

Rules assessment for regional plans - Construction

Proposed activity	Rule reference/description	Comment	Activity status
Proposed Natural Resources Plan			
Discharges to air	<p>Rule R27: Handling of bulk solid materials – permitted activity</p> <p>The discharge of contaminants into air from the handling of bulk solid materials including from the activities of quarrying, mining, cleanfilling, blasting, extraction, crushing, screening, processing, stockpiling, handling, conveying, sorting, and storage is a permitted activity, provided the following condition are met:</p> <ul style="list-style-type: none"> (a) for the Commercial Port Area shown on Map 32 and Map 33 any discharge into air shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the Commercial Port Area on Map 32 and Map 33, and (b) for all other areas, the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property. 	Discharge of contaminants to air associated with earthworks and re-shaping of river gravels will not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property.	Permitted activity
Discharges from contaminated land	<p>Rule R55: Discharges from contaminated land – permitted activity</p> <p>The discharge of a contaminant from contaminated land where a contaminant may enter water is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional Council within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and a detailed site investigation has been undertaken, reported and provided to Wellington Regional Council in accordance with Rule R54, and (b) the site investigation report concludes that: the discharge is highly unlikely to be a risk to human health or the environment at present or in the future, or (c) the discharge from SLUR Category III land does not, or is not likely to, result in: <ul style="list-style-type: none"> (i) groundwater quality exceeding the maximum acceptable value in the <i>Drinking-Water Standards New Zealand 2005 (Revised 2008)</i>: 	A DSI report has been undertaken and is included in support of this application which concludes that any discharge is highly unlikely to be a risk to human health or the environment at present or in the future.	Permitted activity

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	<p>1. at the property boundary, or within 50m from the source of the discharge, whichever is the lesser distance; or</p> <p>2. in an existing bore within the property boundary or within 50m from the source of discharge, whichever is the lesser distance, used to abstract water for any use other than water quality monitoring,</p> <p>(ii) water quality in a surface water body within the property boundary or within 50m from the source of the discharge, whichever is the lesser distance, exceeding the <i>Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000)</i> for the protection of 95% of species,</p> <p>(d) the water quality exceeding 50% of the maximum acceptable value in the <i>Drinking-Water Standards New Zealand 2005 (Revised 2008)</i> where the SLUR Category III land is located within a community drinking water supply protection area shown on Maps 26, 27a, 27b, or 27c.</p>		
Earthworks and vegetation clearance	<p>Rule R99: Earthworks– permitted activity</p> <p>The use of land, and the associated discharge of sediment-laden runoff into water or onto or into land where it may enter water from earthworks up to a total area of 3,000 m² per property per 12 month period is a permitted activity, provided the following conditions are met:</p> <p>(a) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and</p> <p>(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> <p>(c) work areas are stabilised within six months after the completion of the earthworks.</p> <p>(d) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters</p> <p>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</p> <p>(ii) any conspicuous change in colour or visual clarity, or</p> <p>(iii) any emission of objectionable odour, or</p> <p>(iv) the rendering of fresh water unsuitable for consumption by animals, or</p> <p>(v) any significant effect on aquatic life, and</p> <p>(e) earthworks shall not occur within 5m of a surface water body except for activities permitted by Rule R114 or Rule R115.</p>	<p>Earthworks¹ undertaken across the Project will exceed 3,000 m² per property in any 12 month period and will also occur within 5 m of a surface water body.</p> <p>Accordingly, construction earthworks and vegetation clearance require consent under Rule R101.</p>	Discretionary activity

¹ Definition of earthworks in the PNRP excludes (amongst other matters) earthworks associated with: (d) the construction, repair, upgrade or maintenance of: (i) pipelines .

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	<p>Rule R101: Earthworks and vegetation clearance – discretionary activity</p> <p>The use of land, and the associated discharge of sediment-laden runoff into water or onto or into land where it may enter water from earthworks not permitted by Rule R99 or vegetation clearance on erosion prone land that is not permitted by Rule R100 is a discretionary activity.</p>		
<p>Pipe bridge and temporary construction structures</p>	<p>Rule R114: River crossing structures – permitted activity</p> <p>The placement or construction of a river crossing structure, including, but not limited to, weirs, fords and bridges, excluding culverts and a river crossing that dams a river, that is fixed in, on, under, or over 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, and (f) reclamation associated with the crossing structure <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (g) the activity shall comply with the beds of lakes and rivers general conditions specified above in section 5.5.4, and (h) the river crossing that has any part of the structure fixed in or on the bed has a catchment area above the crossing of not more than: <ul style="list-style-type: none"> (i) 200ha in any catchment in the region on the eastern side of the Ruamāhanga River, or (ii) 50ha in any catchment in the region on the western side of the Ruamāhanga River, and (i) the formed crossing shall be no wider than what is required for the purpose of the crossing and the total area of the structure in or on the bed of the river shall not exceed 20m², and (j) the activity does not occur within a site identified in Schedule C (mana whenua). <p>Rule R129: All other uses of river and lake beds – discretionary activity</p> <p>All other uses, except for damming and diverting of water, in, on, under or over the river and lake beds that is not permitted or restricted discretionary by Rule</p>	<p>The construction of the new pipe bridge including any temporary structure required for bridge construction, cannot meet permitted activity standards for the following reasons:</p> <ul style="list-style-type: none"> – General conditions cannot be met because construction equipment will not be removed from the river every night (c), works would be required during trout spawning (f) and construction may also not comply with conditions relating to water quality (g) – The bridge requires piers to be constructed within the riverbed and the structure(s) to support construction will be within the riverbed – the catchment above the bridges (and the temporary construction structure exceeds 50 ha – bridge piers (and the construction structures) will exceed 20 m² within the bed of the river. <p>Therefore, the bridge piers and temporary construction structures are unable to meet permitted activity conditions of Rule R114.</p>	<p>Discretionary activity</p>

Proposed activity	Rule reference/description	Comment	Activity status
	R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.		
Tributary weir or ford	<p>Rule R114: River crossing structures – permitted activity</p> <p>The placement or construction of a river crossing structure, including, but not limited to, weirs, fords and bridges, excluding culverts and a river crossing that dams a river, that is fixed in, on, under, or over 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, and (f) reclamation associated with the crossing structure <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (g) the activity shall comply with the beds of lakes and rivers general conditions specified above in section 5.5.4, and (h) the river crossing that has any part of the structure fixed in or on the bed has a catchment area above the crossing of not more than: <ul style="list-style-type: none"> (i) 200ha in any catchment in the region on the eastern side of the Ruamāhanga River, or (ii) 50ha in any catchment in the region on the western side of the Ruamāhanga River, and (i) the formed crossing shall be no wider than what is required for the purpose of the crossing and the total area of the structure in or on the bed of the river shall not exceed 20m², and (j) the activity does not occur within a site identified in Schedule C (mana whenua). 	The tributary weir or ford can meet all of the permitted activity conditions of Rule R114.	Permitted activity
Construction of pipeline under unnamed tributary	<p>Rule R117: New structures – permitted activity</p> <p>The placement of a new structure, including sediment retention weirs, pipes, ducts, cables, hydrological and water quality monitoring equipment, fences, erosion protection structures, debris arrestor structures and structures associated with vegetative bank edge protection except a structure permitted by Rules R114, R115, and R116 that is fixed in, on, under, or over the bed of any river or lake, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except for general condition 5.5.4(n)), including any associated:</p>	The section of pipeline trenched under the unnamed tributary can meet all relevant permitted activity standards in Rule R117.	Permitted activity

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	<p>(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, and (f) partial stream reclamation associated with the structure is a permitted activity, provided the following conditions are met: (g) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and (h) the activity does not occur within a site identified in Schedule C (mana whenua), excluding adding pipes or cables to an existing structure or providing for fish refuge, and (i) the structure does not occupy a bed area any greater than 10m², except for where the structure is associated with vegetative bank edge protection, or a pipe, duct, fence or cable which is located over or under the bed where no bed occupancy limits apply, and (j) the catchment upstream of any sediment retention weir is not greater than 200ha, and (k) the height of any sediment retention weir from the upstream base to the crest of the weir at the time of construction shall be no more than 0.5m.</p>		
Construction of new structures in the bed of a river	<p>Rule R117: New structures – permitted activity The placement of a new structure, including sediment retention weirs, pipes, ducts, cables, hydrological and water quality monitoring equipment, fences, erosion protection structures, debris arrestor structures and structures associated with vegetative bank edge protection except a structure permitted by Rules R114, R115, and R116 that is fixed in, on, under, or over the bed of any river or lake, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except for general condition 5.5.4(n)), including any associated: (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, and (f) partial stream reclamation associated with the structure is a permitted activity, provided the following conditions are met:</p>	<p>The construction of all other new structures, including new outlets and erosion protection structures at scour discharge points in the bed of Te Awa Kairangi may not meet the permitted activity standards for the following reasons:</p> <ul style="list-style-type: none"> – general conditions cannot be complied with - works may be required during trout spawning (f), construction may not comply with water quality standards (g) the structures may divert the natural course of the river (l). – structures will occupy a bed area greater than 10 m² <p>Consent under Rule R129 is therefore sought on a conservative basis.</p>	Discretionary activity

