

APPENDIX 9: DETAILED RULE ASSESSMENT



TRMP & NES RULES AND REGULATIONS DETAILED COMPLIANCE & REASONS FOR CONSENT ASSESSMENT

National Planning Instruments

National Environmental Standards for Freshwater (amended 2025)

Part 3 Standards for other activities that relate to freshwater	
Subpart 1 - Natural inland wetlands	
Construction of specified infrastructure	
45 Discretionary activities	
(1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure.	Discretionary Vegetation clearance will be at least 10m away from any potential wetland.
(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure.	Discretionary Earthworks will be at least 10m away from any potential wetland.
(3) Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a discretionary activity if it— (a) is for the purpose of constructing specified infrastructure; and (b) results, or is likely to result, in the complete or partial drainage of all or part of the natural inland wetland.	Discretionary Earthworks will be at least 10m away but within 100m from any potential wetland.
(4) The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if— (a) the activity is for the purpose of constructing or upgrading specified infrastructure; and (b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.	Discretionary The stopbank upgrades adjacent to the potential wetland would increase wetland water levels during extreme floods but unlikely to effect wetland water levels on a day to day basis.
(5) The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if— (a) the discharge is for the purpose of constructing or upgrading specified infrastructure; and (b) there is a hydrological connection between the discharge and the wetland; and (c) the discharge will enter the wetland; and (d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.	Discretionary Only stormwater run off from the stopbank is proposed which is unlikely to significantly change the potential wetland water level range or hydrological function.
	Discretionary

(6) A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first— (a) satisfied itself that the specified infrastructure will provide significant national or regional benefits; and (b) satisfied itself that there is a functional need for the specified infrastructure in that location; and (c) applied the effects management hierarchy.	The proposed stopbank will provided significant regional benefits, there is a functional need for the stopbanks and the effects management hierarchy has been appropriately applied given that avoid effects on the wetland has been prioritised and achieved.
General matters	
55 General conditions on natural inland wetland activities	
General condition for permitted activities: prior notice of activity	
(2) If this regulation applies in relation to a permitted activity, the 1 or more persons responsible for undertaking the activity must, at least 10 working days before starting the activity, provide the relevant regional council with the following information in writing: (a) a description of the activity to be undertaken; and (b) a description of, and map showing, where the activity will be undertaken; and (c) a statement of when the activity will start and when it is expected to end; and (d) a description of the extent of the activity; and (e) their contact details.	Complies
General conditions: water quality and movement	
(3) The general conditions relating to water quality and movement are as follows: (a) the activity must not result in the discharge of a contaminant if the receiving environment includes any natural inland wetland in which the contaminant, after reasonable mixing, causes, or may cause, 1 or more of the following effects: (i) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (ii) a conspicuous change in colour or visual clarity; (iii) an emission of objectionable odour; (iv) the contamination of freshwater to the extent that it is not suitable for farm animals to drink; (v) adverse effects on aquatic life that are more than minor; and (b) the activity must not increase the level of flood waters that would, in any flood event (regardless of probability), inundate all or any part of the 1% AEP floodplain (but see subclause (4)); and (c) the activity must not alter the natural movement of water into, within, or from any natural inland wetland (but see subclause (5)); and	Complies

(d) the activity must not involve taking or discharging water to or from any natural inland wetland (but see subclause (5)); and (e) debris and sediment must not be placed— (i) within a setback of 10 m from any natural inland wetland; or (ii) in a position where it may enter any natural inland wetland. (4) Subclause (3)(b) does not apply if the person undertaking the activity— (a) owns or controls the only land or structures that would be affected by a flood in all or any part of the 1% AEP floodplain; or (b) has— (i) obtained written consent to undertaking the activity from each person who owns or controls the land or structures that would be affected by a flood in all or part of the 1% AEP floodplain, after informing them of the expected increase in the level of flood waters; and (ii) satisfied the relevant regional council that they have complied with subparagraph (i). (5) Despite subclause (3)(c) and (d), the temporary taking, use, damming, or diversion of water around a work site, or discharges of water into the water around a work site, may be undertaken if the following conditions are complied with: (a) the activity must be undertaken during a period when there is a low risk of flooding; and (b) the activity must be undertaken only for as long as necessary to achieve its purpose; and (c) before the activity starts, a record must be made (for example, by taking photographs) of the original condition of any affected natural inland wetland's bed profile and hydrological regime that is sufficiently detailed to enable compliance with paragraph (d) to be verified; and (d) the bed profile and hydrological regime of the natural inland wetland must be returned to their original condition no later than 14 days after the start of the activity; and (e) if the activity is damming, the dam must be no higher than 600 mm; and (f) if the activity is a diversion that uses a pump, a fish screen with mesh spacing no greater than 3 mm must be used on the intake. (6) In subclauses (3) and (4), 1% AEP floodplain means the area that would be inundated in a flood event of a size that has a 1% or greater probability of occurring in any one year.	
General condition: earth stability and drainage	
(7) The general condition relating to earth stability and drainage is that the activity must not create or contribute to—	Complies

(a) the instability or subsidence of a slope or another land surface; or (b) the erosion of the bed or bank of any natural inland wetland; or (c) a change in the points at which water flows into or out of any natural inland wetland; or (d) a constriction on the flow of water within, into, or out of any natural inland wetland; or (e) the flooding or overland flow of water within, or flowing into or out of, any natural inland wetland.	
General conditions: earthworks, land disturbance, and vegetation clearance	
(8) The general conditions on earthworks, land disturbance, and vegetation clearance are as follows: (a) during and after the activity, erosion and sediment control measures must be applied and maintained at the site of the activity to minimise adverse effects of sediment on natural inland wetlands; and (b) the measures must include stabilising or containing soil that is exposed or disturbed by the activity as soon as practicable after the activity ends; and (c) the measures referred to in paragraph (b) must remain in place until vegetation covers more than 80% of the site; and (d) if the activity is vegetation clearance, it must not result in earth remaining bare for longer than 3 months.	Complies
General conditions: vegetation and bird and fish habitats	
(9) The general conditions relating to vegetation and bird and fish habitats are as follows: (a) only indigenous species that are appropriate to a natural inland wetland (given the location and type of the natural inland wetland) may be planted in it; and (b) the activity must not result in the smothering of indigenous vegetation by debris and sediment; and (c) the activity must not disturb the roosting or nesting of indigenous birds during their breeding season; and (d) the activity must not disturb an area that is listed in a regional plan or water conservation order as a habitat for threatened indigenous fish; and (e) the activity must not, during a spawning season, disturb an area that is listed in a regional plan or water conservation order as a fish spawning area.	Complies
General condition: historic heritage	
(10) The general condition relating to historic heritage is that the activity must not destroy, damage, or modify a site that is protected by an enactment because of the site's historic heritage (including, to avoid doubt, because of its	Complies

