

APPENDIX ONE: RULE ASSESSMENT

1 Horizons One Plan

The provisions of the One Plan that comprise the Regional Plan are operative and can be given full weight.

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
Land Use Activities and Indigenous Biological Diversity (Chapter 13)			
<p>Rule 13-2 Large scale land disturbance including earthworks Controlled Except as regulated by Rules 13-6, 13-8 and 13-9, any land disturbance pursuant to s9(2) RMA of a total area greater than 2500m² per property per 12-month period and any ancillary:</p> <ul style="list-style-type: none"> a. diversion of water pursuant to s14(2) RMA on the land where the land disturbance is undertaken, or b. discharge of sediment into water pursuant to s15(1) RMA resulting from the land disturbance. 	<ul style="list-style-type: none"> a. The activity must not take place on land that is within a coastal foredune. b. The activity must be undertaken in accordance with an Erosion and Sediment Control Plan. c. Any ancillary discharge of sediment into water must not, after reasonable mixing, cause the receiving water body to breach the water quality standards for visual clarity set out in Schedule E for that water body. d. The activity must not occur on land that is in, or within 5m of: <ul style="list-style-type: none"> i. the bed of a river that is permanently flowing, ii. the bed of a river that is not permanently flowing and has an active bed width greater than 1m, iii. the bed of a lake. e. The activity must not occur on land that is in, or within 10m of: <ul style="list-style-type: none"> i. A wetland as identified in Schedule F, ii. Sites valued for Trout Spawning as identified in Schedule B, iii. Sites of Significance - Aquatic as identified in Schedule B. 	<p>Rule 13-6 provides for land disturbance in a Hill Country Erosion Management Area. The Project does not traverse a Hill Country Erosion Management Area and therefore Rule 13-6 is not relevant. Rule 13-8 relates to some activities within at-risk habitats and Rule 13-9 relates to some activities within rare habitats and threatened habitats (see below).</p> <p>There are no coastal foredunes, Sites valued for Trout Spawning as identified in Schedule B or Sites of Significance - Aquatic as identified in Schedule B of the One Plan within the Project area. In this instance, Standard (d) and Standard (e)(i) cannot be met because physical works are necessary within and/or near rivers and wetlands identified in Schedule 7.</p>	<p>A land use consent is sought pursuant to sections 9(2), 14 and 15 of the RMA and Rule 13-2 of the One Plan as a controlled activity for large scale earthworks (including any ancillary diversion of water or discharge of sediment into water) where the earthworks are not:</p> <ul style="list-style-type: none"> - in a 'rare', 'at-risk' or 'threatened' habitat; - within 5m of the bed of a permanently flowing river; - within 5m of the bed of a river that is not permanently flowing and has a width greater than 1m; or

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<p>Rule 13-5 Vegetation Clearance¹ Permitted Except as regulated by Rules 13-6, 13-8 and 13-9, any vegetation clearance pursuant to s9(2) RMA and any ancillary:</p> <ul style="list-style-type: none"> a. diversion of water pursuant to s14(2) RMA on the land where the vegetation clearance is undertaken, b. discharge of sediment into water pursuant to s15(1) RMA resulting from the vegetation clearance. 	<ul style="list-style-type: none"> a. The activity must not take place on land that is within a coastal foredune. b. Any ancillary discharge of sediment into water must not, after reasonable mixing, cause the receiving water body to breach the water quality standards for visual clarity set out in Schedule E for that water body. c. The activity must not occur on land that is in, or within 5m of: <ul style="list-style-type: none"> i. The bed of a river that is permanently flowing ii. The bed of a river that is not permanently flowing and has an active bed width greater than 1m iii. The bed of a lake d. The activity must not occur on land that is in, or within 10m of: <ul style="list-style-type: none"> i. A wetland as identified in Schedule F ii. Sites valued for Trout Spawning as identified in Schedule B. 	<p>Rule 13-6 provides for land disturbance in a Hill Country Erosion Management Area. The Project does not traverse a Hill Country Erosion Management Area and therefore Rule 13-6 is not relevant. Rule 13-8 relates to some activities within at-risk habitats and Rule 13-9 relates to some activities within rare habitats and threatened habitats. There are no coastal foredunes, Sites valued for Trout Spawning as identified in Schedule B or Sites of Significance - Aquatic as identified in Schedule B of the One Plan within the Project area. In this instance, Standard (c) and Standard (e)(i) cannot be met because vegetation clearance is necessary within and/or near rivers and wetlands identified in Schedule 7.</p>	<p>- within 10m of a wetland identified in Schedule F.</p> <p>Vegetation clearance (and associated diversion of water and discharge of sediment), pursuant to sections 9(2), 14 and 15 of the RMA and Rule 13-5 is a permitted activity and no resource consent is sought where the vegetation clearance is not:</p> <ul style="list-style-type: none"> - in a 'rare', 'at-risk' or 'threatened' habitat; - within 5m of the bed of a permanently flowing river; - within 5m of the bed of a river that is not permanently flowing and has a width greater than 1m; or - within 10m of a wetland identified in Schedule F.
<p>Rule 13-7 Vegetation clearance, land disturbance, cultivation or forestry that</p>	<p>Nil</p>	<p>Rule 13-7 applies to land disturbance and vegetation (including associated disturbance of the bed of a river,</p>	<p>A land use consent is sought pursuant to sections 9(2), 13, 14</p>

¹ 'Vegetation clearance' is defined by the One Plan as "Vegetation clearance means the cutting, crushing, spraying, burning, or other means of removal or destruction of vegetation, including indigenous and exotic plants (including trees)".

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<p>does not comply with Rules 13-1 to 13-6 Discretionary Except as regulated by Rule 13-8 and 13-9, any vegetation clearance, land disturbance, cultivation or forestry pursuant to s9(2) RMA that does not meet the conditions, standards or terms of Rules 13-1, 13-2, 13-3, 13-4, 13-5 or 13-6 and any ancillary:</p> <ul style="list-style-type: none"> a. disturbance of the bed of a river or lake by forestry authorised by those rules pursuant to s13(1) RMA b. diversion of water authorised by those rules pursuant to s14(2) RMA; or c. discharge of sediment or slash authorised by those rules pursuant to s15(1) RMA. 	<p>Nil</p>	<p>diversion of water and discharge of sediment or slash) that is not in a rare, at risk or threatened habitat, but is within:</p> <ul style="list-style-type: none"> - 5m of the bed of a permanently flowing river; - 5m of the bed of a river that is not permanently flowing and has a width greater than 1m; or - 10m of a wetland identified in Schedule F. <p>It is anticipated that this rule also provides for the discharge of water from any dewatering (with a water permit sought pursuant to Rule 16-9).</p>	<p>and 15 of the RMA and Rule 13-7 of the One Plan as a discretionary activity for land disturbance and vegetation clearance (including any ancillary disturbance of the bed of a river division of water and discharge of sediment or slash) that is not in a 'rare', 'at-risk' or 'threatened' habitat and is:</p> <ul style="list-style-type: none"> - within 5m of the bed of a permanently flowing river; - within 5m of the bed of a river that is not permanently flowing and has a width greater than 1m; or - within 10m of a wetland identified in Schedule F but outside of a rare, at risk or threatened habitat.
<p>Rule 13-8 Some activities within at-risk habitats Discretionary Except as regulated by Rules 14-5, 14-13, 14-24, 16-9, 17-2, 17-4, 17-5, 17-7 in relation to any existing small dam</p>	<p>Nil</p>	<p>Rule 13-8 applies to vegetation clearance and earthworks (including associated disturbance of the bed of a river, diversion of water and discharge of sediment or slash) are proposed in habitats identified as 'at-risk;' in accordance with Schedule F.</p>	<p>A land use consent is sought pursuant to sections 9(2) and 13 of the RMA and Rule 13-8 of the One Plan as a discretionary activity for land disturbance and</p>

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<p>structure, 17-14 and 17-15, any of the following activities within an at-risk habitat:</p> <ul style="list-style-type: none"> a. vegetation clearance, land disturbance or cultivation pursuant to s9(2) RMA b. ... d. activities restricted by s13(1) or s13(2) RMA in the beds of rivers or lakes e. the taking, using, damming or diverting of water pursuant to s14(2) RMA f. discharge of water or contaminants into water or onto or into land pursuant to s15(1) or s15(2A) RMA. <p>This rule does not apply to activities described in paragraphs (a) to (f) where they are carried out for the purposes of protecting or enhancing the habitat, including the control of pest animals and pest plants.</p>		<p>It is anticipated that this rule also provides for the discharge of water from any dewatering (with a water permit sought pursuant to Rule 16-9).</p>	<p>vegetation clearance within an 'at-risk' habitat.</p> <p>A water permit is sought pursuant to section 14 of the RMA and Rule 13-8 of the One Plan as a discretionary activity for the diversion of water within an 'at-risk' habitat.</p> <p>A discharge permit is sought pursuant to section 15 of the RMA and Rule 13-8 of the One Plan as a discretionary activity for the discharge of water or contaminants to water or land within an 'at-risk' habitat.</p>
<p>Rule 13-9 Some activities within rare habitats and threatened habitats Non-complying</p> <p>Except as regulated by Rules 14-5, 14-13, 14-24, 16-9, 17-2, 17-4, 17-5, 17-7 in relation to any existing small dam structure, 17-14 and 17-15, any of the following activities within a rare habitat, threatened habitat:</p>	<p>Nil</p>	<p>Rule 13-9 applies to vegetation clearance and earthworks (including associated disturbance of the bed of a river, diversion of water and discharge of sediment or slash) are proposed in habitats identified as 'rare' or 'threatened' in accordance with Schedule F.</p> <p>It is anticipated that this rule also provides for the discharge of water from any dewatering (with a water permit sought pursuant to Rule 16-9).</p>	<p>A land use consent is sought pursuant to sections 9(2) and 13 of the RMA and Rule 13-9 of the One Plan as a non-complying activity for land disturbance and vegetation clearance within a 'rare' or 'threatened' habitat.</p>