Proposed activity	Rule reference/description	Comment	Activity status
	<p>(g) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</p> <p>(h) the activity does not occur within a site identified in Schedule C (mana whenua), excluding adding pipes or cables to an existing structure or providing for fish refuge, and</p> <p>(i) the structure does not occupy a bed area any greater than 10m², except for where the structure is associated with vegetative bank edge protection, or a pipe, duct, fence or cable which is located over or under the bed where no bed occupancy limits apply, and</p> <p>(j) the catchment upstream of any sediment retention weir is not greater than 200ha, and</p> <p>(k) the height of any sediment retention weir from the upstream base to the crest of the weir at the time of construction shall be no more than 0.5m.</p> <p>Rule R129: All other uses in river and lake beds – discretionary activity All other uses, except for damming and diverting of water, in, on, under or over the river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.</p>		
Demolition and removal of temporary and permanent structures	<p>Rule R118: Removing or demolishing structures – permitted activity The removal or demolition of a structure or a part of a structure that is fixed in, on, under, or over any river or lake bed, including any associated:</p> <p>(a) disturbance of the river or lake bed, and</p> <p>(b) deposition on the river or lake bed, and</p> <p>(c) diversion of water, and</p> <p>(d) discharge of sediment to water is a permitted activity, provided the following conditions are met:</p> <p>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</p> <p>(f) the removal or demolition of the structure disturbs less than 10 m³ of the bed of the river or lake, and</p> <p>(g) it results in the complete removal of the structure from the river or lake bed, or the complete removal of that part of the structure requiring removal from the river or lake bed, and</p> <p>(h) no explosives shall be used in the demolition of the structure, and</p> <p>(i) the removal or deposition shall not result in the diversion of water from a natural wetland.</p>	<p>The demolition and removal of temporary structures required for construction cannot meet permitted activity standards for the following reasons:</p> <ul style="list-style-type: none"> – general conditions cannot be met - works may be required during trout spawning (f); – more than 10 m² of bed material will likely be disturbed <p>The demolition and removal of the existing pipeline affixed to Silverstream road bridge may also not meet permitted activity standards.</p> <p>Resource consent is therefore sought under Rule R129.</p>	Discretionary activity

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	<p>Rule R129: All other uses in river and lake beds – discretionary activity All other uses, except for damming and diverting of water, in, on, under or over the river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.</p>		
Beach recontouring	<p>Rule R119: Clearance or removal of flood debris and beach recontouring – permitted activity The clearance or removal of flood debris on the bed of a river or lake, and beach recontouring of the bed of a river (including, but not limited to, beach ripping), excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except general conditions 5.5.4(n)) including any associated:</p> <ul style="list-style-type: none"> (a) disturbance of the river or lake bed, and (b) deposition of natural material on the river or lake bed, and (c) discharge of sediment to water associated with the clearing of flood debris is a permitted activity, provided the following conditions are met: (d) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, excluding condition (f) (trout spawning) if the activity is solely for the purpose of removing flood debris from the inlet or outlet of a culvert or stormwater discharge pipe, or to remove flood debris from against the supporting structures of a bridge, and if in the case of both of these exceptions, the removal is necessary to maintain the immediate integrity and safety of the affected structures, and (e) the removal of flood debris shall be for the purposes of flood or erosion control or to maintain the integrity of a structure, and (f) any beach recontouring operation shall not occur on any part of the bed covered by water at the time of the bed disturbance, and (g) depth of excavation for beach recontouring activities shall not extend below a level greater than 0.1m above the water level adjacent to the extraction site shall not extend to a depth greater than 1m, and (h) any moved or extracted river bed material or flood debris shall not be placed in the bed of the river in such a way as it forms a mound or causes the natural course of the river to be altered in a flood event, and (i) any beach recontouring shall only be for the purposes of mitigating the adverse effects of flooding or erosion, and 	<p>Beach recontouring cannot comply with permitted activity conditions for the following reasons:</p> <ul style="list-style-type: none"> – general conditions cannot be complied with - works may be required during trout spawning (f), works may not comply with water quality standards (g). – works may occur within areas of the bed covered by water – excavation may exceed a depth of 1 m in some areas <p>Resource consent is therefore sought on a conservative basis under Rule R129.</p>	Discretionary Activity

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	<p>(j) the activity does not occur within a site identified in Schedule C (mana whenua).</p> <p>Rule R129: All other uses in river and lake beds – discretionary activity</p> <p>All other uses, except for damming and diverting of water, in, on, under or over the river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.</p>		
<p>Vegetation removal from the bed of Te Awa Kairangi</p>	<p>Rule R122: Removing vegetation from the bed of any river or lake – permitted activity</p> <p>The trimming or removal of vegetation (including weeds) from the bed of any river or lake (excluding a drain or highly modified river or stream) and any associated sediment or bed material attached to the roots of the vegetation being removed, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except general condition 5.5.4(n)), including any associated:</p> <ul style="list-style-type: none"> (a) disturbance of the lake or river bed, and (b) deposition on the lake or river bed, and (c) diversion of water, and (d) discharge of sediment to water <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and (f) the activity shall not cause any increase in flooding on neighbouring properties, and (g) any fish (except identified pest species), kākahi and kōura removed from the river or lake bed during maintenance works shall be returned to the river or lake at a site upstream of the works as soon as practicable, and no later than one hour after removal, and (h) floating debris and plant material shall be prevented from drifting away and causing obstructions to the river or lake bed, or spreading pest plants (as listed in the Greater Wellington Regional Pest Management Strategy 2002-2022), and (i) where the activity involves the mechanical clearance of aquatic vegetation from a river, to provide fish refuge areas either: 	<p>Removal of vegetation from the bed of Te Awa Kairangi cannot meet the permitted activity conditions for the following reasons:</p> <ul style="list-style-type: none"> – general conditions cannot be complied with - erosion or scour of the river bank may occur (j). <p>Resource consent is therefore sought under Rule R129.</p>	<p>Discretionary activity</p>

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	<ul style="list-style-type: none"> (i) only one side of the river shall be cleared at any one time, and the other side may only be cleared at least three months following completion of the initial works, and. (ii) if clearing both sides of the river, for every 200 m length of watercourse cleared at least a 10 m length of intact aquatic vegetation cover is retained (and may not be cleared for at least three months), and (j) no excavation of the bed, or widening or deepening of the bed is permitted by this rule. <p>Rule R129: All other uses in river and lake beds – discretionary activity</p> <p>All other uses, except for damming and diverting of water, in, on, over and under the river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.</p>		
Vegetation planting	<p>Rule R123: Planting – permitted activity</p> <p>The deliberate introduction or planting of a plant in the bed of a river or lake, including any associated:</p> <ul style="list-style-type: none"> (a) disturbance of the lake or river bed, and (b) deposition on the lake or river bed, and (c) diversion of water, and (d) discharge of sediment to water <p>but excluding the deliberate introduction or planting of:</p> <ul style="list-style-type: none"> (e) a species listed in the <i>Greater Wellington Regional Pest Management Strategy 2002-2022</i>. <p>is a permitted activity, provided the following conditions are met:</p> <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, and (g) only native plants shall be used in a site identified in Schedule A (outstanding water bodies), or Schedule C (mana whenua). In a site identified in Schedule F (indigenous biodiversity) only native plants shall be used, except where appropriate non-native species are required for flood protection or erosion control, and (h) no planting shall be undertaken in an identified river management scheme area, unless it is undertaken in accordance with the planting program specified in the relevant floodplain management plan. <p>Rule R129: All other uses in river and lake beds – discretionary activity</p>	Planting of vegetation in the bed of Te Awa Kairangi/Hutt River can meet all permitted activity conditions.	Permitted activity

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	All other uses, except for damming and diverting of water, in, on, under or river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.		
Tracking across and through Te Awa Kairangi	<p>Rule R124: Entry or passage over bed (excluding livestock access) – permitted activity</p> <p>The entry or passage across the bed of a river or lake that is not associated with any use of the river or lake bed specified in Rules R112 to R123, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, which is not for the purpose of livestock access covered by Rules R97 and R98 is a permitted activity provided the following condition is met:</p> <p>(a) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except if the entry or passage is associated with an activity with an existing resource consent granted prior to 31 July 2015.</p> <p>Rule R129: All other uses in river and lake beds – discretionary activity</p> <p>All other uses, except for damming and diverting of water, in, on, under and over the river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.</p>	<p>Construction vehicle tracking across and through Te Awa Kairangi will be required for activities that cannot meet permitted standards of Rules R112 to R123. Therefore the tracking is not provided for by any other rule in the plan.</p> <p>Resource consent is therefore sought under Rule R129.</p>	Discretionary activity
Bed recontouring and excavation of the river bed	<p>Rule R129: All other uses in river and lake beds – discretionary activity</p> <p>All other uses, except for damming and diverting of water, in, on, under and over the river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.</p>	Bed recontouring and excavation and disturbance of the river bed is not otherwise provided for by any rule in the PNRP and therefore required consent under this rule.	Discretionary Activity
New structures that obstruct the flow of water	<p>Rule R131: Damming or diverting water within or from rivers – discretionary activity</p> <p>The damming or diverting of water within or from a river that does not meet Rules R112, R114, R115, R116, R117, R118, R119, R121, R122 and R123 and R140 is a discretionary activity, provided the following conditions are met:</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</p> <p>(b) the damming or diverting of water is not in any outstanding river identified in Schedule A1 (outstanding rivers).</p>	<p>Given the proposed structures do not meet the applicable permitted activity rules, which allow for associated diversion and R129 does not allow for this; a separate diversion rule applies (R131).</p> <p>The following activities require consideration:</p> <ul style="list-style-type: none"> – Works including bed recontouring and the weir installation will involve temporary diversion during construction; 	Discretionary activity