significance to Māori), except in accordance with that enactment. (11) In subclause (10), enactment includes any kind of instrument made under an enactment.	
General conditions: machinery, vehicles, equipment, and construction materials	
(12) The general conditions on the use of vehicles, machinery, equipment, and materials are as follows: (a) machinery, vehicles, and equipment used for the activity must be cleaned before entering any natural inland wetland (to avoid introducing pests, unwanted organisms, or exotic plants); and (b) machinery that is used for the activity must sit outside a natural inland wetland, unless it is necessary for the machinery to enter the natural inland wetland to achieve the purpose of the activity; and (c) if machinery or vehicles enter any natural inland wetland, they must be modified or supported to prevent them from damaging the natural inland wetland (for example, by widening the tracks of track-driven vehicles or using platforms for machinery to sit on); and (d) the mixing of construction materials, and the refuelling and maintenance of vehicles, machinery, and equipment, must be done outside a 10 m setback from any natural inland wetland.	Complies
General conditions: miscellaneous	
(13) The other general conditions are as follows: (a) the activity must be undertaken only to the extent necessary to achieve its purpose; and (b) the activity must not involve the use of fire or explosives; and (c) if there is existing public access to a natural inland wetland, the activity must not prevent the public from continuing to access the natural inland wetland (unless that is required to protect the health and safety of the public or the persons undertaking the activity); and (d) no later than 5 days after the activity ends,— (i) debris, materials, and equipment relating to the activity must be removed from the site; and (ii) the site must be free from litter.	Complies
Subpart 3 - Passage of fish affected by structures	
Culverts	
70 Permitted activities	
(2) The conditions are that—	
(a) the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as	Does not comply
	Due to the proposed floodgate this cannot be met.

required to carry out the works to place, alter, extend, or reconstruct the culvert; and	
(b) the culvert must be laid parallel to the slope of the bed of the river or connected area; and	Complies
(c) the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and	Complies
(d) the culvert's width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows: (i) where $w \leq 3$, $s \geq 1.3 \times w$; (ii) where $w > 3$, $s \geq (1.2 \times w) + 0.6$; and	Complies
(e) the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert's diameter is below the level of the bed; and	Complies
(f) the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and	Complies
(g) the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).	Complies
71 Discretionary activities	
(1) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river is a discretionary activity if it does not comply with any of the conditions in regulation 70(2).	Discretionary
(2) A resource consent granted for the discretionary activity must impose the conditions required by— (a) regulations 62 and 63 (information about structures and passage of fish and about culverts), unless the activity is use; and (b) regulation 69 (monitoring and maintenance).	Complies
Passive flap gates	
74 Non-complying activities	
(1) 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 is a non-complying activity.	Non-Complying
(2) A resource consent granted for the non-complying activity must impose the conditions required by—	Consent conditions have been proffered to manage the flap gate and provide a net gain for fish passage.
(a) regulations 62 and 65 (information about structures and passage of fish and about flap gates), unless the activity is use; and	Complies
	Complies

(b) regulation 69 (monitoring and maintenance).	Consent conditions on monitoring and management of the flap gate have been proffered.
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National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

8 Permitted activities	
(3) Disturbing soil	
(c) the volume of the disturbance of the soil of the piece of land must be no more than 25 m ³ per 500 m ² :	Does not comply
	Potentially does not comply.
9 Controlled activities	
(1) Removing or replacing fuel storage system, sampling soil, or disturbing soil	Controlled
(a) a detailed site investigation of the piece of land must exist:	Complies
(b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:	Complies
(c) the consent authority must have the report:	Complies
(d) conditions arising from the application of subclause (2), if there are any, must be complied with.	Complies

Tairāwhiti Resource Management Plan

C6 Freshwater

C6.1 Water Quantity and Allocation	
C6.1.2 Rules for Water Quantity and Allocation	
C6.1.2.1 General Standards	
A. Fish are prevented from entering the water intake. B. The take is not from that part of a river that is subject to a Water Conservation Order. C. The take is not from surface water within the Reticulated Services Boundary. D. The take is not from a wetland or an outstanding waterbody as identified in Schedule G18. E. The taking or use does not, or is not likely to, have in combination with other permitted activity takes and consent takes a more than minor adverse effect on the environment.	Complies

Rule Table C6.1.2	
Permitted Activities	
6.1.2(1) The taking and use of surface water, spring water or groundwater at rates of less than 5 litres/second to a maximum of 10m ³ per day per property provided that the take and use is not for irrigation of more than one hectare.	Does not comply
Restricted Discretionary Activities	
6.1.2(6) The take and use of surface water or groundwater not lawfully established before the date of notification of this Plan.	Restricted Discretionary
C6.2 Water Quality and Discharges to Land and Water	
C6.2.3 Rules for Point Source Discharges	
Rule Table C6.2.3	
Permitted Activities	
C6.2.3(2) The discharge of stormwater from land, roofs, paved areas and roads, or diversion of the same to a public stormwater network, except: a) From industrial or trade premises; or b) Discharges to Regionally Significant Wetlands and Outstanding Waterbodies identified in Schedule G17 (Regionally Significant Wetlands) and G18 (Outstanding Waterbodies) not lawfully established before the date of notification of this plan. Note: This rule applies to point source discharges of stormwater from forestry roads and earthworks associated with plantation forestry. It prevails over Regulations 97(1) in the Resource Management (National Environment Standards for Plantation Forestry) Regulations 2017. a) Discharge shall be by pipe, open drain, swale, constructed wetland or vegetated filter into a natural watercourse which is the natural receiver of surface drainage water from that area; b) For stormwater discharge not lawfully established before the date of notification of this Plan; i. Where the impervious area is greater than 1000m² and the stormwater does not originate from a farming, horticultural, rural community facility or local roading activity; ii. Where the impervious area is greater than 1000m² and the stormwater originates from within the area serviced by the public stormwater network of the Gisborne urban area; Contaminant reduction methods shall be designed and implemented to treat stormwater from the impervious area in accordance with TP 10, or by alternative methods that are demonstrated to achieve an equivalent level of contaminant removal as TP 10 devices. These methods include but are not limited to	Complies – for general stormwater discharges from the stopbanks, new drainage swales and roads. If considered 'non-compliant' then would be a discretionary activity under Rule 6.2.3(13).

