.8.4.2, C.8.4.3, E.0.1, E.0.6, E.0.7, E.0.8, E.0.9, and E.0.10.
Beef and Lamb NZ	Amend	That the plan includes amendments to existing provisions/ and inclusion of new provisions, to enable streamlining of the rules, plans, and GMP processes by either providing a regulatory gateway as described under 2.7 above, or reviewing and streamlining the various plans and GMPs, such that they are consistent across industries and council and are relevant to the activity which is being undertaken, and the environmental risk associated with it.
Beef and Lamb NZ	Amend	Amend the proposed plan to enable and incentivise community collective approaches to managing land and water resources.
Beef and Lamb NZ	Amend	<p>Amend the proposed plan to include policies which incentivise collaborative endeavors between the regional council, industry, and farmers to:</p> <ul style="list-style-type: none"> <li>• support the identification of targeted research programs to fully investigate the causal linkages between land uses and water quality; and</li> <li>• the adoption of farm specific environment plans.</li> </ul>
Beef and Lamb NZ	Amend	Seeks that the plan is amended to include policies and rules which establish the criteria to be applied when assessing whether the take and use of water is necessary, reasonable, and efficient. These criteria should specify how and

Submitter	Position	Summary of decision requested
		when water restrictions apply. Provision for stock drinking water as section 14(3)(b) take, should be provided for before consented activities, as a priority take, including when restrictions are considered for other uses.
CEP Services Matauwhi Limited	Amend	The revision of the proposed Plan, including the policies and rules, to ensure that full consideration is given to the impacts of climate change in the policies and rules.
Clark R	Amend	Submitter comments on a range of issues (threats to humanity, public awareness, mitigation/adaption, sustainability). General request for Plan to address these issues, and explicit request that the Plan incorporate provisions for a more localised vibrant economy.
Dairy NZ	Amend	Insert a new schedule which defines efficiency and sets out efficiency Good Management Practices.
Far North District Council	Amend	Insert provisions stating the methods/indicators to be used to monitor progress towards regional objectives and compliance with policies.
Far North Holdings Limited	Amend	<p>Amend the plan to use consistent terminology throughout in respect of significant areas, using the term 'area of significant value' or the like. For example instances which read <i>'that is in a mapped'</i>:</p> <p><i>Nationally significant surfbreak, or</i></p> <p><i>Regionally significant anchorage, or</i></p> <p><i>Outstanding natural feature, or</i></p> <p><i>etc...</i></p> <p>Amend to:</p> <p><u><i>'In any of the following mapped areas of significant value:</i></u></p> <p><i>Nationally significant surfbreak, or</i></p> <p><i>Regionally significant anchorage, or</i></p> <p><i>Outstanding natural feature, or</i></p> <p><i>etc...</i></p>
Far North Holdings Limited	Amend	Amend the name for commercial orientated zones to be consistent throughout the plan. (e.g Coastal Commercial Zone and Commercial Coastal Zone).
Fonterra	Amend	Include an introductory section to the Proposed Plan to provide clarity and context as to how this regional plan explanation of the fit between the various planning documents and provisions within those documents.

Submitter	Position	Summary of decision requested
Frear A	Amend	Amend the plan to prioritise environmental well being and greater protection for Northland's soils, waterways and our marine environment including greater protection for Maui's dolphins
Haititaimarangai Marae 339 Trust	Amend	That the Haititaimarangai Marae Hapū Development Plan be recognised in the Regional Plan as a key document to tangata whenua on the Karikari Peninsula and that the values, goals, priorities and outcomes it contains are taken into account and provided for in the Regional Plan.
Haititaimarangai Marae 339 Trust	Amend	Requirements of regional plans-The Trust seeks that the Plan be amended to identify values, establish freshwater objectives and catchment specific objectives, and be amended in other necessary ways to ensure it gives effect to the RPS and meets the requirements of s.67 of the RMA.
Haititaimarangai Marae 339 Trust	Amend	Maori relationships with natural and physical resources- The Regional Council has control over the use and development of resources and therefore can manage, in conjunction with the Trust, those resources so that they are in a state that provides for the relationship mana whenua have with them. This subtle difference in approach is not clear in the Plan, and objectives, policies and other provisions should be amended to accurately reflect this approach.
Haititaimarangai Marae 339 Trust	Amend	Freshwater management - The consequential restructuring of the Plan, or parts thereof, and the addition of appropriate objectives, policies and methods, as specified in the submission
Haititaimarangai Marae 339 Trust	Amend	Include objectives and associated policies in the Plan which ensure the protection the qualities and characteristics of areas identified as Outstanding Natural Features and Landscapes and Areas of Outstanding Natural Character from the adverse effects of inappropriate subdivision use and development.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to include objectives, policies and rules which manage the actual and potential adverse effects of structures within areas identified as having high or outstanding natural character, and in areas identified as Outstanding Natural Features and Landscapes.
Haititaimarangai Marae 339 Trust	Amend	National Policy Statement for Freshwater Management 2014 - The Council should amend the Proposed Regional Plan to modify or include objectives, policies, rules and other methods that ensure the outcomes described in the objectives of the NPSFM are, as a minimum, maintained and where they are not currently achieve, that a trajectory of change to meeting the objectives is begun.
Haititaimarangai Marae 339 Trust	Amend	Natural character - The Trust requests that all areas identified as High Natural Character or Outstanding Natural Character be identified in the Proposed Plan to ensure that the characteristics and qualities of these areas can be protected from inappropriate subdivision use and development, as required by the RMA. The Plan should also be amended to ensure that provisions are included that require improvement in the water quality and hydrology

Submitter	Position	Summary of decision requested
		of Lake Waimango and its associated wetlands so that the characteristics and qualities that contribute to its natural character values are maintained and enhanced.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to include objectives, policies and rules which manage the actual and potential adverse effects of discharges within areas identified as having high or outstanding natural character, and in areas identified as Outstanding Natural Features and Landscapes.
Haititaimarangai Marae 339 Trust	Amend	Outstanding Natural Landscapes - The Trust seeks that all Outstanding Natural Landscapes identified in the RPS be included on maps in the Proposed Plan to clearly define their location for plan users and decision makers. The Trust seeks that Outstanding Natural Landscapes, identified in the RPS be mapped in the Proposed Plan and that appropriate objectives, policies and rules be included in the Plan to ensure that the adverse effects of activities on these areas are appropriately managed.
Haititaimarangai Marae 339 Trust	Amend	<p>Wetlands - The Trust seeks that the proposed plan ensures that all wetlands be considered as significant ecosystems for the purposes of the Plan. The provisions of the proposed plan should apply to all wetlands and therefore the Trust seeks to remove the reference to "natural wetlands" and to replace this with "wetlands"</p> <p>The Trust seeks that the Council identify the attributes (likely narrative rather than numeric) that relate to protecting the significant values of wetlands by undertaking the steps specified in their submission</p>
Haititaimarangai Marae 339 Trust	Amend	Lakes – The Trust seeks that modelling be carried out, on a lake by lake basis (which should include Lake Waimango and other lakes in our rohe, in order to provide greater certainty of current nutrient loading and to include a regulatory response in the Plan to address the outcomes of this modelling. The Trust also seeks that those lakes where the water quality is currently better than the standards specified in Policy 4.2, are identified and protected to ensure that the water quality of these lakes is maintained
Haititaimarangai Marae 339 Trust	Amend	Water quantity - The Trust seeks that the Plan implement an efficient water quantity framework (as set out in Appendix 4 of the submission)
Haititaimarangai Marae 339 Trust	Amend	<p>Amend the plan to include objectives and associated policies which require that water use is first necessary and, where necessary, is reasonable and is used efficiently including numerical values to quantify what is meant by 'reasonable' and 'efficient'. This needs to include the requirement to consider viable alternatives to taking surface and ground water, including harvesting and storing rainwater.</p> <p>Water use that is deemed essential and as such allowed to continue beyond water allocation limits is still required to meet the requirements of s14(b) RMA "and the taking or use does not, or is not likely to, have an adverse effect on the environment". Amend the appropriate provisions in the Proposed Plan to include this requirement.</p>