Proposed activity	Rule reference/description	Comment	Activity status
		<p>– All permanent structures and temporary construction structures within the river bed that will divert the flow of water.</p> <p>The design and construction methodologies will ensure that diversion (including during construction) will not result in flows in Te Awa Kairangi or the unnamed tributaries falling below the identified minimum flows.</p> <p>Diversion of water within Te Awa Kairangi and the tributaries within the Project area is therefore a discretionary activity under this rule.</p>	
<p>Diversion of water within or from a river</p>	<p>Rule R113: Diversion of flood water by existing structures – permitted activity</p> <p>The diversion of flood water by a structure or stopbank outside the bed of a river or lake that was in existence on 31 July 2015, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, is a permitted activity, provided the following condition is met:</p> <p>(a) the structure or stopbank causing the diversion shall not increase by more than 5% of the plan or cross-sectional area from 31 July 2015, provided the increased size does not cause flooding on any neighbouring property.</p> <p>Rule R135: General rule for damming and diverting water – discretionary activity</p> <p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity</p>	<p>The permanent diversion of the river by new structures in the river and from flood flows due to structures in the floodplain is not provided for by any other rule in the PNRP. Resource consent is therefore sought under Rule R135.</p>	<p>Discretionary activity</p>
<p>Dewatering</p>	<p>Rule R140: Dewatering – permitted activity</p> <p>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), is a permitted activity, provided the following conditions are met:</p> <p>(a) the take continues only for the time required to carry out the work but does not exceed one month, and</p> <p>(b) the discharge point is not located within 20m of a bore used for water abstraction for potable water supply or stock water;</p> <p>(c) the take and diversion and discharge is not from, onto or into</p>	<p>The take, use and discharge associated with dewatering cannot meet Rule R140 as the dewatering may in some cases be from contaminated land and may deplete water in a surface water body.</p> <p>Consent is required as a discretionary activity under rule R140B.</p>	<p>Discretionary activity</p>

Proposed activity	Rule reference/description	Comment	Activity status
	<ul style="list-style-type: none"> (i) SLUR Category III land, or (ii) within a community drinking supply protection area shown on Maps 27a, 27b or 27c, or (iii) land where an activity or industry described in the Ministry for Environment <i>Hazardous Activities and Industries List 2011</i> 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 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: <ol 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 (significant 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: <ol style="list-style-type: none"> 1. a value in Schedule W for the protection of 95% of species to be exceeded in any other river or lake; and 2. a value in Schedule W 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 30A, 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 5 m below the natural ground level. 		

Proposed activity	Rule reference/description	Comment	Activity status
	<p>Rule R140B: Dewatering – restricted discretionary activity 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 R140 is a restricted discretionary activity, provided the following condition is met:</p> <p>(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 Protection Zone shown on Map 30A, 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 5 m below the natural ground level.</p>		
Geotechnical investigations	<p>Rule R146: Investigation and monitoring bores - permitted activity The use of land and the associated diversion and discharge of water or contaminants for the drilling, construction or alteration of a geotechnical investigation bore for the purpose of investigation or monitoring the conditions below the ground surface is a permitted activity, provided the following conditions are met:</p> <p>(a) where the bore is located within a community drinking water supply protection area shown on Map 27a, Map 27b, or Map 27c, the depth below ground level will not exceed 5m, and</p> <p>(b) there is compliance with the <i>NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</i>, and</p> <p>(c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and</p> <p>(d) there is no flooding beyond the boundary of the property, and</p> <p>(e) where the bore is located within the Hutt Valley aquifer zone shown on Map 30A the depth below ground level will not exceed 5m on land or 5m below the seabed in the coastal marine area, and</p> <p>(f) a discharge to water, or onto or into land where it may enter water meets the conditions of Rule R42, and</p> <p>(g) where the bore is located within the coastal marine area, the activity will comply with the coastal management general conditions specified in Section 5.7.2, excluding the conditions (b) and (c), and</p>	Investigations required for the construction of the project are not located within a community drinking water supply protection area or the Hutt Valley aquifer zone and will meet all other permitted activity conditions.	Permitted activity

Proposed activity	Rule reference/description	Comment	Activity status
	(h) the bore shall be decommissioned in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock as soon as practical after the investigation and monitoring is completed, and (i) the bore is not associated with hydrocarbon exploration or production.		

Proposed activity	Rule reference/description	Comment	Activity status
Regional Freshwater Plan			
Stormwater discharge of contaminants from earthworks	<p>Rule 2 Stormwater discharges - permitted</p> <p>The discharge of stormwater into surface water is a Permitted Activity provided that the discharge complies with the conditions specified below.</p> <p>(1) The discharge does not contain drainage from a stockyard; and (2) The discharge does not [originate from industrial or trade premises] where hazardous substances are stored or [used] unless: (a) hazardous substances cannot enter the stormwater system; or (b) there is an interceptor system in place to collect hazardous contaminants or divert contaminated stormwater to a trade waste system; and (3) The person responsible for the discharge shall ensure that, after reasonable mixing, the stormwater discharge will not give rise to any of the following effects: (a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or (b) any conspicuous change in the colour or visual clarity; or (c) any emission of objectionable odour; or (d) the rendering of fresh water unsuitable for consumption by farm animals; or (e) any significant adverse effects on aquatic life; and [(3a) The discharge does not originate from an area of bulk earthworks greater than 0.3 ha; (3b) Concentrations of acid-soluble aluminium in the discharge shall be no more than 0.15g/m³; (4) The discharge does not cause erosion at the point of discharge; and (5) The discharge does not alter the natural course of the river or stream.</p> <p>Rule 5 All remaining discharges to fresh water</p> <p>The discharge of sediment laden water from the construction activities may not meet the permitted activity conditions of Rules 1 and 2 and therefore requires resource consent under Rule 5.</p>	<p>Discharges of stormwater contaminants from earthworks greater than 3,000 m² cannot meet permitted activity standard (3a) of Rule 2.).</p> <p>Therefore, resource consent is sought under Rule 5.</p>	Discretionary activity
Planting of vegetation for erosion protection and bank stabilisation	<p>Rule 24 Placement of vegetative bank protection structures – permitted</p> <p>The placement of any cabled willow or willow clump for river bank erosion protection that is fixed in, on, or under the bed of any river including any associated;</p> <ul style="list-style-type: none"> • disturbance of any lake or river bed; or • deposition on the river or lake bed; or 	<p>The planting of new vegetation for erosion protection and bank stabilisation cannot meet permitted activity conditions for the following reasons:</p> <ul style="list-style-type: none"> – The planting may extend more than 10% of the width of the waterbody or 5 metres into the river bed 	Discretionary activity

	<ul style="list-style-type: none"> temporary diversion of water; which <p>(1) ...</p> <p>(2) extends into the available river bed width from the bank no more than whichever is the lesser of:</p> <ul style="list-style-type: none"> 10% of the width of the water body; or 5 metres; and <p>(3) does not use crack willow, <i>Salix fragilis</i>, or grey willow, <i>Salix cinerea</i>, except on the margins of rivers where they are already predominant; is a Permitted Activity provided it complies with the conditions specified below.</p> <p>Conditions</p> <p>(1) Fish passage shall be maintained during any construction activities and all works shall be undertaken in a manner that will provide for fish passage.</p> <p>(2) In any part of the river or lake bed covered by water in any water body identified in Policy 4.2.14 (Appendix 4 - Water bodies with important trout habitat), the activity shall not take place between 31 May and 31 August.</p> <p>(3) The placement of willow clumps or cabled willows shall not cause any bank erosion beyond the site or change to water levels.</p> <p>(4) ...</p> <p>(5) Any excess material from the activity shall be removed from the river or lake bed and disposed of in an appropriate manner.</p> <p>(6) All reasonable steps shall be taken to minimise the release of sediment to water during the activity.</p> <p>(7) Water is diverted only for the period necessary to carry out the activity.</p> <p>Rule 49 All remaining uses of river and lake beds</p> <p>The use, of any river or lake bed;</p> <ul style="list-style-type: none"> which is not specifically provided for in Rules 22 to 48; and which cannot meet the requirements of Rules 22 to 48; and <p>which is not a non-complying or prohibited activity in Rules 50 and 51 is a Discretionary Activity.</p>	Consent is therefore sought under Rule 49.	
Tributary weir or ford	<p>Rule 25 [River Crossings] in intermittently flowing streams - permitted</p> <p>The placement and use[, including any associated;</p> <ul style="list-style-type: none"> disturbance of any river bed; or deposition on the river bed; or temporary diversion; 	The proposed weir or ford crossing the unnamed tributary meets the definition of a river crossing structure ² however the unnamed tributary is not intermittently flowing so Rule 25 is not relevant.	Controlled activity

² River Crossing means any structure for the purpose of crossing a river or stream such as a culvert, weir, ford, or bridge.]