constructed wetlands, swales, vegetative filters or infiltration practices. See Advisory Note. c) The discharge shall not contain any wastes from an industrial or trade process; d) The discharge shall not cause erosion of the banks or bed of the watercourse at, or downstream of, the discharge point; e) The discharge shall not give rise to or exacerbate any flooding of land upstream or downstream of the discharge point in rainfall events up to the 10 per cent AEP or flooding of dwellings on other properties in rainfall events up to the 1 per cent AEP; f) The discharge shall not contain hazardous substances, agricultural chemicals, or cause exceedance in trigger values for 95% species protection for substances that are toxic to aquatic ecosystems (as measured relative to the ANZECC Guidelines for Fresh and Marine Water Quality, 2000) in receiving water bodies after reasonable mixing; g) The discharge shall meet the following water quality standards downstream of the discharge point after reasonable mixing: i. No conspicuous change in the colour or visual clarity of the receiving water; ii. No emission of objectionable odour; iii. No production of conspicuous oil or grease films, scums or foams, or floatable materials; iv. No rendering of fresh water unsuitable for consumption by farm animals; v. No significant adverse effects on aquatic life. Advisory Note: Demonstration of compliance with this Rule is required to be given to the Council. Compliance with this rule will be deemed to have occurred where the stormwater treatment is undertaken in accordance with Stormwater Management Devices: Design Guidelines Manual 2003. Technical Publication 10 (TP10) of the Auckland Council.	
6.2.3(3) The discharge of stormwater from land, roofs, paved areas and roads from industrial or trade premises, or diversion of the same to a public stormwater network, except: a) Industrial or trade premises where hazardous substances are stored or used unless: i. Hazardous substances cannot enter the stormwater system; or ii. There is an interceptor system in place to collect hazardous contaminants or divert contaminated stormwater to a trade waste system. b) Discharges to Outstanding Waterbodies and Regionally Significant Wetlands identified in Schedules G17 and G18 not lawfully established before the date of notification of this Plan.	Complies – for general stormwater discharges from the stopbanks, new drainage swales and roads
a) Discharge shall be by pipe, open drain, swale, constructed wetland or vegetated filter into a natural watercourse which is the	Complies

natural receiver of surface drainage water from that area;	
b) Where the stormwater discharge was not lawfully established before the date of notification of this Plan a stormwater management plan shall be prepared, lodged with the Council and implemented prior to the establishment of the activity, which details: i. How contamination of stormwater will be avoided or minimised; ii. How stormwater from the site will be treated in accordance with TP10, or by alternative methods that are demonstrated to achieve an equivalent level of contaminant removal as TP 10 devices; iii. How the treatment systems will be maintained and operated and where any sediment removed from the treatment systems will be disposed of. Treatment methods include but are not limited to constructed wetlands, swales, vegetative filters or infiltration practices;	Potentially Complies – relies on existing stormwater management plan otherwise considered a discretionary activity under Rule 6.2.3(13)
c) Where the stormwater discharge was lawfully established before notification of this Plan, a stormwater management plan addressing best practice stormwater management, shall be prepared and lodged with council by 1 May 2020 and stormwater shall be managed in accordance with that plan. See Advisory Note.	Complies
d) The discharge shall not contain any wastes from an industrial or trade process;	Complies
e) The discharge shall not cause erosion of the banks or bed of the watercourse at, or downstream of, the discharge point;	Complies
f) The discharge shall not give rise to or exacerbate any flooding of land upstream or downstream of the discharge point in rainfall events up to the 10 per cent AEP or flooding of buildings on other properties in rainfall events up to the 1 per cent AEP;	Complies
g) The discharge shall not contain hazardous substances, agricultural chemicals, or cause exceedance of trigger values for 95% species protection for substances that are toxic to aquatic ecosystems (identified in the ANZECC Guidelines for Fresh and Marine Water Quality, 2000) in receiving water bodies after reasonable mixing;	Complies
h) The discharge shall meet the following water quality standards downstream of the discharge point after reasonable mixing: i. No conspicuous change in the colour or visual clarity of the receiving water; ii. No emission of objectionable odour;	Complies

iii. No production of conspicuous oil or grease films, scums or foams, or floatable materials; iv. No rendering of fresh water unsuitable for consumption by farm animals; v. No significant adverse effects on aquatic life	
C6.2.3(7) The discharge of water from rural field and tile drainage systems where no pumping occurs, groundwater pump tests and other temporary groundwater level lowering activities. a) The discharge shall not give rise to any flooding of land or assets upstream of downstream of the discharge point under any conditions; b) The discharge shall not cause any erosion at, or downstream of the discharge point. c) The discharge shall not contribute to elevated bacterial, nutrient or other chemical contaminant concentrations in the receiving waterbody into which the discharge shall occur. Advisory Note: work in a wetland, or outside of a wetland which leads to drainage, infilling, vegetation clearance or other modification of the wetland requires a resource consent under Rule C9.3.2(6)	Permitted - for general stormwater discharges from the stopbanks, new drainage swales and dewatering considered a discretionary activity under Rule 6.2.3(13) Complies
6.2.3(8) The temporary discharge of stormwater from Road Construction and/or Maintenance except to Outstanding Waterbodies identified in Schedule G18 or Regionally Significant Wetlands in Schedule G17.	Permitted
a) The discharge shall be for the purpose of draining and/or diverting water for the duration of activities associated with the formation and/or maintenance of a road;	Complies
b) The discharge shall be by pipe, open drain, swale or vegetative filter into a natural watercourse which is the natural receiver of surface drainage water from that area;	Complies
c) The discharge shall not cause erosion of the banks or bed of the watercourse at, or downstream of, the discharge point;	Complies
d) The discharge shall not give rise to or exacerbate any flooding of land upstream or downstream of the discharge point in rainfall events up to the 10 per cent AEP or flooding of buildings on other properties in rainfall events up to the 1 per cent AEP;	Complies
e) All practicable steps shall be taken to avoid the release of sediment from the activity;	Complies
f) The discharge shall not contain hazardous substances, agricultural chemicals, or cause exceedance of trigger values for 95% species protection for substances that are toxic to aquatic ecosystems (as measured relative to the ANZECC Guidelines for Fresh and Marine Water Quality, 2000) in receiving water bodies after reasonable mixing;	Complies

g) The discharge shall meet the following water quality standards after reasonable mixing: i. No clearly discernible change in visual clarity of the water shall occur; ii. No emission of objectionable odour; iii. No production of conspicuous oil or grease films, scums or foams, or floatable materials.	Complies
h) A management plan is in place and implemented to avoid lime, cement and asphalt related contaminants from entering stormwater discharges.	Complies
Discretionary Activities	
6.2.3(13) The point source discharge of all liquids to land or waterbodies and their margins where the discharge is: a) Not provided for in another rule in this plan; b) Not to Outstanding Waterbodies and Regionally Significant Wetlands identified in Schedules G17 and G18; c) Not a direct discharge to a waterbody or to land in a way that directly enters water above a community drinking water supply intake point; d) Will not result in a water quality objective not being met or a limit/target being exceeded; and e) The discharge is not to a degraded waterbody where the discharge is a new discharge of contaminants which contribute to the degradation.	Discretionary - Potential applicable rule for dewatering discharge and discharges from new stormwater swale drains.

