

## Response to Question 13: NPS-Freshwater Management 2020

### Freshwater Receiving Environments

For the following reasons, no consents are required for matters affecting freshwater or groundwater. The potential adverse effects of the proposal can be considered to be within the permitted baseline established by the relevant regional plan. While relevant, NPS-FM 2020 does not contain any objectives or policies that override the permitted activity provisions of the relevant regional plan.

The site is part of the coastal environment and, more particularly, part of the 'coastal margin' identified in the HBRC Regional Coastal Environment Plan.

Rule 23 of the Regional Coastal Environment Plan provides for 'the diversion and discharge of water into water or onto or into land in the Coastal Margin, from a gravity flow drainage system (without pumping)' as a permitted activity, provided specified the following conditions are met:

- a) *There shall not be any adverse flooding effects on any property owned or occupied by another person as a result of the discharge activity.*
- b) *The discharge shall not cause any scouring or erosion of any land or any water course beyond the point of discharge.*
- c) *The discharge shall not adversely affect any wetland.*
- d) *The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3 degrees Celsius from normal seasonal water temperature fluctuations, after reasonable mixing.*
- e) *Any discharge of water arising from a drainage system shall be to the same catchment as that to which the water would naturally flow.*
- f) *Any suspended solids in the discharge shall comply with surface water quality standards set out in Schedule D of this Plan.*

Rule 25 provides for 'the diversion and discharge of stormwater from any constructed open drainage system or piped stormwater drainage system in the Coastal Margin that does not convey stormwater from any industrial or trade premises' is a permitted activity, provided the following conditions are met:

- a) *The activity shall not cause any permanent:*
  - i) *reduction of the ability of the receiving channel to convey flood flows or*
  - ii) *bed scouring or bank erosion of the receiving channel.*
- b) *The discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials in any receiving water after reasonable mixing.*

The proposal will meet the standards specified in these rules. The engineering assessment contained in the Civil Design Report contained in Appendix 7 of the application and the (attached) responses to questions 4, 5 and 9 of the s. 92 request confirm that the proposed diversion and discharge of stormwater from the site will comply with the conditions of Rule 25.

Rule 28 provides for 'the discharge of contaminants (including greywater) onto or into land, and any ancillary discharge of contaminants into air, in the Coastal Margin from any new wastewater system (including greywater)' as a permitted activity, provided the specified conditions are met. The responses provided to question 7 of the s. 92 request confirm that on-site disposal of wastewater within each proposed allotment can meet the conditions of Regional Coastal Environment Plan Rule 28.

## Natural Wetlands

The applicant is aware that HBRC had identified some potential natural wetlands within the wider farm property. These were identified (on the attached plans) as Wetland ID 7473, ID 7475 and ID 7476. The areas identified as Wetland ID 7473 and 7475 are marsh areas distant from the proposed subdivision and will be unaffected by the proposal.

Part 3 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 controls activities within and near natural wetlands. None of the activities listed in Regulations 38 to 54 of Part 3 of the NES-Freshwater Regulations is proposed and none of the adverse outcomes listed in Regulation 55 will result.

The applicant has been in discussion with HBRC about whether the area identified as Wetland 7476 is actually a natural wetland. The attached assessment by Nicholas Singers Ecological Solutions concludes that the area is a small alluvial terrace, set above the stream, that occasionally floods during extreme weather events but is not a 'natural wetland'. The site is dominated by pasture species (according to the assessment, over 90% of the area is exotic pasture).

The RMA definition of 'wetland' includes: *'permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions'*.

The area identified as ID 7476 does not meet the RMA definition of 'wetland'.

The definition of 'natural wetland' in the NPS-FM 2020 and NES-Freshwater Regulations 2020 is the same and is: *'a wetland (as defined by the Act) that is not:*

- (a) A wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or*
- (b) A geothermal wetland; or*
- (c) Any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain-derived water pooling.'*

The area identified as ID 7476 does not qualify as a 'wetland' and is excluded from the definition of 'natural wetland' because it is not a natural ecosystem of plants and animals adapted to wet conditions. It is an area dominated by exotic pasture species that is usually dry but periodically floods in extreme rainfall events. For completeness, the area is located alongside the tributary, downstream of the land proposed to be subdivided in Stage 3. It adjoins land that already has consent for closer subdivision and will not be directly or adversely affected by the proposed Stage 3 subdivision or the engineering works required to form the proposed Stage 3 subdivision.

The HBRC wetland work has not identified any other natural wetlands within the vicinity of the land to be subdivided. There are gullies, throughout the wider farm, for example within proposed Lots 11 and 15 (which is to be developed as a stormwater detention area). However, these areas are not 'natural' wetlands and are either farm dams or are dominated by exotic pasture species.