<p>of any river crossing [of a width necessary for the crossing, excluding any river crossing that dams a river,] that is fixed in, on, under, or over the bed of any intermittently flowing river or stream which;</p> <p>(1) has a catchment area above the crossing of not more than:</p> <ul style="list-style-type: none"> • 200 ha in any catchment in the Region on the eastern side of the Ruamahanga River; or • 50 ha in any catchment in the Region on the western side of the Ruamahanga River; and <p>(2) does not alter the natural course of the stream, including any diversion of water from the natural course during floods; and</p> <p>(3) does not reduce the ability of the river to convey flood flows</p> <p>(4) meets any requirements under the Freshwater Fisheries Regulations 1983 and the Building Act 1991;</p> <p>is a Permitted Activity provided it complies with the conditions specified below.</p> <p>Conditions</p> <p>(1) No contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) shall be released to water from equipment being used for the construction of the river crossing and no refuelling of equipment shall take place on any area of river or lake bed.</p> <p>(2) All material used during construction, but which is not part of the river crossing shall be removed from the river or stream bed and disposed of in an appropriate manner.</p> <p>(3) All reasonable steps shall be taken to minimise the release of sediment to water during construction.</p> <p>(4) The river crossing shall be maintained so that there is no accumulation of debris.</p> <p>Rule 47 River crossings – controlled</p> <p>The placement and use of any river crossing [of a width necessary for the crossing, excluding any river crossing that dams a river,] which is not a permitted activity, including any associated:</p> <ul style="list-style-type: none"> • disturbance of river bed; or • deposition on the river bed; or • diversion of water: <p>(1) which is in, on, or under any river bed except the beds (but excluding their tributaries unless otherwise stated) of:</p>	<p>The proposed weir or ford will meet all controlled activity standards under Rule 47.</p>	
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	<ul style="list-style-type: none"> Hutt River and the following tributaries: the Pakuratahi, the Mangaroa, the Akatarawa, and the Whakatikei Rivers; <p>(2) which disturbs less than 20 cubic metres of sand, shingle, gravel, or other natural river or lake bed material; and</p> <p>(3) which does not include the reclamation, infilling and deposition of fill in the river or stream for landfilling purposes or for disposing of excess construction material</p> <p>is a Controlled Activity, provided that it complies with the standards and terms specified below.</p> <p>Standards</p> <p>(1) No contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) shall be released to water from equipment being used for the operation, and no refuelling of equipment shall take place on any area of river or lake bed.</p> <p>(2) Any excess material from the construction operation, shall be removed from the river or lake bed and disposed of in an appropriate manner.</p> <p>(3) In any part of the river or lake bed covered by water in any water body identified in Policy 4.2.14 (Appendix 4 – Water bodies with important trout habitat), the activity shall not take place between 31 May and 31 August.</p> <p>(4) Fish passage shall not be impeded once the culvert is operational.</p>		
New pipe bridge	<p>Rule 31 Small bridges – permitted</p> <p>The erection and maintenance of any bridge over a river bed, is a Permitted Activity provided the activity complies with the conditions specified below.</p> <p>Conditions</p> <p>(1) The bridge is no more than 6 metres in total length.</p> <p>(2) The bridge does not reduce the ability of the river to convey flood flows.</p> <p>(3) The bridge does not alter the natural course of the river, including any diversion of water from the natural course during floods.</p> <p>(4) The bridge is maintained free of any flood debris.</p> <p>(5) No part of the structure occurs in, on, or under the area of river bed covered by water.</p> <p>(6) All material used during construction, but which is not part of the bridge, is removed from the river bed and disposed of in an appropriate manner.</p> <p>Rule 49 All remaining uses of river and lake beds</p> <p>The use, of any river or lake bed;</p>	<p>The construction of the pipe bridge, including any temporary construction structures, cannot meet the permitted activity conditions for the following reasons:</p> <ul style="list-style-type: none"> the bridge and construction structures will be longer than 6 m the construction structures will be located in the active channel The bridges and construction structures will divert river flow and floodwaters <p>Consent is therefore sought under Rule 49.</p>	Discretionary activity

	<ul style="list-style-type: none"> • which is not specifically provided for in Rules 22 to 48; and • which cannot meet the requirements of Rules 22 to 48; and <p>which is not a non-complying or prohibited activity in Rules 50 and 51 is a Discretionary Activity.</p>		
Demolition and removal of existing structures	<p>Rule 33 Removal or demolition of structures – permitted</p> <p>The removal or demolition of any structure or any part of a structure that is fixed in, on, under, or over any river or lake bed, including any associated;</p> <ul style="list-style-type: none"> • disturbance of river or lake bed; or • deposition on any river or lake bed; or • temporary diversion of water, which: <p>(1) disturbs less than 10 cubic metres of sand, shingle, gravel, or other natural river or lake bed material; and</p> <p>(2) results in the complete removal of the structure from the river or lake bed or complete removal of that part of the structure in the river or lake bed; and</p> <p>(3) is not the removal or demolition of a structure for the purposes of the replacement of a structure permitted by Rule 22;</p> <p>[4] will not result in the diversion of water from any wetland.] is a Permitted Activity provided it complies with the conditions specified below.</p> <p>Conditions</p> <p>(1) ...</p> <p>(2) ...</p> <p>(3) All material removed or demolished from the structure (or any part of the structure) shall be removed from the river or lake bed and disposed of in an appropriate manner.</p> <p>(4) All reasonable steps shall be taken to minimise the release of sediment to water during construction.</p> <p>(5) In any part of the river or lake bed covered by water in any water body identified in Policy 4.2.14 (Appendix 4 - Water bodies with important trout habitat), the activity shall not take place between 31 May and 31 August.</p> <p>(6) Water is only diverted for the period necessary to carry out the work.</p> <p>Rule 44 Removal or demolition of structures - controlled</p> <p>The removal or demolition of any structure or any part of a structure that is fixed in, on, under, or over any river or lake bed, including any associated disturbance of, or deposition on, any river or lake bed, which:</p> <p>(1) is not a permitted activity; and</p>	<p>The demolition and removal of temporary construction structures will not meet permitted activity conditions because the removal is likely to disturb greater than 10 m³ of bed material; and will not meet controlled activity conditions because the removal is likely to disturb greater than 20 m³ of bed material.</p> <p>Consent is therefore sought under Rule 49.</p> <p>The removal of the existing pipe affixed to Silverstream road bridge may also not comply with permitted activity conditions.</p>	Discretionary activity

	<p>(2) disturbs less than 20 cubic metres of sand, shingle, gravel, or other natural river or lake bed material; is a Controlled Activity, provided that it complies with the standards and terms specified below.</p> <p>Standards</p> <p>(1) ...</p> <p>(2) ...</p> <p>(3) All material removed or demolished from the structure (or any part of the structure) shall be removed from the river or lake bed and disposed of in an appropriate manner.</p> <p>(4) In any part of the river or lake bed covered by water in any water body identified in Policy 4.2.14 (Appendix 4 – Water bodies with important trout habitat), the activity shall not take place between 31 May and 31 August.</p> <p>Rule 49 All remaining uses of river and lake beds</p> <p>The use, of any river or lake bed;</p> <ul style="list-style-type: none"> • which is not specifically provided for in Rules 22 to 48; and • which cannot meet the requirements of Rules 22 to 48; and <p>which is not a non-complying or prohibited activity in Rules 50 and 51 is a Discretionary Activity.</p>		
Tracking through and across Te Awa Kairangi	<p>Rule 35 Entry or passage – permitted</p> <p>The entry or passage across the bed of any river or lake that is not covered by any use of the river or lake bed specified in Rules 22 to 48 and does not breach any condition or standard is a Permitted Activity.</p> <p>Rule 49 All remaining uses of river and lake beds</p> <p>The use, of any river or lake bed;</p> <ul style="list-style-type: none"> • which is not specifically provided for in Rules 22 to 48; and • which cannot meet the requirements of Rules 22 to 48; and <p>which is not a non-complying or prohibited activity in Rules 50 and 51 is a Discretionary Activity.</p>	<p>Construction vehicle tracking across and through Te Awa Kairangi will be required for activities that cannot meet permitted standards of Rules 22 to 48. Therefore, the tracking is not provided for by any other rule in the plan.</p> <p>Consent is therefore sought under Rule 49.</p>	Discretionary activity
Beach recontouring	<p>Rule 37 “Beach” recontouring – permitted</p> <p>The disturbance and recontouring of any part of the bed of any river that is not covered by water (i.e., beach recontouring) to remedy or mitigate the adverse effects of flooding or erosion is a Permitted Activity, provided that the activity complies with the conditions below.</p> <p>Conditions</p>	<p>Beach recontouring cannot comply with permitted activity conditions as material will be mounded up as a bund to separate the areas of construction from flowing water and provide construction access into the river bed.</p> <p>Consent is therefore sought under Rule 49.</p>	Discretionary activity.

	<p>(1) The river or lake bed shall not be disturbed to a depth or an extent greater than that required to reduce the flood or erosion hazard to an acceptable level.</p> <p>(2) The material shall not be mounded up so that it forms a barrier to water movement.</p> <p>(3) No contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) shall be released onto the bed from equipment being used for the operation, and no refuelling of equipment shall take place on any area of river or lake bed.</p> <p>(4) There shall be no machinery within the area of river bed covered by water while the operation is in progress.</p> <p>(5) There shall be no disturbance to nesting Banded Dotterels (<i>Charadrius bicinctus</i>), Black Fronted Dotterels (<i>Charadrius melanops</i>), Black Billed Gulls (<i>Larus bulleri</i>), Pied Stilts (<i>Himantopus leucocephalus</i>), or Variable Oystercatchers (<i>Haematopus unicolor</i>), South Island Pied Oystercatcher (<i>Haematopus ostralegus</i>), Caspian Terns (<i>Sterna caspia</i>), White-Fronted Terns (<i>Sterna striata</i>), and Spur-Winged Plover (<i>Vanellus miles</i>).</p> <p>Rule 49 All remaining uses of river and lake beds The use, of any river or lake bed;</p> <ul style="list-style-type: none"> • which is not specifically provided for in Rules 22 to 48; and • which cannot meet the requirements of Rules 22 to 48; and <p>which is not a non-complying or prohibited activity in Rules 50 and 51 is a Discretionary Activity.</p>		
Removal of vegetation	<p>Rule 40 Removal of vegetation – permitted The trimming and removal of vegetation[, including any associated;</p> <ul style="list-style-type: none"> • disturbance of any lake or river bed; or • deposition on the river or lake bed; or • temporary diversion;] from the bed of any river or lake: <p>to avoid or mitigate the adverse effects of flooding or erosion, is a Permitted Activity provided it complies with the conditions listed below.</p> <p>Conditions</p> <p>(1) ...</p> <p>(2) All reasonable steps shall be taken to minimise the release of sediment to water during the activity.</p> <p>(3) In any part of the river or lake bed covered by water in any water body identified in Policy 4.2.14 (Appendix 4 - Water bodies with important trout habitat), the activity shall not take place between 31 May and 31 August.</p>	<p>The removal of vegetation within the Project area is not to avoid or mitigate adverse effects of flooding or erosion.</p> <p>Consent is required under Rule 49 as the removal of vegetation is not provided for by any other rule.</p>	Discretionary activity