C6.2.12 Rules for Solid Discharges

Rule Table C6.2.12

Permitted Activities

6.2.12(2) The deposition of any material into or onto land that is: a) Solid; and b) Not a hazardous substance; c) Biologically and chemically inert for the duration of the time that they material is to be in contact with the land into or onto which they are discharged.	Permitted
a) The deposition has a volume of less than 500m ³ ;	Complies
b) No objectionable or offensive odour or dust shall be discernible beyond the boundary of the property as a result of the discharge;	Complies
c) The material shall not be located within 20 metres of any Aquatic Ecosystem Waterbody identified in Schedule G15, Regionally Significant Wetland identified in Schedule G17, or Outstanding Waterbody identified in Schedule G18;	Complies
d) The material does not cause any diversion of overland flows of stormwater or floodwater on to other property;	Complies

e) The material does not provide an attraction or accommodation for vermin;	Complies
f) The material is not deposited in any area of significant indigenous vegetation or significant indigenous habitat, or any heritage site identified in the Tairāwhiti Plan.	Complies
Discretionary Activities	
6.2.12(7) Activities that do not comply with the permitted activity standards or any other solid or fertiliser discharges not provided for in another rule in this plan.	Discretionary
C6.3 Activities in the Beds of Rivers and Lakes	
C6.3.2 Rules for Structures in the Beds of Rivers and Lakes	
6.3.2.1 General Standards	
a) Native fish passage shall not be impeded by physical barriers or other means; b) Activities shall not reduce the flood carrying capacity or the ability of the stream or river to carry floating debris; c) Activities shall not cause any increase in induced bank erosion or permanent destabilisation of the bed or river; d) All practicable steps shall be taken to avoid the release of sediment from the activity, and no clearly discernible change in visual clarity of the water shall occur after reasonable mixing downstream of the activity site more than 48 hours after construction work commences in the lake, river or stream; e) No works shall be carried out in the wet part of the bed in the tidal reaches of rivers and streams between 1 March and 30 June; f) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(E) (trout) between 1 May and 30 September; g) No works shall be undertaken in the bed of a waterbody listed in Schedules G15(A) or G15(B) (Aquatic habitat) between 1 May and 30 August; h) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(C) (Habitats of Threatened Indigenous Flora and Fauna) where NZ or Banded Dotterel or other river bed nesting and/or roosting birds are found between 31 August to 31 December; i) The activity shall not alter the natural course of the stream or river; j) No contaminants (including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint, solvents, or anti-fouling paints), excluding sediment, shall be released to water from the activity; k) No machinery refuelling or fuel storage shall occur at a location where fuel can enter any waterbody; l) The activity shall not compromise the structural integrity or use of any other authorised structure	Complies

or activity in the bed of the stream, river or lake, including flood control works in Council Administered Drainage Areas (defined in Schedule H19).	
Rule Table C6.3.2	
Permitted Activities	
6.3.2(5) Erection, placement, alteration or extension of a culvert, in, on, or under the bed of a river, stream or lake, and associated bed disturbance, where the culvert: a) Is not located in a wetland; b) Is not located in an Outstanding Waterbody; c) Is not located within the reticulated services area of Gisborne City or within a rural township; d) The catchment of the stream or river in which the culvert is located does not exceed 100ha or, where the catchment of the stream or river exceeds 100ha, the culvert has been approved through a Farm Environment Plan certified by the Consent Authority;	Complies
a) The minimum culvert diameter shall be the larger of: I. 375mm; or II. 20% wider than the natural width of the stream plus 0.5m; III. Except where a Farm Environment Plan can demonstrate that a smaller culvert will not be contrary to the other permitted activity standards in this rule and this is certified by the Consent Authority	Complies
b) Any culvert shall convey at least 20% annual exceedance probability (5 year) flood without heading up more than 0.5 metres or causing any significant increase in upstream water levels on neighbouring properties;	Complies
c) The culvert invert shall be installed a minimum of 0.1 metres below the level of the bed of a river, stream or lake;	Complies
d) Construction shall ensure that: I. Fish passage is maintained following construction; II. Sediment discharge is minimised;	Complies
e) Within 48 hours of construction commencing within the river channel or lake, ambient levels of sediment and fish passage are returned;	Complies
f) All equipment and surplus construction materials shall be removed from the river or lake bed and the floodplain on the completion of that activity;	Complies
g) Culvert inlets (entry point) and outlets (exit point) shall be protected against erosion;	Complies

h) Culverts shall include provision for overflow to ensure safe passage of flood flows;	Complies
i) The maximum fill height over a culvert shall be 2.5 metres;	May not comply
j) The structure shall be maintained to give effect to its design capacity, including remedying as soon as practicable any blockage or obstruction occurring as a result of the structure;	Complies
k) Where the culvert is in a waterbody listed in Schedule G15, the owner of the structure shall notify Gisborne District Council of the location of the culvert at least five working days prior to construction;	Complies
l) The maximum length of a culvert with no slope shall be 20 metres;	May not comply
m) Within the Council Administered Drainage Areas identified in Appendix H19, in addition to the matters listed above: i. The Gisborne District Council shall be notified at least 10 days prior to construction; ii. Construction shall comply with the Gisborne District Council (2014) Culvert Construction Guidelines for Council Administered Drainage Areas (Refer Appendix H19 except if the construction of any river (or modified river) crossing is for the purpose of operating State Highways.	Complies
Discretionary activities	
6.3.2(18) Use, erection, reconstruction, placement, alteration, removal or demolition of any structure or part of any structure in the bed of a lake, river or stream which is not already provided for by a rule in the Plan or the river crossing regulations in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 where the structure is a river crossing associated with a plantation forest. Those regulations prevail over this rule where there is conflict.	Discretionary
6.3.2(19) Excavation, drilling, tunneling or otherwise disturbance of the bed of a lake, river or stream which is not already provided for by another rule in the Plan.	Discretionary
6.3.2(20) Deposition of any substance in, on or under the bed of a lake, river or stream which is not already provided for by a rule in the Plan.	Discretionary
C6.3.5 Rules for Vegetation Clearance and Establishment	
C6.3.5.1 General Standards	
a) Native fish passage shall not be impeded by physical barriers or other means;	Complies

b) Activities shall not reduce the flood carrying capacity or the ability of the stream or river to carry floating debris; c) Activities shall not cause any increase in induced bank erosion or permanent destabilisation of the bed or river; d) All practicable steps shall be taken to avoid the release of sediment from the activity, and no clearly discernible change in visual clarity of the water shall occur after reasonable mixing downstream of the activity site more than 48 hours after construction work commences in the lake, river or stream; e) No works shall be carried out in the wet part of the bed in the tidal reaches of rivers and streams between 1 March and 30 June; f) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(E) (trout) between 1 May and 30 September; g) No works shall be undertaken in the bed of a waterbody listed in Schedules G15(A) or G15(B) (Aquatic habitat) between 1 May and 30 August; h) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(C) (Habitats of Threatened Indigenous Flora and Fauna) where NZ or Banded Dotterel or other river bed nesting and/or roosting birds are found between 31 August to 31 December; i) The activity shall not alter the natural course of the stream or river; j) No contaminants (including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint, solvents, or anti-fouling paints), excluding sediment, shall be released to water from the activity; k) No machinery refuelling or fuel storage shall occur at a location where fuel can enter any waterbody; l) The activity shall not compromise the structural integrity or use of any other authorised structure or activity in the bed of the stream, river or lake, including flood control works in Council Administered Drainage Areas (defined in Schedule H19).	
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C6.3.7 Rules for Stock and Vehicle Access