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<p>a. vegetation clearance, land disturbance or cultivation pursuant to s9(2) RMA</p> <p>b. ...</p> <p>d. activities restricted by s13(1) or s13(2) RMA in the beds of rivers or lakes</p> <p>e. the taking, using, damming or diverting of water pursuant to s14(2) RMA</p> <p>f. discharge of water or contaminants into water or onto or into land pursuant to s15(1) or s15(2A) RMA.</p> <p>This rule does not apply to activities described in paragraphs (a) to (f) where they are carried out for the purposes of protecting or enhancing the habitat, including the control of pest animals and pest plants.</p>			<p>A water permit is sought pursuant to section 14 of the RMA and Rule 13-9 of the One Plan as a non-complying activity for the diversion of water within a 'rare' or 'threatened' habitat.</p> <p>A discharge permit is sought pursuant to section 15 of the RMA and Rule 13-9 of the One Plan as a non-complying activity for the discharge of water or contaminants to water or land within a 'rare' or 'threatened' habitat.</p>
Discharges to Land and Water (Chapter 14)			
<p>Rule 14-12 Discharges of water to water</p> <p>Permitted</p> <p>The discharge of water into water pursuant to s15(1) RMA (excluding drainage water which is regulated by Rules 16-10 and 16-11 and the discharge of water into water that is part of the normal operation of a dam which is regulated by Rule 17-7 or Rule 17-8).</p>	<p>a. The discharge must not cause or exacerbate the flooding of any neighbouring property.</p> <p>b. The discharge must not cause any scouring or erosion of any land or bed of a water body beyond the point of discharge.</p> <p>c. The discharge must not alter the natural course of any water body.</p> <p>d. The discharge must not be to any rare habitat, threatened habitat or at-risk habitat (discharges into at-risk habitats are discretionary activities under Rule 13-8 and into rare habitats or threatened habitats are non-complying activities under Rule 13-9).</p> <p>e. The discharge must not, after reasonable mixing, change the natural temperature of the receiving water by more than the maximum temperature</p>	<p>Water for construction activities will be sourced from streams and will be transferred to holding ponds. The discharge of the transferred water to the water in the holding ponds is permitted by Rule 14-12.</p> <p>Rule 14-12 also provides for the discharge of dewatering water outside of a rainfall event where the groundwater may be contaminated with sediment.</p>	<p>The discharge of water to water outside of a 'rare', 'threatened' or 'at-risk' habitats is a permitted activity pursuant to s15 of the RMA and Rule 14-12 and no resource consent is sought.</p>

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	<p>or temperature change specified by the water quality standards for the Water Management Sub-zone listed in Schedule E.</p>	<p>Provided the activity is not within an at-risk habitat or a rare or threatened habitat, the discharge of water to water is permitted.</p> <p>Should water be entrained with sediment or not able to meet the other conditions of this Rule 14-12, the water will be treated via the sediment control ponds/devices and will be subject to the resource consent requirements under Chapter 13.</p>	
<p>Rule 14-18 Discharges of stormwater to surface water and land Permitted</p> <p>The discharge of stormwater into surface water pursuant to s15(1) RMA or onto or into land pursuant to ss15(1) or 15(2A) RMA, and any ancillary takes or diversions of stormwater pursuant to s14(2) RMA forming part of the stormwater system.</p>	<ul style="list-style-type: none"> a. The discharge must not include stormwater from any: <ul style="list-style-type: none"> i. ... ii. contaminated land where the contaminants of concern may be entrained by the stormwater iii. ... b. The discharge must not cause or exacerbate the flooding of any other property. c. The activity must not cause erosion of any land or the bed of any water body beyond the point of discharge unless this is not practicably avoidable, in which case any erosion that occurs as a result of the discharge must be remedied as soon as practicable. d. There must be no discharge to any rare habitat, threatened habitat, at-risk habitat, or reach of river or its bed with a Schedule B Value of Natural State. e. For discharges of stormwater onto or into land: <ul style="list-style-type: none"> i. the discharge must be below a rate that would cause flooding outside the design discharge soakage area, except in rain events equivalent to or greater than the 10% annual exceedance probability design storm. Any exceedance must go into designated overland flow paths ii. there must not be any overland flow resulting in a discharge to a natural surface water body, except in rain events equivalent to or greater than the 10% annual exceedance probability design storm iii. the discharge must not contain concentrations of hazardous substances that are toxic to aquatic ecosystems, or accumulate in soil. 	<p>Within 'at-risk' 'rare' or 'threatened' habitats resource consent for operational related stormwater discharges is required by Rules 13.8 (at-risk habitat) and 13.9 (rare or threatened habitat).</p> <p>The stormwater management system for the Project provides for stormwater to be collected and treated in stormwater treatment devices including swales, constructed wetlands, and detention basins/ponds prior to be discharged to land and water. The stormwater management system is designed to meet the permitted activity standards in Rule 14-18.</p>	<p>The discharge of construction and operational stormwater outside of rare, threatened or at-risk habitats is a permitted activity pursuant to section 15 of the RMA and Rule 14-18 and no resource consent is sought.</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
	<ul style="list-style-type: none"> f. For discharges of stormwater into surface water bodies the discharge must not cause any permanent reduction of the ability of the receiving water body or its bed to convey flood flows. g. For discharges of stormwater into surface water bodies the discharge must not cause, after reasonable mixing, any of the following effects in the receiving water body: <ul style="list-style-type: none"> i. the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials ii. any conspicuous change in the colour or visual clarity of the receiving water iii. any emission of objectionable odour iv. the rendering of fresh water unsuitable for consumption by farm animals v. toxicity to aquatic ecosystems. h. The activity must not be to any historic heritage identified in any district plan or regional plan. 		
<p>Rule 14-21 Discharges of cleanfill material Permitted</p> <p>The discharge of cleanfill material onto or into land pursuant to ss15(1) or 15(2A) RMA and any ancillary discharge of contaminants into water pursuant to s15(1) RMA or air pursuant to ss15(1) or 15(2A) RMA except as regulated by other rules in this Plan.</p> <p>The stockpiling of gravel ancillary to gravel extraction and roading activities is not restricted by this rule.</p>	<ul style="list-style-type: none"> a. The siting, design, installation and management must be in accordance with A Guide to the Management of Cleanfills (Ministry for the Environment, 2002). b. The rate of cleanfill material discharge must be no more than 2,500m³/y per property. c. The cleanfill material must not be discharged within: <ul style="list-style-type: none"> i. a rare habitat, threatened habitat or at-risk habitat ii. land with a slope greater than 20° iii. 50m from any historic heritage identified in any district plan or regional plan. d. Records of the source and composition of all cleanfill material discharged at the site must be maintained and made available to the Regional Council upon request. e. The discharge of the cleanfill material must be undertaken and maintained in a manner so as to ensure its long-term physical stability. 	<p>Where filling occurs (cut to fill) at a site, it is considered that this falls within the One Plan definition of 'land disturbance' and consent for this activity, where required, is sought under the rules in Chapter 13.</p> <p>Where filling (including the disposal of excess cut material) occurs using material sourced from the Project (that is, the material is not imported) it is considered that this falls within the One Plan, definition of 'cleanfill material' in the One Plan and Rule 14-21 applies.</p> <p>In addition, the use of material imported to the Project site as engineered fill and for track and road surfacing falls within the definition of 'cleanfill material' in the One Plan and Rule 14-21 applies.</p> <p>However, the placement of fill will potentially not comply with the volume</p>	-