Submitter	Position	Summary of decision requested
		<p>Include objective, policies and rules in the Proposed Plan which ensure that water quality freshwater numerical objectives, limits/ targets/ or standards are set to ensure that:</p> <p>a) For surface water</p> <ol style="list-style-type: none"> <li>1. Minimum flows and allocation regimes are set for the purpose of protecting the life supporting capacity and ecosystem health and processes of waterbodies and recognising and providing for value.</li> <li>2. Allocation regimes and supplementary takes provides for the protection of the natural character of the waterbody which includes:               <ol style="list-style-type: none"> <li>a. Natural elements, processes and patterns;</li> <li>b. Biophysical, ecological, geological, geomorphological and morphological aspects;</li> <li>c. The natural movement of water and sediment including hydrological and fluvial processes;</li> </ol> </li> <li>3. In times of water shortage, takes are restricted to those that are essential to the health or safety of people, and communities, or for drinking water for animals and all other takes are ceased</li> </ol> <p>b) For groundwater</p> <ol style="list-style-type: none"> <li>1. Takes does not cause an adverse effect on the long term groundwater yield</li> <li>2. Groundwater takes that are hydrologically connected to surface waterbodies are managed with minimum flow and allocation regimes established for those surface water bodies and to protect their natural character</li> <li>3. Groundwater takes that are hydrologically connected to lakes or wetlands are managed to protect the life supporting capacity and natural character of those wetlands and lakes</li> <li>4. The adverse effects of a groundwater take on other groundwater and surface takes are avoided</li> <li>5. Saltwater intrusion into coastal aquifers, induced by groundwater takes, is avoided</li> <li>6. Takes do not result in adverse effects on the quality of connected surface water or other groundwater bodies.</li> </ol>
Haitaimarangi Marae 339 Trust	Amend	<p>Amend the plan to only provide for supplementary allocation in rivers, in addition to default allocation limit or catchment-specific allocation limit in circumstances where:</p> <p>(a) water is only taken when the river flow is greater than the median flow, and the total amount of water taken by way of a supplementary allocation does not exceed 10% of the actual flow in the river at the time of abstraction, and</p>



Submitter	Position	Summary of decision requested
		<p>(b) it can be shown that the supplementary allocation will not:</p> <p>(i) increase the frequency or duration of minimum flows</p> <p>(ii) lead to a significant departure from the natural flow regime, including the magnitude of the median flow and the frequency of flushing flows</p> <p>(iii) cause any adverse effects that are more than minor on the freshwater environment including ecosystem health, freshwater fish, and Mahinga Kai and Maori values;</p> <p>(iv) limit the ability of anyone to take water under a core allocation</p>
Haititaimarangai Marae 339 Trust	Amend	<p>Include new objectives, policies and rules to ensure that flood protection and river and lake management activities are undertaken in a manner that recognises and protects the natural character of freshwater bodies and achieves freshwater objectives.</p> <p><i>The beds of rivers and lakes will be managed in a manner which:</i></p> <ul style="list-style-type: none"> <li>• <i>Protects their life supporting capacity and ecological health and processes</i></li> <li>• <i>Protects cultural values and mahinga kai</i></li> <li>• <i>Recognises and provides for the habitat of trout and indigenous fish species</i></li> <li>• <i>Recognises and provides for recreational values</i></li> <li>• <i>Protects the natural character of the freshwater environment and ensures that the MCI index in table 3.4 is achieved</i>[Note that it is unclear what table 3.4 is.]</li> <li>• <i>Provides for the natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and avoids adverse effects on these parameters</i></li> <li>• <i>Recognises and provides for aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and avoids adverse effects on these parameters</i></li> <li>• <i>Recognises and provides for habitats that are important to the life cycle and survival of aquatic species, and avoids adverse effects on these parameters</i></li> <li>• <i>Avoids effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species</i></li> <li>• <i>Avoids creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate.</i> [Note that it is unclear if the above sought provision is an objective or a policy]</li> </ul>
Haititaimarangai Marae 339 Trust	Amend	<p><b>Water quality</b> - The Trust seeks that the Proposed Plan be amended to put in place a management regime that only allows the discharge of contaminants up to a level that ensures the limits and objectives for the individual waterbody/freshwater management unit can be achieved. Where this level of contaminants has already been exceeded, targets needs to be</p>

Submitter	Position	Summary of decision requested
		<p>set with clear implementation methods (as detailed above) to ensure that water quality improves over the timeframe set. Where there is insufficient information on what the freshwater objectives and limits are, the Council should adopt a precautionary approach in the Plan to ensure that it does not undermine the direction set in the NPSFM in the interim period until those objectives and limits are established with more certainty.</p>
Haititaimarangai Marae 339 Trust	Amend	<p>Amend the plan to include new objectives and associated policies and rules to ensure that:</p> <ul style="list-style-type: none"> <li>• The impacts of land use on the health of freshwater habitats are recognised and that land use is managed in a manner consistent with achieving s70 RMA, and the NPSFM and NZCPS, including the establishment of nitrogen and phosphorus leaching standards/ limits/ targets (N or P/ha/yr);</li> <li>• That land use and ancillary discharge rules for both intensive and extensive land uses manage sediment, faecal, phosphorus, and nitrogen discharges, and include standards (limits or targets) in relation to these contaminants;</li> <li>• That in at or under allocated catchments (where numerical water quality or quantity limits are met but not exceeded) Land use and ancillary discharge activities are regulated to discharge/ leaching standards to ensure that at a minimum the water resource (quantity and quality) is used efficiently;</li> <li>• That in over allocated catchments (where numerical water quality or quantity limits are currently being exceeded), new and existing land use and ancillary discharge activities are regulated to discharge/ leaching standards which are set to progressively decline over time to ensure that discharges/ leaching is reduced to meet the receiving water quality numerical freshwater objectives;</li> <li>• new and existing water takes are regulated to so that water takes are reduced to meet the water quantity numerical freshwater objectives and the limits/targets which need to be set in the plan</li> <li>• That land use and ancillary discharge activities are regulated to ensure that 'good environmental management' practices are achieved at a minimum;</li> <li>• That land use and ancillary discharge activity rules are holistic;</li> <li>• That land use and ancillary discharge activity rules meet the requirements of s70 RMA, and relevant planning considerations;</li> <li>• That nitrogen leaching standards are established and allocated based on the natural capacity of soil such as natural capital approach or a similar alternative;</li> <li>• That nitrogen leaching rights are allocated within catchments in such a way that there is equitable allocation of a total catchment nitrogen limit to all users/activities who may wish to use the available resource;</li> <li>• That a nutrient transfer or trading regime is established where catchment caps have been established to enable nitrogen leaching reductions to be achieved at least cost and to enable maximum flexibility of resource use to enable economic benefits to be maximised from the available resource;</li> </ul>