C6.3.7.1 General Standards

A. The following General Rules apply to all permitted activities in the beds of lakes, rivers and streams: a) Native fish passage shall not be impeded by physical barriers or other means; b) Activities shall not reduce the flood carrying capacity or the ability of the stream or river to carry floating debris; c) Activities shall not cause any increase in induced bank erosion or permanent destabilisation of the bed or river; d) All practicable steps shall be taken to avoid the release of sediment from the activity,	Complies
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and no clearly discernible change in visual clarity of the water shall occur after reasonable mixing downstream of the activity site more than 48 hours after construction work commences in the lake, river or stream; e) No works shall be carried out in the wet part of the bed in the tidal reaches of rivers and streams between 1 March and 30 June; f) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(E) (trout) between 1 May and 30 September; g) No works shall be undertaken in the bed of a waterbody listed in Schedules G15(A) or G15(B) (Aquatic habitat) between 1 May and 30 August; h) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(C) (Habitats of Threatened Indigenous Flora and Fauna) where NZ or Banded Dotterel or other river bed nesting and/or roosting birds are found between 31 August to 31 December; i) The activity shall not alter the natural course of the stream or river; j) No contaminants (including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint, solvents, or anti-fouling paints), excluding sediment, shall be released to water from the activity; k) No machinery refuelling or fuel storage shall occur at a location where fuel can enter any waterbody; l) The activity shall not compromise the structural integrity or use of any other authorised structure or activity in the bed of the stream, river or lake, including flood control works in Council Administered Drainage Areas (defined in Schedule H19). B. The following standards shall apply to all permitted stock grazing and vehicle access activities in the beds of lakes, rivers and streams: a) The activity shall not cause or induce erosion to the bed or banks of the surface waterbody; b) The activity shall not damage or destroy a wetland, or a whitebait spawning site identified in Schedule G15(D); c) The activity shall not destroy significant aquatic indigenous vegetation, or aquatic habitat or spawning areas of indigenous species, or significant habitats of trout, as identified in Schedules G15, G17 and G18.	
C6.3.13 Rules for Damming, Diversion and Drainage of Streams, Rivers and Lakes	
C6.3.13.1 General Standards	
a) Native fish passage shall not be impeded by physical barriers or other means; b) Activities shall not reduce the flood carrying capacity or the ability of the stream or river to carry floating debris;	Complies

c) Activities shall not cause any increase in induced bank erosion or permanent destabilisation of the bed or river; d) All practicable steps shall be taken to avoid the release of sediment from the activity, and no clearly discernible change in visual clarity of the water shall occur after reasonable mixing downstream of the activity site more than 48 hours after construction work commences in the lake, river or stream; e) No works shall be carried out in the wet part of the bed in the tidal reaches of rivers and streams between 1 March and 30 June; f) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(E) (trout) between 1 May and 30 September; g) No works shall be undertaken in the bed of a waterbody listed in Schedules G15(A) or G15(B) (Aquatic habitat) between 1 May and 30 August; h) No works shall be undertaken in the bed of a waterbody listed in Schedule G15(C) (Habitats of Threatened Indigenous Flora and Fauna) where NZ or Banded Dotterel or other river bed nesting and/or roosting birds are found between 31 August to 31 December; i) The activity shall not alter the natural course of the stream or river; j) No contaminants (including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint, solvents, or anti-fouling paints), excluding sediment, shall be released to water from the activity; k) No machinery refuelling or fuel storage shall occur at a location where fuel can enter any waterbody; l) The activity shall not compromise the structural integrity or use of any other authorised structure or activity in the bed of the stream, river or lake, including flood control works in Council Administered Drainage Areas (defined in Schedule H19).	
Rule Table C6.3.13	
Discretionary activities	
6.3.13(4) Damming, diversion and drainage of water in the bed of a river or stream which does not comply with permitted activity standards, except for Outstanding Waterbodies in Schedule G18 – Outstanding Waterbodies.	Discretionary
C6.4 Riparian Margins, Wetlands	
C6.4.2 Rules for Wetlands	
C6.4.2.1 General Standards	
a) Native fish passage shall not be impeded by physical barriers or other means; b) Water flow and quantity within the wetland shall not be altered; c) Natural form of the wetland shall not be altered;	Complies

d) No contaminants – including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint, solvents, or anti-fouling paints – shall be discharged into the wetland; e) All machinery shall be kept out of the bed of the wetland and refuelling or fuel storage shall occur at a location where fuel cannot enter any wetland or other water body; f) The activity shall not cause or induce ongoing erosion of the bed or banks of any surface water body; g) Any disturbance of a wetland – including damage to indigenous vegetation – shall be no more than minor in scale, and temporary in duration; h) The activity does not give rise to any of the following effects on water quality: i. The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or ii. Any conspicuous change in the colour or visual clarity; or iii. Any emission of objectionable odour; or iv. The rendering of freshwater unsuitable for consumption by farm animals; or v. Any significant adverse effects on aquatic life.	
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C6.4.5 Rules for Riparian Management Areas

Rule Table C6.4.5

Permitted Activities

6.4.5(1) Vegetation clearance within the Riparian Management Area of an Aquatic Ecosystem Waterbody within Schedule G15.	Permitted
a) The vegetation comprises exotic trees or shrubs or other exotic plants scattered amongst pasture; or	Does not comply
6.4.5(4) Vegetation clearance a) The activity is not within the Riparian Management Area of a waterbody that is of an Aquatic Ecosystem Waterbody identified in Schedule G15 or an Outstanding Waterbody as identified within Schedule G18 of the Plan:	Permitted
Provided that: a) The vegetation comprises exotic trees or shrubs or other exotic plants scattered amongst pasture; or	Complies

Restricted Discretionary Activities

6.4.5(16) Vegetation clearance not provided for in another Rule within the Riparian Management Area of an Aquatic Ecosystem Waterbody identified in Schedule G15.	Restricted Discretionary
6.4.5(20) Land disturbance that exposes or disturbs more than 10m ² of earth per contiguous 100m of Riparian Management Area and/or	Restricted Discretionary

exposes or disturbs more than 10m² of earth over any 24 month period. Provided that: a) It is not a result of cable haul logging across a surface water body	
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C8 Natural Hazards