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		limits of Rule 14-21(b) the location standards in Rule 14-21(c) and resource consent is required under Rule 14-30.	
<p>Rule 14-25 Discharges of contaminants to a reach of a river or its bed with Schedule B Values of Natural State and Sites of Significance - Aquatic Discretionary</p> <p>Any direct discharge of contaminants into water or onto or into land pursuant to ss15(1) or 15(2A) RMA in:</p> <ul style="list-style-type: none"> a. a reach of a river or its bed with a Schedule B Value of Natural State. b. a reach of a surface water body or its bed with a Schedule B Value of Sites of Significance - Aquatic except the discharge of agrichemicals for the control of pest plants for the purposes of habitat maintenance or enhancement (this activity is regulated by Rule 15-2). 	Nil	The Ohau River and the Waikawa Stream are listed as 'Sites of Significance-Aquatic'. Direct discharge of treated stormwater will occur to each of these water bodies from nearby stormwater treatment devices. While the stormwater will be highly treated to achieve permitted activity standards, consent is required to authorise the treated stormwater discharge to these water bodies.	A discharge permit is sought pursuant to section 15 of the RMA and Rule 14-25 of the One Plan as a discretionary activity for the discharge to a reach of a surface water body or its bed with Schedule B Values of Sites of Significance – Aquatic.
<p>Rule 14-30 Discharges of water or contaminants to land or water not covered by other rules in this Plan or chapter Discretionary</p> <p>The discharge of water or contaminants into surface water</p>	Nil	As set out above the placement of fill will potentially not comply with the volume limits of Rule 14-21(b) the location standards in Rule 14-21(c).	A discharge permit is sought pursuant to section 15 of the RMA and Rule 14-30 of the One Plan as a discretionary activity

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<p>pursuant to s15(1)(a) RMA or discharge of contaminants onto or into land pursuant to ss15(1)(b), 15(1)(d) or 15(2A) RMA which are not regulated by other rules in this Plan, or which do not comply with the permitted activity, controlled activity or restricted discretionary activity rules in this chapter.</p>			<p>for the placement of cleanfill.</p>
<p>Discharges to Air (Chapter 15)</p>			
<p>Rule 15-16 Discharges from specified mobile sources Permitted</p> <p>The discharge of contaminants into air pursuant to ss15(1) or 15(2A) RMA from:</p> <ul style="list-style-type: none"> a. equipment to treat road surfaces by heat to remove impaired surfaces except where the burning of bitumen is involved b. mobile aggregate crushing and screening plants c. mobile asphalt plants d. earthmoving or harvesting equipment. 	<ul style="list-style-type: none"> a. The discharge must not result in offensive or objectionable odour, dust, smoke or water vapour at the boundary of any sensitive area as defined in Policy 15-2(d). b. The discharge must not result in any noxious or dangerous levels of gases or particulates at the boundary of any sensitive area as defined in Policy 15-2(d). c. The discharge of dust from the source at any site where minerals or aggregates are dried or heated or prepared for the manufacture of hot mix asphalt must not exceed 5kg/hr. d. A mobile asphalt plant must not be located at any one site or property for more than 24 continuous months. e. Mobile asphalt plants must be equipped with temperature sensors and aggregate proximity sensors that limit and control operating temperatures within the drum. f. Air pollution control equipment for mobile asphalt plants must be designed so that the discharge of particulates (corrected to 0°C, 12% CO₂, 1 atmosphere, and a dry gas basis) is no greater than: <ul style="list-style-type: none"> i. 50 mg/m³ for plants established after the date of notification of this Plan (31 May 2007); ii. 150 mg/m³ for plants established on or before the date of notification of this Plan (31 May 2007); except that these limits may be exceeded for a maximum of 30 minutes when starting the fuel-burning equipment from 	<p>Policy 15-2(d) defines sensitive areas as:</p> <ul style="list-style-type: none"> a) Residential buildings; b) Public places and amenity areas where people congregate; c) Education facilities; d) Public roads; e) Surface water bodies; f) Wahi tapu, marae and other sites of significance to hapū and iwi; g) Domestic, commercial and public water supply catchments and intakes; h) Rare habitats, threatened habitats and at-risk habitats; and i) Sensitive crops or farming systems (including certified organically farmed properties and greenhouses)." <p>Based on the 'sensitive area'; the nature of the ground conditions that the Ō2NL Project will traverse and the</p>	<p>-</p>

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	<p>cold, providing the opacity of the discharge is minimised as far as practicable.</p> <p>g. The discharge must not cause a reduction in visibility on any designated commercial or military flight path.</p> <p>h. The vertical velocity of the discharge must not exceed 4.3m/s, at 60m above ground level or the discharge does not penetrate the obstacle limitation surface of an aerodrome.</p>	<p>volumes and duration of earthworks involved in the construction of the Project, there is the potential for the permitted activity standards in Rule 15-16 to be temporarily breached during times of extreme wind conditions or other unforeseen events.</p>	
<p>Rule 15-17 Other discharges Discretionary</p> <p>The discharge of contaminants into air pursuant to ss15(1) or 15(2A) RMA and any subsequent discharge of contaminants onto land from activities which either:</p> <p>a. ..., or</p> <p>b. do not comply with one or more conditions, standards or terms of a permitted activity rule, but which are not expressly classified as a controlled activity, restricted discretionary activity, discretionary activity, non-complying activity or prohibited activity.</p>	<p>Nil</p>	<p>As identified above, there is the potential for the permitted activity standards in Rule 15-16 to be temporarily breached during times of extreme wind conditions or other unforeseen events.</p>	<p>A discharge permit is sought pursuant to section 15 of the RMA and Rule 15-17 of the One Plan as a discretionary activity for the discharge of contaminants to air.</p>
<p>Chapter 16: Takes, Uses and Diversions of Water, and Bores (Chapter 16)</p>			
<p>16.3 Rules Takes and Uses of Water</p> <p>Rule 16-1 Minor takes and uses of surface water Permitted</p>	<p>a. The rate of take must not exceed:</p> <p>i. ...</p> <p>ii. 15 m³/day per property where the water is for any other use.</p> <p>...</p> <p>b. The rate of take must not exceed 2.0 l/s.</p>	<p>Rule 16-1 provides for surface water takes of limited volume and duration that may be necessary to provide for activities such as establishment works.</p>	<p>Minor takes of surface water that meet the relevant standards is a permitted activity pursuant to section 14 of the RMA and Rule</p>

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<p>The take or use of surface water pursuant to s14(2) and s14(3)(b) RMA.</p>	<ul style="list-style-type: none"> c. An intake screen with a mesh aperture size not exceeding 3mm in diameter must be used and the intake velocity must not exceed 0.3 m/s. d. The take must not be from a rare habitat, threatened habitat or at-risk habitat. e. The water must be used on the property. f. The Regional Council must be notified in writing of the location of the take, the maximum instantaneous rate of take and the intended use of water. 		<p>16-1 and no resource consent is sought.</p>
<p>16.3 Rules Takes and Uses of Water Rule 16-2 Minor takes and uses of groundwater Permitted The take or use of groundwater pursuant to s14(2) and s14(3)(b) RMA.</p>	<ul style="list-style-type: none"> a. The rate of take must not exceed: <ul style="list-style-type: none"> i. ... ii. 50m³/day per property where the water is for any other use. ... b. The take must not be located within 50m of any other bore on any other property. c. The take must not be located within 100m of any river or lake, or within 200 m of any wetland that is a rare habitat or threatened habitat. d. The take must not be from any rare habitat, threatened habitat or at-risk habitat. e. The take must not lower the water level in any wetland that is a rare habitat or threatened habitat. f. There must be a means of controlling the rate of flow where a bore would otherwise be free-flowing, and water must not be allowed to run to waste. g. The water must be used on the property. h. The Regional Council must be notified in writing of the location of the take, the maximum instantaneous rate of take and the intended use of water. 	<p>There is the possibility that groundwater will be intercepted during the construction and operation of the Project that will necessitate dewatering. It is also possible that the taking of groundwater (dewatering) could exceed the permitted activity standards in Rule 16-2. As a result, and on a precautionary basis, consent is sought under Rule 16-9 for the taking of groundwater water (dewatering) during the construction and operation of the Project.</p>	<p>-</p>
<p>16.3 Rules Takes and Uses of Water Rule 16-4 Bore and groundwater testing Permitted The take and use of groundwater for bore or groundwater testing purposes</p>	<ul style="list-style-type: none"> a. The Regional Council must be notified in writing at least 5 working days prior to commencement of the test. b. The rate of take must not exceed 60 l/s. c. The duration of any single test must not exceed 7 days. d. The activity must be carried out in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock. e. The take must not be from any rare habitat, threatened habitat or at-risk habitat. 	<p>Rule 16-4 provides for testing of bores on properties that Waka Kotahi may undertake as part of the design, construction and monitoring of the Ō2NL Project.</p>	<p>Bore testing that meets the relevant standards is a permitted activity pursuant to section 14 of the RMA and Rule 16-4 and no resource consent is sought.</p>

