

NES-Fw and Stock Exclusion Regulations Alignment Table

Recommended amendments related to the stock exclusion regulations are highlighted in green.

| Section | Rule or permitted activity standard | What is the area of conflict or duplication | Amendment recommended |
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| Chapter 2 General Rules | | | |
| Water take, use, damming or diversion | | | |
| Introduction | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table.</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: The taking, use, damming, diversion or discharge of water within or within a 100 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 2.2 Permitted activities | <p>2.2.13 Take and use of water from Significant Wetland W599 for skifield facilities and snowmaking at Rainbow Skifield.</p> <p>2.2.23. Diversion of water from Significant Wetland W598 to Significant Wetland W599 for wetland augmentation at Rainbow Skifield.</p> | <p>Regulation 52 of the NES-F requires consent for the taking, use, damming, diversion or discharge of water within, or within a 100 m setback, from a natural wetland. These rules authorise the take, use and diversion of water from a wetland as a permitted activity. To resolve this conflict, the rules from the PMEP must be deleted.</p> | <p><u>Delete the following rules:</u></p> <p>2.2.13. 2.2.23.</p> |
| 2.3 Standards that apply to specific permitted activities | <p>2.3.1.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.2.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.3.4. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.4.2 The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.5.2. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.6.2. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.7.2 The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> | <ul style="list-style-type: none"> Consequential to the recommendation to manage all activities in and near wetlands only under the NES-Fw, all references to Significant Wetlands are recommended to be removed from the PMEP permitted activity standards. | <p><u>Amend the following permitted activity standards:</u></p> <p>2.3.1.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.2.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.3.4. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.4.2 The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.5.2. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.6.2. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.7.2 The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> |

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| | <p>2.3.9.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.10.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.14.2. The take and discharge must not be from or into a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.25.2. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> | | <p>2.3.9.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.10.3. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.14.2. The take and discharge must not be from or into a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> <p>2.3.25.2. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</p> |
| | <p>2.3.13.3. The take must not be from a Significant Wetland.</p> <p>2.3.17.1. The diversion must not be in, or within 8m of, a Significant Wetland.</p> <p>2.3.18.1. The diversion and discharge must not be in, or within 8m of, a Significant Wetland.</p> <p>2.3.24.2. The temporary damming or diversion must not be in, or within 8m of, a Significant Wetland.</p> | | <p><u>Delete the following permitted activity standards:</u></p> <p>2.3.13.3.</p> <p>2.3.17.1.</p> <p>2.3.18.1.</p> <p>2.3.24.2</p> |
| | <p>2.3.12. Take and use of water from Significant Wetland W599 for skifield facilities and snowmaking at Rainbow Skifield.</p> <p>2.3.12.1. The take must only be during the ski season.</p> <p>2.3.12.2. The take must not cause the water level of the wetland to decrease by greater than one metre, as measured relative to a fixed reference point.</p> <p>2.3.12.3. The instantaneous rate of the take must not exceed 100l/s.</p> <p>2.3.12.4. Each take must be recorded, including the wetland water level before and after water is taken, the volume of water taken and the duration of the take. The records of all takes during each ski season must be provided to the Council by 1 December of the same year, or at other times when requested.</p> <p>2.3.22. Diversion of water from Significant Wetland W598 to Significant Wetland W599 for wetland augmentation at Rainbow Skifield.</p> <p>2.3.22.1. The diversion must only be during the ski season.</p> <p>2.3.22.2. The diversion must not cause the water level in Significant Wetland W598 to decrease by greater than one metre, as measured relative to a fixed reference point.</p> <p>2.3.22.3. The instantaneous rate of the diversion must not exceed 20l/s.</p> <p>2.3.22.4. Each diversion must be recorded, including the water level in Significant Wetland W598 before and after water is diverted, the volume of water diverted and the duration of the diversion. The records of all diversions during each ski season must be provided to the Council by 1 December of the same year, or at other times when requested.</p> | <p>Consequential change given Rules 2.2.13 and 2.2.23 are recommended to be deleted.</p> | <p><u>Delete the following permitted activity standards in their entirety:</u></p> <p>2.3.12.</p> <p>2.3.22.</p> |
| 2.4 Controlled activities | No relevant rules. | | No amendments required. |
| 2.5 Discretionary activities | No relevant rules. | | No amendments required. |
| 2.6 Prohibited activities | No relevant rules. | | No amendments required. |
| Activities in, on, over or under the bed of a lake or river | | | |
| Introduction to sub-chapter | | <p>There is conflict between the PMEP and NES-Fw, where the NES-Fw specifically manages activities within and near wetlands. To resolve this conflict, all activities managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>It is recommended that an advice note is included to clarify this relationship between the NES-Fw and the PMEP rules, and the related definitions “Significant Wetlands” and “natural wetlands”.</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: The following activities are managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan:</i></p> <ul style="list-style-type: none"> • <i>Earthworks or land disturbance within or within a 10 m setback from a natural wetland; and</i> • <i>The damming of water within or within a 100 m setback from a natural wetland.</i> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| 2.7 Permitted activities | 2.7.7. Culvert installation and replacement in, on, under, or over the bed of a river. | <p>The NES-Fw and PMEP both manage the replacement of culverts. Regulation 70 (culverts) of NES-Fw is only related to the passage of fish, Rule 2.7.7 includes standards that manage other potential effects, including scour and flood hazards, and therefore it is recommended that the PMEP rule is retained, so that the rule and Regulation 70 both apply. An advice note is recommended to clarify that the NES-Fw applies in addition to this rule.</p> <p>Duplication and conflict with specific activity standards is set out in the table below.</p> | <p><u>Insert the following advice note:</u> <i>Note: For the placement, use, alteration, extension or reconstruction of a culvert in, on, over or under the bed of any river or connected area that was not existing at the close of 2 September 2020, Regulation 70 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 applies in addition to this rule.</i></p> |
| 2.8 Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 2.9 Standards that apply to specific permitted activities | <p>2.9.7.2. The invert of the culvert must be placed below the level of the riverbed by a distance equating to the diameter of the pipe divided by 5 (i.e., 20% of the culvert pipe) and at the same slope as the existing bed of the river.</p> <p>2.9.7.3. There must be no increase in the velocity of flow through or downstream of the culvert at the river's median flow.</p> <p>2.9.9. Livestock entering onto, or passing across, the bed of a river.</p> <p>2.9.9.1. The entering onto or passing across the bed of a river of stock must not involve intensively farmed livestock if there is water flowing in the river.</p> <p>2.9.9.2. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not cause any conspicuous change in the colour or natural clarity of any flowing river due to sediment or sediment laden discharge originating from the activity site.</p> <p>2.9.9.3. After reasonable mixing, the entering onto or passing across the bed of a river by the livestock must not result in the water quality of the river exceeding the following: (a) 2mg/l carbonaceous BOD5; (b) 260 Escherichia coli (E. coli)/100ml.</p> | <p>The NES-Fw and PMEP both manage the replacement of culverts. It is recommended that the PMEP permitted activity standards that are more stringent than the NES-Fw are retained. However, there is some conflict and duplication between the activity standards, which needs to be resolved. In particular:</p> <ul style="list-style-type: none"> Activity standard 2.9.7.2 is less stringent than the equivalent NES-Fw standard, so is recommended to be deleted. Activity standard 2.9.7.2 duplicates the equivalent NES-Fw standard, so is recommended to be deleted. <p>Cattle, deer and pigs are defined as intensively farmed stock by the Stock Exclusion Regulations, and are required to be excluded from beds of river. Sheep are not managed under the Stock Exclusion Regulations. The PMEP manages all intensively farmed livestock, which includes:</p> <p>(a) Cattle, deer or sheep which are contained for breakfeeding; or (b) Dairy cattle; or (c) Pigs.</p> <p>There are some differences in the provisions of the PMEP and Stock Exclusion Regulations, but the outcomes are similar. To reduce complexity and uncertainty for landowners, it is recommended to remove the duplication where the stock type is managed under the Stock Exclusion Regulations, so that the PMEP stock exclusion provisions apply to sheep only.</p> | <p><u>Delete the following permitted activity standards:</u> 2.9.7.2. 2.9.7.3.</p> <p>2.9.9. Livestock entering onto, or passing across, the bed of a river.</p> <p>2.9.9.1. The entering onto or passing across the bed of a river of stock must not involve intensively farmed livestock <u>sheep</u> if there is water flowing in the river.</p> <p>2.9.9.2. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not cause any conspicuous change in the colour or natural clarity of any flowing river due to sediment or sediment laden discharge originating from the activity site.</p> <p>2.9.9.3. After reasonable mixing, the entering onto or passing across the bed of a river by the livestock must not result in the water quality of the river exceeding the following: (a) 2mg/l carbonaceous BOD5; (b) 260 Escherichia coli (E. coli)/100ml.</p> |
| 2.10 Discretionary activities | 2.10.2. Any activity in, on, under or over the bed of a lake or river not provided for as a Permitted Activity or limited as a Prohibited Activity. | <p>Regulation 72 of the NES-Fw permits the placement, use, alteration, extension, or reconstruction of a weir in, on, over or under the bed of any river. Non-compliance with the permitted activity conditions results in a discretionary activity under Regulation 73. The PMEP does not include specific rules related to weirs, and are therefore a DIS activity under Rule 2.10.</p> <p>The specific nature of the NES-Fw provisions is considered more useful to manage potential effects than the rule framework in the PMEP, so it is</p> | <p><u>Insert the following advice notes:</u> <i>The placement, use, alteration, extension or reconstruction of a new weir in, on, over or under the bed of any river or connected area that was not existing at the close of 2 September 2020, is managed under Regulations 72 and 73 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p> <p><i>Note: The placement, use, alteration, extension or reconstruction of a passive flap gate in, on, over or under the bed of any river or connected area that was not existing at the close of 2 September 2020, is managed under Regulation 74 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p> |