	<p>(4) There shall be no disturbance to nesting Banded Dotterels (<i>Charadrius bicinctus</i>), Black Fronted Dotterels (<i>Charadrius melanops</i>), Black Billed Gulls (<i>Larus bulleri</i>), Pied Stilts (<i>Himantopus leucocephalus</i>), or Variable Oystercatchers (<i>Haematopus unicolor</i>) South Island Pied Oystercatcher (<i>Haematopus ostralegus</i>), Caspian Terns (<i>Sterna caspia</i>), White-Fronted Terns (<i>Sterna striata</i>), and Spur-Winged Plover (<i>Vanellus miles</i>).</p> <p>(5) Public access shall not be restricted more than is necessary to complete the removal of vegetation.</p> <p>(6) No machinery shall be left overnight in an area of river or lake bed covered by water.</p> <p>(7) All equipment and materials used for the removal of vegetation shall be removed from the river or lake bed on completion of the operation.</p>		
<p>Planting in the bed of a river</p>	<p>Rule 41 Planting – permitted</p> <p>The deliberate introduction or planting of any plant except:</p> <ul style="list-style-type: none"> • crack willow (<i>Salix fragilis</i>); and grey willow (<i>Salix cinerea</i>); other than on the margins of rivers where they are already predominant; or • any introduced, submersed aquatic plant; or • any species listed in the Regional Pest Plant Management Strategy; [including any associated; • disturbance of any lake or river bed; or • deposition on the river or lake bed; or • temporary diversion;] <p>in the bed of any river or lake to remedy or mitigate the adverse effects of flooding, erosion, or non-point source discharges of contaminants, or to restore habitat,</p> <p>is a Permitted Activity, provided it complies with the conditions below.</p> <p>Conditions</p> <p>(1) No contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) shall be released to the river bed from equipment being used for the operation, and no refuelling of equipment shall take place on any area of river or lake bed.</p> <p>(2) All reasonable steps shall be taken to minimise the release of sediment to water during the activity.</p> <p>(3) In any part of the river or lake bed covered by water in any water body identified in Policy 4.2.14 (Appendix 4 - Water bodies with important trout habitat), the activity shall not take place between 31 May and 31 August.</p>	<p>Planting required for the project can be carried out in accordance with permitted activity conditions.</p>	<p>Permitted</p>

	<p>(4) There shall be no disturbance to nesting Banded Dotterels (<i>Charadrius bicinctus</i>), Black Fronted Dotterels (<i>Charadrius melanops</i>), Black Billed Gulls (<i>Larus bulleri</i>), Pied Stilts (<i>Himantopus leucocephalus</i>), or Variable Oystercatchers (<i>Haematopus unicolor</i>) South Island Pied Oystercatcher (<i>Haematopus ostralegus</i>), Caspian Terns (<i>Sterna caspia</i>), White-Fronted Terns (<i>Sterna striata</i>), and Spur-Winged Plover (<i>Vanellus miles</i>).</p> <p>(5) Public access shall not be restricted more than is necessary to complete the planting.</p> <p>(6) No machinery shall be left overnight in an area of river or lake bed covered by water.</p> <p>(7) All equipment and materials used for the removal of vegetation shall be removed from the river or lake bed on completion of the operation.</p>		
Pipeline under unnamed tributary	<p>Rule 46 Pipelines – controlled The placement of any pipeline or duct in or under any river or lake bed, which:</p> <p>(1) is not a permitted activity; and</p> <p>(2) disturbs less than 20 cubic metres of sand, shingle, gravel, or other natural river or lake bed material;</p> <p>is a Controlled Activity, provided that it complies with the standards and terms specified below.</p> <p>Standards</p> <p>(1) No contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) shall be released to water from equipment being used for the operation, and no refuelling of equipment shall take place on any area of river or lake bed.</p> <p>(2) Any excess material from the construction operation, shall be removed from the river or lake bed and disposed of in an appropriate manner.</p> <p>(3) In any part of the river or lake bed covered by water in any water body identified in Policy 4.2.14 (Appendix 4 – Water bodies with important trout habitat), the activity shall not take place between 31 May and 31 August.</p>	The trenching of the pipeline under the unnamed tributary can meet all controlled activity standards in Rule 46.	Controlled activity
Bed recontouring and excavation of the river bed	<p>Rule 49 All remaining uses of river and lake beds The use, of any river or lake bed;</p> <ul style="list-style-type: none"> • which is not specifically provided for in Rules 22 to 48; and • which cannot meet the requirements of Rules 22 to 48; and <p>which is not a non-complying or prohibited activity in Rules 50 and 51 is a Discretionary Activity.</p>	Bed recontouring and excavation of the river bed is not otherwise provided for by any rule in the RFP.	Discretionary activity
Construction of new structures in the bed of a river	<p>Rule 49 All remaining uses of river and lake beds The use, of any river or lake bed;</p> <ul style="list-style-type: none"> • which is not specifically provided for in Rules 22 to 48; and • which cannot meet the requirements of Rules 22 to 48; and 	New structures in the river bed not covered by activity specific rules in the RFP, such as new outlets and erosion protection	Discretionary activity

	which is not a non-complying or prohibited activity in Rules 50 and 51 is a Discretionary Activity.	structures at scour discharge points are not otherwise provided for.	
Use of land in a floodway	<p>Rule 48A Uses of land within the Waiohine Floodway, the Lower Ruamahanga River Floodway, and the Hutt River Floodway – restricted discretionary</p> <p>Uses of land within the Waiohine River Floodway, the Lower Ruamahanga River Floodway, and the Hutt River Floodway The use of land in a floodway, other than a use:</p> <ul style="list-style-type: none"> • that is consistent with the purpose of flood protection that the floodway was designed for, or • that is for the maintenance or repair of an existing structure, which does not extend, or add to, the external dimensions of any structure; or • that was lawfully established by a resource consent prior to 9 February 2002 (the date Plan Change 1 to the Regional Freshwater Plan was notified); within: <p>(1) ...;</p> <p>(2) the Hutt River Floodway, which:</p> <p>(a) Erects, places, or extends any structure that obstructs the flow of water;</p> <p>(b) Deposits more than 20 cubic metres of any substance; is a restricted discretionary activity.</p>	<p>Excavation, construction and use of land in the Te Awa Kairangi Floodway is required. Construction is not required for flood protection purposes and some structures will obstruct the flow of flood waters. In particular the piers of the bridge and the temporary construction access will obstruct the flow of water.</p> <p>Consent is therefore required under this rule.</p>	Restricted discretionary activity

Regional Plan for Discharges to Land

Discharges from contaminated land	<p>Rule 21 Contaminated sites (on-site discharges) – permitted</p> <p>The discharge of any contaminants:</p> <p>(1) into or onto land from a contaminated site, (and not from any activity located on the site) other than as provided in clause (1) of Rule 22; or</p> <p>(2) into or onto land which is, or is part of, a contaminated site, in association with the on-site remediation of the contaminated site;</p> <p>is a Permitted Activity provided:</p> <p>(a) there shall be no noxious, dangerous, offensive or objectionable levels of contaminants in the air at or beyond the site boundary as a result of the discharge;</p> <p>(b) there shall be no contaminants from the contaminated site or from any discharge associated with site remediation (or any other contaminants emanating as a result of natural processes from those contaminants) beyond the</p>	Discharges from contaminated land do not require consent as the DSI has shown that contamination is not a level to impact human health or the environment and therefore there are no areas within the project that meet the definition of contaminated site ³ .	Permitted activity
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³ Means a site at which hazardous substances occur at concentrations above background levels and where assessment indicates it poses or is likely to pose an immediate or long term hazard to human health or the environment.

boundary of the contaminated site at concentrations above the background levels for that location;

(c) the site owner shall undertake such monitoring as is necessary to ensure that the site complies with conditions (a) and (b) above, and shall make the monitoring results available to the Wellington Regional Council, on request.