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<p>pursuant to s14(2) RMA, and any ancillary discharge of groundwater or contaminants into water or onto or into land pursuant to ss15(1) or 15(2A) RMA.</p>	<ul style="list-style-type: none"> f. The take must not lower the water level in any wetland that is a rare habitat or threatened habitat. g. Where the discharge is into water the discharge must not: <ul style="list-style-type: none"> i. change the receiving water temperature by more than 3°C after reasonable mixing ii. cause erosion of the bed of the receiving water body iii. alter the natural course of the receiving water body iv. cause visibly noticeable iron flocculation in the receiving water body. h. Where the discharge is onto land the discharge must not increase land instability or the risk of erosion. i. The discharge must not cause or contribute to flooding on any other property. j. Following completion of the test, the bore must be covered and secured as soon as practicable. k. Records of all pumping and recovery tests must be kept by the owner, including the location of the pumped bore and any monitoring bores, the flow rate during pumping, the water level at the pumped bore and any monitoring bores, and the time at which all measurements are taken. These records must be forwarded to the Regional Council within 1 month of completion of the tests. 		
<p>16.3 Rules Takes and Uses of Water Rule 16-5 Takes and uses of surface water complying with core allocations Controlled Except as permitted by Rule 16-1, the take or use of surface water from a river pursuant to s14(2) RMA.</p>	<ul style="list-style-type: none"> a. Water must only be taken when the river is above its minimum flow, as assessed in accordance with Schedule C. b. The amount of water taken, when assessed in combination with all other water takes must not exceed the relevant cumulative core allocation limits set out in Schedule C. c. The amount of water taken from a river must not lower the water level in any wetland that is a rare habitat or threatened habitat. d. The take must not be from any rare habitat, threatened habitat or at-risk habitat. 	<p>Rule 16-5 provides for the surface water takes that are proposed as the source of construction water where no water takes are below minimum flows and all takes comply with core allocation limits.</p>	<p>A water permit is sought pursuant to section 14 of the RMA and Rule 16-5 of the One Plan as a controlled activity for the taking of water for construction activities.</p>
<p>16.3 Rules Takes and Uses of Water</p>	<p>Nil</p>	<p>There is the possibility that groundwater will be intercepted during the construction and operation of the</p>	<p>A water permit is sought pursuant to section 14 of the RMA</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<p>16-9 Other takes and uses of water Discretionary The take or use of surface water or groundwater pursuant to s14(2) RMA, which is not regulated by any other rules in this chapter or which does not comply with the permitted activity or controlled activity rules in this chapter, or the take or use of groundwater at a rate exceeding 50 m³/day per property, except takes for bore or groundwater testing permitted under Rule 16-4.</p>		<p>Project that will necessitate dewatering. It is also possible that the taking of groundwater (dewatering) could exceed the permitted rates of take in Rule 16-2. As a result, and on a precautionary basis, consent is sought under Rule 16-9 for the taking of groundwater water (dewatering) during the construction and operation of the Project.</p> <p>In addition, consent is sought for the taking of groundwater at a volume greater than 50m³/day. for construction effects mitigation purposes.</p> <p>Where dewatering occurs in an 'at-risk', 'rare' or 'threatened' habitats, Rules 13-8 or 13-9 apply to water takes for dewatering in these locations.</p>	<p>and Rule 16-9 of the One Plan as a discretionary activity for the taking of groundwater outside of an 'at-risk', 'rare' or 'threatened' habitat.</p>
<p>16.4 Rules - Diversions of Water including Drainage 16-11 New drainage Permitted The take, diversion or discharge of drainage water, and any ancillary damming of water, or discharge of sediment or other contaminants in the drainage water into water or onto or into land pursuant to s14(2) and ss15(1) or 15(2A) RMA arising from the establishment and operation of new land drainage.</p>	<ol style="list-style-type: none"> a. The diversion or discharge must not cause or exacerbate the flooding of any property, unless the flooding is in accordance with an approved Regional Council drainage scheme design. b. The diversion or discharge must not cause any scouring or erosion of any land or water body beyond the point of discharge. c. The diversion or discharge must not alter the natural course of any natural water body. d. There must be no diversion or discharge to or from any natural lake, rare habitat, threatened habitat or at-risk habitat, or reach of river or its bed with a Schedule B Value of Natural State. e. The activity must not result in the lowering of water levels in any wetland that is a rare habitat or threatened habitat f. The diversion or discharge must be to the same Water Management Zone to which the drainage water would naturally flow. g. The diversion or discharge must not cause, after reasonable mixing, any of the following effects in the receiving water body: <ol style="list-style-type: none"> i. the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials 	<p>Any taking, discharge and diversion of drainage water outside of at-risk, rare or threatened habitats can comply with the Standard in Rule 16-11. The taking, diversion or and discharge of drainage water in 'at-risk', 'rare' and threatened habitats are subject to Rules 13.8 and 13.9.</p>	<p>The taking, discharge and diversion of drainage water outside of an 'at-risk', 'rare', or 'threatened' habitat that meets the relevant standards is a permitted activity pursuant to sections 14 and 15 of the RMA and Rule 16-11 and no resource consent is sought.</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
	<ul style="list-style-type: none"> ii. any conspicuous change in the colour or visual clarity of the receiving water iii. any emission of objectionable odour iv. the rendering of fresh water unsuitable for consumption by farm animals v. the natural temperature of the receiving water to change by more than 3°C vi. toxicity to aquatic ecosystems. h. The diversion or discharge must not, after reasonable mixing, cause the dissolved oxygen of the receiving water body to fall below 80% saturation concentration, unless the dissolved oxygen is already below this limit in which case the discharge must not lower it further. i. The activity must not be to any historic heritage identified in any district plan or regional plan. 		
<p>16.4 Rules - Diversions of Water including Drainage Rule 16-12 New diversions Permitted The following activities where they are associated with the establishment and operation of a new diversion, except as expressly provided for by other rules within this Plan:</p> <ul style="list-style-type: none"> a. the take, diversion or discharge of water and any ancillary damming of water pursuant to s14(2) and ss15(1) or 15(2A) RMA b. any ancillary discharge of sediment or other contaminants in the water into water or onto or into land pursuant to ss15(1) or 15(2A) RMA 	<ul style="list-style-type: none"> a. The activity must involve: <ul style="list-style-type: none"> i. a diversion of groundwater, ii. a diversion from or within an artificial watercourse, iii. a diversion from or within an existing drain that is within the RMA definition of “river”, or iv. a diversion wholly contained within the bed of a river provided the diversion is no more than two times the bed width of the river in any 2 km length of river in any 12 month period and must not exceed a length of 20 metres. b. The activity must not involve the diversion of water associated with new drainage which is regulated under Rule 16-11. c. The diversion must not be located within 200m of any wetland that is a rare habitat or threatened habitat and must not lower the water level in any wetland that is a rare habitat or threatened habitat. d. The diversion must not be to or from any rare habitat, threatened habitat or at-risk habitat. e. The diversion must not increase land instability or the risk of erosion. f. The diversion must not cause or contribute to flooding on any other property. g. The diversion must not adversely affect any lawfully established water take or use which existed at the time that the diversion commenced. 	<p>The Project involves diversion of approximately 1890m. Many of the diversion cannot meet the permitted activity standards in Rule 16-12, primarily due to the length of the diversions.</p>	<p>-</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<p>c. any ancillary excavation or disturbance of the bed of a river pursuant to ss13(1) and 13(2) RMA.</p>	<p>h. The diversion must not prevent the passage of fish in water bodies containing fish.</p> <p>i. The diversion must not be undertaken where any infrastructure is located in, on, under or over the bed within 1 km upstream or downstream of the diversion.</p> <p>j. Any realigned bed must have at least the same capacity as the original bed to carry the diverted flow.</p> <p>k. For diversions of surface water from an artificial watercourse or drain, the diverted water must not cause a reduction in the water quality of any downstream water body.</p> <p>l. Any discharge of sediment ancillary to the activity must not, after reasonable mixing, cause a conspicuous change in the colour or visual clarity of the receiving water.</p> <p>m. The construction of a new diversion located within a river must comply with the general conditions listed in Section 17.3 Table 17.2.</p>		
<p>16.4 Rules - Diversions of Water including Drainage Rule 16-13 Diversions that do not comply with permitted activity and controlled activity rules Discretionary Any diversion pursuant to s14(2) RMA that does not comply with one or more conditions, standards or terms of a permitted activity or controlled activity rule in this chapter, but which is not expressly classified as a discretionary activity, or prohibited activity.</p>	<p>a. The diversion must not be to or from any rare habitat, threatened habitat or at-risk habitat.</p>	<p>Consent is required for the diversions that are not to or from rare habitat, threatened habitat or at-risk habitat and that cannot meet the permitted activity standards.</p> <p>Situations where streams need to be diverted to enable continuance of habitat linkage but no culverts or structures are involved are also addressed by Rule 16-13.</p>	<p>A water permit is sought pursuant to section 14 of the RMA and Rule 16-13 of the One Plan as a discretionary activity for the diversion of water outside of an 'at-risk', 'rare' or 'threatened' habitat.</p>
<p>Activities in Artificial Watercourses, Beds of Rivers and Lakes, and Damming (Chapter 17)</p>			

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<p>17.4 Rules - Special Rivers and Lakes 17-3 Structures and disturbances involving a reach of river or its bed with Schedule B Values of Natural State, Sites of Significance - Aquatic and Sites of Significance - Cultural. Discretionary Except as prohibited by Rule 17-1, any of the following activities pursuant to s13(1) RMA within:</p> <ul style="list-style-type: none"> a. a reach of river or its bed with a Schedule B Value of Natural State <ul style="list-style-type: none"> i. The erection, placement or extension of any structure in, on, under or over the bed except for lines, cables and ropeways that are suspended above the water and do not require a support structure in, on, over or under the bed of the river ii. Any excavation, drilling, tunnelling or other disturbance of the bed including gravel extraction <p>and any ancillary:</p> <ul style="list-style-type: none"> i. damming or diversion of water pursuant to s14(2) RMA 	<p>N/A</p>	<p>Rule 17-1 prohibits the damming of specific rivers. The Project does not include damming and therefore Rule 17-1 is not relevant.</p> <p>The Ō2NL Project includes bridges over the Waiauti, Manakau, Waikawa and Kuku Streams and the Ohau River. The following sites have site/reach specific Schedule B values of ecological and water quality relevance:</p> <ul style="list-style-type: none"> • The Ohau River at the site of the bridge crossing is identified as a Site of Significance-Aquatic (SOS-A), Trout Fishery (TF), Domestic Food Supply (DFS). • The Waikawa Stream at the site of the bridge crossing is identified as a Site of Significance-Aquatic (SOS-A), Site of Significance-Riparian (SOS-R), Domestic Food Supply (DFS). 	<p>A land use consent is sought pursuant to sections 13, 14 and 15 of the RMA and Rule 17-3 of the One Plan as a Discretionary activity for the placement of a bridge over the Ohau River and Waikawa Stream (and associated disturbance, diversion, deposition and discharges) because these sites are identified as a Schedule B – Site of Significance – Aquatic.</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<ul style="list-style-type: none"> ii. discharge of water or sediment into water or onto or into land pursuant to ss15(1) or 15(2A) RMA iii. deposition of substances in or on the bed pursuant to s13(1). b. Sites of Significance - Aquatic and Sites of Significance - Cultural <ul style="list-style-type: none"> i. The erection, placement or extension of any structure in, on, under or over the bed, except for lines, cables and ropeways that are suspended above the water and do not require a support structure in, on, over or under the bed and except for those activities regulated by Rule 17-14 ii. Any excavation, drilling, tunnelling or other disturbance of the bed, except for those activities regulated by Rules 17-5 and 17-14 and any ancillary: <ul style="list-style-type: none"> i. damming or diversion of water pursuant to s14(2) RMA ii. discharge of water or sediment into water or onto or into land 			

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<p>pursuant to ss15(1) or 15(2A) RMA</p> <p>iii. deposition of substances in or on the bed pursuant to s13(1).</p>			
<p>17.7 Rules - Other Structures 17-10</p> <p>Culverts Permitted</p> <p>The erection, placement, or extension of a culvert in, on, under or over the bed of a river or lake pursuant to s13(1) RMA and any ancillary:</p> <p>a. excavation, drilling, tunnelling or other disturbance of the river or lake bed pursuant to s13(1) RMA</p> <p>b. damming or diversion of water pursuant to s14(2) RMA</p> <p>c. discharge of water or sediment into water or onto or into land pursuant to ss15(1) or 15(2A) RMA</p> <p>d. deposition of substances in or on the bed of the river or lake pursuant to s13(1).</p>	<p>a. A new culvert must not be erected or placed in:</p> <p>i. a river or lake regulated under Rule 17-3</p> <p>ii. a reach of a river with a Schedule B Value of Flood Control and Drainage, unless the work is undertaken by or on behalf of the Regional Council.</p> <p>b. Where multiple culverts are placed side by side, the total cross-sectional area of the multiple culverts must not be less than that of a single culvert which complies with this rule.</p> <p>c. The culvert, associated fill and culvert placement must comply with the following dimensions:</p> <p>i. a maximum culvert length of 20 m</p> <p>ii. for circular culverts a culvert diameter of 0.3 m to 1.2 m (inclusive)</p> <p>iii. for non-circular culverts a width and height of 0.3 m to 1.2 m each (inclusive)</p> <p>iv. a maximum fill height of 2 m above the top of the culvert unless a spillway is constructed to enable the passage of a 200 year flood without the fill being overtopped</p> <p>v. a minimum culvert installation depth below the bed of 20% of the width of the culvert.</p> <p>d. The culvert must be positioned so that its alignment and gradient are the same as the river.</p> <p>e. The culvert must be constructed to allow:</p> <p>i. the flow from a 5% annual exceedance probability (20 year return period) flood event without overtopping, unless the overtopping flows to a specifically designed spillway</p> <p>ii. the flow from a 2 year return period flood event without any flow impediment.</p> <p>f. The culvert inlet and outlet must be protected against erosion.</p>	<p>The majority cannot meet the permitted activity standards in Rule 17-10 primarily due to:</p> <ul style="list-style-type: none"> length (standard c(i)) – the majority of culverts are longer than 20m; width and diameter of the non-circular culverts (standard c(iv)) – the majority of the non-circular culverts are larger than the standards; installation depth (standard c(v)) – a number of culverts are wide and complying with this criteria would result in unreasonable depths of embedment. The concept design has used embedment of 25% of the culvert <u>height</u> in line with NPS-FM and NIWA Fish Passage guidelines; Alignment (standard (d)) –the stream alignments change in some instances due to the irregular shape/alignment of the stream and/or to allow offline construction producing less sediment into the watercourse during construction. Temporary and/or inlet/outlet works could be considered changes in alignment as well. 	<p>-</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
	<ul style="list-style-type: none"> g. All practicable steps must be used to minimise the release of sediment during construction. h. The culvert must be constructed and maintained to avoid any aggradation or erosion of the bed. i. The culvert must be kept clear of accumulated debris. j. The activity must comply with the general conditions listed in Section 17.3. k. The activity must not take place in any rare habitat, threatened habitat or at-risk habitat. 		
<p>17.8 Rules - Activities Within Rivers with a Schedule B Value of Flood Control and Drainage</p> <p>Rule 17-15 Activities affecting Schedule B Value of Flood Control and Drainage</p> <p>Discretionary</p> <p>Except as regulated by Rule 17-5, the following activities pursuant to ss 9(2) and 13(1) RMA in, on or under an artificial watercourse or a reach of a river with a Schedule B Value of Flood Control and Drainage or adjacent land as defined in (j) to (m):</p> <ul style="list-style-type: none"> a. the planting of a tree or shrub b. the erection, placement or extension of any building or other structure (including accessways) c. the erection, placement or extension of a fence perpendicular to a river or artificial watercourse 	<p>Nil</p>	<p>The proposed bridges over the Ohau River and Waikawa Stream are regulated under Rule 17-3 (set out above).</p> <p>The Ō2NL Project bridges over the Waiauti, Manakau and Kuku Streams are over reaches of these water bodies that have Schedule B values Flood Control and Drainage and therefore Rule 17-15 applies.</p>	<p>A land use consent is sought pursuant to sections 9(2), 13, 14 and 15 of the RMA and Rule 17-15 of the One Plan as a discretionary activity for the placement of a bridge over the Waiauti, Manakau and Kuku Streams (and associated disturbance, diversion, deposition and discharges).</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<ul style="list-style-type: none"> d. the erection, placement or extension of a fence greater than 1.2 m high parallel to a river or artificial watercourse e. the deposition of any rock, shingle, earth, debris or other cleanfill material f. any excavation, drilling, tunnelling or other disturbance likely to undermine the functional integrity of a stopbank or river control structure g. any land disturbance that impedes access required for maintenance of a river or drainage scheme h. the upgrade, reconstruction, alteration, extension, removal or demolition of any structure that is maintained by the Regional Council for the purposes of flood control or erosion protection or drainage <p>and any ancillary:</p> <ul style="list-style-type: none"> i. excavation, drilling, tunnelling or other disturbance of the river or lake bed pursuant to s13(1) RMA ii. damming or diversion of water pursuant to s14(2) RMA iii. discharge of water or sediment into water or onto 			

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<ul style="list-style-type: none"> or into land pursuant to ss15(1) or 15(2A) RMA iv. deposition of substances in or on the bed of the river or lake pursuant to s13(1) v. land disturbance pursuant to s9(2) RMA where the activities listed in (a) to (h) are undertaken in any of the following areas: <ul style="list-style-type: none"> i. within the bed of a river or within an artificial watercourse i. on a stopbank k. on any strip of land between an artificial watercourse or bed of a river and 8 m inland of the landward toe of a stopbank l. for areas without stopbanks, anywhere within 10 m of an artificial watercourse or the bed of a river m. 			
<p>17.11 Rules - Activities that do not Comply with Permitted Activity, Controlled Activity or Restricted Discretionary Activity Rules and all other s13(1) RMA Activities Not Covered by this Chapter</p> <p>Rule 17-23 Activities that do not comply with permitted activity, controlled activity or restricted discretionary activity rules and all other</p>	<p>Nil</p>	<p>Rule 17-22 provides for culverts a a restricted discretionary activity where Rule 17-10 condition (j) is the only standard that cannot be achieved. As set out above, the proposed culverts cannot meet the requirements of more than one condition in Rule 17-10 and therefore Rule 17-23 applies.</p> <p>It is noted that where culverts are to be constructed 'offline' and not within the streambed, the primary activity is a</p>	<p>A land use consent is sought pursuant to section 13 of the RMA and Rule 17-23 of the One Plan as a discretionary activity for the placement of culverts. and associated disturbance, diversion, deposition and discharges, within</p>

Rule, Status and Activity	Standards/Terms	Commentary	Consent Requirement
<p>s13(1) RMA activities not covered by this chapter. Discretionary</p>		<p>stream diversion being applied for pursuant to Rule 16-13. However, for completeness, a land use consent pursuant to s13(1) of the RMA is being sought for all culverts proposed as part of the Project. That said, any culverts in 'at-risk', 'rare' and 'threatened' habitats are subject to Rules 13.8 and 13.9.</p>	<p>watercourses not within 'rare', 'threatened' or 'at-risk' habitats but cannot comply with Rule 17-10.</p>

2 Proposed Natural Resources Plan for the Wellington Region

All appeals on the PNRP have now been settled by consent order, with all parts of the Plan (with the exception of the Regional Coastal Plan provisions that must be approved by the Minister of Conservation) adopted by the Wellington Regional Council on 25 August 2022. As a result the PNRP is deemed operative, and its rules can be given full weight.

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
Discharges to Air (Rules 5.1 Air Quality)			
<p>5.1.7 Dust Generating Activities Rule R27: Handling of bulk solid materials Permitted The discharge of contaminants into air from the handling of bulk solid materials including from the activities of quarrying, mining,</p>	<p>The discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property.</p>	<p>Because of the nature of the ground conditions that the Ō2NL Project traverses, and the volumes and duration of earthworks involved in the construction of the Ō2NL Project, there is the potential for the permitted activity standards in Rules R27, R28 and R32 to be temporarily breached during times of extreme wind conditions or other unforeseen events.</p>	-

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>cleanfilling, blasting, extraction, crushing, screening, processing, stockpiling, handling, conveying, sorting, and storage.</p>			
<p>5.1.7 Dust Generating Activities Rule R28: Cement storage Permitted The discharge of contaminants into air from the storage, handling, redistribution or packing of cement in fully enclosed silos and conveyance systems.</p>	<p>The discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property.</p>		
<p>5.1.9 Fuel Storage Rule R32: Petroleum storage or transfer facilities Permitted The discharge of contaminants into air from the storage or transfer of petroleum products including but not limited to, volatile organic compounds, solvent vapours, ventilation of solvents and displacement of solvents.</p>	<p>a. the discharge does not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and b. there is no emission of hazardous air pollutants as identified in Schedule L2 (air pollutants) beyond the boundary of the property that does, or is likely to, cause adverse effects on human health, ecosystems or property.</p>		
<p>5.1.10 Mobile sources Rule R33: Mobile source emissions</p>	<p>Nil</p>	<p>'Mobile source' is defined by the PNRP as "a mobile source that discharges contaminants into air including, but not limited to, motor vehicles (cars), trucks,</p>	<p>The discharge of contaminants to air from mobile sources pursuant to section</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>Permitted The discharge of contaminants into air from a mobile source.</p>		<p><i>light utility vehicles, buses, aircraft, trains, vessels (boats), and lawn mowers, port mobile plant, and forklifts.</i>"</p> <p>Discharges to air from mobile sources are a permitted activity without any standards or restrictions.</p>	<p>15(1) of the RMA and Rule R33 of the PNRP is a permitted activity and no resource consent is sought.</p>
<p>5.1.15 All Other Discharges Rule R42 All Other Discharges Discretionary The discharge of contaminants into air that are not permitted, controlled, discretionary, non-complying or prohibited.</p>	<p>Nil</p>	<p>As identified above, there is the potential for the permitted activity standards in Rules R27, R28 and R32 to be temporarily breached during times of extreme wind conditions or other unforeseen events.</p>	<p>A discharge permit is sought pursuant to section 15 of the RMA and Rule R42 of the PNRP as a discretionary activity for the discharge of contaminants to air.</p>
<p>Discharges to Land and Water (Rules 5.2)</p>			
<p>5.2.3 Stormwater Rule R49: Stormwater from new subdivision and development Permitted The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority or state highway stormwater network, from: a. ... b. a new or redeveloped state highway associated</p>	<p>d. the discharge shall comply with the conditions of Rule R48 except condition R48(c).</p> <p>The conditions of Rule R48 are:</p> <p>a. the discharge does not originate from industrial or trade premises where hazardous substances are stored or used unless:</p> <ul style="list-style-type: none"> i. hazardous substances cannot enter the stormwater system, or ii. the stormwater contains no hazardous substances except petroleum hydrocarbons, and the stormwater is passed through an interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release, and <p>b. the discharge is not from, onto or into SLUR Category III land, unless</p> <ul style="list-style-type: none"> i. the stormwater does not come into contact with SLUR Category III land, and <p>...</p>	<p>The Ō2NL Project is not in an area where a stormwater management strategy in accordance with Schedule N (stormwater strategy) applies. Further, the Project includes earthworks that will exceed the volume limit of Rule R49(b) in the Wellington Region. On this basis stormwater discharges from the Project are not permitted by Rule R49.</p>	<p>-</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>with earthworks up to a total area of 3,000m², or</p> <p>c. a new urban subdivision or new urban development, or new or redeveloped state highway in an area where a stormwater management strategy in accordance with Schedule N (stormwater strategy) applies.</p>	<p>d. the discharge shall not contain wastewater, and</p> <p>e. the concentration of total suspended solids in the discharge shall not exceed:</p> <ul style="list-style-type: none"> i. 50g/m³ where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural significant wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or ii. 100g/m³ where the discharge enters any other water, and <p>f. the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>g. the discharge shall not give rise to the following effects beyond the zone of reasonable mixing:</p> <ul style="list-style-type: none"> i. the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or ii. any conspicuous change in the colour or visual clarity, or iii. any emission of objectionable odour, or iv. the fresh water is unsuitable for consumption by farm animals, or <p>v. any significant adverse effects on aquatic life.</p>		
<p>5.2.3 Stormwater Rule R50: Stormwater from new subdivision and development Restricted discretionary The discharge of stormwater from a new urban subdivision or new urban development, or new or redeveloped state highway into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority or state highway stormwater</p>	<p>Nil</p>	<p>The Project does not comply with Rule R49 and therefore the discharge of operational stormwater requires resource consent under Rule R50. Resource consent is sought for discharges associated with earthworks under Rule R107.</p>	<p>A discharge permit is sought pursuant to section 15 of the RMA and Rule R50 of the PNRP as a discretionary activity for the discharge of treated stormwater to land and water.</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
network, that is not permitted by Rule R49.			
<p>5.2.11 Cleanfill Material Rule R80: Cleanfill material Permitted The discharge of cleanfill material onto or into land, or onto or into land where a contaminant may enter water.</p>	<ul style="list-style-type: none"> a. the cleanfill material is not located within 20m of a surface water body, or bore used for water abstraction for potable supply, and b. the cleanfill material is located to avoid being undermined or eroded by natural processes or being inundated from coastal or river flooding, and c. the cleanfill material shall be 0.6m above the seasonally highest water table, and d. the cleanfill material shall be managed (siting, design and operation) in accordance with Sections 5-8 in <i>A Guide to the Management of Cleanfills</i> (2002), and e. the volume of cleanfill material deposited at a property shall not exceed 400m³, per 12 month period, and f. the volume and origin of the cleanfill material and the date the material has been deposited on this property, is recorded using GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request, and g. the cleanfill material shall be stabilised and re-vegetated within six months of completion of the activity. 	<p>The Ō2NL Project includes the placement of material sourced from within the site, and also material imported to the site. It is anticipated that the volume of this material will exceed the 400m³ permitted volume and therefore the discharge of cleanfill is not permitted by Rule R80.</p>	<p>-</p>
<p>5.2.12 Contaminated Land and Hazardous Substances Rule R81 Detailed Site Investigation Permitted The use of land to undertake a detailed site investigation of contaminated land and any associated discharge into air.</p>	<ul style="list-style-type: none"> a. the investigation is undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011), and b. the investigation is reported in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011), and c. a copy of the report is provided to the Wellington Regional Council within two months following the completion of the investigation. 	<p>No sites traversed by the Project within the Wellington Region are indicated as contaminated on the GW SLUR database, and nor are there any sites where there is reason to be believe contaminated land might be present. If a site that is potentially contaminated is encountered during the works then a detailed site investigation will be undertaken in accordance with the requirements of this permitted activity rule.</p>	<p>Undertaking a detailed site investigation pursuant to section 9(2) of the RMA and Rule R81 of the PNRP is a permitted activity and no resource consent is sought.</p>
<p>5.2.15 All Other Discharges</p>	<p>Nil</p>	<p>No sites or habitats listed Rule R94(a) are affected by the placement of cleanfill</p>	<p>A discharge permit is sought pursuant to</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>Rule R94 All other discharges Discretionary The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not:</p> <ul style="list-style-type: none"> a. in a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant identified natural wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and b. a permitted, controlled, restricted discretionary, or non-complying activity under any other rule in the Plan, or a discretionary activity under Rules R55, R56, R58, R65, R83 or R90. 		<p>material as part of the Ō2NL Project and therefore Rule R94 applies.</p>	<p>section 15 of the RMA and Rule R94 of the PNRP as a discretionary activity for the discharge of cleanfill.</p>
<p>Land Use (Rules 5.3)</p>			
<p>Earthworks and Vegetation Clearance Rule R101: Earthworks Permitted</p>	<ul style="list-style-type: none"> a. soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and b. earthworks 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 earthworks occurs, and 	<p>Earthworks volume for the Project will exceed the permitted volume of 3,000m² per property per 12 month period. Further, earthworks are also necessary within 5m of a surface water body. Therefore, the</p>	<p>-</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks up to a total area of 3,000m² per property per 12 month period.</p>	<ul style="list-style-type: none"> c. any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters: <ul style="list-style-type: none"> i. the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or ii any conspicuous change in colour or visual clarity, or iii any emission of objectionable odour, or iv the rendering of fresh water unsuitable for consumption by animals, or v. any significant adverse effect on aquatic life, and d. earthworks shall not occur within 5m of a surface water body except for earthworks undertaken in association with Rules R122, R125, R126, R127, R128, R130, R131, R132, R134, R137 and R139, and. e. work areas are stabilised within six months after the completion of the earthworks. 	<p>Project does not comply with the permitted activity standards in Rule R101.</p>	
<p>Earthworks and Vegetation Clearance Rule R107: Earthworks and Vegetation Clearance Discretionary The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks, or vegetation clearance on erosion prone land that is not permitted by Rules R101, R102, R104 and R105, and not controlled by Rule R103, or not restricted discretionary by Rule R106.</p>	<p>Nil</p>	<p>Earthworks are not permitted by Rule R101.</p>	<p>A land use consent is sought pursuant to sections 9(2) and 15 of the RMA and Rule R107 of the PNRP as a discretionary activity for earthworks (including any discharge of sediment).</p>
<p>Wetlands and beds of lakes and rivers (Rules 5.4)</p>			

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>5.5.3 Activities in Wetlands Rule R118 Activities in Natural Wetlands Non-Complying The following activities, in a natural wetland except for those stipulated in and carried out in accordance with a wetland restoration management plan under Rule R106 or Regulation 39 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020:</p> <ul style="list-style-type: none"> a. take, use, damming or diverting water into, within, or from the natural wetland, or the take and use of water within 50m of the natural wetland, and b. land disturbance including excavation and deposition, and c. reclamation of a natural wetland, including any associated: d. disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and e. deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and 	<p>Nil</p>	<p>One valley floor wetland in the Wellington Region is directly affected by the Ō2NL Project works which will result in reclamation of part of the wetland. The wetland is not a Natural Wetland listed in Schedule 3A of the PNRP, however all wetlands in the region are classified as Significant under the Regional Policy Statement for the Wellington Region. On that basis consent is sought under Rule R118 as a non-complying activity to authorise the project works within the significant wetland including reclamation and land disturbance, and diversion of surface water and associated discharges (not stormwater).</p>	<p>A land use consent is sought pursuant to sections 9(2), 14 and 15 of the RMA and Rule R118 of the PNRP as a non-complying activity for the works within a wetland.</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<ul style="list-style-type: none"> f. damage to a part of the foreshore or seabed that forms part of a natural wetland, and g. diversion of water, and h. discharge of sediment to water 			
<p>5.4.5 Uses of beds of lakes and rivers</p> <p>Rule R126: Culverts and ancillary culvert structures Permitted</p> <p>The placement of a culvert or an ancillary culvert structure that is fixed in, or on, the bed of a river excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 including any associated:</p> <ul style="list-style-type: none"> a. disturbance of the river or lake bed, and b. deposition on the river or lake bed, and c. diversion of water, and d. discharge of sediment to water, and e. temporary damming of water 	<ul style="list-style-type: none"> f. the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except condition (l) (not altering the natural course of the river), and g. the activity does not occur within a site identified in Schedule C (mana whenua), and h. where multiple culverts are placed side by side, the total capacity of the multiple culverts shall not be less than that of a single culvert which complies with this rule, and i. the culvert, associated fill and culvert placement shall comply with the following dimensions: <ul style="list-style-type: none"> i. a maximum culvert length of 20m (excluding any ancillary culvert structure), and ii. for circular culverts an external culvert diameter of 0.3m to 1.2m (inclusive), and iii. for non-circular culverts an external width and height of 0.3m to 1.2m each (inclusive), and iv. a culvert diameter, or width that is at least as wide as the river bed at the point at which the culvert is installed and the culvert's width where it intersects with the bed of the river of connected area must be more than 1.3 times the width of the bed at that location, (and which complies with (h)(ii) and (h)(iii) above), v. a maximum fill height of 2m above the top of the culvert unless a spillway is constructed to enable the passage of a 5% annual exceedence probability (20 year return period) flood event without the fill being overtopped, and j. a minimum culvert installation depth below the bed of 250% of the width of the culvert, or the culvert must be open bottomed, and 	<p>The culverts required for the Ō2NL Project are generally not able to comply with the permitted activity standards in Rule R126 primarily due to their length and size.</p>	

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
	<ul style="list-style-type: none"> k. the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and l. the culvert shall be positioned so that its alignment and gradient are the same as the river, and m. the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and n. the culvert shall be constructed to allow: <ul style="list-style-type: none"> i. the flow from a 5% annual exceedence probability (20 year return period) flood event without overtopping, unless the overtopping flows to a specifically designed spillway, and ii. the flow from a two year return period flood event without any flow impediment, and o. the culvert inlet and outlet shall be protected against erosion, and p. any ancillary culvert structure shall not occupy a total bed area of greater than 10m², and q. all practicable steps shall be taken to minimise the release of sediment during construction, and r. the culvert shall be constructed and maintained to avoid any aggradation or erosion of the bed, including any erosion at the inlet and outlet of the culvert, and s. the culvert shall be constructed and maintained to avoid causing any flooding on any neighbouring properties, and t. the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris); and u. the information requirements of Regulations 62, 63 and 68 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 shall be provided as set out in the regulation. 		
<p>5.4.6 Reclamation and placement of a dam Rule R143 Reclamation of the bed of a river or lake outside of a site identified</p>	<p>Nil</p>	<p>Where the installation of culverts results in a realignment of a waterway, the culverts be regarded as forming a 'reasonable crossing point' for the purposes of the PNRP rules, and thus instead are consider</p>	<p>A land use consent is sought pursuant to sections 13 of the RMA and Rule R143 of the PNRP as a non-complying</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>in Schedule A1 (outstanding rivers), Schedule A2 (outstanding lakes) or Schedule C (mana whenua) Non-Complying The reclamation of the bed, or any part of the bed, of a river or lake outside of a site identified in Schedule A1 (outstanding rivers) or Schedule C (mana whenua), associated with piping of a river, that is not a discretionary activity under Rule R142.</p>		<p>‘reclamation’ for the purpose of the PNRP rules. In terms of Rule R142 provides from reclamation as a discretionary activity in some circumstances, however, those circumstance do not apply to the Project and therefore the proposed culverts and realignments are fall within Rule R143 applies.</p>	<p>activity for the works within a wetland.</p>
<p>5.4.7 All other uses of the beds of rivers and lakes Rule R145 All other use of river and land beds Discretionary All other uses, that would otherwise contravene section 13(1) or 13(2) of the Resource Management Act 1991 and any associated activities under sections 14 or 15 of the Resource Management Act 1991 in, on, under or over the river and lake beds that is not permitted, controlled or restricted discretionary by Rule R122 to Rule R129 is a discretionary activity, except</p>	<p>Nil</p>	<p>As set out above, the permitted activity standards for culverts will generally not be achieved because of the size and scale of the culverts.</p>	<p>A land use consent is sought pursuant to sections 13, 14 and 15 of the RMA and Rule R145 of the PNRP as a discretionary activity for the placement of culverts (but not reclamation or diversion of water)</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement									
for reclamation, damming and diverting of water.												
Wetlands and beds of lakes and rivers (Rules 5.4)												
<p>5.4.8 Damming and diverting water Rule R147 Damming and Diverting Water within or from rivers Discretionary The damming or diverting of water within or from a river that does not meet Rules R122, R125, R126, R127, R128, R130, R131, R134, R137 and R138 and R159.</p>	<p>a. the damming or diverting of water shall not result in river flows falling below minimum flows in chapters 7 to 11 of the Plan, and b. the damming or diverting of water is not in any outstanding river identified in Schedule A1 (outstanding rivers).</p>	<p>Permanent and temporary diversion of water within streams (for example, to facilitate culvert installation) will be required. Such works are not provided for by another Rule the two discretionary activity standards can be complied with (including because the proposed diversions are not located in a river identified in Schedule A1).</p>	<p>A water permit is sought pursuant to section 14 of the RMA and Rule R147 of the PNRP as a discretionary activity for diversion of streams.</p>									
Water Allocation (Rules 5.5)												
<p>5.5.2 Take and Use of Water Rule R152: Take and Use of Water Permitted Activity The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater.</p>	<p>a. the total take and use per property shall not exceed the following rates and volumes, and</p> <table border="1" data-bbox="598 1047 997 1161"> <thead> <tr> <th>Property size</th> <th>Rate</th> <th>Volume per day</th> </tr> </thead> <tbody> <tr> <td>Greater than 20ha</td> <td>2.5L/s</td> <td>20m³</td> </tr> <tr> <td>Less than 20ha</td> <td>2.5L/s</td> <td>10m³</td> </tr> </tbody> </table> <p>b. the take of groundwater does not adversely affect reliability of supply from properly constructed, efficient and fully functioning nearby bores, and c. where the take and use is from a surface water body: i. a fish screen with a maximum mesh size of 3mm shall be installed to prevent fish entering the intake, and</p>	Property size	Rate	Volume per day	Greater than 20ha	2.5L/s	20m ³	Less than 20ha	2.5L/s	10m ³	<p>It is proposed to take and water from the Waitohu Stream at maximum rate of 1189m³/day when the stream is running above minimum flow of 0.14m³/second. This exceeds the permitted rate and volume in Rule R152.</p>	<p>-</p>
Property size	Rate	Volume per day										
Greater than 20ha	2.5L/s	20m ³										
Less than 20ha	2.5L/s	10m ³										

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
	<ul style="list-style-type: none"> ii. the fish screen shall be constructed of smooth material to prevent damage to any fish coming into contact with the screen, and iii. the fish screen shall be placed parallel to river flow and located to minimise the length of river bed affected by its placement, and d. the water is not taken from a natural wetland, or from within 50m of a natural wetland, and e. no water shall run to waste, and f. at the written request of the Wellington Regional Council a water meter is installed and daily water use records are kept and provided to the Wellington Regional Council. 		
<p>5.5.2 Take and Use of Water Rule R156: Take and use of water from a water storage facility Permitted The take and use of water from a water storage facility located outside a river bed, is a permitted activity provided the take and use of water to fill the storage facility is authorised by a resource consent or Rule R136.</p>	<p>Nil</p>	<p>Water taken from the Waitohu Stream will be stored in ponds prior to its use. The use of the water from these ponds is provided for by Rule R156.</p>	<p>The take and use of water from storage ponds pursuant to section 14 of the RMA and Rule R156 of the PNRP is a permitted activity and no resource consent is sought.</p>
<p>5.5.2 Take and Use of Water Rule R158: All Other Take and Use Discretionary Activity The take and use of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not a permitted, controlled,</p>	<p>Nil</p>		<p>A water permit is sought pursuant to section 14 of the RMA and Rule R158 of the PNRP as a discretionary activity for the taking of surface water from Waitohu Stream.</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>restricted discretionary, discretionary, non-complying or prohibited activity.</p>			
<p>5.5.2 Take and Use of Water Rule R159: Dewatering Permitted The take of groundwater and the associated diversion and discharge of that water for the purpose of dewatering a site (including the use of land associated with well pointing.</p>	<ul style="list-style-type: none"> a. the take continues only for the time required to carry out the work but does not exceed one month, and b. the discharge point is not located within 20m of a bore used for water abstraction for potable supply or stock water; c. the take and diversion and discharge is not from, onto or into: <ul style="list-style-type: none"> i. SLUR Category III land, or ii. within a community drinking water supply protection area shown on Maps 27a, 27b or 27c, or iii. land where an activity or industry described in the Ministry for the Environment Hazardous Activities and Industries List 2011 is, or has been undertaken, and d. the take does not cause ground subsidence, and e. the take does not deplete water in a surface water body, and f. there is no flooding beyond the boundary of the property, and g. where a discharge is to water, or to land where it may enter a surface water body: <ul style="list-style-type: none"> i. at the point of discharge the quality of the discharge shall not exceed: <ul style="list-style-type: none"> 1. 50g/m³ of total suspended solids where the discharge is to a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation); or 2. 100g/m³ of total suspended solids where the discharge is to any site or habitat not referred to in condition (i); or 3. the maximum acceptable value (MAV) for any determinand in the Drinking-Water Standards New Zealand 2005 (Revised 2008) in a community drinking water supply protection area shown on Map 26, and ii. after the zone of reasonable mixing, the discharge shall not cause: 	<p>There is the possibility that groundwater will be intercepted during the construction and operation of the Project that will necessitate dewatering. It is also possible that the taking of groundwater (dewatering) could exceed the permitted activity standards in Rule R159 (including in respect of duration). As a result, and on a precautionary basis, consent is sought under Rule R160 for the taking of groundwater water (dewatering) during the construction and operation of the Project.</p>	<p>-</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
	<ul style="list-style-type: none"> 1. a value in Schedule V for the protection of 99% of species to be exceeded in a river identified in Schedule F1 (rivers/lakes) having high macroinvertebrate community health; or 2. a value in Schedule V for the protection of 95% of species to be exceeded in any other river or lake; and h. where a discharge is onto or into land where it may enter groundwater within a community drinking water supply protection area shown on Maps 27a, 27b or 27c, the quality of the discharge at the discharge point shall not exceed the maximum acceptable value (MAV) for any determinand in the Drinking-Water Standards New Zealand 2005 (Revised 2008), and i. where the dewatering is located within a community drinking water supply protection area shown on Map 27a, Map 27b or Map 27c, or the Hutt Valley Aquifer Protection Zone shown on Map 30aA, any construction or removal of building foundations or earth retention structures or excavation (permanent or temporary) associated with the dewatering does not exceed a depth of 5m below the natural ground level. 		
<p>5.5.2 Take and Use of Water Rule R160 Dewatering Restricted Discretionary The take of groundwater and the associated diversion and discharge of that water (including the use of land associated with well pointing) for the purpose of dewatering a site that is not permitted by Rule R159.</p>	<ul style="list-style-type: none"> a. where the dewatering is located within a community drinking water supply protection area shown on Map 27a, Map 27b or Map 27c, or the Hutt Valley aquifer system Aquifer Protection Zone shown on Map 30aA, any construction or removal of building foundations or earth retention structures or excavation (permanent or temporary) associated with the dewatering does not exceed a depth of 5m below the natural ground level. 	<p>As set out above, the conditions in Rule R159 will likely not be complied with and therefore Rule R160 applies to construction and operational dewatering (and associated discharges).</p>	<p>A water permit is sought pursuant to sections 9(2), 14 and 15 of the RMA and Rule R160 of the PNRP as a discretionary activity for the taking of groundwater.</p>
10 Kāpiti Coast Whaitua			
<p>10.2 Rules</p>	<ul style="list-style-type: none"> a. the take and use shall not occur below the minimum flows in Table 10.1, except that this condition does not apply to: 	<p>The Waitohu Stream is included in Table 10.2. Because the surface water takes are not authorised by Rule R152, Rule K.R1 is</p>	<p>A water permit is sought pursuant to section 14 of the RMA</p>

Rule, Activity and Status	Standards/Terms	Commentary	Consent Requirement
<p>Rule K.R1: Take and use of water in the Kāpiti Coast Whaitua Restricted Discretionary The take and use of water from any river (including tributaries) or groundwater in the Kāpiti Coast Whaitua in Tables 10.2 and 10.3 that is not provided for in Rules R152, R153, R154, R155, R156, R157 or R159.</p>	<ul style="list-style-type: none"> i. water for the health needs of people as part of a group drinking water supply or community drinking water supply or water for rootstock protection, and ii. taking groundwater, and b. in any catchment management unit in Tables 10.2 and 10.3, the amount of water taken and used, in addition to all existing resource consents, does not exceed whichever is the greater of: <ul style="list-style-type: none"> i. the maximum allocated by resource consents at the date the consent application is lodged, or ii. the allocation amounts in Tables 10.2 and 10.3 except that this condition does not apply to the take and use of water at river flows above the median flow, and c. at flows above median flow: <ul style="list-style-type: none"> i. the frequency of flushing flows that exceed three times the median flow of the river is not changed, and ii. for rivers (and their tributaries) listed in Table 1 of Schedule V no more than 50% of the portion of flow in the river above the median flow is taken at the point of abstraction, or iii. for rivers (and their tributaries) listed in Table 2 of Schedule V no more than 10% of the total amount of flow in the river is taken at the point of abstraction, or iv. for rivers (and their tributaries) not listed in either Table 1 or 2 of Schedule V no more than 10% of the total amount of flow in the river at the point of abstraction,¹ and d. the take and use is not in part of a river identified as an outstanding river in Schedule A1 (outstanding rivers). 	<p>thus applicable. The standard and terms of Rule K.R1 will be complied with.</p>	<p>and Rule K.R1 of the PNRP as a restricted discretionary activity for the taking of surface water from Waitohu Stream.</p>