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| | | recommended that all weirs be managed only under the NES-Fw, unless explicitly prohibited by the PMEP. | |
| 2.11 Prohibited activities | 2.11.4. From 9 June 2022, permitting intensively farmed livestock to enter onto the bed of a lake or the bed of a river when there is water flowing in the river. 2.11.5. From 9 June 2022, permitting intensively farmed livestock to pass across the bed of a lake or the bed of a river when there is water flowing in the river. | Cattle, deer and pigs are defined as intensively farmed stock by the Stock Exclusion Regulations, and are required to be excluded from beds of river. Sheep are not managed under the Stock Exclusion Regulations. The PMEP manages all intensively farmed livestock, which includes: (a) Cattle, deer or sheep which are contained for breakfeeding; or (b) Dairy cattle; or (c) Pigs. There are some differences in the provisions of the PMEP and Stock Exclusion Regulations, but the outcomes are similar. To reduce complexity and uncertainty for landowners, it is recommended to remove the duplication where the stock type is managed under the Stock Exclusion Regulations, so that the PMEP stock exclusion provisions apply to sheep only. | 2.11.4. From 9 June 2022, permitting intensively farmed livestock <u>sheep</u> to enter onto the bed of a lake or the bed of a river when there is water flowing in the river. 2.11.5. From 9 June 2022, permitting intensively farmed livestock <u>sheep</u> to pass across the bed of a lake or the bed of a river when there is water flowing in the river. |
| Drainage channel network activity | | | |
| Introduction to sub-chapter | | The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands: <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table. | Insert the following advice notes: <i>Note: Vegetation clearance, earthworks and land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i> <i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i> |
| 2.12 Permitted activities | No relevant rules. | | No amendments required. |
| 2.13 Standards that apply to all permitted activities | 2.13.1.3. The activity must not be in, or within 8m of, a Significant Wetland. | Consequential amendment: All activities in and near wetlands managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. The wetland setbacks in the PMEP conflict with the setbacks in the NES-Fw. It is recommended that the setback is amended to 10 m to | Amend the following permitted activity standard: 2.13.1.3. The activity must not be in, or within 8m <u>10m</u> of, a Significant Wetland. |

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| | | remove the conflict and ensure that the activities are managed under the NES-Fw. | |
| 2.14 Standards that apply to specific permitted activities | No relevant standards. | | No amendments required. |
| 2.15 Discretionary activities | No relevant rules. | | No amendments required. |
| Discharge to water | | | |
| Introduction to sub-chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table.</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: The following activities are managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <ul style="list-style-type: none"> • <i>Vegetation clearance, within or within a 10 m setback from a natural wetland; and</i> • <i>The discharge of water within or within a 100 m setback from a natural wetland.</i> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 2.16. Permitted activities | No relevant rules. | | No amendments required. |
| 2.17. Standards that apply to specific permitted activities | 2.17.1.6. The discharge must not be into a Significant Wetland. | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw.</p> | <u>Delete permitted activity standard 2.17.1.6.</u> |
| 2.18. Controlled activities | No relevant rules. | | No amendments required. |
| 2.19. Discretionary activities | No relevant rules. | | No amendments required. |
| 2.20. Prohibited activities | No relevant rules. | | No amendments required. |
| Activities in the road and rail corridor | | | |
| Introduction to sub-chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Vegetation clearance, earthworks and land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource</i></p> |

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| | | <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table.</p> | <p><i>Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Heritage resources | | | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Notable trees | | | |
| Introduction to sub-chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table.</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Vegetation clearance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| Entire chapter | No relevant rules or standards. | | No amendments required. |