Rules assessment for the relevant regional plans - Operation

Proposed activity	Rule reference/description	Comment	Activity status
Proposed Natural Resources Plan			
Discharge of potable water	<p>Rule R45: Potable water – permitted activity</p> <p>The discharge of potable water, including scouring water, into water, or onto or into land where it may enter water, for the purpose of draining pipelines or water reservoirs for inspection, repair, maintenance or upgrade upgrade is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) if the discharge is to a tidally-influenced environment, the discharge occurs during the time between three hours before and three hours after high tide, unless the discharge occurs directly into open water without disturbing sediment, and (b) the discharge shall not contain backwash water from a water treatment plant, and (c) the concentration of free or combined residual chlorine in the discharge shall not exceed 0.3g/m3 , and (d) the concentration of fluoride in the discharge shall not exceed 1.5g/m3 , and (e) the discharge shall not cause any conspicuous change in the colour or visual clarity in the receiving water after the zone of reasonable mixing, and (f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area. 	Scour water will be treated in specifically designed treatment chambers and this water will not be discharged to land or water if it does not meet the water quality requirements in Rule R45.	Permitted activity
Clearance of flood debris from bridge piers	<p>Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates) – permitted activity</p> <p>The maintenance (including the maintenance of function), repair, replacement, upgrade or use of a lawfully established structure or a part of a structure (excluding the Barrage Gates located in the lower Wairarapa Valley) that is fixed in, on, under, or over the bed of a river or lake, 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 <p>is a permitted activity, provided the following conditions are met:</p>	The clearance of flood debris from Silverstream Pipe bridge and removal of flood debris from bed and banks necessary to maintain the integrity and safety of the structure is expected to meet permitted activity standards of both rules R112 and R119.	Permitted activity

Proposed activity	Rule reference/description	Comment	Activity status
	<p>(f) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except the use of existing structures shall only comply with conditions (d), (h), (j), and (k), and</p> <p>(g) the resulting structure, excluding any cable, pipe or duct (for example gas pipes, electricity cables or ducts) attached to the structure and including any deposition, adds no more to the existing structure than whichever is the lesser of:</p> <ul style="list-style-type: none"> i. 5% of the plan or cross-sectional area of the structure in the river or lake bed, or ii. 1m in horizontal projection and 1m in vertical projection <p>measured from the structure as it was in the river or lake bed on the date of 31 July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed or from the date that the structure was lawfully established, whichever is later, and</p> <p>(h) any maintenance of the function of a structure shall:</p> <ul style="list-style-type: none"> i. only be for the purpose of removing or redistributing flood debris or gravel, sand or other natural bed material that has accumulated as a result of a culvert, stormwater inlet or outlet, bridge or debris arrestor structure, or a dam spillway, outflow pipe or overflow pipe, or to reduce the perched nature of any culvert due to scour, and ii. be undertaken within 5m of the structure, and iii. result in the disturbance or excavation of an area of bed of no more than 10m², and iv. not result in the deposition of non-natural material, or the deposition of flood debris or bed material in such a way as to form a stockpile, dam or mound within the bed of the river, except as required to provide for fish passage, and <p>(i) the use of any water monitoring equipment may divert up to 30m³ of water per day for the purpose of measuring water quality or quantity provided the water is returned to the water body within 50m of the diversion point, and the quality of the water in the receiving body after the diverted water is returned is maintained, and</p> <p>(j) any replacement, repair or upgrade of a dam structure shall be contained within the form of the existing structure as it was in the river or lake bed on the date of 31 July 2015 or from the date that the structure was lawfully established, whichever is later, and no increase in size shall be provided for by clause (g) of this rule.</p>		

Proposed activity	Rule reference/description	Comment	Activity status
	<p>Rule R119: Clearance or removal of flood debris and beach recontouring – permitted activity</p> <p>The clearance or removal of flood debris on the bed of a river or lake, and beach recontouring of the bed of a river (including, but not limited to, beach ripping), excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except general conditions 5.5.4(n)) including any associated:</p> <ul style="list-style-type: none"> (a) disturbance of the river or lake bed, and (b) deposition of natural material on the river or lake bed, and (c) discharge of sediment to water associated with the clearing of flood debris <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (d) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, excluding condition (f) (trout spawning) if the activity is solely for the purpose of removing flood debris from the inlet or outlet of a culvert or stormwater discharge pipe, or to remove flood debris from against the supporting structures of a bridge, and if in the case of both of these exceptions, the removal is necessary to maintain the immediate integrity and safety of the affected structures, and (e) the removal of flood debris shall be for the purposes of flood or erosion control or to maintain the integrity of a structure, and (f) any beach recontouring operation shall not occur on any part of the bed covered by water at the time of the bed disturbance, and (g) depth of excavation for beach recontouring activities shall not extend below a level greater than 0.1m above the water level adjacent to the extraction site and shall not extend to a depth greater than 1m, and (h) any moved or extracted river bed material or flood debris shall not be placed in the bed of the river in such a way as it forms a mound or causes the natural course of the river to be altered in a flood event, and (i) any beach recontouring shall only be for the purposes of mitigating the adverse effects of flooding or erosion, and (j) the activity does not occur within a site identified in Schedule C (mana whenua). 		

Proposed activity	Rule reference/description	Comment	Activity status
Discharge of potable water	<p>Rule 1 Discharges of water and minor contaminants - permitted</p> <p>The discharge of contaminants, or water, into surface water[, other than the discharge of stormwater,] is a Permitted Activity provided the discharge complies with the conditions specified below.</p> <p>Conditions</p> <p>(1) the discharge is not to any wetland, lake or river being managed in its natural state (Appendix 2, part A); and</p> <p>(2) the discharge shall not contain any contaminants other than [contaminants at concentrations specified in] conditions</p> <p>(3) to (7) below; and</p> <p>(3) concentrations of free or combined residual chlorine in the discharge shall be no more than 0.5 g/m³ ; and</p> <p>(4) concentrations of suspended solids in the discharge shall be no more than 50 g/m³; and</p> <p>(5) concentrations of acid-soluble aluminium in the discharge shall be no more than 0.15g/m³; and</p> <p>(6) concentrations of fluoride in the discharge shall be no more than 1.5 g/m³ ; and</p> <p>(7) the discharge temperature shall not differ from the ambient temperature of the receiving water by more than 5° Celsius; and</p> <p>(8) the discharge does not cause erosion at the point of discharge; and</p> <p>(9) the discharge does not alter the natural course of the river or stream.</p>	<p>Rule 3 applies to discharges of stormwater, and to the operation of specified network utilities if there are associated discharges to land. Scour water will be treated in specifically designed treatment chambers and this water will not be discharged to land or water if it does not meet the water quality requirements, specifically chlorine, in Rule 1.</p>	Permitted activity
Clearance of flood debris from bridge piers, bed and banks	<p>Rule 36 Clearance of flood debris from rivers and lakes - permitted</p> <p>The disturbance of any river or lake bed associated with clearing flood debris that poses a flood or erosion hazard or for the purposes of protecting structures, is a Permitted Activity, provided it complies with the conditions specified below.</p> <p>Conditions</p> <p>(1) Public access shall not be restricted to an extent or for a period greater than necessary to complete the clearance.</p> <p>(2) All reasonable steps shall be taken to minimise the release of sediment to water during the activity.</p> <p>(3) No contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) shall be released to water from equipment being used for the operation, and no refuelling of equipment shall take place on any area of river or lake bed.</p> <p>(4) Any debris cleared shall be removed from the river or lake bed and any material excavated from the river and lake bed shall not be mounded up so that it forms a barrier to water movement.</p>	<p>The clearance of flood debris from bridge piers necessary to maintain the integrity and safety of the bridge is expected to meet permitted activity conditions.</p> <p>Consent is therefore sought on a conservative basis under Rule R129.</p>	Permitted activity

Proposed activity	Rule reference/description	Comment	Activity status
	(5) All equipment and materials used for the clearance operation shall be removed from the river or lake bed on completion of the operation.		
Regional Plan for Discharges to Land			
Discharge of potable water	<p>Rule 3 Stormwater and reticulation systems – permitted</p> <p>The discharge of contaminants into or onto land:</p> <p>(1) as stormwater collected from any motorway, road, street, roof, yard, paved surface, grassed surface or other structure (but not including stormwater discharged into a pipe which discharges into surface water); or</p> <p>(2) from the maintenance, repair and inspection of pipes, drains and pumps of the following network utility services:</p> <ul style="list-style-type: none"> (a) water supply systems; (b) irrigation schemes; and (c) stormwater systems; and (d) sewerage systems; or <p>(3) the emptying of water storage reservoirs; is a Permitted Activity, provided</p> <ul style="list-style-type: none"> (a) the discharge shall not have a free or combined chlorine content of greater than 50 g/m³ ; (b) the discharge shall not cause water to enter any property beyond the boundary of the property or area in which the discharge occurs, unless the written approval(s) of the owners and occupiers of affected properties has been obtained; (c) all pipelines, drains, pumps and reservoirs shall be constructed and maintained in an efficient operating condition. <p>[(ca) The discharge does not originate from industrial or trade premises where hazardous substances are stored or used unless: (i) hazardous substances cannot enter the stormwater system; or (ii) there is an interceptor system in place to collect hazardous contaminants or divert contaminated stormwater to a trade waste system.</p> <p>And for discharges from the maintenance, repair or inspection of sewerage systems the following additional conditions apply:</p> <ul style="list-style-type: none"> (d) the Wellington Regional Council and the Medical Officer of Health shall be notified of the discharge at least 24 hours before the discharge takes place for planned maintenance, repair or inspection, and as soon as is practical, but no more than 24 hours after the discharge if it is due to a response to a break or other failure, in accordance with the provisions of the Response Manual for Sewage Discharges (Edition 1, August 1993, Public Health Service); (e) signs indicating any public health risks arising from the discharge shall be displayed at the discharge site, for as long as the health risk exists. 	Scour water will be treated in specifically designed treatment chambers and this water will not be discharged to land if it does not meet the water quality requirements, specifically chlorine, in Rule 3.	Permitted activity

Rules assessment for the Upper Hutt City Council District Plan

Proposed activity	Rule reference/description	Comment	Activity status
Construction of new underground sections of pipeline, cabinets and other network utility structures	<p>Rule 30.1</p> <p>All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity</p>	See below for an assessment of the permitted activity standards. As the activity cannot comply with all standards resource consent is required.	Discretionary activity
	<p>Relevant standards for permitted activities</p> <p>30.4 Maximum height of network utilities</p> <p>The maximum height of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod...</p> <p>Cabinets, and network utility structures, that are not otherwise provided for. – 3.5 m</p>	Cabinets and other network utility structures may exceed 3.5 m in height and would not comply with this standard.	
	<p>30.5 Maximum size and diameter of network utilities</p> <p>The maximum size and diameter of network utilities for each zone is outlined in the table below...</p> <p>Cabinets and other network utility structures (not otherwise provided for) that are not located within road reserve – 15 m²</p>	Cabinets and other network utility structures for the proposed bridge and pipeline will be larger than 15 m ² and therefore do not comply with this standard.	
	<p>30.6 Separation distance and setbacks from boundaries</p> <p>No network utilities shall be located within an esplanade or strip. The following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m² in area with a height of more than 1.2m that are not located in the road reserve or rail corridor:</p> <p>Residential, Open Space and Special Activity – No less than 2 m to all boundaries</p>	All activities will be taking place more than 2 m away from all boundaries.	
	<p>30.7 Specific standards for temporary above ground lines</p> <p>The line(s) shall be in place for no longer than six calendar months from the date of erection until its removal.</p>	Not applicable.	
	<p>30.8 Where any work is undertaken on a road or service lane the persons responsible for the work shall notify Council at least 10 working days before work begins.</p>	Work will not be undertaken on a road or service lane.	