C8.2 Flood Hazard	
C8.2.3 Regional Rules for Flood Hazards	
Rule Table C8.2.3	
Flood Hazard Overlay F1 (River and Floodway)	
8.2.3(2) Any activity in the road reserve that may result in the diversion or ponding of floodwaters, including any new road, road alteration or shape correction	Restricted Discretionary
8.2.3(4) Construction of soil conservation and river control works	Restricted Discretionary
8.2.3(5) Earthworks which alter the level of the land	Restricted Discretionary
8.2.3(7) Construction or installation of new structures associated with network utility activities	Restricted Discretionary
Flood Hazard Overlay F2 (High Hazard Areas) and Flood Hazard Overlay F2A (Moderate / High Hazard Areas)	
8.2.3(16) Earthworks which alter the existing ground level	Restricted Discretionary
8.2.3(19) Any activity within the road reserve that may result in the diversion or ponding of floodwater, including any new road, road alteration or shape correction	Restricted Discretionary
8.2.3(20) Construction of soil conservation and river control works	Restricted Discretionary
Flood Hazard Overlay F3 (Flood Ponding Areas), Flood Hazard Overlay 4 (Liable to Flooding) and Flood Hazard Overlay F5 (Flood Fringe Areas)	
8.2.3(27) Any earthworks that alter the ground level in the FH3 & FH4 areas, including filling of ponding areas	Restricted Discretionary

C1 Air Quality

C1.5 Air Quality Management Rules	
C1.5.4 Rules for Discharges to Air	
C1.5.4.1 General Standards	
A. The discharge shall not result in any offensive or objectionable airborne contaminants beyond the boundary of the site or, in the case of public land, beyond 50m from the point of discharge or beyond the boundary of the public land, whichever is lesser.	Complies

B. The discharge shall not result in any offensive or objectionable odour beyond the boundary of the site or, in the case of public land, beyond 50m from the point of discharge or beyond the boundary of the public land, whichever is lesser.	Complies
C. The discharge shall not result in any offensive or objectionable deposition of particulate matter on any land or structure beyond the boundary of the site or, in the case of public land, beyond 50m from the discharge or beyond the boundary of the public land, whichever is lesser.	Complies
D. The discharge shall not result in any offensive or objectionable smoke beyond the boundary of the site or, in the case of public land, beyond 50m from the discharge or beyond the boundary of the public land, whichever is lesser.	Complies
E. The discharge shall not result in any dangerous or noxious levels of hazardous air contaminants ⁴ .	Complies
F. Any discharge of particulate matter shall not exceed a concentration of 250 mg/m ³ (e.g. 12% CO ₂ measured at the point of discharge at normal temperature and pressure).	Complies
G. Materials shall be suppressed or contained in a way that avoids the escape or emission of noxious or objectionable levels of particulate.	Complies
H. The discharge shall not result in a dust deposition rate exceeding 4g/m ² per 30 days at any point beyond the boundary of the site or, in the case of public land, beyond 50m from the discharge or beyond the boundary of the public land, whichever is lesser.	Complies
I. Any discharge shall be limited to waste materials generated on the premises.	Complies
J. The opacity of discharges from any chimney or vent determined visually or by photo electric means shall not exceed 20% obscuration of transmitted light: i. in the case of continuous emissions, for more than 2 minutes; or ii. in the case of intermittent emissions, for more than 4 minutes in the aggregate in any period of 60 minutes.	Complies
K. Any discharge of agrichemicals shall not occur directly above a permanently flowing river, lake, wetland or other surface water body, including any drain or any opening to a drain or any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation or farm drainage canals) that is discharging to a surface water body, unless the chemical is registered for use over water bodies.	Complies
L. The discharge shall not result in the deposition of noxious or dangerous levels of agrichemicals or hazardous contaminants onto water bodies specifically managed for public water supply	Complies

purposes, unless the discharge is a chemical registered for use over water bodies.	
M. The discharge shall not result in the deposition of any agrichemical onto any roof or other structure used as a collection for water supply or onto any residential or school vegetable garden that could reasonably be expected to cause any significant adverse effect.	Complies
N. AGRICHEMICALS - USER TRAINING	
a) The following standards shall come into force on 14 July 2008): i. Every person undertaking the application of agrichemicals shall have a qualification, certified in writing that meets the training requirements set out in Appendix H18 Training Requirements for Qualifications to Apply Agrichemicals, or be under the effective supervision of a person who meets those requirements. ii. Every contractor undertaking the ground based application of agrichemicals shall also hold a current GROWSAFE: Registered Chemical Applicator Certificate of qualification. Every contractor, employee shall also either hold this qualification or have a qualification, certified in writing that meets the training requirements set out in Appendix H18 Training Requirements for Qualifications to Apply Agrichemicals. iii. Every pilot undertaking aerial application of agrichemicals shall hold a current GROWSAFE: Certificate of Qualification Agrichemical Rating, or an equivalent qualification. Evidence of qualification shall be made available to Council upon request.	Complies
O. AGRICHEMICALS - NOTIFICATION REQUIREMENTS	
Private Land	
a) Where the application of agrichemicals is on private land, the owner or occupier of the property shall at the beginning of each calendar year or at least two weeks before the first spray season of a calendar year advise: i. all adjacent land occupiers (and owners where practicable) ii. any sensitive areas within: • 30m from the point of discharge for ground based spraying; or • 200m from the point of discharge for aerial spraying. that a spray plan is available on request. b) If requested by any person specified in a) above or any other person who is likely to be directly affected or the Gisborne District Council a copy of the spray plan⁵ shall be provided within 5 working days. c) If requested by any party who has been provided with a spray plan, the owner or	Complies

occupier of the property to be sprayed shall, no later than eight hours prior to the agrichemical application: - confirm name and contact details of the person carrying out the agrichemical application - provide brand name and/or details of the active ingredient of the agrichemical that is to be applied - confirm date and times of the agrichemical application by telephone. In the event that it is necessary to undertake any agrichemical application that has not been provided for in the spray plan, the owner or occupier of the property to be sprayed shall provide an amended spray plan, not less than eight hours prior to the application of the agrichemical, to any adjacent landowner that will be directly affected as identified in sub-clause a) and b). AND d) Notification of particular applications of agrichemicals shall be provided to any neighbouring land occupiers (and where practical) those listed in a) above who request to be notified in writing on an application by application basis. Notification is to take place not less than eight hours and not more than four weeks prior to the application of agrichemicals. Notification may be made verbally or in writing and shall include (i) – (iv) of e) below. OR e) Subject to b) above a notice of intent of particular applications of agrichemicals shall be provided not less than eight hours and not more than four weeks prior to the application of agrichemicals. Notification may be made verbally or in writing and shall include: - contact name and number of those carrying out the application - the name of the chemical to be sprayed - the approximate time of day and date that the application will occur - any advised safety precautions for third parties - the property / part of property/ies to be sprayed - the equipment, method of application and application rates.	
Public Land	
Where the application is on public land (excluding road and rail reserve) intention to spray shall be publicly notified in the daily local newspaper or door-to-door advice to land occupiers adjacent to the intended application and known users at least seven days before spraying is undertaken. This notification shall provide the following details: - the property to be sprayed - the dates and time of the spraying (including alternative dates and times in the case of adverse weather conditions)	Complies