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| Transportation | | | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Signs | | | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Network utilities | | | |
| Introduction to sub-chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table.</p> | <p>Insert the following advice notes:</p> <p><i>Note: Vegetation clearance, earthworks and land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 2.39. Permitted activities | No relevant rules. | | No amendments required. |
| 2.40. Standards that apply to specific permitted activities | No relevant standards. | | No amendments required. |
| 2.41. Discretionary activities | No relevant rules. | | No amendments required. |
| Temporary military training activity | | | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Emergency generation | | | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 3 Rural Environment Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status.</p> | <p>Insert the following advice notes:</p> <p><i>Note: Vegetation clearance, earthworks and land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| | | <p>There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table.</p> | |
| 3.1. Permitted activities | 3.1.1. Farming. | <p>Outside managing new dairy farm activities, the PMEP does not contain specific rules for various types of activities comprising a farming operation. The NES-Fw manages several specific activities that may form part of a farming activity. It is recommended that an advice note is included to specify that the relevant regulations apply in addition to the PMEP rules for farming.</p> <p>The only potential duplication between the PMEP and NES-Fw for farming activities is the management of new dairy farm land. However, given that the PMEP uses a different threshold for consent compared to the NES-Fw, the additional stringency is recommended to be retained.</p> | <p><u>Insert the following advice note:</u> <i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i> <i>(a) Feedlots: Regulations 9, 10 and 11.</i> <i>(b) Stockholding areas: Regulations 12, 13 and 14.</i> <i>(c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19.</i> <i>(d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21.</i> <i>(e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23.</i> <i>(f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</i></p> |
| | 3.1.8. Plantation forestry harvesting. | <p>The PMEP does not specifically manage the use of land following the harvest of plantation forestry, however it is considered useful to advise plan users of the requirements of the NES-Fw.¹</p> | <p><u>Insert the following advice note:</u> <i>Note: Where the land used for plantation forestry will be used as pastoral land following harvest, the activity is managed by Regulations 16 or 17 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p> |
| | 3.1.24. Storage and application (involving a discharge) of fertiliser or lime into or onto land. | <p>Both the PMEP (Rule 3.1.24) and the NES-Fw (Regulations 33 and 34) manage the discharge of fertiliser, however the scope of Rule 3.1.24 extends beyond the fertiliser restrictions in Regulations 33 and 34 of the NES-Fw. The additional stringency in the PMEP is considered appropriate to retain, alongside the NES-Fw requirements.</p> <p>Recommended advice note describes the difference in the limits under the respective planning documents.</p> | <p><u>Insert the following advice note:</u> <i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| | 3.1.26. Application (involving a discharge) of compost or solid agricultural waste into or onto land. 3.1.27. Discharge of agricultural liquid waste (except dairy farm effluent) into or onto land. 3.1.29. Discharge of dairy farm effluent into or onto land. | <p>Several regulations in the NES-Fw manage the land use and discharges associated with feedlots and stockholding areas. These discharges are likely to include effluent and other organic material from the feedlot or stockholding area. The NES-Fw provides little guidance on the management of these discharges, while the PMEP provides detailed conditions for their management. The additional stringency in the PMEP is considered appropriate to</p> | <p><u>Insert the following advice note:</u> <i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i> <i>(a) Feedlot: Regulations 9, 10 and 11.</i> <i>(b) Stockholding area: Regulations 12, 13 and 14.</i></p> |

¹ Section 44A (6) of the Resource Management Act (1991)

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| | | retain, in addition to the NES-Fw requirements for the land use. | |
| | 3.1.28. Discharge of aquatic herbicide and glyphosate into or onto land for the purposes of removing pest plants in a Significant Wetland. | This rule authorises the clearance of vegetation from a wetland as a permitted activity. Under the NES-F, this activity is likely to require consent as a restricted discretionary activity. The NES-Fw is more stringent and therefore the rule must be deleted. | <u>Delete Rule 3.1.28.</u> |
| 3.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 3.3. Standards that apply to specific permitted activities | 3.3.10.1. Harvesting must not be in, or within: (a) [...] (b) 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification; 3.3.13.3. Vegetation clearance must not be in, or within 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification, except: [...] 3.3.15.3. Excavation must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification; 3.3.17.7. Filling must not be in, or within: (a) [...]; (b) 8m of, a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification; | The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands: <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. | <u>Amend the following permitted activity standards:</u> 3.3.10.1. Harvesting must not be in, or within: (a) [...] (b) 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification; 3.3.13.3. Vegetation clearance must not be in, or within 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification, except: [...] 3.3.15.3. Excavation must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification; 3.3.17.7. Filling must not be in, or within: (a) [...]; (b) 8m of, a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification; |
| | 3.3.14.4. Cultivation must not be in, or within 8m of, a Significant Wetland, except where the wetland is fenced in accordance with the wetland boundaries mapped in the Plan, in which case cultivation may occur up to the fenced boundary. | To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table. | <u>Delete the following permitted activity standards:</u> 3.14.4.4. |
| | 3.3.22. Livestock entering onto, or passing across, the bed of a river. 3.3.22.1. The entering onto or passing across the bed of a river of stock must not involve intensively farmed livestock if there is water flowing in the river. 3.3.22.2. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not cause any conspicuous change in the colour or natural clarity of a flowing river due to sediment or sediment laden discharge originating from the activity site. 3.3.22.3. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not result in the water quality of the river exceeding the following: (a) 2mg/l carbonaceous BOD5; (b) 260 Escherichia coli (E. coli)/100ml. | Cattle, deer and pigs are defined as intensively farmed stock by the Stock Exclusion Regulations, and are required to be excluded from beds of river. Sheep are not managed under the Stock Exclusion Regulations. The PMEP manages all intensively farmed livestock, which includes: (a) Cattle, deer or sheep which are contained for breakfeeding; or (b) Dairy cattle; or (c) Pigs. There are some differences in the provisions of the PMEP and Stock Exclusion Regulations, but the outcomes are similar. To reduce complexity and uncertainty for landowners, it is recommended to remove the duplication where the stock type is managed under the Stock Exclusion Regulations, so that the PMEP stock exclusion provisions apply to sheep only. | <u>Amend the following permitted activity standards:</u> 3.3.22. Livestock entering onto, or passing across, the bed of a river. 3.3.22.1. The entering onto or passing across the bed of a river of stock must not involve intensively farmed livestock <u>sheep</u> if there is water flowing in the river. 3.3.22.2. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not cause any conspicuous change in the colour or natural clarity of a flowing river due to sediment or sediment laden discharge originating from the activity site. 3.3.22.3. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not result in the water quality of the river exceeding the following: (a) 2mg/l carbonaceous BOD5; (b) 260 Escherichia coli (E. coli)/100ml. |
| | 3.3.28. Discharge of aquatic herbicide and glyphosate into or onto land for the purposes of removing pest plants in a Significant Wetland. | Consequential change given Rule 3.1.28. is recommended to be deleted. | <u>Delete permitted activity standards 3.3.28 in their entirety.</u> |

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| | <p>3.3.28.1. Plants identified in Appendix 25 are the only vegetation that may be sprayed.</p> <p>3.3.28.2. The aquatic herbicide used must be one approved for aquatic use by the Environmental Protection Authority.</p> <p>3.3.28.3. The application must be undertaken in accordance with the manufacturer's instructions.</p> <p>3.3.28.4. The application rates must not exceed that stated on the most recent product label for the relevant application equipment or method and target species.</p> | | |
| 3.4. Controlled activities | 3.4.3. Harvesting of plantation forestry that was established prior to 9 June 2016, in, or within 8m of a Significant Wetland | The PMEP does not specifically manage the use of land following plantation forestry harvesting, however it is considered useful to advise plan users of the requirements of the NES-Fw. ² | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Where the land used for plantation forestry will be used as pastoral land following harvest, the activity is managed by Regulations 16 or 17 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p> |
| 3.5. Restricted discretionary activities | No relevant rules. | | No amendments required. |
| 3.6. Discretionary activities | 3.6.1 Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards. | Consequential to the amendments recommended to Rules 3.1.24 and 3.1.8. | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> <p><i>Note: Where the land used for plantation forestry will be used as pastoral land following harvest, the activity is managed by Regulations 16 or 17 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p> |
| | 3.6.3. Intensive farming. | Consequential to the amendments recommended to Rule 3.1.1. | <p><u>Insert the following advice note:</u></p> <p><i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p><i>(a) Feedlot: Regulations 9, 10 and 11.</i></p> <p><i>(b) Stockholding area: Regulations 12, 13 and 14.</i></p> <p><i>(c) Intensive winter grazing: Regulations 26, 27, 29 and 30.</i></p> |
| | 3.6.8. Dairy farm established after 9 June 2016. | Rule 3.6.8. of the PMEP manages new dairy farming activities, although with a different threshold to the NES-Fw. Given the different threshold, the additional stringency is recommended to be retained. | <p><u>Insert the following advice note:</u></p> <p><i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p><i>(a) Feedlot: Regulations 9, 10 and 11.</i></p> <p><i>(b) Stockholding area: Regulations 12, 13 and 14.</i></p> <p><i>(c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19.</i></p> <p><i>(d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21.</i></p> <p><i>(e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23.</i></p> <p><i>(f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</i></p> |
| 3.7. Prohibited activities | <p>3.7.3. From 9 June 2022, permitting intensively farmed livestock to enter onto the bed of a lake, into a Significant Wetland or onto the bed of a river when there is water flowing in the river.</p> <p>3.7.4. From 9 June 2022, permitting intensively farmed livestock to pass across the bed of a lake, a Significant Wetland or the bed of a river when there is water flowing in the river.</p> | <p>Cattle, deer and pigs are defined as intensively farmed stock by the Stock Exclusion Regulations, and are required to be excluded from beds of river. Sheep are not managed under the Stock Exclusion Regulations. The PMEP manages all intensively farmed livestock, which includes:</p> <p>(a) Cattle, deer or sheep which are contained for breakfeeding; or</p> | <p><u>Amend the following rules:</u></p> <p>3.7.3. From 9 June 2022, permitting intensively farmed livestock<u>sheep</u> to enter onto the bed of a lake, into a Significant Wetland or onto the bed of a river when there is water flowing in the river.</p> <p>3.7.4. From 9 June 2022, permitting intensively farmed livestock<u>sheep</u> to pass across the bed of a lake, a Significant Wetland or the bed of a river when there is water flowing in the river.</p> |

² Section 44A(6) of the Resource Management Act (1991).

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| | | (b) Dairy cattle; or (c) Pigs. There are some differences in the provisions of the PMEP and Stock Exclusion Regulations, but the outcomes are similar. To reduce complexity and uncertainty for landowners, it is recommended to remove the duplication where the stock type is managed under the Stock Exclusion Regulations, so that the PMEP stock exclusion provisions apply to sheep only. | |
| Chapter 4 Coastal Environment Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks and land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 4.1. Permitted activities | 4.1.1. Farming. | <p>Outside managing new dairy farm activities, the PMEP does not contain specific rules for various types of activities comprising a farming operation. The NES-Fw manages several specific activities that may form part of a farming activity. It is recommended that an advice note is included to specify that the relevant regulations apply in addition to the PMEP rules for farming. The only potential duplication between the PMEP and NES-Fw for farming activities is the management of new dairy farm land. However, given that the PMEP uses a different threshold for consent compared to the NES-Fw, the additional stringency is recommended to be retained.</p> | <p><u>Insert the following advice note:</u> <i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p>(a) Feedlots: Regulations 9, 10 and 11. (b) Stockholding areas: Regulations 12, 13 and 14. (c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19. (d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21. (e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23. (f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</p> |
| | 4.1.22. Storage and application (involving a discharge) of fertiliser or lime into or onto land. | Both the PMEP (Rule 4.1.22) and the NES-Fw (Regulations 33 and 34) manage the discharge of fertiliser, however the scope of Rule 4.1.22 is extends beyond the fertiliser restrictions in Regulations 33 and 34 of the NES-Fw. The additional stringency in the | <p><u>Insert the following advice note:</u> <i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule.</i></p> |

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| | | <p>PMEP is considered appropriate to retain, alongside the NES-Fw requirements.</p> <p>The recommended advice note describes the difference in the limits in the NES-Fw and the PMEP</p> | <p><i>Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| | <p>4.1.24. Application (involving a discharge) of compost or solid agricultural waste into or onto land.</p> <p>4.1.25. Discharge of agricultural liquid waste (except dairy farm effluent) into or onto land.</p> <p>4.1.27. Discharge of dairy farm effluent into or onto land.</p> | <p>Several regulations in the NES-Fw manage the land use and discharges associated with feedlots and stockholding areas. These discharges are likely to include effluent and other organic material from the feedlot or stockholding area. The NES-Fw provides little guidance on the management of these discharges, while the PMEP provides detailed conditions for their management. The additional stringency in the PMEP is considered appropriate to retain, in addition to the NES-Fw requirements for the land use.</p> | <p><u>Insert the following advice note:</u> <i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i> <i>(a) Feedlot: Regulations 9, 10 and 11.</i> <i>(b) Stockholding area: Regulations 12, 13 and 14.</i></p> |
| | <p>4.1.26. Discharge of aquatic herbicide and glyphosate into or onto land for the purposes of removing pest plants in a Significant Wetland</p> | <p>This rule authorises the clearance of vegetation from a wetland as a permitted activity. Under the NES-F, this activity is likely to require consent as a restricted discretionary activity. As the NES-F is more stringent, the rule must be deleted.</p> | <p><u>Delete Rule 4.1.26.</u></p> |
| <p>4.2. Standards that apply to all permitted activities</p> | <p>No relevant standards.</p> | | <p>No amendments required.</p> |
| <p>4.3. Standards that apply to specific permitted activities</p> | <p>4.3.8.1. Harvesting must not be in, or within (a) [...] (b) 8m of a Significant Wetland; 4.3.13.3. Excavation must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland 4.3.15.8. Filling must not be in, or within: (a) [...]; (b) 8m of, a Significant Wetland; 4.3.16.1. The bore must not be located: (a) [...]; (e) in, or within 8m of, a Significant Wetland;</p> | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <ul style="list-style-type: none"> Other consequential amendments are described alongside the relevant rules or activity standards within this table | <p><u>Amend the following permitted activity standards:</u> 4.3.8.1. Harvesting must not be in, or within (a) [...] (b) 8m of a Significant Wetland; 4.3.13.3. Excavation must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland 4.3.15.8. Filling must not be in, or within: (a) [...]; (b) 8m of, a Significant Wetland; 4.3.16.1. The bore must not be located: (a) [...]; (e) in, or within 8m of, a Significant Wetland;</p> |
| | <p>4.3.11.3. Vegetation clearance must not be in, or within 8m of a Significant Wetland except: (a) where the wetland is fenced in accordance with the wetland boundaries mapped in the Plan, in which case vegetation clearance may occur up to the fenced boundary; or (b) plants identified in Appendix 25 may be removed from a Significant Wetland but by non-mechanical means only. 4.3.12.4. Cultivation must not be in, or within 8m of, a Significant Wetland, except where the wetland is fenced in accordance with the wetland boundaries mapped in the Plan, in which case cultivation may occur up to the fenced boundary.</p> | | <p><u>Delete the following permitted activity standards:</u> 4.3.11.3. 4.3.12.4.</p> |
| | <p>4.3.20. Livestock entering onto, or passing across, the bed of a river 4.3.20.1. The entering onto or passing across the bed of a river of livestock must not involve intensively farmed livestock if there is water flowing in the river. 4.3.20.2. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not cause any conspicuous change in the</p> | <p>Cattle, deer and pigs are defined as intensively farmed stock by the Stock Exclusion Regulations, and are required to be excluded from beds of river. Sheep are not managed under the Stock Exclusion Regulations. The PMEP manages all intensively farmed livestock, which includes:</p> | <p>4.3.20. Livestock entering onto, or passing across, the bed of a river 4.3.20.1. The entering onto or passing across the bed of a river of livestock must not involve intensively farmed livestock <u>sheep</u> if there is water flowing in the river. 4.3.20.2. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not cause any conspicuous change in the colour or natural clarity of a flowing river due to sediment or sediment laden discharge originating from the activity site.</p> |

