

**TINEX Group Limited – 245 Te Puna Station Road, Te Puna (RC13924L)**

**National Policy Statement – Freshwater Management & National Environmental Standards for Freshwater - Assessment**

The following addresses the National Environmental Standards for Freshwater 2020, which came into force on the 3rd of September 2020, as well as the National Policy Statement for Freshwater Management, which came into force on the 3rd of August 2020.

National Environmental Standard – Freshwater (NPS:F) 2020

The relevant sections of the NES for Freshwater 2020 includes Regulations 52, 53 and 54 which are assessed below:

*Drainage of natural wetlands*

*52 non-complying activities*

*(1) Earthworks outside, but within a 100 m setback from, a natural wetland is a non-complying activity if it—*

*(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and*

*(b) does not have another status under any of regulations 38 to 51.*

*(2) The taking, use, damming, diversion, or discharge of water outside, but within a 100 m setback from, a natural wetland is a non-complying activity if it—*

*(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and*

*(b) does not have another status under any of regulations 38 to 51.*

Comment: The application complies with 52(1) and (2) above. No earthworks are proposed within 100m of a natural wetland and no water is to be dammed, diverted, taken, or discharged within 100m of a natural wetland. All earthworks undertaken on the subject area of the site where the activities are located were lawfully undertaken prior to the introduction of the NPS-FM in 2020.

*53 Prohibited activities*

*(1) Earthworks within a natural wetland is a prohibited activity if it—*

*(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and*

*(b) does not have another status under any of regulations 38 to 51.*

*(2) The taking, use, damming, diversion, or discharge of water within a natural wetland is a prohibited activity if it—*

*(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and*

*(b) does not have another status under any of regulations 38 to 51.*

Comment: The application complies with 53(1) and (2) above as the activities will not result in any drainage of a wetland and are not to be undertaken within a wetland.

*Other activities*

*54 non-complying activities*

*The following activities are non-complying activities if they do not have another status under this subpart:*

*(a) vegetation clearance within, or within a 10 m setback from, a natural wetland:*

*(b) earthworks within, or within a 10 m setback from, a natural wetland:*

*(c) the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland.*

Comment: The application complies with 54(a) – (c) above as works associated with the proposal will not result in any vegetation clearance within 10m of a natural wetland, earthworks within, or within 10m of a natural wetland or the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland.

## National Policy Statement for Freshwater Management (NPS:FM) 2020

### *Objectives*

*(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*

*(a) first, the health and well-being of water bodies and freshwater ecosystems*

*(b) second, the health needs of people (such as drinking water)*

*(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

Comment: It is considered that the proposal will not adversely affect the health or wellbeing of the water bodies and associated freshwater ecosystems in the surrounding area given the type of existing landuse activities and stormwater dispersal via overall flows.

There are no known drinking freshwater water supplies within vicinity of the subject site except for the sealed Council water reticulation main within Te Puna Station Road.

The activities contribute to social the economic wellbeing of the applicant and the wider community through the provision of business land and employment opportunities.

### *Policies*

*Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.*

Comment: Te Mana o te Wai is a concept that means that the intrinsic value of freshwater ecosystems is an end in and of itself. Waterways have their own mana, and they should be kept healthy for their own sake rather than for the sake of them being a resource to be exploited. The proposal does not seek a take of any freshwater.

*Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.*

Comment: Given the scale and type of existing activities operating it is not considered that there is any adverse impact on freshwater values. Wider stormwater management for the overall site development has considered Mairi freshwater values through the District Plan requirements and the applicant has engaged with Pirirakau to plant the existing stormwater corridor on site.

*Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.*

Comment: No ground water or surface water takes are sought and water will be utilised from the reticulated water system with financial contributions and metered water rates paid.

*Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.*

Comment: The site is potentially subject to flooding during a 100-year climate adjusted rainfall event as mapped by WBOPDC. It is not considered that the utilisation of the site for its intended purposes such as the existing onsite activities would have any impact upon freshwater and climate change.

*Policy 5: Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.*

Comment: 'Freshwater objectives' are the intended environmental outcomes for a water body that will provide for the values the community considers important. Regarding stormwater treatment from the site, this will be managed to ensure there is no further degradation of water quality to any receiving freshwater environment and water quality will be monitored to ensure that this is being achieved.

*Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.*

Comment: There will be no loss of wetland area as part of this application to legitimise the existing established activities on site.

*Policy 7: The loss of river extent and values is avoided to the extent practicable.*

Comment: There will be no loss of any river or stream as part of this consent application to legitimise the existing established activities on site.

*Policy 8: The significant values of outstanding water bodies are protected.*

Comment: The Hakao Stream is of significant cultural importance to Pirirakau and Ngati Taka but is not considered to be classed as an outstanding water body per the definition. Outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values. The proposal does not seek to alter the Hakao Stream in any manner or discharge to the Hakao Stream.

*Policy 9: The habitats of indigenous freshwater species are protected.*

Comment: As wetland areas will not be affected by this proposal, any indigenous freshwater species associated with wetland areas will not be impacted.

*Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy.*

Comment: There is no evidence of trout or salmon within any waterway near to the site.

*Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.*

Comment: No take of freshwater from a non-reticulated source is proposed as part of the application.

*Policy 12: The national target (as set out in Appendix 3) for water quality improvement is achieved.*

Comment: The proposal will not impact the targets set out in Appendix 3.

*Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.*

Comment: Whilst it is considered unnecessary, it is acknowledged Council may place conditions on this consent with respect to water quality testing near the development.

#### *Section 3.22(3) of the NPS-FM*

Section 3.2.2 of the NPS specifies that every regional council must include policy in its Regional Plan to avoid the loss of extent of natural wetland, and its values protected, and their restoration promoted. As assessment of the following aspects has been undertaken below:

#### *Ecosystem Health*

Comment: No natural wetland area will be affected by this proposal, and it is not considered there will be any adverse effect on overall ecosystem health.

#### *Indigenous Biodiversity*

Comment: No works are proposed or needed within a wetland area that would have an effect on indigenous biodiversity.

#### *Hydrological Functioning*

Comment: The proposal to legitimise the existing activities on site is not considered to affect the hydrological functioning of any natural wetland.

### *Maori Freshwater Values*

Comment: The protection of Maori Freshwater values was identified through the proposed wetlands approved through the original environment court decision which are part of the application for overall structure plan non-compliance and are unaffected by this proposal given the site controls, contour and bunding that is in place.

### *Amenity*

Comment: No disturbance of a wetland is proposed and as such there are no effects of the amenity of a wetland area.