Submitter	Position	Summary of decision requested
		<ul style="list-style-type: none"> <li>That intensively farmed cattle, deer and pigs are excluded from all natural waterbodies;</li> <li>That extensively farming cattle are excluded from critical source areas for contaminant discharges and sensitive receiving environments such as inānga spawning and trout spawning;</li> <li>The consequential restructuring of the Plan, or parts thereof, arising from the material.</li> </ul>
Haititaimarangai Marae 339 Trust	Amend	All plan references to “water quality standards” be replaced with “water quality limits” to align with the terminology used in the NPSFM.
Haititaimarangai Marae 339 Trust	Amend	Amend the policies and rules of the Plan so that consideration of applications seeking consent for currently unauthorised takes are undertaken on a case-by-case basis to ensure the actual and potential effects on the environment are appropriately avoided, remedied or mitigated. Any consent granted to authorize these takes needs to be considered within the allocation limits set in the tables in Policies 4.16 and 4.17.
Haititaimarangai Marae 339 Trust	Amend	Amend the plan to include objectives and associated policies and rules which require that water use is first necessary, and where necessary is reasonable and is used efficiently including numerical values to quantify what is meant by ‘reasonable’ and ‘efficient’.
Herbert P	Support	In general we think that this Regional Plan has been well thought out and well presented making it reasonably easy to understand and easy to find particular details.
Heritage NZ	Support	Retain the inclusion of historic heritage sites and areas in the coastal marine area and freshwater bodies through the GIS layer and policies and rules to protect them.
Heritage NZ	Amend	The scoring system for historic heritage significance should be changed to a more suitable qualitative approach.
Heritage NZ	Amend	<p>If the relief to change the scoring system is accepted, amend the S32 report and supporting technical worksheets.</p> <p>This to include the sections: <i>Value</i>, <i>Threshold for Scheduling</i>, <i>Part Four: Evaluation Recommendation</i> <i>Overall score</i>, <i>Identified Criteria</i> and <i>Part Two: Historic Evaluation</i> <i>Criterion</i> columns. This should reference the Whangarei District Plan criteria as per the suggested change by Heritage NZ to Policy D.2.6 1).</p>
Heritage NZ	Amend	Amend S32 (as a revision under S32AA) to correct ‘Appendix B: Preliminary List of Sites for Category A and B Historic Heritage Sites and Historic Heritage Areas’ minor errata relative to New Zealand Heritage List / <i>Rārangī Kōrero</i> name / entries detail contained in the Clough, Rod; Brown, Adina Report comprising Section 32 of the PRP.

Submitter	Position	Summary of decision requested
		<p>Specifically:</p> <p>That Appendix B: Preliminary List of Sites for Category A and B Historic Heritage Sites and Historic Heritage Areas be modified as follows:</p> <p><i>7724 Rangiphoua Historic Heritage Area</i></p> <p><del>9988 Rangipoua Historic Heritage Area</del> <i>Te Pahi Islands Heritage Type Wahi Tapu Area</i></p> <p>That Appendix B: Preliminary List of Sites for Category A and B Historic Heritage Sites and Historic Heritage Areas be modified as follows:</p> <p><i>9650 Te Take Waimanoni Wahi Tapu Area</i></p> <p>That Appendix B: Preliminary List of Sites for Category A and B Historic Heritage Sites and Historic Heritage Areas be modified as follows:</p> <p><i>3874 Butcher's Shop, (Rawene)</i></p>
Heritage NZ	Amend	Insert a new 'H.4' Appendix to include a copy of the ICOMOS NZ Charter for the Conservation of Places of Cultural Heritage Value Revised 2010 (the ICOMOS Charter).
Hosking G	Amend	Amend plan to address the needs of the wider community ahead of the interests of the farming sector.
Howell J	Amend	Submitter raises concerns about sedimentation of marine habitat. Infer submitter seeks stronger provisions for managing land-based activities causing sedimentation.
Hoterene H	Amend	<p>Ko Motatau te maunga</p> <p>Taikirau te awa</p> <p>Ngati Hine te hapu</p> <p>Nga Puhi te Iwi</p> <p>Tena koutou katoa ko Heeni Hoterene toku ingoa</p> <p>E noho ana ahau ki Motatau, ki runga i toku whenua Maori Motuhake, te papakainga o Mataparua. He puehu katoa nga rori, kahori he pai mo te hauora o te whanau. I hia ke nga taima o te tau, he waipuke katoa o matou whenua, kahore e taea te puta atu i te kainga, te haere ki te kura, ki te mahi, Na wai i te haere mai ki te tiaki i a matou i te kainga??? Ehara ko NRC. Ko ahau te Ahikaaroa, tetahi uri no Kawiti, nana i hainatia te Tiriti o Waitangi. He aha ke te take he kuare katoa a NRC ki te whakahaerehia nga kaupapa tiaki wai, tiaki whenua, tiaki taonga o te takiwa o te Taitokerau? Horekau he paku aro ki nga tangata whenua o te kainga nei. Me kaha ki te whakaturia tetahi roopu whakahaere Maori te katoa. Ehara ko nga Maori mangai a Iwi, engari ko te hunga i te noho whenua, he mohio pai, me pehea te mahi.</p>

Submitter	Position	Summary of decision requested
Johnston J	Amend	Provide a navigation tool, or cross references in the footnotes. And, where possible provide a stand-alone definition. That is, specific criteria, or characteristics – rather than a reference to another document. Also, prepare information resources, that do collate all the relevant reports by subject – so that one can follow the links between the numerous documents relied upon to inform and support the Regional Plan.
Joiner C & K	Support	Submitter supports the rules in the plan to identify and protect the historic heritage on the harbour edge at Rawene township, in particular relating to the Boatshed cafe and shop.
Joiner C & K	Amend	The total area of Rawene abutting the harbour collectively forms the historic heritage, meaning that the less significant buildings need similar controls to affect sympathetic repair, alterations or replacement.
Kaipara District Council	Amend	Add provisions to control the risk of environmental harm from acid soil disturbance, in particular land disturbance, dredging and dewatering activities. Add maps of acid sulphate soils across Northland in Plan as mapped by Opus. Add new policy:  <i><u>'Policy D4.35 – When considering an application for resource consent in mapped acid sulphate soil risk areas, consider the proposed methods for avoiding, remedying or mitigating effects on infrastructure, water quality and biodiversity.'</u></i>
Kaipara District Council	Amend	Add map of abstraction points for registered public water supplies, supported by a rule framework which allows for a buffer zone around the intakes to regulate catchment management and discharges within the specified proximity to these intakes.
Kaipara District Council	Amend	Ensure effects on tangata whenua and their taonga are included as matters of control or discretion for relevant activities in the Plan.
Kepa M	Amend	The Plan to include: <ul style="list-style-type: none"> <li>• more employment of Tangata Whenua;</li> <li>• more input of practical wisdom by Tangata Whenua; more spiritual peace for the descendants of the Tangata Whenua;</li> <li>• more flourishing of the health and happiness of Tangata Whenua;</li> <li>• more effort to terminate the degradation and destruction of native vegetation by plant pests that grow along the country roads;</li> <li>• more effort to destroy the foreign vegetation;</li> <li>• more effort to restore Native flora and Native wildlife; and</li> <li>• more effort to ensure that the shipwreck, Niagara, does not degrade and destroy the coastal water, marine creatures, and land; and more attention focused not only on benefits to business developers, rather, for all people in Te Tai Tokerau [Northland].</li> </ul>

Submitter	Position	Summary of decision requested
Mahanga-Nisbet K	Amend	Objects to the plan proceeding until fundamental wrongs have been acknowledged, that NRC provides evidence they are committed to changing their practices and that institutional racism is identified and eradicated from NRC.
Miller S	Amend	General opposition to whole plan.
Minewatch Northland	Amend	Include provisions in the Regional Plan that prohibit all hard-rock mining (the extraction of solid rock and removal of metals) because of the associated risks to natural water, risks arising both from the hard-rock mining process itself – likely releasing toxic materials into underground aquifers and above-ground streams - and from the associated (indefinite) waste storage, including in tailings dams.
Minister of Conservation	Amend	Identify provisions that apply in the coastal marine area.
Minister of Conservation	Amend	<p>Amend the rules in the Plan that protect freshwater to ensure that activities are managed in a way that will maintain the values of freshwater bodies with water quality being maintained or enhanced.</p> <p>Make consequential amendments and introduce additional policies as requested in our submission to identify the freshwater values that need to be protected when making decisions on resource consent applications.</p>
Minister of Conservation	Amend	Include provisions in the Plan which describe the freshwater limits for rivers to be met in accordance with Tables A, B and C in Appendix 1 of the submission
Minister of Conservation	Amend	Include an objective and associated policies in the Plan which seeks to protect the qualities and characteristics of areas identified as Outstanding Natural Features and Landscapes and Areas of Outstanding Natural Character from the adverse effects of inappropriate subdivision, use and development.
New Zealand Defence Force	Amend	Italicise the titles of all NZ Standards through out the Plan.
New Zealand Oyster Industry	Amend	Amend the plan to include provisions that adequately manage excess land run-off from poor land use practices.
New Zealand Oyster Industry	Amend	Submits that the Oyster Industry should not be both singled out and universally saddled with Bonds on Oyster farms at least while NRC appears to lack an overall Risk Management Framework and Policy on Risk regarding its likelihood and regarding its cost.