Proposed activity	Rule reference/description	Comment	Activity status
	<p>30.8a Network utility structures (excluding cabinets) that:</p> <ul style="list-style-type: none"> • Cross a stream or river; and • Are within an identified flood hazard area; <p>Must either;</p> <ul style="list-style-type: none"> • Be located underground; or, <p>Positioning above the 1 in 100 year flood level except when attached to existing lawfully established crossing structures such as bridges in which case the Network Utility Structure must not be fixed or positioned any closer to the stream bed or river bed than the lowest point of the existing crossing structure</p>	Some of the infrastructure for the new bridge over the Hutt River will be within the 1 in 100 year flood hazard extent and cannot comply with these conditions.	
Construction of new pipe bridge	<p>Rule 30.1 All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity.</p>	The pipe will not be attached to an existing bridge or structure. The new pipe bridge is being constructed primarily for the purpose of conveying the pipe across the Hutt River and requires consent under this rule.	Discretionary activity
	<p>Relevant Standards for permitted activities</p> <p>30.4 Maximum height of network utilities The maximum height of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod... Cabinets, and network utility structures, that are not otherwise provided for. – 3.5 m</p>	The bridge will exceed 3.5m in height and would not comply with this standard.	
	<p>30.5 Maximum size and diameter of network utilities The maximum size and diameter of network utilities for each zone is outlined in the table below... Cabinets and other network utility structures (not otherwise provided for) that are not located within road reserve – 15 m²</p>	The proposed bridge will be greater than 15 m ² and therefore does not comply with this rule.	
	<p>30.6 Separation distance and setbacks from boundaries No network utilities shall be located within an esplanade or strip. The following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m² in area with a height of more than 1.2m that are not located in the road reserve or rail corridor: Residential, Open Space and Special Activity – No less than 2 m to all boundaries</p>	All activities will be taking place more than 2 m away from all boundaries.	
	<p>30.7 Specific standards for temporary above ground lines</p>	Not applicable.	

Proposed activity	Rule reference/description	Comment	Activity status
	<p>The line(s) shall be in place for no longer than six calendar months from the date of erection until its removal.</p> <p>30.8 Where any work is undertaken on a road or service lane the persons responsible for the work shall notify Council at least 10 working days before work begins.</p> <p>30.8a Network utility structures (excluding cabinets) that:</p> <ul style="list-style-type: none"> • Cross a stream or river; and • Are within an identified flood hazard area; <p>Must either;</p> <ul style="list-style-type: none"> • Be located underground; or, • Positioned above the 1 in 100 year flood level <p>except when attached to existing lawfully established crossing structures such as bridges in which case the Network Utility Structure must not be dices or positioning any closed to the stream bed or river bed than the lowerst point of the existing crossing structure</p>	<p>Work will not be undertaken on a road or service lane.</p> <p>The pipe bridge, and related abutments, foundations and other structures, will be placed within the 1 in 100 year flood hazard extent and cannot comply with these conditions.</p>	
Structures within the fault band hazard	<p>Rule 33.1 Any new habitable building or structure to be erected within the fault band identified on the Planning Maps.</p>	The bridge, a section of the pipeline and other supporting structures for the bridge and pipeline will be constructed within the fault hazard band as identified on the planning maps.	Discretionary activity
Structures within the flood hazard	<p>Rule 33.1 Buildings and structures to be erected within the 1% (1 in 100 year) flood extent of the Hutt River, as shown on the Planning Maps.</p>	The bridge, a section of the pipeline and other supporting structures for the bridge and pipeline constructed within the 1 in 100 year flood extent of the river as identified on the planning maps.	Discretionary activity
Noise	<p>Rule 32.1 Any activity (except temporary events, activities occurring in the Speedway Area, and an Organised Fireworks Display at Trentham Memorial Park) which complies with the noise and vibration standards in rules 32.3 to 32.6</p> <p>Relevant permitted activity standards The maximum noise levels from construction -or demolition activities, measured at or within the boundary of any site (other than the source site) in the Residential and Open Space Zones, and immediately outside dwellings in the Rural Zone, shall not exceed the following levels:</p>	<p>The activity will comply with the rules, as laid out below.</p> <p>Due to the location of the works within an open space area and the distance to other activities it is anticipated that construction activities will comply with all of these noise standards.</p>	Permitted

Proposed activity	Rule reference/description	Comment	Activity status																								
	<table border="1"> <thead> <tr> <th colspan="2">Mon to Sat 7:00 am – 7:00 pm</th> <th colspan="2">All other times, Sundays & public Holidays</th> </tr> <tr> <th>L_{eq}dBA</th> <th>L_{max}dBA</th> <th>L_{eq}dBA</th> <th>L_{max}dBA</th> </tr> </thead> <tbody> <tr> <td>75</td> <td>90</td> <td>45</td> <td>75</td> </tr> <tr> <td colspan="4">Notes</td> </tr> <tr> <td colspan="4">Noise levels shall be measured in accordance with the requirements of NZS 6803:1999 Acoustics – Construction Noise.</td> </tr> <tr> <td colspan="4">The definitions of dBA, Leq and Lmax are those found in NZS 6803:1999.</td> </tr> </tbody> </table>	Mon to Sat 7:00 am – 7:00 pm		All other times, Sundays & public Holidays		L _{eq} dBA	L _{max} dBA	L _{eq} dBA	L _{max} dBA	75	90	45	75	Notes				Noise levels shall be measured in accordance with the requirements of NZS 6803:1999 Acoustics – Construction Noise.				The definitions of dBA, Leq and Lmax are those found in NZS 6803:1999.					
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Earthworks not associated with establishment of a network utility	Rule 23.1 Earthworks Earthworks which do not meet the standards under rules 23.2-23.17 unless specifically identified as a discretionary or non-complying activity	As laid out below earthworks required for the project will not comply with the permitted activity standards and resource consent is required.	Restricted discretionary activity																								
	Relevant Standards for Permitted Activities																										
	23.3 In the Open Space and Rural Zones, existing ground level shall not be altered by cutting or filling by a vertical height of more than 1.5m.	The existing ground level will be altered for various purposes during the construction of the bridge and pipeline. These changes will involve changing the height more than 1.5 m.																									
	23.4 The physical extent of earthworks shall not exceed 150m ² in surface area on any one site within any continuous 12 month period.	The area of earthworks required exceed 150 m ² .																									
	23.6 Earthworks shall not be undertaken within 10m of any water body (measured from the bank of the water body), or within the 1 in 100 year flood extent of the Hutt River (as defined on the Planning Maps).	Earthworks will be required within 10 m of the Hutt River and within the 1 in 100 year flood extent.																									
	23.7 Sediment retention and run-off controls shall be implemented to ensure there is no contamination of natural water by sediment.	Erosion and sediment control will be implemented which will prevent sediment from contaminating natural water.																									
	23.8 Earthworks which are not being worked for three months or more, shall be hydroseeded or sown in order to achieve ground cover.	When earthworks are complete the area will be hydroseeded or planted to achieve sufficient ground cover within 3 months.																									
	23.9 Earthworks shall be undertaken in accordance with the relevant provisions of the Code of Practice for Civil Engineering Works.	Earthworks will be undertaken in accordance with the provisions of the Code Of Practice For Civil Engineer Works.																									

Proposed activity	Rule reference/description	Comment	Activity status
	<p>23.10 Stormwater resulting from earthworks development is to be controlled and managed so as to avoid, remedy or mitigate adverse effects on other land.</p>	Stormwater will be managed to avoid remedy and mitigate the adverse effects on land.	
Demolition and removal of existing pipeline attached to Silverstream road bridge	<p>Rule 30.1 The removal of existing network utilities, including any existing structures</p>	The removal of the existing pipeline on the Silverstream road bridge will comply with all standards (see below).	Permitted
	<p>Relevant Standards for permitted activities</p> <p>30.8 Where any work is undertaken on a road or service lane the persons responsible for the work shall notify Council at least 10 working days before work begins.</p>	When the existing water main is deconstructed council will be notified 10 working days before the works begin.	

Rules assessment for Hutt City Council District Plan

Proposed activity	Rule reference/description	Comment	Activity status
Construction of new underground sections of pipeline	<p>Rule 13.3.1.15 All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity.</p>	Earthworks associated with the construction of a new underground network utility cannot comply with the permitted activity conditions in Rule 13.3.1.17 (listed below) and require consent.	Discretionary activity
	<p>Relevant Standards Earthworks: 13.3.2.5 Sediment and erosion control</p> <p>Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the “Erosion and Sediment Control Guidelines for the Wellington Region – September 2002” – reprinted 2006.</p>	The activity will comply with the Erosion and Sediment Control Guidelines for Wellington. The Erosion and Sediment Control Guidelines for Wellington region have been updated in 2021 and these are the guidelines that will be used for the proposed earthworks.	
	<p>Slope, height, depth and area of earthworks</p> <p>The following shall apply to all network utility activities, except to earthworks within 2.0 metres of the exterior walls of any network utility structure or the outer edge of a network utility structure without walls measured in plain view, trenching in the road reserve or rail corridor, and to piling associated with the installation of a network utility.</p> <p>(i) Slope - No earthworks shall be carried out on a slope greater than 45 degrees.</p> <p>(ii) Height, Depth - Earthworks shall not exceed 1.5 metres in height or depth.</p> <p>(iii) Recession Plane - Any earthworks that involve the raising of the height of land above existing ground level shall not exceed a height recession plane measured at an angle of 45 degrees from any neighbouring boundary.</p> <p>(iv) Area: Riparian Areas – 25 m² All Recreation and Residential Activity Areas - 100m² All Rural Activity Areas – 1000 m² All Other Activity Areas – 500 m² Rail corridor and state highway - 1,000 m²</p>	Earthworks will occur both within and outside of the road reserve and rail corridor. Earthworks within the rail corridor will be required to connect the new Kaitoke main to the existing cross-connection under SH 2. The majority of earthworks will take place outside of the rail corridor and road reserve. Earthworks for these areas of pipeline will not comply with permitted standards as they will exceed 1.5 m in height or depth and be greater than 100 m ² (Recreation Activity Area).	
Construction of the above ground sections of pipeline	<p>Rule 13.3.1.11 Cabinets and other network utility structures not otherwise listed in this table that do not meet the permitted activity standards in Rule 13.3.1.9.</p>	The above ground sections of pipeline would not comply with the standards (see below) under Rule 13.3.1.9 and resource consent is required.	Restricted discretionary activity

Proposed activity	Rule reference/description	Comment	Activity status
	<p>Relevant Standards</p> <p>Height 13.3.2.2.5 Cabinets and network utility structures that are not otherwise provided for and that are not located within the road reserve: 3.5 m</p>	The pipe will be more than 3.5 m above the ground.	
	<p>Size and Diameter 13.3.2.3.7 Cabinets and other network utility structures not otherwise provided for that are not located within the road reserve – 15 m²</p>	The pipe above ground will have an area greater than 15 m ²	
	<p>Separation Distances and Setbacks With the exception of standard 13.3.2.4.1, which applies to all network utility structures, including lines, the following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m² in area with a height of more than 1.2 metres and not located in the road reserve or rail corridor.</p> <p>Riparian setback: A minimum 20m riparian setback shall be maintained.</p> <p>Separation distance or setback for cabinets and other network utility structures</p>	The pipe will not be able to maintain a 20 m setback from riparian areas. The above ground pipe will not be more than 2 m from all boundaries.	
	<p>Earthworks: 13.3.2.5</p> <p>Sediment and Erosion Control Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the “Erosion and Sediment Control Guidelines for the Wellington Region – September 2002” – reprinted 2006.</p>	The activity will comply with the Erosion and Sediment Control Guidelines for Wellington. The Erosion and Sediment Control Guidelines for Wellington region have been updated in 2021 and these are the guidelines that will be used for the proposed earthworks.	
	<p>Slope, height, depth and area of earthworks The following shall apply to all network utility activities, except to earthworks within 2.0 metres of the exterior walls of any network utility structure or the outer edge of a network utility structure without walls measured in plain view, trenching in the road reserve or rail corridor, and to piling associated with the installation of a network utility.</p> <ul style="list-style-type: none"> (i) Slope - No earthworks shall be carried out on a slope greater than 45 degrees. (ii) Height, Depth - Earthworks shall not exceed 1.5 metres in height or depth. (iii) Recession Plane - Any earthworks that involve the raising of the height of land above existing ground level shall not exceed a height recession plane measured at an angle of 45 degrees from any neighbouring boundary. (iv) Area: 	The earthworks required for the bridge abutments and foundation works will exceed 1.5 metres in vertical depth and also exceed 100 m ² .	

Proposed activity	Rule reference/description	Comment	Activity status
	Riparian Areas – 25 m ² All Recreation and Residential Activity Areas – 100 m ² All Rural Activity Areas – 1000 m ² All Other Activity Areas – 500 m ² Rail corridor and state highway - 1,000 m ²		
	Noise 13.3.2.7 Noise associated with the activity shall not exceed the permitted activity noise standard(s) within the zone in which the activity is located.	The activity will take place within a Recreation Activity Area, away from other noise sensitive activities. It is assumed that, due to the distance from residential properties, all noise standards can be complied with.	
Construction of the new pipe bridge	Rule 13.3.1.15 All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity	Construction of the new pipe bridge would be covered by Rule 13.3.1.14 but cannot comply with the relevant permitted activity conditions (see below).	Discretionary activity
Relevant Standards Earthworks: 13.3.2.5 Sediment and Erosion Control Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the “Erosion and Sediment Control Guidelines for the Wellington Region – September 2002” – reprinted 2006.	The activity will comply with the Erosion and Sediment Control Guidelines for Wellington. The Erosion and Sediment Control Guidelines for Wellington region have been updated in 2021 and these are the guidelines that will be used for the proposed earthworks.		
Slope, height, depth and area of earthworks The following shall apply to all network utility activities, except to earthworks within 2.0 metres of the exterior walls of any network utility structure or the outer edge of a network utility structure without walls measured in plain view, trenching in the road reserve or rail corridor, and to piling associated with the installation of a network utility. <ul style="list-style-type: none"> (i) Slope - No earthworks shall be carried out on a slope greater than 45 degrees. (ii) Height, Depth - Earthworks shall not exceed 1.5 metres in height or depth. (iii) Recession Plane - Any earthworks that involve the raising of the height of land above existing ground level shall not exceed a height recession plane measured at an angle of 45 degrees from any neighbouring boundary. (iv) Area: <ul style="list-style-type: none"> Riparian Areas - 25m² All Recreation and Residential Activity Areas - 100m² 	The earthworks required for the bridge abutments and foundation works will exceed 1.5 metres in vertical depth and also exceed 100 m ² .		

Proposed activity	Rule reference/description	Comment	Activity status
	<p>All Rural Activity Areas - 1000m²</p> <p>All Other Activity Areas - 500m²</p> <p>Rail corridor and state highway - 1,000m²</p>		
Structures within the Wellington Fault Special Study Area	<p>Rule 14H 2.1</p> <p>All structures where the whole site or a portion of the site falls within the Wellington Fault Special Study Area</p> <p>All structures and buildings on any site where the whole site or a portion of the site falls within the Wellington Fault Special Study Area, excluding the following:...</p>	The bridge, a section of the pipeline and other supporting structures for the bridge and pipeline, are being placed within the Wellington Fault Special Study Area.	Restricted discretionary activity
Noise	<p>Rule 14C 2.1</p> <p>All construction, demolition, and maintenance work shall comply with NZS 6803P "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".</p>	Measurements of noise will be assessed in accordance with relevant NZS standards.	Permitted
	<p>Rule 14C 2.1.1</p> <p>All other non-residential activities must not exceed the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place.</p>	<p>The closest Residential Activity Area to the Project is Silverstream Retreat which is located within Noise Area 1. Noise Area 1 noise limits are:</p> <p>Noise Area 1</p> <p><i>Maximum 60dBA 7.00am - 10.00pm</i> <i>(Sun 9.00am - 4.00pm)</i></p> <p><i>Maximum 45dBA 10.00pm - 7.00am</i></p> <p>Due to the distance between the construction site and the nearest Residential Activity Area (Silverstream Retreat) it is expected that all construction noise will comply with these permitted activity standards.</p>	Permitted
Earthworks not associated with establishment of a network utility	<p>Rule 14I 2.1.1</p> <p>In all activity areas except Special Recreation Activity Area, Passive Recreation Activity Area, Hill Residential Activity Area, and the Landscape Protection Residential Activity Area, earthworks which fail to comply with any of the Permitted Activity Conditions.</p>	Earthen embankments are not considered earthworks required for the establishment of a network utility and have thus been assessed under the general earthworks provisions on a conservative basis. The activity will fail to comply with permitted activity standards (see below) and consent is required.	Restricted discretionary activity
	<p>14I 2.1.1 Permitted Activities – Conditions</p>	The natural ground level will be altered by greater than 1.2 m vertically.	

Proposed activity	Rule reference/description	Comment	Activity status
	<p>(a) Ground level: The natural ground level may not be altered by more than 1.2m, measured vertically.</p> <p>(b) Quantity Maximum volume of 50 m³ (solid measure) per site</p> <p>(c) In the Primary and Secondary River Corridors In the Primary and Secondary River Corridors, earthworks must be a minimum distance of 20m from a flood protection structure</p>	<p>The volume of earthworks will exceed 50 m³.</p> <p>All earthworks will be greater than 20 m from any flood protection structure.</p>	
Demolition and removal of existing pipeline attached to Silverstream road bridge	Rule 13.3.1.1 Removal of existing network utilities, including existing structures.	The removal of the existing Kaitoke Main on the Silverstream road bridge will comply with all permitted activity standards of Rule 13.3.1.1.	Permitted
Operation and maintenance	Rule 13.3.1.2 The operation and maintenance of network utilities	The ongoing operation and maintenance of the pipeline and bridge will be undertaken in compliance with this rule.	Permitted