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| | <p>colour or natural clarity of a flowing river due to sediment or sediment laden discharge originating from the activity site.</p> <p>4.3.20.3. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not result in the water quality of the river exceeding the following:</p> <p>(a) 2mg/l carbonaceous BOD 5 ; (b) 260 Escherichia coli (E. coli)/100ml</p> | <p>(a) Cattle, deer or sheep which are contained for breakfeeding; or (b) Dairy cattle; or (c) Pigs.</p> <p>There are some differences in the provisions of the PMEP and Stock Exclusion Regulations, but the outcomes are similar. To reduce complexity and uncertainty for landowners, it is recommended to remove the duplication where the stock type is managed under the Stock Exclusion Regulations, so that the PMEP stock exclusion provisions apply to sheep only.</p> | <p>4.3.20.3. After reasonable mixing, the entering onto or passing across the bed of a river by livestock must not result in the water quality of the river exceeding the following:</p> <p>(a) 2mg/l carbonaceous BOD 5 ; (b) 260 Escherichia coli (E. coli)/100ml</p> |
| | <p>4.3.26. Discharge of aquatic herbicide and glyphosate into or onto land for the purposes of removing pest plants in a Significant Wetland.</p> <p>4.3.26.1. Plants identified in the Appendix 25 are the only vegetation that may be sprayed.</p> <p>4.3.26.2. The aquatic herbicide used must be one approved for aquatic use by the Environmental Protection Authority.</p> <p>4.3.26.3. The application must be undertaken in accordance with the manufacturer's instructions.</p> <p>4.3.26.4. The application rate must not exceed that stated on the most recent product label for the relevant application equipment or method and target species.</p> | <p>Consequential change given Rule 4.1.26 is recommended to be deleted.</p> | <p>Delete permitted activity standard 4.1.26 in its entirety.</p> |
| 4.4. Controlled activities | No relevant rules. | | No amendments required. |
| 4.5. Restricted discretionary activities | No relevant rules. | | No amendments required. |
| 4.6. Discretionary activities | Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards | <p>Consequential to the amendments recommended for Rule 4.1.1.</p> | <p>Insert the following advice notes:</p> <p><i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p>(a) Feedlots: Regulations 9, 10 and 11. (b) Stockholding areas: Regulations 12, 13 and 14. (c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19. (d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21. (e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23. (f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</p> |
| | | <p>Consequential to the amendments recommended for Rule 4.1.22</p> | <p><i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| 4.7. Prohibited activities | <p>4.7.4. From 9 June 2022, permitting intensively farmed livestock to enter onto the bed of a lake, into a Significant Wetland or onto the bed of a river when there is water flowing in the river.</p> <p>4.7.5. From 9 June 2022, permitting intensively farmed livestock to pass across the bed of a lake, a Significant Wetland or the bed of a river when there is water flowing in the river.</p> | <p>Cattle, deer and pigs are defined as intensively farmed stock by the Stock Exclusion Regulations, and are required to be excluded from beds of river. Sheep are not managed under the Stock Exclusion Regulations. The PMEP manages all intensively farmed livestock, which includes:</p> <p>(a) Cattle, deer or sheep which are contained for breakfeeding; or (b) Dairy cattle; or (c) Pigs.</p> | <p><u>Amend the following rules:</u></p> <p>4.7.4. From 9 June 2022, permitting intensively farmed livestock<u>sheep</u> to enter onto the bed of a lake, into a Significant Wetland or onto the bed of a river when there is water flowing in the river.</p> <p>4.7.5. From 9 June 2022, permitting intensively farmed livestock<u>sheep</u> to pass across the bed of a lake, a Significant Wetland or the bed of a river when there is water flowing in the river.</p> |

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| | | There are some differences in the provisions of the PMEP and Stock Exclusion Regulations, but the outcomes are similar. To reduce complexity and uncertainty for landowners, it is recommended to remove the duplication where the stock type is managed under the Stock Exclusion Regulations, so that the PMEP stock exclusion provisions apply to sheep only. | |
| Chapter 5 Urban Residential 1 and 2 Zones (including Urban Residential 2 Greenfields Zone) | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 5.1. Permitted activities | No relevant rules. | | No amendments required. |
| 5.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 5.3. Standards that apply to specific permitted activities | 5.3.10.8. Excavation or filling must not occur in, or within 8m of a river, Significant Wetland, drainage channel or Drainage Channel Network. | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw.</p> <ul style="list-style-type: none"> Deletion of the reference to Significant Wetland, but retaining references to other setbacks within the standard. | <p><u>Amend the following permitted activity standard:</u> 5.3.10.8. Excavation or filling must not occur in, or within 8m of a river, Significant Wetland, drainage channel or Drainage Channel Network.</p> |
| 5.4. Controlled activities | No relevant rules. | | No amendments required. |
| 5.5. Discretionary activities | No relevant rules. | | No amendments required. |
| 5.6. Prohibited activities | No relevant rules. | | No amendments required. |

Chapter 6 Urban Residential 3 Zone

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| Introduction to chapter | | <p>he NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table.</p> | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 6.1. Permitted activities | No relevant rules. | | No amendments required. |
| 6.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 6.3. Standards that apply to specific permitted activities | 6.3.5.7. Excavation or filling must not occur in, or within, 8m of a river, Significant Wetland, drainage channel or Drainage Channel Network. | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw.</p> <ul style="list-style-type: none"> Deletion of the reference to Significant Wetland, but retaining references to other setbacks within the standard. | <p><u>Amend the following permitted activity standard:</u> 6.3.5.7. Excavation or filling must not occur in, or within, 8m of a river, Significant Wetland, drainage channel or Drainage Channel Network.</p> |
| 6.4. Discretionary activities | No relevant rules. | | No amendments required. |
| 6.5. Prohibited activities | No relevant rules. | | No amendments required. |

Chapter 7 Coastal Living Zone

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| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
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| | | <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | |
| 7.1. Permitted activities | No relevant rules. | | No amendments required. |
| 7.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 7.3. Standards that apply to specific permitted activities | 7.3.9.7. Excavation and filling must not occur in, or within 8m of, a river, Significant Wetland, drainage channel or Drainage Channel Network and filling must not occur within 20m of the coastal marine area. | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw.</p> <ul style="list-style-type: none"> Deletion of the reference to Significant Wetland, but retaining references to other setbacks within the standard. | <p><u>Amend the following permitted activity standard:</u></p> <p>7.3.9.7. Excavation and filling must not occur in, or within 8m of, a river, Significant Wetland, drainage channel or Drainage Channel Network and filling must not occur within 20m of the coastal marine area.</p> |
| 7.4. Discretionary activities | No relevant rules. | | No amendments required. |
| 7.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 8 Rural Living Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| | | <p>will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | |
| 8.1. Permitted activities | 8.1.7. Farming. | <p>Outside managing new dairy farm activities, the PMEP does not contain specific rules for various types of activities comprising a farming operation. The NES-F manages several specific activities that may form part of a farming activity. It is recommended that an advice note is included to specify that the relevant regulations apply in addition to the PMEP rules for farming.</p> <p>The only potential duplication between the PMEP and NES-Fw for farming activities is the management of new dairy farm land. However, given that the PMEP uses a different threshold for consent compared to the NES-Fw, the additional stringency is recommended to be retained.</p> | <p>Insert the following advice note:</p> <p><i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p>(a) Feedlots: Regulations 9, 10 and 11. (b) Stockholding areas: Regulations 12, 13 and 14. (c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19. (d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21. (e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23. (f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</p> |
| 8.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 8.3. Standards that apply to specific permitted activities | 8.3.8.1. Harvesting must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland; 8.3.11.7. Excavation or filling must not occur in, or within 8m of , a river, Significant Wetland, drainage channel or Drainage Channel Network. | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <ul style="list-style-type: none"> Other consequential amendments are described alongside the relevant rules or activity standards within this table | <p>Amend the following permitted activity standards:</p> <p>8.3.8.1. Harvesting must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland; 8.3.11.7. Excavation or filling must not occur in, or within 8m of , a river, Significant Wetland, drainage channel or Drainage Channel Network.</p> |
| 8.4. Discretionary activities | 8.4.1. Any activity provided for as a Permitted Activity that does not meet the applicable standards. | Consequential to the amendments recommended for Rule 8.1.7. | <p>Insert the following advice note:</p> <p><i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p>(a) Feedlots: Regulations 9, 10 and 11. (b) Stockholding areas: Regulations 12, 13 and 14.</p> |

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| | | | (c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19. (d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21. (e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23. (f) Intensive winter grazing: Regulations 26, 27, 29 and 30. |
| 8.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 9 Business 1 Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 10 Business 2 Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| | | Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table | |
| 10.1. Permitted activities | No relevant rules. | | No amendments required. |
| 10.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 10.3. Standards that apply to specific permitted activities | 10.3.4.8. Excavation or filling must not occur in, or within 8m of , a river, Significant Wetland, drainage channel or Drainage Channel Network. | Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw. <ul style="list-style-type: none"> Deletion of the reference to Significant Wetland, but retaining references to other setbacks within the standard. | <u>Amend the following permitted activity standard:</u> 10.3.4.8. Excavation or filling must not occur in, or within 8m of , a river, Significant Wetland , drainage channel or Drainage Channel Network. |
| 10.4. Discretionary activities | No relevant rules. | | No amendments required. |
| 10.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 11 Business 3 Zone | | | |
| Introduction to chapter | | The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands: <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table | <u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i> <i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i> |
| 11.1. Permitted activities | No relevant rules. | | No amendments required. |

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| 11.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 11.3. Standards that apply to specific permitted activities | 11.3.3.7. Excavation or filling must not occur in, or within 8m of, a river, Significant Wetland or drainage channel. | Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw. <ul style="list-style-type: none"> Deletion of the reference to Significant Wetland, but retaining references to other setbacks within the standard. | <u>Amend the following permitted activity standard:</u> 11.3.3.7. Excavation or filling must not occur in, or within 8m of, a river, Significant Wetland or drainage channel. |
| 11.4. Discretionary activities | No relevant rules. | | No amendments required. |
| 11.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 12 Industrial 1 2 Zones | | | |
| Introduction to chapter | | The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands: <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table | <u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i> <i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i> |
| 12.1. Permitted activities | No relevant rules. | | No amendments required. |
| 12.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 12.3. Standards that apply to specific permitted activities | 12.3.19.8. Excavation or filling must not occur in, or within 8m of, a river, Significant Wetland, drainage channel or Drainage Channel Network. | Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. It is recommended that references to Significant Wetlands are deleted from the PMEP permitted | <u>Amend the following permitted activity standard:</u> 12.3.19.8. Excavation or filling must not occur in, or within 8m of, a river, Significant Wetland , drainage channel or Drainage Channel Network. |

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| | | <p>activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw.</p> <ul style="list-style-type: none"> Deletion of the reference to Significant Wetland, but retaining references to other setbacks within the standard. | |
| 12.4. Discretionary activities | No relevant rules. | | No amendments required. |
| 12.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 13 Port Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 13.1. Permitted activities | No relevant rules. | | No amendments required. |
| 13.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 13.3. Standards that apply to specific permitted activities | <p>13.3.17.3. Excavation must not be in, or within 8m of, a river (except an ephemeral river when not flowing), a Significant Wetland or the coastal marine area.</p> <p>13.3.18.7. Filling must not be in, or within 8m of, a river (except an ephemeral river when not flowing), a Significant Wetland or the coastal marine area.</p> | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP</p> | <p><u>Amend the following permitted activity standards:</u> 13.3.17.3. Excavation must not be in, or within 8m of, a river (except an ephemeral river when not flowing), a Significant Wetland or the coastal marine area. 13.3.18.7. Filling must not be in, or within 8m of, a river (except an ephemeral river when not flowing), a Significant Wetland or the coastal marine area.</p> |

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| | 13.3.19.3. The vegetation clearance must not be in, or within 8m of, a Significant Wetland. | <p>may permit activities which would require consent under the NES-Fw.</p> <ul style="list-style-type: none"> • Deletion of the reference to Significant Wetland, but retaining references to other setbacks within the standard. • Deletion of the standard, where it only relates to activities in or within a setback of a Significant Wetland. | <p>Delete the following permitted activity standard: 13.3.19.3.</p> |
| 13.4. Restricted discretionary activities | No relevant rules. | | No amendments required. |
| 13.5. Discretionary activities | No relevant rules. | | No amendments required. |
| 13.6. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 14 Port Landing Area Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p>Insert the following advice notes:</p> <p><i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 15 Marina Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status.</p> | <p>Insert the following advice notes:</p> <p><i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| | | <p>There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 16 Coastal Marine Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status.</p> <p>There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 17 Open Space 1 Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| | | <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | |
| 17.1. Permitted activities | 17.1.10. Storage and application (involving a discharge) of fertiliser or lime into or onto land. | <p>Both the PMEP (Rule 17.1.10) and the NES-Fw (Regulations 33 and 34) manage the discharge of fertiliser, however the scope of Rule 17.1.10 is extends beyond the fertiliser restrictions in Regulations 33 and 34 of the NES-Fw. The additional stringency in the PMEP is considered appropriate to retain, alongside the NES-Fw requirements.</p> <p>The recommended advice note describes the difference in the limits under the respective planning documents.</p> | <p><u>Insert the following advice note:</u> <i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| 17.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 17.3. Standards that apply to specific permitted activities | No relevant standards. | | No amendments required. |
| 17.4. Discretionary activities | 17.4.1. Any activity provided for as a Permitted Activity that does not meet the applicable standards. | Consequential to the amendments recommended for Rule 17.1.10. | <p><u>Insert the following advice note:</u> <i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| 17.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 18 Open Space 2 Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| | | <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | |
| 18.1. Permitted activities | 18.1.13. Storage and application (involving a discharge) of fertiliser or lime into or onto land. | <p>Both the PMEP (Rule 18.1.13) and the NES-Fw (Regulations 33 and 34) manage the discharge of fertiliser, however the scope of Rule 18.1.13 is extends beyond the fertiliser restrictions in Regulations 33 and 34 of the NES-Fw. The additional stringency in the PMEP is considered appropriate to retain, alongside the NES-Fw requirements.</p> <p>The recommended advice note describes the difference in the limits under the respective planning documents.</p> | <p><u>Insert the following advice note:</u> <i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| 18.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 18.3. Standards that apply to specific permitted activities | No relevant standards. | | No amendments required. |
| 18.4. Discretionary activities | 18.4.1. Any activity provided for as a Permitted Activity that does not meet the applicable standards | Consequential to the amendments recommended for Rule 18.1.13. | <p><u>Insert the following advice note:</u> <i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| 18.5. Prohibited activities | No relevant rules. | | No amendments required. |
| 19. Discretionary activities | | | |
| Introduction to chapter | | <p>NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> • Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. • The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |

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| | | <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | |
| 19.1. Permitted activities | 19.1.10. Farming | <p>Outside managing new dairy farm activities, the PMEP does not contain specific rules for various types of activities comprising a farming operation. The NES-Fw manages several specific activities that may form part of a farming activity. It is recommended that an advice note is included to specify that the relevant regulations apply in addition to the PMEP rules for farming.</p> <p>The only potential duplication between the PMEP and NES-Fw for farming activities is the management of new dairy farm land. However, given that the PMEP uses a different threshold for consent compared to the NES-Fw, the additional stringency is recommended to be retained.</p> | <p><u>Insert the following advice note:</u> <i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i> <i>(a) Feedlots: Regulations 9, 10 and 11.</i> <i>(b) Stockholding areas: Regulations 12, 13 and 14.</i> <i>(c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19.</i> <i>(d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21.</i> <i>(e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23.</i> <i>(f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</i></p> |
| | 19.1.19. Storage and application (involving a discharge) of fertiliser or lime into or onto land. | <p>Both the PMEP (Rule 19.1.19) and the NES-Fw (Regulations 33 and 34) manage the discharge of fertiliser, however the scope of Rule 19.1.19 extends beyond the fertiliser restrictions in Regulations 33 and 34 of the NES-Fw. The additional stringency in the PMEP is considered appropriate to retain, alongside the NES-Fw requirements.</p> <p>The recommended advice note describes the difference in the limits under the respective planning documents.</p> | <p><u>Insert the following advice note:</u> <i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule.</i> <i>Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |
| | 19.1.20. Application (involving a discharge) of compost or solid agricultural waste into or onto land. 19.1.21. Discharge of agricultural liquid waste (except dairy farm effluent) into or onto land. | <p>Several regulations in the NES-Fw manage the land use and discharges associated with feedlots and stockholding areas. These discharges are likely to include effluent and other organic material from the feedlot or stockholding area. The NES-Fw provides little guidance on the management of these discharges, while the PMEP provides detailed conditions for their management. The additional stringency in the PMEP is considered appropriate to retain, in addition to the NES-Fw requirements for the land use.</p> | <p><u>Insert the following advice note:</u> <i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i> <i>(a) Feedlot: Regulations 9, 10 and 11.</i> <i>(b) Stockholding area: Regulations 12, 13 and 14.</i></p> |
| | 19.1.18. Application (involving a discharge) or discharge of an aquatic herbicide or glyphosate into or onto land for the purposes of removing pest plants from Significant Wetlands. | <p>This rule authorises vegetation clearance within a wetland as a permitted activity. Under the NES-F, this activity will require consent as a restricted</p> | <p><u>Delete rule 19.1.18.</u></p> |

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| | | discretionary activity. As the NES-F is more stringent, the rule must be deleted. | |
| 19.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 19.3. Standards that apply to specific permitted activities | <p>19.3.5.3. Excavation must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification</p> <p>19.3.6.3. Filling must not be in, or within: (a) [...]; (b) 8m of, a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification</p> | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMP rules.</p> <p>It is recommended that references to Significant Wetlands are deleted from the PMP permitted activity standards to remove conflict where the PMP may permit activities which would require consent under the NES-Fw. In this case, delete the reference to Significant Wetland, but retain setbacks to other features.</p> | <p><u>Amend the following permitted activity standards:</u></p> <p>19.3.5.3. Excavation must not be in, or within: (a) [...]; (b) 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification</p> <p>19.3.6.3. Filling must not be in, or within: (a) [...]; (b) 8m of, a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification</p> |
| | <p>19.3.16. Discharge of an aquatic herbicide or glyphosate into or onto land for the purposes of removing pest plants from Significant Wetlands.</p> <p>19.3.16.1. Plants identified in Appendix 25 are the only vegetation that may be sprayed.</p> <p>19.3.16.2. The aquatic herbicide or glyphosate must be approved for aquatic use by the Environmental Protection Authority.</p> <p>19.3.16.3. The application must be undertaken in accordance with the manufacturer's instructions, if consistent with any requirements of the Environmental Protection Authority.</p> <p>19.3.16.4. Application rates must not exceed those required by the Environmental Protection Authority or, if none, those stated on the most recent product label for the relevant application equipment or method and target species</p> | Consequential change given Rule 19.1.18 is recommended to be deleted. | <u>Delete permitted activity standard 19.1.18 in its entirety.</u> |
| 19.4. Discretionary activities | 19.4.1. Any activity provided for as a Permitted Activity that does not meet the applicable standards. | Consequential to the amendments recommended for Rule 19.1.10. | <p><u>Insert the following advice notes:</u></p> <p><i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p>(a) Feedlots: Regulations 9, 10 and 11. (b) Stockholding areas: Regulations 12, 13 and 14. (c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19. (d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21. (e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23. (f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</p> <p><i>Note: Where the application of fertiliser includes synthetic nitrogen fertiliser, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to this rule. Regulation 33 limits the rate of application of synthetic nitrogen (N) fertiliser to pastoral land to 190 kg N/ha/year. Standard 3.3.24.3 of Rule 3.1.24 limits the cumulative N loading from all discharges to land to 200 kg N/ha/year, regardless of source (i.e., it includes synthetic nitrogen fertiliser, but also nitrogen from other sources such as agricultural liquid and solid waste, dairy effluent and compost). For the avoidance of doubt, both nitrogen limits must be complied with.</i></p> |

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| 19.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 20 Open Space 4 Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 20.1. Permitted activities | No relevant rules. | | No amendments required. |
| 20.2. Standards that apply to all permitted activities | No relevant standards. | | No amendments required. |
| 20.3. Standards that apply to specific permitted activities | 20.3.3.3. Excavation or fill must not be in, or within 8m of, a Significant Wetland | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP may permit activities which would require consent under the NES-Fw. In this case, it is recommended that the activity standard is deleted in its entirety.</p> | <p><u>Delete the following permitted activity standard:</u> 20.3.3.3.</p> |
| 20.4. Restricted discretionary activities | No relevant rules. | | No amendments required. |
| 20.5. Discretionary activities | No relevant rules. | | No amendments required. |
| 20.6. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 21 Floodway Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> | <p><u>Insert the following advice notes:</u> <i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management</i></p> |

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| | | <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status. There are some instances where the PMEP is more stringent. To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules. Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands. Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><i>(National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| 21.1 Permitted activities | 21.1.5. Replacement or maintenance of a culvert or floodgate. | The NES-Fw and PMEP both manage the replacement of culverts and floodgates. The PMEP rule, through the permitted activity standards, provides additional stringency for culverts which is recommended to be retained, alongside the NES-Fw. The NES-Fw is more stringent for passive flap gates, so the NES-Fw provisions are recommended to apply instead of the PMEP provisions. | <p><u>Insert the following advice notes:</u></p> <p><i>Note: For the placement (including replacement), use, alteration, extension or reconstruction of a culvert in, on, over or under the bed of any river or connected area that was not existing at the close of 2 September 2020, Regulation 70 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 applies in addition to this rule.</i></p> <p><i>Note: The placement, use, alteration, extension, or reconstruction of a passive flap gate in, on, over or under the bed of any river or connected area that was not existing at the close of 2 September 2020 is managed under Regulation 74 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p> |
| | 21.1.17. Farming undertaken by any person. | <p>Outside managing new dairy farm activities, the PMEP does not contain specific rules for various types of activities comprising a farming operation. The NES-Fw manages several specific activities that may form part of a farming activity. It is recommended that an advice note is included to specify that the relevant regulations apply in addition to the PMEP rules for farming.</p> <p>The only potential duplication between the PMEP and NES-Fw for farming activities is the management of new dairy farm land. However, given that the PMEP uses a different threshold for consent compared to the NES-Fw, the additional stringency is recommended to be retained.</p> | <p><u>Insert the following advice note:</u></p> <p><i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i></p> <p><i>(a) Feedlots: Regulations 9, 10 and 11.</i></p> <p><i>(b) Stockholding areas: Regulations 12, 13 and 14.</i></p> <p><i>(c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19.</i></p> <p><i>(d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21.</i></p> <p><i>(e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23.</i></p> <p><i>(f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</i></p> |
| 21.2. Standards that apply to all permitted activities | 21.2.1.4. The activity must not be in, or within 8m of, a Significant Wetland. | <p>Consequential amendment: All activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>It is recommended that references to Significant Wetlands are deleted from the PMEP permitted activity standards to remove conflict where the PMEP</p> | <p><u>Amend the following permitted activity standard:</u></p> <p>21.2.1.4. The activity must not be in, or within 8m<u>10m</u> of, a Significant Wetland.</p> |

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| | | may permit activities which would require consent under the NES-Fw. Where the reference applies to activities not managed by the NES-Fw, the setback is recommended to be amended to 10 m, to align with the NES-Fw. | |
| 21.3. Standards that apply to specific permitted activities | 21.3.5. Replacement or maintenance of a culvert or floodgate. 21.3.5.1. The maintenance must occur within the original location of a culvert or floodgate. 21.3.5.2. A temporary coffer dam constructed for the purposes of the maintenance must be removed at the completion of the maintenance. 21.3.5.3. A secondary flow path to enable overtopping floodwaters to return to the downstream channel without increasing the flood hazard to another person's property must be constructed during maintenance. 21.3.5.4. The culvert must be placed below the level of the stream bed by a distance equating to the diameter of the pipe divided by 5 (i.e., 20% of the culvert pipe). 21.3.5.5. The culvert must be placed at the same slope as the existing bed of the river. 21.3.5.6. There must be no increase in the velocity of flow through or downstream of the culvert, at the river's median flow, after the maintenance is completed. 21.3.5.7. The culvert installation must be designed and implemented to ensure there is no erosion or scour downstream of the culvert. 21.3.5.8. Fish passage must be provided for floodgates, where habitat exists upstream of the floodgate. | The NES-Fw and PMEP both manage the replacement of culverts. The PMEP permitted activity standards, provide additional stringency, which is recommended to be retained, alongside the NES-Fw. However, there is some conflict and duplication, which needs to be resolved. In particular: <ul style="list-style-type: none"> Activity standard 21.3.5.4 is less stringent than the equivalent NES-Fw standard, so is recommended to be deleted. Activity standard 21.3.5.5 duplicates the equivalent NES-Fw standard, so is recommended to be deleted. Activity standard 21.3.5.6. duplicates the equivalent NES-Fw standard, so is recommended to be deleted. | <u>Delete the following permitted activity standards:</u> 21.3.5.4. 21.3.5.5. 21.3.5.6. |
| 21.4. Discretionary activities | 21.4.1. Any activity provided for as a Permitted Activity that does not meet the applicable standards | Consequential to the amendments recommended for Rule 21.1.17. | <u>Insert the following advice notes:</u> <i>Note: The following farming activities are managed under the relevant Regulations of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in addition to this rule:</i> <i>(a) Feedlots: Regulations 9, 10 and 11.</i> <i>(b) Stockholding areas: Regulations 12, 13 and 14.</i> <i>(c) Land converted to dairy farm land after 2 September 2020: Regulations 18 and 19.</i> <i>(d) Unirrigated dairy farm land irrigated after 2 September 2020: Regulations 20 and 21.</i> <i>(e) Land used as dairy support land after 2 September 2020: Regulations 22 and 23.</i> <i>(f) Intensive winter grazing: Regulations 26, 27, 29 and 30.</i> <i>Note: The placement, use, alteration, extension, or reconstruction of a passive flap gate in, on, over or under the bed of any river or connected area that was not existing at the close of 2 September 2020 is managed under Regulation 74 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i> |
| 21.5. Prohibited activities | No relevant rules. | | No amendments required. |
| Chapter 22 Lake Grassmere Salt Works Zone | | | |
| Introduction to chapter | | The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands: <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status. | <u>Insert the following advice notes:</u> <i>Note: Vegetation, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i> <i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i> |

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| | | <p>There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are some instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 23 Airport Zone | | | |
| Introduction to chapter | | <p>The NES-Fw includes regulations for a range of activities occurring within and near natural wetlands:</p> <ul style="list-style-type: none"> Vegetation clearance, earthworks or land disturbance within, or within a 10 m setback from, a natural wetland. The taking, use, damming, diversion or discharge of water within, or within a 100 m setback from, a natural wetland. <p>There is duplication between the PMEP and NES-Fw, where both manage activities within and near wetlands with a similar or the same activity status.</p> <p>There is conflict between the PMEP and the NES-Fw where the NES-Fw contains rules with a more stringent activity status.</p> <p>There are no instances where the PMEP is more stringent.</p> <p>To resolve the duplication and conflicts, all activities in and near wetlands that are managed by the NES-Fw will be managed under the NES-Fw regulations alone, and not the PMEP rules.</p> <p>Advice notes are recommended to clarify this relationship and the definitions of Significant Wetlands and natural wetlands.</p> <p>Other consequential amendments are described alongside the relevant rules or activity standards within this table</p> | <p><u>Insert the following advice notes:</u></p> <p><i>Note: Vegetation clearance, earthworks or land disturbance within or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.</i></p> <p><i>Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.</i></p> |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 24 Subdivision Zone | | | |
| Entire chapter | No relevant rules or standards. | | No amendments required. |
| Chapter 25 Definitions | | | |
| Intensively farmed livestock | <p>means:</p> <p>(a) cattle, deer or sheep which are contained for breakfeeding;</p> <p>(b) dairy cattle;</p> <p>(c) pigs.</p> | <p>Cattle, deer and pigs are defined as intensively farmed stock by the Stock Exclusion Regulations, and are required to be excluded from beds of river. Sheep are not managed under the Stock Exclusion Regulations.</p> <p>The PMEP manages all intensively farmed livestock, which includes:</p> <p>(a) Cattle, deer or sheep which are contained for breakfeeding; or</p> | <p>Intensively farmed livestock <u>sheep</u> means:</p> <p>(a) cattle, deer or sheep which are contained for breakfeeding;</p> <p>(b) dairy cattle;</p> <p>(c) pigs.</p> |

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| | | <p>(b) Dairy cattle; or (c) Pigs.</p> <p>There are some differences in the provisions of the PMEP and Stock Exclusion Regulations, but the outcomes are similar. To reduce complexity and uncertainty for landowners, it is recommended to remove the duplication where the stock type is managed under the Stock Exclusion Regulations, so that the PMEP stock exclusion provisions apply to sheep only.</p> | |
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