Submitter	Position	Summary of decision requested
Ngai Takoto Iwi	Support	Approve the policy and rules with consideration of the proposed submission, which includes the Ngai Takoto Environment Plan, which should be taken into account in the development of the Proposed Plan.
Northland Fish and Game	Amend	<p>Include objectives and policies to give effect to the NPS FM.</p> <p>Include provisions which ensure that the life supporting capacity of water, soil, and ecosystems are safeguarded.</p> <p>Include policies and rules to ensure that water quality is maintained where it currently achieves the freshwater objectives, and where it is degraded is improved over time. This includes amendments and inclusion of further policies including rules to manage land uses and its effects on water quality, including exclusion of stock from waterbodies including all wetlands irrespective of size.</p>
Northland Fish and Game	Amend	Include an objective which contains load limits, targets, and timeframes for major contaminants – nitrogen and phosphorus – within catchments, set at ecosystem health levels, to achieve a desired MCI state of at least 80 or current state, where this is higher.
Northland Fish and Game	Amend	Amend the Proposed Plan to include a comprehensive Schedule of Values, including sports fishery values, at the reach scale for catchments within the Northland Region. This Schedule underpins the policy regime within the plan, as objectives, policies, rules and methods link back to the Schedule of Values.
Northland Fish and Game	Amend	Amend the Proposed Plan so that all rivers, lakes and estuaries in the region are managed for primary contact recreation.
Northland Fish and Game	Amend	Amend the Proposed Plan to recognise that activities may have positive effects on environmental and cultural values, and ensure that this is reflected in relevant policies.
Northland Fish and Game	Amend	Include a new objective which recognises and provides for the protection of the habitat of trout and trout fishery and spawning values and which links back to the listed habitat and spawning areas within the Schedule of Values.
Northland Fish and Game	Amend	Include and strengthen provisions which recognise and provide for recreational values of freshwater. Recreation values are not just provided for by meeting E.coli objectives / outcomes. Protection of the recreational values of freshwater also requires achievement of clarity, periphyton, and cyanobacteria parameters, and also may require the achievement of further parameters which provide for amenity and natural state values. Fishing recreational values will require the inclusion of parameters which provide for angling opportunity including healthy abundant fish, suitable species (including trout), which are suitable for consumption.

Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	Amend the plan so that it is consistent with the Sportsfish and Game Management Plan of the Northland Fish and Game region by including an objective which contains load limits, targets, and timeframes for major contaminants – nitrogen and phosphorus – within catchments, set at ecosystem health levels, to achieve a desired MCI state of no lower than 80 or current state where this is higher.
Northland Fish and Game	Amend	Include provisions (policies and rules) in the Proposed Plan which ensure that freshwater resource use is necessary, reasonable, and efficient. Numerical measures should be included to quantify what is meant by 'reasonable' and 'efficient', for example in relation to domestic use and stock drinking water. Necessary, reasonable, and efficient, criteria should also apply to the assimilative capacity of water (pollution) through the identification of contaminant loads linked to freshwater limits and targets and not just water abstraction
Northland Fish and Game	Amend	Amend the plan so that water use that is deemed essential and as such allowed to continue beyond water allocation limits is still required to meet the requirements of s14(b) RMA "and the taking or use does not, or is not likely to, have an adverse effect on the environment".
Northland Fish and Game	Amend	Include provisions in the plan to preserve the natural character of the coastal environment, wetlands, lakes and rivers and their margins and the protection of them from inappropriate subdivision, use, and development
Northland Fish and Game	Amend	Amend the plan to recognise the significance of all remaining wetlands and to protect them as s6(c) habitats under the RMA, to map the boundaries of those wetlands, to restore these habitats where degraded; to recognise and provide for their values including game bird values, and to enable the creation of new habitats
Northland Fish and Game	Amend	Amend the plan to ensure that river management activities, including land drainage activities, are undertaken in a manner which recognises and protects the ecological health and processes, and the natural character of rivers including their physical form and function (fluvial and geomorphological processes and features), and ensures that natural character is maintained.
Northland Fish and Game	Amend	Amend the plan to ensure that the natural flow patterns of the Regions Rivers, lakes, and wetlands are provided for and protected. This includes minimum flows, primary and supplementary allocations, and hydrological variability. Minimum flows should be set no lower than 80% of the naturalised Mean Annual Low Flow ('MALF') for rivers with median flow of 5 cumecs or more, and a minimum flow of 90% of MALF for those rivers with a median flow of 5 cumecs or less. Primary allocations should not exceed 30% of the natural MALF. Supplementary takes shall not cause departure from the natural hydrological regime.



Submitter	Position	Summary of decision requested
Northland Fish and Game	Amend	Amend the plan to include land use and discharge rules for both intensive and extensive land uses to manage sediment, faecal, phosphorus, and nitrogen, and include standards (limits or targets) in relation to these contaminants.
Northland Fish and Game	Amend	Include policies and rules which ensure that land is managed sustainably in order to achieve the freshwater objectives, including the maintenance of water quality and where degraded is improved over time.
Northland Fish and Game	Amend	Amend the plan so that in approaching, at-allocation, and in over-allocated catchments (where numerical water quality or quantity freshwater objectives, standards, or limits or targets are currently being exceeded), land use and discharge activities are regulated to discharge/ leaching standards which are set to progressively decline over time to ensure that discharges/ leaching is reduced to meet the receiving water freshwater standards and numerical limits/ targets and achieve the freshwater objectives of the Proposed Plan
Northland Fish and Game	Amend	Amend the plan so that land use and discharge activities are regulated to ensure that good environmental management practices are achieved at a minimum.
Northland Fish and Game	Amend	Amend the plan so that land use and discharge activity rules are holistic.
Northland Fish and Game	Amend	Amend the plan so that land use and discharge activity rules meet the requirements of s 70 of the RMA, and relevant planning considerations.
Northland Fish and Game	Amend	Amend that plan so that all intensively farmed cattle, deer, and pigs should be excluded from all permanently flowing waterbodies, intermittently flowing waterbodies with an active bed greater than 1 m width, and all wetlands irrespective of size.
Northport Ltd	Amend	Amend the plan to include more specific objectives, policies and rules relating especially to regionally significant infrastructure, coastal activities, reclamations and dredging, including to give effect to the Regional Policy Statement for Northland and to accord with relevant caselaw.
Northport Ltd	Amend	Amend the plan to provide for a Coastal Commercial Zone adjacent to Northport and the Refinery which is a specific 'Coastal Commercial Port Zone' (or similar) that includes amended and additional provisions that are specific to the Port and the Refinery as 'regionally significant infrastructure' in the CMA.
Northpower	Support	Retain: <ul style="list-style-type: none"> <li>the approach of having one combined plan</li> <li>the overall structure of the proposed plan.</li> </ul>

Submitter	Position	Summary of decision requested
Northpower	Amend	Amend so that the PRP contains objectives, policies and rules that recognise the nature of infrastructure services and the significant benefits utility infrastructure provides for the social and economic wellbeing of the region.
Northpower	Support	Retain the proposed provisions in the PRP that specifically recognise Regionally Significant Infrastructure (including the definition of 'Regionally significant infrastructure' Rules C.1.1.18 and C.1.6.3 and Policies D.4.30, D.5.20(12) and D.6.1).
Northpower	Amend	<p>Include objectives and policies in the proposed plan that appropriately recognise:</p> <ul style="list-style-type: none"> <li>the importance of the sustainable management of Regionally Significant Infrastructure as physical resources that are critical to the social and economic wellbeing of Northland</li> <li>and provide for the generation and use of renewable energy.</li> </ul>
Northpower	Amend	Amend the provisions of the proposed plan to appropriately give effect to the RPS, particularly the RPS provisions relating to Regionally Significant Infrastructure.
Northpower	Amend	Seek that the specific policies, objectives and rules included in the proposed plan to give effect to the RPS are clear and appropriately recognise and provide for regionally significant infrastructure.
Northpower	Amend	Seeks that the rules in the proposed plan balance the need to enable Regionally Significant Infrastructure while ensuring adverse effects on the environment are appropriately addressed
Northpower	Amend	Seeks that all provisions relating to and regulating design voltage, electric lines and distribution of electricity, and telecommunications cables are drafted in manner that is consistent with electricity and telecommunications legislation and regulations.
Northpower	Amend	<p>Amend the plan to clarify that under the 'rule bundling' approach different resource consents would be required for different aspects of an activity, as follows:</p> <p><i>To make it easier to apply for resource consents and to reduce the number of separate resource consents required to undertake any particular activity, the Plan has, where practicable, adopted the concept of 'rule bundling'. Rule bundling is used in this Plan to combine several permissions which may be required under Section 9 and Sections 13 to 15 of the RMA into one rule. <u>Because the RMA distinguishes between different kinds of resource consents, an application for resource consent under a bundled rule would still result in a number of different consents being granted, e.g. a land use consent for works in the bed of a river and a discharge permit for associated discharges.</u></i></p>

Submitter	Position	Summary of decision requested
Northpower	Amend	Amend the plan so that the policies from the RPS that are proposed to be incorporated into the plan by reference to be re-stated in full in the Proposed Plan
Norris M	Amend	That the Proposed Regional Plan include; <ul style="list-style-type: none"> <li>• more employment of Tangata Whenua; Economic development</li> <li>• more spiritual peace for the descendants of the Tangata Whenua</li> <li>• more flourishing of the health and happiness of Tangata Whenua</li> <li>• more effort to restore Native flora and Native wildlife</li> <li>• more effort to ensure that industrialism, does not degrade and destroy the coastal water, marine creatures, and land.</li> </ul>
Patuharakeke Te Iwi Trust Board	Amend	The Proposed Plan needs greater use of Te Reo Maori within the document.
Patuharakeke Te Iwi Trust Board	Amend	The Proposed plan should specifically encourage policies that will assist communities in preparing, planning and developing resilience to climate change.
Patuharakeke Te Iwi Trust Board	Amend	Amend the plan to include stronger provisions on air quality that provide for the maintenance, and the enhancement where it is degraded, of Northland's ambient air quality, and the avoidance, mitigation or remediation of any adverse effects on the environment of localised discharges into air. This includes the Marsden Point Airshed.
Patuharakeke Te Iwi Trust Board	Amend	Include a suite of objectives and stronger policy is required throughout the document to recognise and provide for the submitter's relationships (including culture and traditions) with ancestral lands, water, sites, waahi tapu, and other taonga.
Ravensdown Limited	Amend	Submitter seeks that Farm Environment Plans are to be included in the Proposed Plan as follows: <ol style="list-style-type: none"> <li>1) The inclusion of a new policy into D.4 Land and Water that encourages the preparation of FEPs as a mechanism for farmers to manage their land uses and discharges to reduce nutrient losses;</li> <li>2) The inclusion of FEPs in the relevant rules in C.8 Land Use and Disturbance Activities as a matter of control or discretion;</li> <li>3) The inclusion of a schedule in the PRP that identifies the matters to be included in a FEP.</li> </ol>
Ravensdown Limited	Support	Supports Northland Regional Council not controlling diffuse discharges of phosphorus and nitrogen through the plan as the discharge of nutrients does not appear to be affecting water quality in Northland's rivers.

Submitter	Position	Summary of decision requested
Ravensdown Limited	Support	Supports Northland Regional Council delaying the establishment of freshwater quality objectives for periphyton, nutrients (for managing tropic states in rivers), sediment and E. coli until changes to the National Policy Statement for Freshwater Management has been made, and delaying the establishment of objectives for dissolved oxygen due to lack of robust monitoring.
Ravensdown Limited	Support	Supports: <ul style="list-style-type: none"> <li>the general policy framework that gives guidance to decision-makers and the simplistic rule regime.</li> <li>the plan providing for the application of fertiliser to land in accordance with the Code of Practice for Nutrient Management 2013</li> <li>the plan requiring good management practices for farming activities, including stock exclusion</li> <li>the plan providing for wastewater discharges from industrial and trade premises to land, subject to conditions</li> <li>the plan providing for discharges to air (including odour) from industrial and trade activities as a permitted activity</li> </ul>
Sanderson J	Amend	Take a stronger approach to toxic spray drift.
Syron B	Amend	Amend the plan so that it treats discharges from urban environments (stormwater, wastewater and other contaminants) in the same way as discharges from rural sources.
Tautari R	Amend	Give effect to Policy 8.1.3 and method 8.1.8 of the RPS when devising appropriate ways to capture monitoring of permitted and other activities under the Proposed Regional Plan
Tautari R	Amend	Unclear what the submitter requests, but assume: <ul style="list-style-type: none"> <li>that the Maori definitions in the plan should be amended so that they are consistent with everyday use and meaning in te reo o Te Taitokerau.</li> <li>more references to Matuaranga Maori in the plan and greater use of te reo Maori</li> <li>more references to the Treaty of Waitangi in the plan and RMA s32.</li> </ul>
Tegel Foods Ltd	Amend	Alter the structure of the plan to flow from objectives to policies to rules. Include more objectives to better reflect the high level matters of importance to the region and to give effect to the Regional Policy Statement as required by s67 of the RMA.
Te Kopu - Pacific Indigenous & Local Knowledge Centre of Distinction	Amend	Unclear exactly what changes are sought for the plan but would like: <ul style="list-style-type: none"> <li>a) Representation from tangata whenua when determining policies to address air</li> <li>b) Inclusion of tangata whenua in planning and policy documents</li> </ul>

Submitter	Position	Summary of decision requested
Te Runanga o Ngati Rehia	Amend	Redraft the plan to reflect and be consistent with the Ngati Rehia Hapu Environmental Management Plan
Te Runanga o Ngati Rehia	Amend	Build mechanisms into the plan to ensure that Treaty Settlement outcomes can be realised by NRC processes and rules.
Top Energy	Support	Supports both the consolidation of all regional plans and structure of the combined plan and it is assumed submitter wishes this to be retained.
Top Energy	Amend	Identify which parts of the document are specifically regional coastal plan provisions.
Transpower	Amend	Amend the Plan to reorder the provisions so that Objective(s) are placed before the Policies, and Policies are placed before the Rules.
Whatitiri Resource Management Unit and Environment River Patrol Aotearoa	Amend	Objects to the entire plan and request that the Northland Regional Council go back to the drawing board and re-write the "Proposed Regional Plan" to meet the aspirations of the people who voted this coalition Labour Government in.
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Amend	Requests Northland Regional Council to employ five Maori RMA practitioners (provided by iwi / hapu) to assist in re-writing Maori and the RMA section of the Plan and to work on the policy overall. The practitioners should be resourced by NRC funding for a three month period with added time to consult with NRC to gain a mutually agreed new Plan.
Yachting NZ	Amend	Reorder the structure of the plan. The Objective section should precede the Policies section which should in turn precede the Rules section.
Yachting NZ	Amend	<p>The section 32 analysis is fundamentally flawed, in particular because of the lack of any specific objectives or policies that form the basis for the rules. The analysis does not properly address the requirements of the Act, specifically:</p> <ul style="list-style-type: none"> <li>a. The extent to which the objectives (in this case one only) are the most appropriate way to achieve the purpose of the Act; and</li> <li>b. Whether the provisions (policies and rules) are the most appropriate way to achieve the objectives, including an assessment of their efficiency and effectiveness.</li> </ul>

# K Submissions on matters not included in the plan

## K.1 Genetically modified organisms

Submitter	Position	Summary of decision requested
Absolum I	Amend	<p>Amend Plan to include:</p> <ul style="list-style-type: none"> <li>• Strong precautionary and prohibitive GE/GMO provisions in the tangata whenua section</li> <li>• GMO provisions in the Coastal Marine Area that are the same as in the Auckland Unitary Plan, that being to adopt a precautionary approach to the management of GMOs by prohibiting the outdoor release of a GMO and making outdoor field-testing a discretionary activity</li> <li>• GMO provisions in the Soil &amp; Water section of the Regional Plan that avoids toxic discharges to soils &amp; water from GMOs</li> <li>• Restrictive or prohibitive provisions covering GMOs in the tangata whenua, coastal marine area and soil &amp; water sections to avoid toxic discharges to soils &amp; water from GMOs</li> <li>• A region-specific approach to managing GMOs</li> <li>• Provisions to address and support the precautionary and prohibitive GE provisions in local district plans and the Auckland Council Unitary plan</li> </ul>
Absolum M		
Ajani S		
Agnew L		
Auckland GE Free Coalition		
Bainbridge J		
Bazeley R		
Bremmer I and Mueller-Glodde R		
Cambourn I		
Carapiet J		
Cinzori J		
Collie N		
De Stefani S		
Eisenmann E		
Eisenmann S		
Eisenmann U		
Er L		
Far North Organic Growers and Producers Society Inc		
Frear A		
Gaskin E		
GE Free Northland		
Goodall T		

Submitter	Position	Summary of decision requested
Grammer Z		
Growers and Producers Society Inc		
Harris L		
Hewland L		
Hicks M		
Hill G		
Hokianga Environment Protection Group		
Honeymoon Orchards		
Jenkins B		
Jones B		
Jones L		
Kerikeri Organic		
Knausenberger E		
Marsh S		
Mather C		
MacClement D		
Maldonado E		
Maui L		
Meijer P		
Molloy K		
Organics Aotearoa		
Patuharakeke Te Iwi Trust Board Inc		
Pearcy G		
Physicians and Scientists for Global Responsibility		
Pittman B		
Robinson F		
Rountree F		
Ryan P		

Submitter	Position	Summary of decision requested
Sanderson J Schuttr R Simons D Stanton T Van Alphen R Tatum L Tautari R Te Kopu Pacific Indigenous and Local Knowledge Centre of Distinction Te Waka Kai Ora Thomas N Tito M Trott M Williams R Wilson M Wistrand A		
Ajani S	Amend	Unclear what submitter is requesting. Inferred that submitter wants the Plan to take a very restrictive approach to planting GE pine trees.
Ajani S Cambourn I Far North Organic Growers and Producers Society Inc Honeymoon Orchards Jones B MacClement D Physicians and Scientists for Global Responsibility	Amend	Plan to do more to protect biosecurity, indigenous biodiversity, existing non GM primary producers and public health from outdoor use of GMOs.
Alspach R	Amend	Include a precautionary approach to the introduction of GE in the field.



Submitter	Position	Summary of decision requested
Atkinson A Physicians and Scientists for Global Responsibility GE Free NZ	Amend	Plan to include strong precautionary and prohibitive GE provisions, policies and rules to complement the precautionary GMO provisions in the Northland 'Regional Policy Statement', the Auckland Council Unitary Plan, and the Far North District Council and Whangarei District Council plan changes.
Auckland Council	Neutral	If GMO provisions are included in the plan then these provisions align with those in the Auckland Unitary Plan and that Auckland Council is given the opportunity to comment and respond to any proposed GMO provisions.
Bean G	Unclear	Unclear what relief sought is - submission relates to GM potatoes and the disposal of food to landfills. Infers that submitter is opposed to genetically modified food.
Bream Bay Coastal Care Trust	Unclear	NRC must ensure Northland remains GMO free
Brownlie A	Amend	Amend Plan to include: <ul style="list-style-type: none"> <li>• Strong precautionary and prohibitive GE/GMO provisions in the tangata whenua section</li> <li>• GMO provisions in the Coastal Marine Area that are the same as in the Auckland Unitary Plan, that being to adopt a precautionary approach to the management of GMOs by prohibiting the outdoor release of a GMO and making outdoor field-testing a discretionary activity</li> <li>• GMO provisions in the Soil &amp; Water section of the Regional Plan that avoids toxic discharges to soils &amp; water from GMOs</li> <li>• A region-specific approach to managing GMOs</li> </ul>
Bjorsell C Clark R	Amend	Plan to have a strong precautionary approach and prohibitive GE provisions.
Far North District Council	Amend	Amend the plan as follows: <ol style="list-style-type: none"> <li>1. insert Regional Plan provisions that integrate the RPS and proposed District Plan provisions regarding GMO's.</li> <li>2. insert Regional Plan provisions to control GMO's in the CMA that are consistent with the provisions of the Auckland Council.</li> </ol>
GE Free NZ	Amend	Give effect to the GMO 6.1.2 policy in the Northland Regional Policy Statement 2016
GE Free Northland	Amend	The NRC should ban the outdoor use of GMO for the duration of the plan.

Submitter	Position	Summary of decision requested
GE Free NZ	Amend	<p>Include a new rule making :</p> <ul style="list-style-type: none"> <li>the Field trialling of GMOs, a discretionary activity, subject to strict liability conditions for any environmental or economic harm that may eventuate.</li> <li>release of all GMOs to the environment, a Prohibited Activity</li> </ul>
Grammer Z	Amend	<p>Include strong safeguards (ideally an outright ban) against the outdoor use of new genetic technologies touted as the "magic silver bullet" for killing possums and mustelids. (e.g "new genetic technologies", "genetic intervention", "CRISPR", "gene drive", "daisy chain drive" and "biochemical warfare")</p>
McDonald M	Amend	<p>Plan to include strong precautionary and prohibitive GE provisions, policies and rules. Should cover the possibility of contamination of all environments - land, inland waterways and coastal - and all possible vectors of such organisms. It should also reflect the wishes and cultural values of all tangata whenua.</p>
Puhipuhi Mining Action Group	Amend	<p>Amend the plan to:</p> <p>(a) include GMO provisions in the Coastal Marine Area section of the Draft Plan that are the same as in the Auckland Unitary Plan, which is to adopt a precautionary approach to the management of GMOs by prohibiting the outdoor release of any GMO and making outdoor field-testing a controlled activity, in the Coastal Marine Area.</p> <p>(b) include GMO provisions in the Soil &amp; Water section of the Draft Plan that avoids toxic discharges to soils &amp; waters from GMOs, thereby avoiding transgenic contamination of soils &amp; waterways.</p> <p>(c ) adopt a resource management framework for the management of GMOs that is Regional specific taking into account environmental, economic, cultural and social well-being considerations, and is complementary to the Auckland Unitary Plan provisions for GMOs.</p> <p>At the very least there needs to be outright prohibition of any GMO releases and for NRC to make GE experiments/ aquaculture a Controlled activity in the new Northland Regional Plan.</p>
Probert F	Amend	<p>Supports the identification of the GE/GMO issue as an Issue of Significance for Northland tangata whenua.</p> <p>Plan to do more to protect biosecurity, indigenous biodiversity, existing non GM primary producers and public health from outdoor use of GMOs.</p> <p>Wants the regional council to insert regional plan provisions into the new regional plan that integrate the Northland RPS and proposed district plan provisions regarding GMOs.</p>

Submitter	Position	Summary of decision requested
Rowe V	Amend	Plan should not allow GMOs into or to be produced in New Zealand.
Soil and Health Association	Amend	<p>Amend Plan to include:</p> <ul style="list-style-type: none"> <li>• Strong precautionary, restrictive and/or prohibitive GE/GMO provisions in the tangata whenua section that keeps with the wording in the RPS as it relates to tangata whenua.</li> <li>• GMO provisions in the Coastal Marine Area that are the same as in the Auckland Unitary Plan, that being to adopt a precautionary approach to the management of GMOs by prohibiting the outdoor release of a GMO, making outdoor field-testing a discretionary activity and including performance standards in regard to liability and the posting of bonds.</li> <li>• GMO provisions in the 'land and water' and the 'discharges to land and water' sections of the Regional Plan that avoids toxic discharges to soils &amp; water from GMOs.</li> <li>• A region-specific approach to managing GMOs taking into account environmental, economic and social well-being considerations.</li> <li>• Provisions to address and support the local district councils and the Auckland Council's opposition to outdoor use of GMOs.</li> </ul>
Taipari R	Unclear	Submitter opposes GE. It is unclear what relief is sought.
Upperton T	Amend	Include provisions relating to GMOs to give effect to the RPS. Provisions for GMOs in the CMA should be the same (or similar) as those in the Auckland Unitary Plan. GMO's in our region should be prohibited until research and safeguards prove absolutely otherwise.
Vision Kerikeri	Amend	<p>Maintain the cautionary approach towards GMO and support the status of GE-free Northland.</p> <p>The required minor budget should be allocated to support the modest financial contribution.</p>
Whangarei District Council	Amend	Insert Regional Plan provisions to control GMO's in the CMA that are consistent with the provisions of the Auckland Council.

## K.2 Marine pests

Submitter	Position	Summary of decision requested
Harris R	Amend	Request that council consider: <ul style="list-style-type: none"> <li>introducing a fee at trailer boat launching sites to help fund this work and spread the costs more evenly between moored vessels and trailer boats.</li> <li>explore creating kiosks that issue tickets for all boats when launching and retrieving.</li> </ul>
Johnson A	Amend	General opposition to the Marine Pathways Plan and specifically the cost of managing dive inspections for marine pests.
Jones G & C	Amend	Withdraw and refund the fees imposed on vessel owners for funding of the monitoring of marine pests.
Kurmann A	Amend	The cost of managing marine pests should be borne by all ratepayers.
Macmillan R	Amend	General opposition to Marine Pathways Plan including lack of opportunity to use tidal grids and financial penalties imposed.
Mangonui Cruising Club	Amend	The cost of managing Mediterranean Fan Worm should be borne by all ratepayers.
Russell Boating Club	Amend	Reduce the portion of the cost mooring holders pay for marine biosecurity as it doesn't reflect the underlying risk.

## K.3 Other

Submitter	Matter	Position	Summary of decision requested
Agnew A	Shared indoor sports facility	Amend	Submitter would like the Whangarei and Northland Regional councils to develop the old Countdown building in Kensington, Whangarei as a multi purpose indoor sports facility. Unclear what decision submitter seeks for Plan.
Agnew A	Asbestos removal	Amend	Submitter concerned about the maintenance and removal of asbestos of a building owned by NRC. Submitter would like the Plan to include rules to protect the health and safety of surrounding community.
Agnew A	Illegal dumping of rubbish	Amend	Submitter concerned about illegal dumping of rubbish. Unclear what decision submitter seeks for Plan.
Agnew A	Fires	Amend	Submitter provides advice on lighting and managing fires. Unclear what decision submitter seeks for Plan.
Agnew A	Cropping	Amend	Submitter concerned about impacts of cropping. Unclear what decision submitter seeks for Plan.
Agnew A	Daylight saving	Amend	Submitter wishes daylight saving to be abolished.
Ajani S	Marsden Point rail link	Amend	Unclear what submitter is requesting. Inferred that submitter wants the Plan to take a permissive approach to providing a railway line from Whangarei to Marsden Point.
Ajani S	Climate Change	Amend	Unclear what submitter is requesting. Inferred that submitter wants the Plan to take a more permissive approach to matters associated with minimising climate change.
Baker C	View Shafts	Unclear	Unclear what submitter is requesting but inferred it relates to view shafts from his property. Submission relates to Far North District Council granting his neighbour resource consent to place a building on his property.

Submitter	Matter	Position	Summary of decision requested
Bream Bay Coastal Care Trust	Monitoring & Enforcement	Unclear	There is a lack of monitoring & enforcement
CEP Services Matauwhi Limited	Natural character in freshwater	Unclear	The assessment of the natural character of rivers, lakes, and wetlands and their margins, and the identification in the proposed Plan of those parts of rivers, lakes, wetlands, and their margins that have high or outstanding natural character.
Far North District Council	Climate change	Amend	Insert a policy <i><u>"the reasonably foreseeable effects of climate change will be considered when deciding whether to grant applications for resource consent"</u></i> or similar relief.
Far North District Council	Natural Hazard maps and models	Amend	Retain ability to update hazard maps and models in response to new evidence.
Grammer Z	Rail	Support	Submitter supports the rail system in Northland being strengthened, including the new rail link between Marsden Point as per recent announcements by the new Government. Unclear what changes are sought in the proposed regional plan.
Grammer Z	Pest plants	Support	Support for council pest plant eradication efforts and would like this to be funded adequately.
Grammer Z	Feral pest control	Amend	General support for council pest eradication efforts however opposed to the outdoor use of new genetic technologies (as well as the standard GMOs, transgenic plants and animals) including "gene drive", "daisy chain drive", "CRISPR", "genetic intervention. Unclear what specific changes are sought in the proposed regional plan.
Grammer Z	Highly versatile soils	Unclear	Protection of Class 1 agricultural soils needs to be prioritised. Unclear what changes are sought for the proposed Regional Plan.
Herbert P	Riparian strips	Unclear	Submitter raises concerns about the cost of maintaining the riparian strip along the water bodies and potential increase in flood risk. Unclear what decision is being requested.
Hicks M	Aquifers	Amend	Prohibit toxic operations (including timber treatment and solvent recovery) above vulnerable aquifers (such as on dunes).

Submitter	Matter	Position	Summary of decision requested
Hicks M	Vegetation clearance	Amend	Encourage use of a targeted rate to penalise local communities and fund restoration following unauthorised clearance of riparian vegetation or mangroves.
Hughes J	Organic Farming	Amend	Make Northland an organic farming zone (which in itself will stop GMO's).
Hughes J	Pest Plants	Amend	Take Tea Tree and Bracken off the weed list.
Hughes J	Wet farming land	Amend	15% of wet farming land should include herbs. Unclear what decision submitter seeks for Plan.
Hughes J	Pets	Amend	All lifestyle blocks and country areas should be working dogs only. Urban cats should be registered and all pets listed. Pet owners with certain skills/interests in biodiversity should be encouraged to contribute as paid volunteers.
Hughes J	Road verges	Amend	Encourage the use of road verges for the purposes of selective gardening.
Hughes J	Environmental Protection	Unclear	General comments about environmental protection, rubbish dumping, coastal protection, environmental taxation and sustainable farming, Unclear if submitter is seeking change to the plan.
Johnston J	Urban form and function	Amend	Include rules to promote more sustainable urban form and function, via the tools available to a Regional Council attempting to influence the development of urban areas so as to protect, for example, highly versatile soils, natural resources or highly valued landscapes or ecological areas. Or, include an explanation as to why the Plan does not contain any rules to manage/control urban development into what is currently rural or natural landscapes.
Johnston J	Climate change	Unclear	The submitter comments on the need to account for the effects of climate change in planning, particularly in relation to activities in and adjacent to the coastal marine area. However, it is unclear if the submitter is seeking amendments to the plan.
Kurmann A	Nutrient management	Amend	Start an immediate land management project to minimise nutrient load in the Mangonui Harbour.

Submitter	Matter	Position	Summary of decision requested
Kurmann A	Copper standards	Amend	Amend the 65 ppm level for copper for the Mangonui Cruising Club grid (too restrictive).
Larcombe M	Metal build up in Kawakawa river	Unclear	Submitter states that there is a large metal build up in the Kawakawa river (at Taumarere) that blocks the flow of water.
Mahanga-Nisbet K	Taumarere Awatapu restoration	Amend	NRC, FNDC and Ngati Hine Rangatira to develop an immediate restoration strategy of the lower reaches of Taumarere Awatapu in collaboration with hapu and this to include a fencing strategy with incentives to farmers whose stock/farm extends to the river or other water bodies.
Mahanga-Nisbet K	Economic, Unclear environmental, cultural imperatives	Amend	NRC must see environment, conservation and cultural imperatives as integral parts of the economy, not separate.
Marks M	Enforcement	Unclear	There is a lack of compliance monitoring and enforcement. Retrospective consents are being granted after coastal works have been undertaken.
Nikora-Kerr K	Aupouri groundwater	Amend	Protect the Aupouri Aquifer, which is a natural Feature.
Ngati Ruamahue of Whangaroa	Monitoring and enforcement	Unclear	NRC to collaborate with Ngati Ruamahue of Whangaroa on monitoring and enforcement of the plan.
Ngati Ruamahue of Whangaroa	Hapu participation in Resource Management	Amend	Ngāti Ruamahue claims that our entire rohe is of cultural significance to us, and we propose that any activity that disturbs the natural flora and fauna in our area, that a process of consultation is entered into with members of our hapū.
NZ Oyster Industry Association	Oyster Industry facility	Amend	That the plan provide for a purpose-built Oyster Industry loading and unloading facility on the Kawakawa River.
Oxborrow Mr	Coastal flood hazard maps	Amend	Do not include the Coastal Flood Hazard Maps in the Plan until they have been updated as correct.
Porter Taipari R	Deep sea seismic testing for oil	Unclear	Submitter opposes deep sea seismic testing for oil.



Submitter	Matter	Position	Summary of decision requested
Perkinson A	Monitoring of aquifer takes	Unclear	Monitoring, reporting & auditing of existing permit takes needs to be undertaken. Saline monitoring needs to occur. Further research needs to be undertaken.
Puhipuhi Mining Action Group	Mercury mine at Puhipuhi	Amend	Amend the plan to classify the Mercury Mine at Puhipuhi as "potentially contaminated land" and add a policy in the plan that the Northland Regional Council will liaise with the Department of Conservation to thoroughly investigate the possibility as to whether the old Mercury mine at Puhipuhi has contaminated, and is continuing to contaminate, the waters and sediment of nearby waterways, and to seek remedial work at the old mine site to ensure it is safe.
Refining New Zealand	Outline plan for Refinery.	Amend	<p>Incorporate a site-specific Outline Plan into the Plan to provide for identified activities/works at the Refinery. This would involve the application of tailored permitted, controlled, restricted discretionary or discretionary activity rules (with appropriate permitted standards or matters for control/discretion) - refer to submission for the suite of suggested rules. The geographic extent of the Outline Plan would include all of the submitters existing structures/operations; and several proposed activities/structures, including the areas of proposed dredging and deposition that have been identified as being suitable through the comprehensive technical assessments undertaken as part of the Crude Shipping Project.</p> <p>Refer to submission for the proposed framework of the outline plan - Annexure E of submission.</p> <p>The development of an Outline Plan as proposed in the above relief is the submitter's preference for the management of its activities under the Regional Plan. However, for completeness, should the Council not accept the above relief proposed, the Company is seeking relief to the provisions of sections C, D and F of the Plan.</p>
Ruakaka Parish Resident and Ratepayers Association	Biosecurity - Flora and Fauna	Amend	Add the plant <i>acacia longifolia</i> to the list of noxious weeds.
Ruakaka Parish Resident and Ratepayers Association	Biosecurity - Flora and Fauna	Amend	Identify on a map, geologically suitable sites for the disposal of slaughtered animal carcasses or contaminated plant material in cases where there is a serious incursion of exotic diseases into Northland.

Submitter	Matter	Position	Summary of decision requested
Russell Landcare Trust	Monitoring permitted and consented activities.	Amend	Council to invest more resources and personnel in monitoring permitted and consented activities.
Syron B	Marsden Port/Barging	Unclear	Submitter discusses the opportunity presented of developing Port Marsden to allow goods to be sent by barge to Auckland. Unclear what changes are sought for the Proposed Regional Plan.
Tautari R	Hearings	Amend	Requests that in addition to hearings being held on a marae, that Māori specialist knowledge in the tikanga and kaitiakitanga of Te Taitokerau is made available to the commissioners.
Te Runanga o Whaingaroa	Monitoring and enforcement	Amend	General statement that submitter wish NRC to collaborate with our organisation on monitoring and enforcement of the plan in Whangaroa
Te Kopu - Pacific Indigenous & Local Knowledge Centre of Distinction	Air Quality - non regulatory methods/monitoring	Amend	<p>Unclear exactly what changes are sought for the plan but would like:</p> <p>a) Monitoring of ambient levels of contaminants to measure compliance with the policy (taking account of year to year weather variability)</p> <p>b) Use of non-regulatory methods, including advocacy, education, assistance and incentives where appropriate as a supplement or alternative to regulatory measures.</p> <p>c) Consultation on air quality</p> <p>d) Inclusion of tangata whenua environmental performance indicators in developing air quality monitoring networks.</p>
Upperton T	Vessel speed	Amend	Add rule restricting vessel speeds.
Vincent M	Combined Regional and District plans	Amend	Prepare a single resource management plan for Northland that includes Regional Council and District Council functions.
Vision Kerikeri	Riparian planting	Amend	Amend to include a rule to encourage or support riparian planting.
Wagener C Wagener C	Aupouri groundwater	Amend	The NRC must guarantee that people of the Aupouri will have access to good water. Need more notifications as to what allocations are being made

Submitter	Matter	Position	Summary of decision requested
Wagener J			before they are made and with opportunity to object and longer notification periods. Do not allocate any more water to commercial sector.
Waldron S	Doubtless Bay Catchment Plan	Unclear	<p>Unclear what is being requested.</p> <ul style="list-style-type: none"> <li>Do not recognise commercial eeling and dairy washdown/cooling as appropriate freshwater uses.</li> <li>Support non-regulatory methods for stock management around waterways in Doubtless Bay Catchment.</li> </ul>
Whangarei District Council	Acid sulphate soils	Amend	<p>That the regional plan address the effects of acid sulphate soils through amendment to the following rules:</p> <ul style="list-style-type: none"> <li>C.8.3.1 Earthworks</li> <li>C.8.3.2 Earthworks,</li> <li>C.4.1 Land Drainage</li> <li>C.4.5 Land Drainage Schemes – controlled activity,</li> <li>C.5.1.5 Water take associated with bore development, bore testing or dewatering – Permitted Activity</li> <li>C.1.5.7 Clearing Artificial Water Courses – Permitted Activity</li> <li>C.1.5.8 Clearing tidal stream mouths – Permitted Activity</li> <li>C.1.5.10 Maintenance dredging – Controlled Activity.</li> </ul> <p>That a policy be added on the 'disturbance of acid sulphate soils' with amendment to D.4.26 to Avoid, minimise, mitigate effects from dewatering of Acid Sulphate Soils and D.4.31 to avoid adverse effects on aquatic receiving environments that are sensitive to acidity and heavy metals released by acid sulphate soils.</p>
Whatitiri Resource Management Unit and Environment River Patrol-Aotearoa	Farm dairy effluent discharge monitoring and testing	Amend	<p>Requests Northland Regional Council to change its monitoring methodology for sampling and testing farm dairy effluent discharges and receiving water quality, including by:</p> <ul style="list-style-type: none"> <li>using the actual point of discharge as the true sample point</li> </ul>

Submitter	Matter	Position	Summary of decision requested
			<ul style="list-style-type: none"> <li>requiring that at all sample point locations dairy farms must meet a same set of maximum levels of faecal coliforms / DO / NH<sub>4</sub> / pH.</li> </ul>