c) the brand name or chemical name to be used d) any relevant safety precautions. Where the application of agrichemicals is undertaken in the road and rail reserve, notification must be provided at least annually in the form of a public notice in the newspaper and is to include both the information outlined in a) – d) above and the contact name and number of the party undertaking the application.	
P. AGRICHEMICALS – SIGNAGE	
Private Land	
Where the application is on private land and occurs on any school day between the hours of 7.30am to 9.00am and 2.30pm to 4.30pm, signs shall be used to clearly indicate the use of any agrichemical: a) within 10m of a bus stop on a school bus route where there is a shelter belt giving effective protection between the application and the bus stop; or b) within 50m of a bus stop on a school bus route where there is no shelter belt giving effective protection between the application and the bus stop.	Complies
Public Land	
Where the application is on public land: a) signs shall be placed around the target area or each entrance to the public land (excluding public roads and other public thoroughfares) that are legible at a distance of at least 10m and remain in place for the duration of the contact re-entry period. b) where spraying occurs alongside public roads and other public thoroughfares, vehicles associated with the spraying shall display prominent signs (front and back) advising that spraying is in progress.	Complies
Q. AGRICHEMICALS – WRITTEN RECORDS	
Written records must be kept for any discharge of agrichemicals and should include: a) the property, part of property or properties sprayed b) the day/s, date/s and time/s when the agrichemical was applied c) the crops to be sprayed and a list of the chemicals (with brand names) used during the year or the season d) a list of addresses for those neighbours who have been notified in accordance with General Standard O(a) – notification requirements for private land e) the equipment and method of application used, concentration and volume of spray used f) weather conditions at the time of spraying g) how notification requirements have been met	Complies

h) details of any abnormal situation or incident and any action taken, including any variations to the notice of intention as outlined General Standards O(d) – notification requirements for private land; and i) Identification of sensitive areas (including those listed in Policy C1.3.4.5) and the strategies employed to avoid contamination of those areas. These records shall be kept for at least two years and shall be made available to the Council on request.	
R. AGRICHEMICALS - DISCHARGES FROM THE APPLICATION OF 2,4-D ETHYL HEXYL ESTER HERBICIDE	
Prior to the application of 2,4-D ethyl hexyl ester herbicides, the applicator shall ensure that the following criteria have been compiled with: a) An assessment demonstrating that there are no sensitive crops or farming systems within 5km has been undertaken. b) Consideration is given to wind speed, direction, ground and air temperature before and during application. c) Non-volatile formulations have been considered. d) Anti-drift additives have been considered. e) Nozzles shall be low drift nozzles that produce droplets with a VMD of not less than 400 microns. f) Equipment is correctly calibrated.	Complies
Rule Table C1.5.4	
Permitted Activities	
1.5.4(22) The discharge of contaminants into air from the combustion of fuel in vehicles including cars, trucks, ships, trains, aircraft and boats and the discharge of dust from the use of vehicles on roads.	Permitted

C7 Land Management

C7.1.6 Rules for Land Disturbance and Vegetation Clearance	
C7.1.6.1 General Standards	
A. No activity shall cause conspicuous change in colour or natural visual clarity of any off-site receiving water after reasonable mixing. B. No vegetation, slash, spoil or other debris shall be: i. directly deposited into a permanently flowing water body, lake, wetland or the sea, or be deposited into a position where it can readily enter, or be carried into a permanently flowing water body, lake, wetland, or the sea. ii. left in such a position described in (i) above where the vegetation exceeds	Complies

• 100mm diameter and 3 metres in length; or • 100mm diameter and any lesser length, where the vegetation or slash may cause diversion, damming, erosion or result in movement of debris and deposition downstream. C. All land disturbance activities shall include runoff controls around the area of disturbance where necessary to prevent concentration of runoff causing, erosion, scour and sediment discharge offsite. D. Where an activity results in areas of exposed ground greater than a 0.5ha contiguous area over a 12 month period on any one site excluding firebreak sites, these areas shall be revegetated to give a ground cover of 75% of that area within 12 months of the activity ceasing. E. Land disturbance batters and side-castings are to be stabilised by methods such as surface revegetation and drainage to avoid slumping and the generation of sediment. F. Spoil and fill shall not be placed over vegetation other than grass, or placed in a position where it can cause erosion.	
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C7.1.6.2 Specific Standards

a) Works have been undertaken on the single rating unit to establish and/or maintain ETC on all treatable land (including Crown land) identified as LO3A in the Tairāwhiti Plan Maps to the Plan, subject to the following standards: - With regard to all such land, except land owned and administered by the Crown, the requirement for the establishment of ETC is subject to the availability of the incentive; and - In the case of land owned and administered by the Crown, the requirement for the establishment of ETC is subject to the existence of the ECFP incentive; and - This rule comes into force on 1st July 2011, by which date Works Plans are required to have been completed and certified by the Consent Authority. OR b) A Sustainable Hill Country Project Works Plan (Works Plan) is developed and implemented for all treatable land (including Crown land) on the single rating unit identified as LO3A, in the Tairāwhiti Plan Maps to the Plan, subject to the following standards: - With regard to all such land, except land owned and administered by the Crown, the requirement to develop and implement the establishment works component of a Works Plan is subject to the availability of the ECFP incentive; and - In the case of land owned and administered by the Crown, the requirement to develop	Complies
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and implement the establishment works component of a Works Plan is subject to the existence of the ECFP incentive; and

- iii. Works Plans are required to have been developed and certified by the Consent Authority by 1st July 2011 and
- iv. Works Plans shall describe the Works proposed for all LO3A land on the single rating unit, including:
 - detail of the nature, extent and dates of establishment and/or maintenance Works planned, with the location of Works shown on a property map;
 - detail of any plant or animal pest control planned (including stock exclusion as necessary);
 - the timeframe for plan implementation, which is to be completed by 2021 in respect of establishment works;
 - a budget adequate for the proposed Works; and
 - Implementation shall be in accordance with the Certified Works Plan;

AND

c) Certification: All Works and Works Plans described by Standard C7.1.6.2 a) and b) must be certified by the Consent Authority. Regard will be had to the following when considering certification:

- i. whether the completed Works, or proposed Works Plan, will achieve the establishment or maintenance of "ETC"; and
- ii. whether there is any conflict between current or proposed land use activities (such as plantation forest harvesting, damage by livestock, stock water access, lambing / fawning / calving paddocks, or management of historic/archaeological or indigenous biodiversity values), and the establishment or maintenance of ETC; and
- iii. whether the effects of any activity described in b) above are localised, and whether there are proposed measures to mitigate or remedy the effects of the activity; and
- iv. in the case of Works Plans, whether resourcing (including labour, plant material, and budget provision) is demonstrably adequate and available for the proposed Works; and
- v. whether the timeframe for implementation will facilitate achievement of the objectives and policies of this chapter in a phased manner given for completion of establishment works; and
- vi. whether there may be areas where ETC is not achievable in part or in total, due to circumstances that are outside of the landowner's control, such as:
 - the unavailability of suitable plant material necessary for achievement of ETC; or
 - topographic, geological or unusual climatic or other environmental

conditions resulting in or likely to result in plant establishment or maintenance failure. vii. whether the completed Works, or proposed Works Plan, include Works on land not identified (but within the same rating assessment unit) as LO3A where these are essential to achieving ETC on adjacent LO3A land. d) Reporting Requirements: The nature, extent, progress and results of all works and Works Plans described by Standard C7.1.6.2 a) and b) must be reported annually at a date to be set at the time of certification, to the Consent Authority, and shall include the following information: i. detail of the nature, extent and dates of establishment and/or maintenance Works undertaken, with the location of Works shown on a property map; and ii. the detail of any plant or animal pest control undertaken (including stock exclusion as necessary); and iii. the result of all establishment and/or maintenance Works to date (including survival rates, and the locations of and reasons for any failure to establish effective tree cover, including the unavailability of financial assistance, despite applications for Works certified by the Consent Authority having been made to the ECFP); In the case of Works Plans described in Rule C7.1.6.2a) the information shall also include: iv. the extent of the Works Plan completed to date; and v. the nature of, and reason for, any deviation from the Works Plan, including the unavailability of financial assistance, despite applications for Works certified by the Consent Authority having been made to the ECFP.	
Rule Table C7.1.6	
Land Overlay 1	
7.1.6(9) Land disturbance and vegetation clearance activities which do not comply with the General Standards and are not provided for as Controlled or Restricted Discretionary Activities	Discretionary

C5 Environmental Risks

C5.2.6 Rules for Hazardous Substances	
C5.2.6.1 General Standards	
A. Site Design	
a) All hazardous facilities shall be designed, constructed and managed so that all hazardous substances are stored and used in a manner that prevents;	Complies See proposed consent conditions.

i. exposure to ignition sources; ii. corrosion or other detrimental deterioration to containers; iii. release of any hazardous substance to any land or water; and iv. release of any hazardous substance to any sewerage or stormwater drainage system (unless a discharge permit has been gained from the Council).	
B. Spill Containment	
a) Any spill containment system shall be: i. constructed of suitable impervious materials resistant to the hazardous substances on site; and ii. able to contain the full volume of the hazardous substances being held in the largest tank used, or half of the maximum volume of hazardous substances contained in drums or small containers.	Complies See proposed consent conditions.
C. Stormwater	
a) All stormwater grates on the site shall be clearly marked "stormwater only".	Complies See proposed consent conditions.
D. Washing areas	
a) Any part of the hazardous facility site where vehicles, equipment or containers that are or may have been contaminated with hazardous substance are washed shall be designed, constructed and managed to prevent the effluent from the wash-down area from entering any land, water or sewerage or stormwater drainage system.	Complies See proposed consent conditions.
E. Waste Management	
a) Any waste containing hazardous substances shall be managed to prevent the waste entering any stormwater system, sewerage system or discharging into or onto any land or water unless approved by the consent authority; and b) A record shall be maintained and made available to Council officers upon request of the types and quantities of hazardous wastes generated on the site and the methods of disposal.	Complies See proposed consent conditions.
F. Signage	
a) Any hazardous facility shall be adequately signposted to indicate the nature of the substances stored, used or otherwise handled. Signs are not required for substances used or stored as a permitted activity in the Residential Zone. Adherence to the Code of Practice for "Warning Signs for Premises Storing Hazardous Substances" of the New Zealand Chemical Industry Council, or any other Code of Practice approved by the New Zealand Fire Service will	Complies See proposed consent conditions.

be accepted as one method of complying with this condition.	
G. Records	
a) All premises used for the manufacture, storage or use of hazardous substances shall maintain an up to date register of all hazardous substances and maximum quantities held in store. The register must be kept in a safe location and be immediately available to Council officers upon request.	Complies See proposed consent conditions.
H. Contingency Plan	
a) Any site used for the manufacture, storage or use of hazardous substances, shall have in place a spillage management plan to prevent any spillage from discharging or entering into any stormwater or drainage system. The plan shall include a list of action to be taken in the event of a spillage.	Complies See proposed consent conditions.
Rule Table C5.2.6	
Permitted Activities	
All zones	
5.2.6(1) Establishment and operation of hazardous facilities.	Permitted Storage of bulk fuels at lay down areas and site compounds will meet the above standards.

DD4 Rural Zones

DD4.6 Rules		
DD4.6.1 Rules for Rural zones		
Rule Table DD4.6.1A – All Rural Zones		
Permitted Activities		
4.6.1A(10)	Temporary Activities	May not comply
d)	An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.	May not comply Temporary construction compounds and laydown areas may not comply with days allowed plus yard and setback permitted standards under other permitted rules. Consent will be required for infringements of C11.2.15.2.A.1 and C11.2.15.4.A.1 due to the duration of the construction noise and vibration emissions

Restricted Discretionary Activities	
4.6.1A(13) Activities listed as Permitted and Controlled which do not comply with the General Standards with respect to: a) Noise and vibration b) Lighting and Glare c) Recession plane d) Yards e) Infrastructure, works and services f) Duration, frequency and hours of operation of the activity g) Floor area of buildings	Restricted Discretionary
4.6.1A(15) Temporary activities which do not comply with the General Standards for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary

DD1 Residential Zones

DD1.1 Residential Zones	
DD1.6 Rules	
DD1.6.1 Rules for Residential zones	
Rule Table DD1.6.1	
Permitted Activities	
1.6.1(11) Temporary activities	May not comply Temporary construction compounds and laydown areas may not comply with days allowed plus yard and setback permitted standards under other permitted rules. Consent will be required for infringements of C11.2.15.2.A.1 and C11.2.15.4.A.1 due to the duration of the construction noise and vibration emissions.
Restricted Discretionary Activities	
1.6.1(23) Temporary activities which do not comply with the rules for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary