

## Appendix 1 to evidence of Vanessa Rodgers

### Summary of PCC submission points, s42A report recommendations, and recommended amendments to s42A report recommendations

PCC submission point ref.	Provision	Relief sought by PCC (green text where relevant)	S42A report recommendation		Recommended amendments to s42A version (blue text)
			Response	Recommended changes (red text)	
S240. 022	Method 44	Amend Method 44 to include timeframes and methodology for all actions	Reject	<p><u>Supporting the health of rural waterbodies</u></p> <p>Wellington Regional Council, working in <u>partnership</u> with primary sector organisations <u>and the community</u>, will undertake a programme(s) to support the health of waterbodies, (including rivers, streams, <u>and wetlands</u>) <u>and</u> estuaries and harbours, impacted by rural activities, including to:</p> <div style="border: 1px solid black; padding: 5px;"> <p>(a) investigate financial support and rates relief options for accelerating retirement/revegetation of pastoral <u>and plantation forestry</u> land uses, and</p> <p>(b) support the effective uptake and implementation of <b>Farm Environment Plans</b>, <u>and the provision of catchment context, challenges and values (CCCV) statements</u>, and</p> <p>(c) promote uptake of <b>good management</b></p> </div> <p><u>practice</u> in rural land uses, including for pastoral farming <u>and plantation forestry</u>, and</p> <p>(d) <u>investigate the contribution of small (&lt;20 ha) landholdings to water quality issues and, to the extent warranted, develop, and deliver a specific programme of engagement and education with small (&lt;20ha) landowners.</u></p>	Accept

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Rural land use					
S240.051	Policy P.P20	Delete  Support reducing diffuse discharges from farming activities, however consider this policy can be deleted as it unnecessarily cross references other policies.	Reject	<u>Policy P.P20: Managing diffuse discharges of sediment, nutrients and <i>Escherichia coli</i> from farming activities</u> Reduce diffuse discharges of nitrogen, phosphorus, <del>sediment</del> and <i>Escherichia coli</i> from farming activities by: <div><div>(a) <del>capping</del>, minimising and reducing diffuse discharges from individual rural properties in accordance with Policies P.P21, P.P22 and P.P24, and</div><div>(b) applying target attributes states as <b>limits</b> on rural land use change and on the intensification of farming activities, and</div><div>(c) <del>requiring progressively treatment establishing and maintaining woody vegetation on highest erosion risk land (pasture)</del> of priority <del>erosion treatment land</del> as a <b>limit</b> on land use, and</div><div>(d) excluding stock from water bodies <del>greater than</del> <b>1m wide</b> as a <b>limit</b> on land use, and</div><div>(e) supporting <b>good management practice</b> through Wellington Regional Council's environmental <b>restoration</b> programmes.</div></div>	Provide clarity on how water bodies greater than 1m wide will be identified.
S240.052	Policy P.P21	Support reducing diffuse discharges from farming activities.	Accept in part	<u>Policy P.P21: <del>Capping, m</del>Minimising and reducing diffuse discharges of nitrogen from farming activities</u> Diffuse nitrogen discharges from <del>large rural properties and from smaller rural properties that are intensively farmed</del> pastoral, arable or horticultural	Amend clause (d) as follows:

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				<p>land use, are capped, minimised and, on large properties reduced where necessary by ensuring that:</p> <p>(a) the risk of diffuse discharge of nitrogen is assessed objectively using a recognised nitrogen risk assessment tool to determine the nitrogen discharge risk, and</p> <p>(b) the nitrogen discharge risk determined for each property in accordance with (a) above, does not increase over time, and</p> <p>(c) for pastoral land use or arable land use on 20 hectares or more of land, or horticultural land use on 5 hectares or more of land:</p> <div style="border: 1px solid black; padding: 5px;"> <p>(i) farm environment plans are prepared and complied with, and</p> <p>(ii) the nitrogen discharge risk does not increase over time and is minimised by the adoption of good management practices, and by the phasing out of any poor management practices, and</p> <p>(iii) in part Freshwater Management Units where Table 9.2 shows that the baseline state of dissolved inorganic nitrogen or nitrate exceeds the target attribute state, the nitrogen discharge risk is reduced to the extent reasonably practicable.</p> </div> <p>(d) The effect of pastoral land use or arable land use on less than 20 hectares of land, or horticultural land use on less than 5 hectares or more of land on water quality is further investigated and methods applied as necessary to reduce any significant effects identified.</p>	<p>(d) The effect of pastoral land use or arable land use on less than 20 hectares of land, or horticultural land use on less than 5 hectares or more of land on water quality is further investigated and methods applied as necessary to reduce any significant effects identified.</p>

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S240.053	Policy P.P22	Amend by adding new clause (c)(iii) as follows: (iii) encouraging planting of native species where these can provide suitable stabilization for erosion prone land and...	Accept in part	<p><u>Policy P.P22: Achieving reductions in sediment discharges from farming activities on land with high risk of erosion</u></p> <p><u>Within part FMUs that exceed the target attribute state for visual clarity, or in Part FMUs that contribute sediment to Part FMUs that exceed the target attribute state for visual clarity, r</u>Reduce discharges of sediment from farming activities <u>on high erosion risk land and highest erosion risk</u> by:</p> <p>(a) identifying <u>highest erosion risk land (pasture) and high potential erosion risk land (pasture)</u> used for pastoral farming in Map 90 and <u>potential stream bank erosion risk on Map 9A, and</u></p> <p>(b) requiring that <u>farm environment plans</u> prepared for farms with <u>highest potential erosion risk land (pasture) and/or highest erosion risk land (pasture)</u> include an <u>erosion risk treatment plan</u>, and</p> <p>(c) ensuring <u>that erosion risk treatment plans</u> identify <u>priority erosion treatment land</u> in accordance with Part F of Schedule 36 and include actions to to deliver <u>appropriate erosion risk treatment by 2040.</u></p> <p>(i) <u>deliver permanent woody vegetation cover on at least 50% of any highest erosion risk land (pasture) that is in pasture on a farm within 10 years, and appropriate treatment for the area remaining highest erosion risk land (pasture) that is in pasture on the farm, and</u></p>	Delete repeated word 'to' in clause (c).

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				<p>(ii) <del>identify and respond to risks of sediment loss on high erosion risk land (pasture) associated with grazing livestock, earthworks or vegetation clearance, by using effective erosion control treatment by 30 June 2040, and</del></p> <p>(d) <del>Wellington Regional Council providing support to landowners to implement erosion risk treatment plans.</del></p>	
S240.054	Policy P.P23	Retain as notified	Accept	<p><u>Policy P.P23: Phasing of farm environment plans</u></p> <p><u>Farm environment plans</u> required in accordance with <u>Policy P.P21 or Policy P.P22</u> shall be provided according to a phased timetable that prioritises those <b>part Freshwater Management Units</b> where <u>Table 9.2</u> shows that suspended fine sediment has a baseline state of D and/or where dissolved inorganic nitrogen is shown as being in need of improvement and so that, in all cases, <b>farm environment plans</b> are prepared and certified by <del>30 June 2027</del> <u>31 March 2029</u></p>	Unclear if date should be 30 June 2029 as suggested in para 363 of s42A Report by Gerard Willis.
S240.055	Policy P.P24	Retain as notified	Accept in part	<p><u>Policy P.P24: Managing <del>rural</del> primary production land use change</u></p> <p>Manage the actual and potential adverse effects of <u>changing land use from low to higher intensity <del>rural land-use primary production land use</del> by:</u></p> <p>(a) <u>controlling <del>rural primary production land use</del> change that is greater than 45ha and associated diffuse discharge where there is a risk the diffuse discharges of nitrogen, phosphorus, sediment or <i>Escherichia coli</i> may increase, and</u></p>	Accept

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				(b) only granting resource consent for such a change in land use when, in accordance with Policy P75, the diffuse discharge of nitrogen, phosphorus, sediment and <i>Escherichia coli</i> of the more intensive activity is demonstrated to be the same or less than the activities being replaced.	
S240.056	Policy P.P25	Retain as notified	Accept in part	<p><u>Policy P.P25: Promoting stream shading riparian planting to improve aquatic ecosystem health</u></p> <p>Contribute to the achievement of <b>aquatic ecosystem health</b> by promoting <b>and supporting</b> riparian planting to:</p> <div style="border: 1px solid black; padding: 2px;"> <p>(a) stabilise stream banks to reduce streambank erosion; and</p> </div> <p>the progressively shading of streams where nutrient reductions alone will be insufficient to achieve the periphyton target attribute states in Table 9.2.</p>	Accept
S240.083	Rule P.R25	Generally support	No recommendation	<p><del>Rule P.R25: Farming activities on properties of between 4 hectares and 20 hectares – permitted activity</del></p> <p><del>The use of land on a property of 4 hectares or more and less than 20 hectares for:</del></p> <p><del>(a) pastoral land use where the winter stocking rate is greater than 12 stock units per effective hectare, and/or</del></p> <p><del>(b) pastoral land use on highest erosion risk land (pasture) or high erosion risk land (pasture), and/or</del></p> <p><del>(c) arable land use</del></p>	Accept

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				<p><del>and the associated discharge of contaminants into a surface water body or into or onto land where a contaminant may enter freshwater is a permitted activity provided the following conditions are met:</del></p> <p><del>(d) the property is registered with the Wellington Regional Council in accordance with Schedule 35 (farm registration) by 1 August 2025, and</del></p> <p><del>(e) the three-year rolling average of the nitrogen discharge risk is assessed annually and provided to the Wellington Regional Council on request, and</del></p> <p><del>(f) the nitrogen discharge risk for the land does not increase above the rate recorded at registration, and</del></p> <p><del>(g) if the property contains highest erosion risk land (pasture), or high erosion risk land (pasture):</del></p> <p><del>(i) the area and of pastoral land use on the highest erosion risk land (pasture) or high erosion risk land (pasture) does not increase above the area recorded at registration, and</del></p> <p><del>the average annual stocking rate and the winter stocking rate on the high erosion risk land (pasture) or highest erosion risk land (pasture) do not increase above the area recorded for that land at registration.</del></p>	
<b>Earthworks</b>					
S240.009	Defns: earthworks	Amend to take account of Resource Management (National Environmental Standards	Accept in part	For <u>Whaitua</u> Te Whanganui-a-Tara and Te Awarua-o-Porirua <b>Whaitua</b> only: The alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the	<b>Amend as follows:</b> For <u>Whaitua</u> Te Whanganui-a-Tara and Te Awarua-o-Porirua <b>Whaitua</b> only: The alteration or disturbance of land, including by

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		for Commercial Forestry) Regulations 2023		land including soil, clay, sand and rock); but excludes gardening, <b>cultivation</b> , and disturbance of land for the installation of fence posts. Except that, for the purposes of Rules WH.R20, <del>WH.R21</del> and P.R19, <del>P.R20</del> , <b>forestry-related</b> 'earthworks' has the same meaning as given in section 3 of the <i>Resource Management (National Environmental Standards for <del>Plantation Forestry Commercial Forestry</del>) Regulations 2023</i> <del>17</del> .	moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, <b>cultivation</b> , and disturbance of land for the installation of fence posts. Except that, for the purposes of Rules WH.R20, <del>WH.R21</del> and P.R19, <del>P.R20</del> , <b>forestry-related</b> 'earthworks' has the same meaning as given in <b>section-Regulation 3</b> of the <i>Resource Management (National Environmental Standards for <del>Plantation Forestry Commercial Forestry</del>) Regulations 20</i> <del>23</del> <b>17</b> .
S240.058	Policy P.P27	Retain as notified	Accept in part	<p><b>Management of earthworks sites</b></p> <p>The <del>risk</del> <b>adverse effects</b> of sediment discharges from <b>earthworks</b> shall be managed by:</p> <p>(a) requiring retention of <b>uncontrolled</b> soil and sediment on the land using <b>good management practices</b> for erosion and sediment control measures that are appropriate to the scale and nature of the activity, and in accordance with the <i>GWRC Erosion and Sediment Control Guideline for the Wellington Region (2021)</i>, for the duration of the land disturbance, and</p> <p>(b) limiting the amount of land disturbed at any time, and</p>	Amend clause (e) as follows:  <b>(e) minimising works required during the closedown period</b> <del>(from 1<sup>st</sup> June to 30<sup>th</sup> September each year).</del>



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				<p>(c) <u>designing and implementing earthworks with knowledge of the existing environmental site constraints, specific engineering requirements and implementation of controls to limit the discharge of sediment to receiving environments, and</u></p> <p>(d) <u>requiring erosion and sediment control measures to be installed prior to, and during earthworks and ensuring those controls remain in place and are maintained until the land is stabilised against erosion, and</u></p> <p>(e) <u>minimising works required during the closedown period (from 1<sup>st</sup> June to 30<sup>th</sup> September each year).</u></p>	
S240.059	Policy P.P28	Amend – reword as a policy, or relocate into rules section of Chapter	Reject	<p>The discharge of sediment from <b>earthworks</b> over an area greater than 3,000m<sup>2</sup> shall:</p> <p>(a) <u>not exceed a discharge standard of 100g/m<sup>3</sup> 170 Nephelometric Turbidity Units (NTU) at the point of discharge where the discharge is to a surface water body, coastal water, (including via a stormwater network) or to an artificial watercourse, except that when the discharge is to a river with background total suspended solids that exceed 100g/m<sup>3</sup>, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than:</u></p> <p>(iii) <u>20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</u></p> <p>(iv) <u>30% in any other river, and</u></p>	<p><b>Amend clause (a) as follows:</b></p> <p>(a) <u>not exceed a discharge standard of 100g/m<sup>3</sup> 170 Nephelometric Turbidity Units (NTU) at the point of discharge where the discharge is to a surface water body, coastal water, (including via a stormwater network) or to an artificial watercourse, (including via a stormwater network), except that when the discharge is to a river with background total suspended solids that exceed 100g/m<sup>3</sup>, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than: ...</u></p>

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				(b) <u>be managed using <b>good management practices</b> in accordance with the <i>GWRC Erosion and Sediment Control Guidelines for the Wellington Region (2021)</i>, to achieve the discharge standard in (a), and</u>  <u>be monitored by a suitably qualified person, and the results reported to the Wellington Regional Council.</u>	
S240.060	Policy P.P29	Oppose – delete policy	Accept	<del>Earthworks over 3000m<sup>2</sup> in area shall:</del>  <del>(a) — Be shutdown from 1 June to 30<sup>th</sup> September each year, and</del>  <del>(b) — Prior to shutdown, be stabilised against erosion and have sediment controls in place using <b>good management practices</b> in accordance with the <i>GWRC Erosion Sediment Control Guideline for the Wellington Region</i>.</del>	Accept
S240.080	Rule P.R22	Amend by Adding note: <ul style="list-style-type: none"> <li>This rule excludes coastal restoration, conservation, and management activities where undertaken by a statutory authority or their nominated contractor.</li> </ul>	Accept in part	<u>Earthworks and the associated discharge of sediment and/or flocculant into a <b>surface water body</b> or coastal water or onto or into land where it may enter a <b>surface water body</b> or coastal water, including via a <b>stormwater network</b>, is a permitted activity, provided the following conditions are met:</u>  <div style="border: 1px solid black; padding: 5px;">           (a) the <b>earthworks</b> are to implement an action in the <b>erosion risk treatment plan</b> for the farm, or         </div>	Accept

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		<ul style="list-style-type: none"> <li>This rule excludes repair or maintenance of existing roads, or repair, sealing or resealing of a road, footpath or driveway where undertaken by a statutory authority or their nominated contractor.</li> </ul>		<p>(b) <u>the earthworks are to implement an action in the farm environment plan for the farm, or</u></p> <p>(c) <u>the area of earthworks does not exceed 3,000m<sup>2</sup> per property in any consecutive 12-month period, and</u></p> <p>(i) <u>the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks</u></p>	

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				<p><u>undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and</u></p> <p>(ii) <u>soil or debris from <b>earthworks</b> is not placed where it can enter a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>, and</u></p> <p>(iii) <u>the area of <b>earthworks</b> must be <b>stabilised</b> within six months after completion of the <b>earthworks</b>, and</u></p> <p><del>(iv) — there is no the discharge of sediment from <b>earthworks</b> and/or flocculant into a <b>surface water body</b>, the coastal marine area, or onto land that may enter a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>, and</del></p> <p>(v) <u>erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>.</u></p>	
New rule	Rule P.R22A			<u><b>Earthworks</b> and the associated discharge of sediment and/or flocculant into a <b>surface water body</b> or coastal water or onto or into land where it may enter a</u>	<b>Amend as follows:</b> <u><b>Earthworks</b> and the associated discharge of sediment and/or</u>

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				<p><u>surface water body or coastal water, including via a stormwater network, associated with:</u></p> <p>(a) <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</u></p> <p>(b) <u>the construction, repair, upgrade or maintenance of:</u></p> <p>(i) <u>pipelines, and</u></p> <p>(ii) <u>electricity lines and their support structures, including the National Grid, and</u></p> <p>(iii) <u>telecommunication structures or lines, and</u></p> <p>(iv) <u>radio communication structures, and</u></p> <p>(v) <u>firebreaks or fence lines, and</u></p> <p>(c) <u>repair or maintenance of existing roads and tracks, and airfield runways, taxiways, and parking aprons for aircraft;</u></p> <p><u>is a permitted activity provided the following conditions are met:</u></p> <p>(a) <u>the earthworks shall not occur within 5m of a surface water body or the coastal marine area, and</u></p> <p>(b) <u>soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and</u></p>	<p>flocculant into a <u>surface water body or coastal water or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, associated with:</u></p> <p>(a) <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</u></p> <p>(b) <u>the construction, repair, upgrade or maintenance of:</u></p> <p>(i) <u>pipelines, and</u></p> <p>(ii) <u>electricity lines and their support structures, including the National Grid, and</u></p> <p>(iii) <u>telecommunication structures or lines, and</u></p> <p>(iv) <u>radio communication structures, and</u></p> <p>(v) <u>firebreaks or fence lines, and</u></p> <p>(vi) <u>paths or trackways within reserves and other publicly owned land</u></p> <p>(c) <u>repair or maintenance of existing roads, footpaths, driveways and tracks undertaken by a local authority or their nominated contractor,</u></p>

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				<p><u>(c) the area of <b>earthworks</b> must be <b>stabilised</b> within six months after completion of the <b>earthworks</b>, and</u></p> <p><u>(d) there is no discharge of sediment from <b>earthworks</b> and/or flocculant into a <b>surface water body</b>, the coastal marine area, or onto land that may enter a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>, and erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>.</u></p>	<p><u>and airfield runways, taxiways, and parking aprons for aircraft;</u></p> <p><u>(d) coastal restoration, conservation, and management activities undertaken by a statutory authority or their nominated contractor</u></p> <p><u>is a permitted activity provided the following conditions are met:</u></p> <p><u>(a) the <b>earthworks</b> shall not occur within 5m of a <b>surface water body</b> or the coastal marine area, and</u></p> <p><u>(b) soil or debris from <b>earthworks</b> is not placed where it can enter a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>, and</u></p> <p><u>(c) the area of <b>earthworks</b> must be <b>stabilised</b> within six months after completion of the <b>earthworks</b>, and</u></p> <p><u>(d) there is no discharge of sediment from <b>earthworks</b> and/or flocculant into a <b>surface water body</b>, the coastal marine area, or onto land that may enter a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>, and</u></p>

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					<u>erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</u>
S240.081	Rule P.R23	Amend rule by deleting clause saying earthworks shall not occur between 1 <sup>st</sup> June and 30 <sup>th</sup> September in any year.	Reject	<p>Rule P.R23: Earthworks – Restricted Discretionary</p> <p><u>Earthworks</u> and the associated discharge of sediment and/or flocculant into a <u>surface water body</u> or coastal water or onto or into land where it may enter a <u>surface water body</u> or coastal water including via a <u>stormwater network</u>, that does not comply with Rule P.R22 is a restricted discretionary activity, provided the following conditions are met:</p> <p>(a) <u>the water quality concentration of total suspended solids</u> in the discharge from the <u>earthworks</u> shall not exceed <u>170 Nephelometric Turbidity Units (NTU) 100g/m3</u> except that, <u>where the discharge is to freshwater</u>, if at the time of the discharge the <u>concentration of total suspended solid the water quality</u> in the receiving water at or about the point of discharge exceeds <u>100g/m3 170 Nephelometric Turbidity Units (NTU)</u>, the discharge shall not, after the <u>zone of reasonable mixing</u>, decrease the visual clarity in the receiving water by more than:</p> <p>(i) <u>20% in River class 1 and in any</u></p>	<p><b>Amend the chapeau of the Rule as follows:</b></p> <p><u>Earthworks</u> and the associated discharge of sediment and/or flocculant into a <u>surface water body</u> or coastal water or onto or into land where it may enter a <u>surface water body</u> or coastal water including via a <u>stormwater network</u>, that does not comply with Rule P.R22 <u>or P.R22A</u> is a restricted discretionary activity, provided the following conditions are met:</p>

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				<p>river identified as having high macroinvertebrate community health in Schedule F1(rivers/lakes), or</p> <p>(ii) 30% in any other river, and</p> <p>(b) <b>earthworks</b> shall not occur between 1<sup>st</sup> June and 30<sup>th</sup> September in any year <b>where works are located within a Part Freshwater Management Unit</b> where the target attribute state for suspended fine sediment in Table 9.2 is not met.</p>	
S240.082	Rule P.R24	Support – retain as notified	Reject	<p><b>Earthworks</b>, and the associated discharge of sediment into a <b>surface water body</b> or coastal water or onto or into land where it may enter a <b>surface water body</b> or coastal water, including via a <b>stormwater network</b>, that does not comply with Rule P.R23 is a <del>non-complying activity</del> discretionary activity.</p>	Accept
<b>Forestry and vegetation clearance</b>					
S240.057	P.P26	Support – retain as notified	Reject	<p>Policy P.P26: Achieving reductions in sediment discharges from <del>commercial plantation</del> forestry</p> <p>Discharges of sediment from <b>commercial forestry</b> shall be <b>minimised</b> by: <del>Reduce discharges of sediment from plantation forestry by:</del></p> <p>(a) <del>identifying highest erosion risk land (plantation forestry), and</del></p> <p>(a) requiring the resource consent application to demonstrate that erosion and any discharge</p>	<p><b>Amend the start of clause (a) as follows:</b></p> <p>(a) requiring the resource consent application to demonstrate that erosion and any discharge of sediment will to be minimised...</p>



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				<p>of sediment will be <u>minimised</u>, having regard to the quality of the receiving environment; particularly in <b>part Freshwater Management Unit's</b> where the target attribute state for visual clarity in Table 9.2 are not met or there is a downstream receiving environment that is sensitive to sediment accumulation; and</p> <p>(b) <u>improving management of plantation commercial forestry by requiring erosion and sediment forestry management plans to be prepared and complied with</u></p> <p>(c) <u>requiring that on highest erosion risk land (plantation forestry), plantation forestry is not established or continued beyond the harvest of existing plantation forest.</u></p>	
S240.074	P.R16	Amend to include provision of firebreaks	<b>Reject</b>	<p>Rule P.R16: Vegetation clearance on <u>erosion prone land-highest erosion risk land</u> – permitted activity</p> <p><u>Vegetation clearance on highest erosion risk land (woody vegetation) and any associated discharge of sediment to a surface water body is a permitted activity provided the following conditions are met:</u></p> <p>(a) <u>the vegetation clearance is:</u></p> <p>(i) <u>to implement an action in the erosion risk treatment plan for the farm, or</u></p> <p>(ii) <u>for the control of pest plants, and</u></p>	<b>Accept</b>

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			Response	Recommended changes (red text)	
				<p><del>(b) — debris from the vegetation clearance is not placed where it can enter a surface water body.</del></p> <p><u>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from vegetation clearance on erosion prone land is a permitted activity where:</u></p> <p>(a) <u>The vegetation clearance does not exceed a total area of 2ha per property per 12 month period on erosion prone land; and</u></p> <p>(i) <u>any soil or debris from the vegetation clearance is not placed where it can enter a surface water body or the coastal marine area, and</u></p> <p><u>any soil disturbances associated with the</u></p>	

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				<p><u>vegetation clearance shall not after the zone of reasonable mixing, result in any of the following effects in receiving waters:</u></p> <ol style="list-style-type: none"> <li>1) <u>the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</u></li> <li>2) <u>any conspicuous change in colour or visual clarity, or</u></li> <li>3) <u>any emission of objectionable odour, or</u></li> <li>4) <u>the rendering of fresh water unsuitable for consumption by animals, or</u></li> <li>5) <u>any significant effect on aquatic life, and</u></li> </ol> <p>(iii) <u>vegetation clearance shall not occur within 5m of a surface water body except for vegetation clearance undertaken in association with Rules R122, R125, R126, R127, R128, R130, R131, R132, R134, R137 and R139.</u></p> <p>or</p> <p>(b) <u>The vegetation clearance is to implement an action in the erosion risk treatment plan for the farm, where no area limit shall apply, or</u></p> <p>(c) <u>The vegetation clearance is for the control of pest plants (as listed in Table 1 and Appendix 2 of the Greater Wellington Regional Pest Management Strategy 2019-</u></p>	

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			Response	Recommended changes (red text)	
				<p>2039) or removal of plants and plant material infected by unwanted organisms, carried out as directed by a person authorised under the Biosecurity Act 1993, where no area limit shall apply.</p> <p>And in the case of (b) and (c):</p> <p>(d) debris from the vegetation clearance is not placed where it can enter a surface water body.</p>	
S240.075	Rule P.R17	Support retain as notified	Reject	<p><del>Rule P.R17: Vegetation clearance on highest erosion risk land — controlled activity —</del></p> <p><del>Vegetation clearance on highest erosion risk land (woody vegetation), of more than a total area of 200 m<sup>2</sup> per property in any consecutive 12-month period, and any associated discharge of sediment to a surface water body, is a controlled activity provided an erosion and sediment management plan has been prepared in accordance with Schedule 33 (vegetation clearance plan) and submitted with the application for resource consent under this rule. Matters of control</del></p> <p><del>1. The content of the erosion and sediment management plan, including the actions, management practices and mitigation measures necessary to ensure that discharge of sediment will not exceed that which occurred from the land prior to the vegetation clearance occurring</del></p> <p><del>2. The area, location and method of vegetation clearance</del></p>	Accept

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			Response	Recommended changes (red text)	
				<p><u><del>3. Stabilisation and rehabilitation of the area cleared</del></u></p> <p><u><del>4. The monitoring, record keeping, reporting and information provision requirements for the holder of the resource consent (including auditing of information) to demonstrate and/or monitor compliance with the resource consent and the erosion and sediment management plan</del></u></p> <p><u><del>5. The timing, frequency and requirements for review, audit and amendment of the erosion and sediment management plan</del></u></p> <p><u><del>6. The time and circumstances under which the resource consent conditions may be reviewed</del></u></p> <p><u>Rule P.R17: Vegetation clearance for renewable energy generation – restricted discretionary activity</u></p> <p><u>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from vegetation clearance on erosion prone land that is not permitted by Rule WH.R17 associated with the use, development, operation, maintenance and upgrade of renewable energy generation is a restricted discretionary activity, provided the following conditions are met:</u></p> <p><u>(a) the vegetation clearance and associated discharge are associated with the following construction activities:</u></p>	

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			Response	Recommended changes (red text)	
				<p>(i) <u>the formation of access tracks,</u></p> <p>(ii) <u>the formation of laydown areas and stockpile areas,</u></p> <p>(iii) <u>the formation of wind turbine platforms, including foundation formation,</u></p> <p>(iv) <u>foundations for any operations building or transmission line,</u></p> <p>(v) <u>placement of excess fill associated with any of the activities listed in (i) to (iv) above,</u></p> <p>(vi) <u>ancillary works necessary to construct or maintain any erosion and sediment control measures associated with (i) to (v) above, and</u></p> <p>(b) <u>the activity does not occur within the coastal marine area,</u></p> <p>(c) <u>soil or debris from vegetation clearance is not placed where it can enter a surface water body or the coastal marine area, and</u></p> <p>(d) <u>the vegetation clearance will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the vegetation clearance occurs, and</u></p> <p>(e) <u>vegetation clearance shall not, occur within 10m of a surface water body</u></p>	

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			Response	Recommended changes (red text)	
				<p><u>or coastal marine area. Matters for discretion</u></p> <p>1) <u>The location, area, scale, volume, duration and timing of works</u></p> <p>2) <u>The design and suitability of erosion and sediment control measures including consideration of hazard mitigation and the risk of accelerated soil erosion associated with</u></p> <p>3) <u>Staging of works and progressive stabilisation:</u></p> <p>4) <u>Adverse effects on:</u></p> <p>(i) <u>groundwater, surface water bodies and their margins, particularly surface water bodies within sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (ecosystems and habitats with indigenous biodiversity), Schedule H (contact recreation and Māori customary use) or Schedule I (important trout fishery rivers and spawning waters)</u></p> <p>(ii) <u>group and community drinking water supplies</u></p> <p>(iii) <u>mauri, water quality (including water quality in the coastal marine area), aquatic and marine ecosystem</u></p>	

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				<p><u>health, aquatic and riparian habitat quality, indigenous biodiversity values, mahinga kai and critical life cycle periods for indigenous aquatic species</u></p> <p>(iv) <u>the natural character of lakes, rivers, natural wetlands and their margins and the coastal environment</u></p> <p>(v) <u>natural hazards, land stability, soil erosion, sedimentation and flood hazard management including the use of natural buffers</u></p> <p>5) <u>The placement and treatment of stockpiled materials on the site, including requirements to remove material if it is not to be reused on the site</u></p> <p>6) <u>The benefits to be derived from the use and development of renewable energy generation</u></p> <p>7) <u>Monitoring and reporting requirements</u></p>	
S240.076	Rule P.R18	Support – retain as notified	Reject	<p><u>Rule P.R18: Vegetation clearance – discretionary activity</u></p> <p><del>Vegetation clearance on highest erosion risk land (woody vegetation) and any associated discharge of sediment to a surface water body that does not comply with one or more of the conditions of Rule P.R16 or Rule P.R17 is a discretionary activity.</del></p> <p><u>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from vegetation clearance on</u></p>	Accept



PCC submission point ref.	Provision	Relief sought by PCC (green text where relevant)	S42A report recommendation		Recommended amendments to s42A version (blue text)
			Response	Recommended changes (red text)	
				<u>erosion prone land that is not permitted by Rule P.R16 and not restricted discretionary by Rule P.R17 is a discretionary activity.</u>	
S240.077	Note above Rule P.R19	Support – retain as notified	Reject	<p><u>Note</u></p> <p>Rule P.R19 prevails over the following Regulations of the Resource Management (National Environmental Standards for <del>Commercial Forestry</del> <u>Freshwater</u>) Regulations 2023<del>0</del>:</p> <p><b><u>Part 2 Regulation of commercial <del>plantation</del> forestry activities</u></b></p> <p><b><u>Subpart 1—Afforestation</u></b></p> <p>Regulations 9(2), 10, <del>10A</del> 14(3), 15(5), 16(2), 17(1), 17(3), and 17(4)</p> <p><b><u>Subpart 3—Earthworks</u></b></p> <p>Regulations 24 to 35</p> <p><b><u>Subpart 6—Harvesting</u></b></p> <p>Regulation <del>63(2)</del>, 64, as far as these apply to a Regional Council, 65 to 69, 70(3) and (4), and 71</p> <p><b><u>Subpart 7—Mechanical land preparation</u></b></p> <p>Regulations 73(2), 74, and 75</p> <p><b><u>Subpart 8—Replanting</u></b></p> <p>Regulations 77(2), <del>77A</del>, 78(2), and (3), <del>78A</del>, 80, and 81(3) and (4)</p> <p><b><u>Subpart 9—Ancillary activities</u></b></p> <p><del>Regulations 89 and 90</del> Regulation 95, as far as this applies to a Regional Council</p> <p><b><u>Subpart 10—General provisions (including discharges of sediment)</u></b></p> <p>Regulation 97(1)<del>(a), (b), (c), (d), (e) and (f) and (g)</del></p>	
New text	<u>New</u>			<u>Where the most recent Wellington Regional Council monitoring record demonstrates the measure of</u>	There is potential difficulty with using the most recent record as it

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	<u>explanatory text above P.R19</u>			<u>visual clarity for the relevant catchment meets the target attribute state at any monitoring site within the relevant part Freshwater Management Unit set out in Table 9.2, commercial forestry activity is regulated by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2023.</u>	does not account for any possible outlier.
S240.077	Rule P.R19	Support- retain as notified	Reject	<p><del>Rule P.R19: Commercial Plantation forestry – controlled activity</del><u>restricted discretionary activity</u></p> <p><b>Afforestation, harvesting, earthworks, vegetation clearance (forestry), replanting or mechanical land preparation for commercial plantation forestry, and any associated discharge of sediment to a surface water body, where the most recent Wellington Regional Council monitoring record measure of visual clarity for the relevant catchment does not meet the target attribute state at any monitoring site within the relevant part Freshwater Management Unit set out in Table 9.2, is a restricted discretionary activity, providing the following conditions are met:</b></p> <p>(a) <del>the land is not high erosion risk land (pasture) or highest erosion risk land (pasture) that was in pasture or scrub on 30-October 2023, and</del></p> <p>(b) <del>an erosion and sediment management plan has been prepared in accordance with Schedule 34 (forestry plan), certified and submitted with the</del></p>	<p>Unclear where visual clarity is mentioned in Table 9.2. Should it be Table 9.4 instead?</p> <p>Suggest removing reference to ‘most recent Wellington Regional Council monitoring record’</p>

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				<p><u>application for resource consent under this rule, and</u></p> <p><u>(c) — the concentration of total suspended solids in the discharge from the <b>plantation forestry</b> shall not exceed 100g/m<sup>3</sup>, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m<sup>3</sup>, the discharge shall not, after the <b>zone of reasonable mixing</b>, decrease the visual clarity in the receiving water by more than:</u></p> <p><u>(i) — 20% in <b>River class 1</b> and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</u></p> <p><u>(ii) — 30% in any other river, and</u></p> <p><u>(d) the most recent Council monitoring record demonstrates that the measure of visual clarity for the relevant catchment does not exceed the target attribute state at any monitoring site within the relevant <b>part Freshwater Management Unit</b> set out in Tables 9.1 and 9.2: <i>Matters of discretion</i></u></p> <p>1. <u>The content and implementation of the <b>forestry erosion and sediment management plan(s)</b>, including the actions, management practices and mitigation measures necessary to ensure that soil erosion and the discharge of sediment will</u></p>	

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				<p>be minimised <del>not increase the average annual sediment load for the part Freshwater Management Unit in which the plantation forestry is located, and</del></p> <p>2. <del>Adverse effects, including cumulative and localised adverse effects, on:</del></p> <p style="padding-left: 40px;">(i) <del>surface water bodies and coastal water, and particularly sites identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F (ecosystems and habitats with indigenous biodiversity), Schedule H (contact recreation and Māori customary use), Schedule I (important trout fishery rivers and spawning waters) and</del></p> <p style="padding-left: 40px;">(ii) <del>group drinking water supplies and community drinking water supplies</del></p> <p><del>2. The area, location and methods employed in the plantation forestry</del></p> <p><del>3. The monitoring, record keeping, reporting and information provision requirements for the holder of the resource consent (including auditing of information) to demonstrate and/or monitor compliance with the resource consent and the forestry</del></p>	

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				<p><del>erosion and sediment management plan(s)</del></p> <p>4.The timing, frequency and requirements for review, audit and amendment of the forestry <del>erosion and sediment management plan</del></p>	
S240.078	Rule P.R20	Support – retain as notified	Reject	<p><del>Rule P.R20: Plantation forestry – discretionary activity</del></p> <p><del>Afforestation, harvesting, earthworks, vegetation clearance or mechanical land preparation for plantation forestry and any associated discharge of sediment to a surface water body that does not comply with one or more of the conditions of Rule P.R19 is a discretionary activity.</del></p>	Accept
S240.079	P.R21	Support – retain as notified	Reject	<p><del>Rule P.R21: Plantation Forestry on highest erosion risk land – prohibited activity</del></p> <p><del>Afforestation, earthworks, or mechanical land preparation for plantation forestry on highest erosion risk land (plantation forestry) is a prohibited activity.</del></p>	Accept
	New Method M44A			<p><del>Wellington Regional Council, working with forestry sector organisations and landowners, will undertake a programme(s) to support the health of waterbodies, including rivers, streams, estuaries and harbours, impacted by forestry activities, by:</del></p> <p>(a) <del>Identifying areas at greatest risk of effects from forestry activities, and</del></p> <p>(b) <del>investigating financial support and rates relief options for accelerating retirement, revegetation, or</del></p>	Accept

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				<p><u>permanent/carbon forestry on areas at greatest risk of effects from forestry activities, and</u></p> <p>(c) <u>providing education and promoting <b>good management practice</b> in forestry with a focus on awareness and adherence to the requirements of the NZ Forest Owners Association Forest Practice Guides and NZ Forest Owners Association Road Engineering Manual or any other relevant guidance material that is consistent with <b>good management practice</b>, and</u></p> <p>(d) <u>developing standard consent conditions for forestry activities which enable Wellington Regional Council to assess the performance of forestry activities and their contribution to sediment loads at different stages of the forestry cycle.</u></p>	
	New Method 44B			<p><u>To support the existing strategic compliance programme for forestry, Wellington Regional Council will, by 1 August 2026, develop a programme to increase the capability of Council officers to ensure effective regulation of forestry. This shall include increasing resourcing and training/upskilling for permitted activity monitoring and enforcement activities and the establishment of a charging policy to support the effective regulation of forestry activities in the Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua.</u></p>	Accept