

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of **PROPOSED PLAN CHANGE 1** to the Waikato Regional Plan – hearing of **BLOCK 1** topics

AND

IN THE MATTER of the hearing of the submission by **WATERCARE SERVICES LIMITED** in relation to **BLOCK 1** topics

STATEMENT OF EVIDENCE OF CHRISTOPHER JAMES SCRAFTON

1. **INTRODUCTION**

Qualifications and experience

- 1.1 My name is Christopher James Scrafton. I am a Technical Director – Planning in the consultancy firm of Beca. I have over 18 years' experience in town planning.
- 1.2 I hold the qualifications of a Bachelor of Arts in Geography from the University of Hull (1999), and a Postgraduate Certificate and a Masters in Town Planning from the South Bank University, London (2002 and 2005 respectively). I am a full member of the New Zealand Planning Institute and I am an accredited Commissioner under the Ministry for the Environment and Local Government New Zealand "Making Good Decisions" 2006 Programme.
- 1.3 My experience of particular relevance to Plan Change 1 to the Waikato Regional Plan ("**PC1**") includes:
- (a) Chief author of the assessment of effects on the environment for the Pukekohe Wastewater Treatment Plant upgrades project;
 - (b) Chief author of the assessment of effects on the environment for the Te Awamutu Wastewater Discharge Project.

- (c) Chief author of the assessment of effects on the environment for the Northern Interceptor Wastewater Project – Phases 1 to 6.
- (d) Co-author of the assessment of effects on the environment for the Auckland-wide Wastewater Overflows Project.
- (e) Chief Author of the assessment of effects on the environment for the Kohimarama Wastewater Storage Tank and Pipeline Project.
- (f) Lead planner for the Major Recreation Facilities, Noise, Vibration and Lighting chapters for the Auckland Unitary Plan.

Involvement in Proposed Plan Change 1

- 1.4 Beca was engaged by Watercare Services Limited ("**Watercare**") to provide planning services in relation to PC1 in 2018.
- 1.5 My involvement in PC1 has included the following:
 - (a) Co-author of the Watercare submission on PC1; and
 - (b) Lead planner in the development of Watercares further submission on PC1.
- 1.6 I have read the PC1 report, section 32 report and the statements of evidence of Mr Bourne and Mr Hall. I have also read all of the submissions I consider to be relevant to Watercare and the Council Officer's section 42A report.

Purpose and scope of evidence

- 1.7 The purpose of this evidence is to provide planning evidence in support of **Watercare's submission.**
- 1.8 My evidence is structured as follows:
 - (a) Preliminary Remarks (Section 3).
 - (b) Role of values in a regional plan (Section 4), including:
 - (i) Process to develop freshwater objectives – relevance of values;
 - (ii) Reasons for deleting the values; and
 - (iii) Amendments to the values if they are not deleted.

- (c) Short and Long-term water quality targets / limits (Section 5).
- (d) Need to provide for future planned growth (Section 6):
 - (i) Significant future growth; and
 - (ii) Regionally significant infrastructure.
- (e) Assimilative capacity of water bodies and the zone of reasonable mixing (Section 7):
 - (i) No recognition of assimilative capacity in the objectives of PC1; and
 - (ii) No recognition of the zone of reasonable mixing in objectives of PC1.
- (f) Freshwater objectives (Section 8); in particular:
 - (i) Objective 1;
 - (ii) Objective 3;
 - (iii) Objective 4; and
 - (iv) Objective 6.
- (g) Seasonality (Section 9);
- (h) Conclusions.

1.9 A summary of my evidence is contained in Section 2.

Expert Witness Code of Conduct

1.10 I have read the Code of Conduct for Expert Witnesses, contained in the Environment Court Consolidated Practice Note (2014) and I agree to comply with it. I can confirm that the issues addressed in this statement are within my area of expertise and that in preparing my evidence I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. **SUMMARY OF EVIDENCE**

2.1 Watercare is, in principle, supportive of Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments (“**PC1**”). However, there are several aspects of PC1 that Watercare is concerned about in relation to the plan change. I share those concerns and consider that a number of the provisions of PC1 need to be redrafted to address the issues raised in **Watercare’s submission and to assist with the overall workability of PC1. I** provide recommendations for amendments to the values and objectives of PC1 at **Appendix A.**

Role of values in a regional plan

2.2 In its primary submission, Watercare raised a number of concerns regarding the role of the values within the Waikato Regional Plan (“**WRP**”) and, in particular, how these values might be applied in the context of a resource consent process, noting that (amongst other things) it is unclear how or if the values tables are to be considered¹.

2.3 In my view, neither Policy CA2 (or any other provision of the NPS:FM) nor Section 67(1) of the RMA require a regional plan to include the values formulated through the process set out in Policy CA2 of the NPS:FM. I also note that:

(a) Section 104(1)(b) of the RMA requires a consent authority to have regard to (amongst other things) any relevant provision of a regional plan; and

(b) Section 104(1)(c) of the RMA requires a consent authority to have regard to any other matters considered reasonably necessary to determine an application.

2.4 As such, whilst the NPS:FM requires a regional council to consider the freshwater values in the development of freshwater objectives, neither the NPS:FM or the RMA require that the values be included within a regional plan. However, if values are to be included in a regional plan, without sufficient clarity being provided within the regional plan, it is highly likely that **the values would be “had regard to” through a resource consent** process as a result of the application of either or both of section 104(1)(b) or (104(1)(c) of the RMA. In my view, the current drafting of PC1 perpetuates such uncertainty.

¹ Paragraph 2.3.1, Watercare submission to Proposed Plan Change 1 to the Waikato Regional Plan.

2.5 On this basis, I agree with the Reporting Officer's suggestion (noting it was not a recommendation) to delete the values and uses from PC1². In my view, this approach would better align with the prescribed process set out in Policy CA2 of the NPS:FM and will remove the risk of confusion and unnecessary information requirements in resource consent processes.

Short and long-term water quality targets / limits

2.6 Table 3.11-1 sets out the short and long-term water quality targets / limits of PC1. Mr Hall's statement of evidence explains his concerns regarding the water quality targets / limits, including the ammonia targets / limits being unnecessarily low and errors and inconsistencies in the targets / limits. I concur with his evidence.

2.7 In addition, I have concerns relating to the manner in which the targets / limits might be considered in the context of the resource consent process and that as currently drafted objectives 1 and 3 create uncertainty in terms of:

- (a) Whether an applicant is expected to achieve the short and long-term water quality targets / limits of PC1 to meet objectives 1 and 3 or, if not, what degree of "improvement" is appropriate in any given case; and
- (b) Assuming each applicant is required to demonstrate a contribution to achievement of the short and long-term water quality targets / limits of PC1, how relative contributions will be measured (assumedly) on a case by case basis.

2.8 In addition to the above, I also consider that Objective 1 should be amended to reflect:

- (a) The uncertainty associated with the 80-year timeframe and whether the aspirational long-term targets can be "achieved"; and
- (b) The aspirational nature of the long-term targets.

Need to provide for future planned growth

² Section 42A report, at [176], page 33.

2.9 PC1 recognises the importance of the continued operation of existing infrastructure³ but in my opinion does not adequately recognise the obligation on Watercare and other municipal providers to service future growth and that, in some cases, this is likely to require new infrastructure, discharges and water takes. I consider that it is necessary for the provisions of PC1 to adequately provide for both existing water and wastewater infrastructure as well as future infrastructure, discharges and water takes required to support anticipated growth. I therefore recommend inclusion of a new objective recognising and providing for of regionally significant infrastructure.

Assimilative capacity of water bodies and the zone of reasonable mixing

2.10 The values of PC1 note the importance of the assimilative capacity of the Waikato and Waipa Rivers in the use values for commercial, municipal, and industrial use.

2.11 Given that the NPS:FM requires freshwater objectives to be developed to reflect the values developed through the process set out in Policy CA2 of the NPS:FM, it is, in my opinion, appropriate that the objectives proposed through PC1 also recognise the importance of the assimilative capacity of rivers. As currently proposed, there is no recognition of the importance of the assimilative capacity of rivers in the objectives of PC1.

2.12 In addition to the above, there is no reference in the objectives or policies of PC1 to the concept of the zone of reasonable mixing, which I understand to be a key function of the assimilative capacity of a waterbody with respect to point source discharges from municipal wastewater treatment plants. I therefore recommend a new objective to recognise and provide for the importance of the assimilative capacity of the Waikato and Waipa Rivers.

Freshwater objectives

2.13 The Watercare submission raised a number of general concerns through its submission on PC1 regarding the objectives of PC1, noting that⁴:

- (a) They are not well drafted and in many cases are not RMA statutory plan objectives. In general, Watercare sought that the PC1 objectives (and policies) be redrafted so that they are RMA

³ Policy 10 of PC1.

⁴ Paragraph 2.5.1 of the Watercare submission on Proposed Plan Change 1 to the Waikato Regional Plan.

statutory plan objectives and policies and that they reflect best practice RMA plan drafting.

- (b) The objectives as currently drafted do not provide for outcomes that can be easily considered or measured through the resource consent application process; and
- (c) Many of the headings before the objectives are lengthy and it is not clear whether they are simply headings or form part of the objective.

2.14 I recommend that Objective 1 be amended to:

- (a) Recognise that achievement of the 80-year timeframe is not achievable by any single action of an applicant but is likely to be achieved by the actions of a number of parties progressively. In particular, I note that the 80-year timeframe goes beyond the 10 year review cycle of a regional plan (as set out in section 79(1) of the RMA)) and goes beyond the maximum duration of resource consent for a discharge of 35 years⁵;
- (b) Recognise that the long-term water quality attribute states set in Table 3-11-1 are aspirational; and
- (c) Recognise that the long-term water quality attribute states set in Table 3-11-1 are to be measured at the identified state of the environment monitoring sites.

2.15 The Reporting Officer has recommended deletion of Objective 4 and amendments to Objective 3, including deletion of the heading and specifying that the objective applies to both point source and diffuse discharges. I support these amendments and recommend that Objective 1 also be amended to provide clarity regarding diffuse and point source discharges; however, I consider that Objective 3 should be amended in a manner consistent with Objective 1 (other than differing timeframes). In this regard, I provide recommended amendments to Objectives 1 and 3 in Appendix A.

Seasonality

⁵ Section 123(c), RMA.

- 2.16 Mr Hall discusses the importance of recognising seasonality when considering water quality targets in his statement of evidence,⁶ noting that there is a variation in seasonal effects of treated wastewater discharges between the summer and winter seasons due to greater flows during winter that are available to dilute contaminants compared to the summer low flows that significantly reduce the dilution factor.
- 2.17 I agree with this view and concur that the provisions of PC1 should recognise seasonality. However, I consider that this is a matter best addressed at the policy level and, as such, I intend to provide further comment on this matter through Block 2.

3. **PRELIMINARY REMARKS**

- 3.1 As noted in Watercare's primary submission⁷ and the evidence of Mr Bourne⁸, Watercare is, in principle supportive of Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments ("**PC1**"). However, there are several aspects of PC1 that Watercare is concerned about in relation to PC1. I understand and share those concerns which are that PC1 does not meet the requirements of the Resource Management Act 1991 ("**RMA**"); or appropriately give effect to:
- (a) The National Policy Statement Freshwater Management ("**NPS:FM**");
 - (b) The National Policy Statement on Urban Development Capacity ("**NPS:UDC**"); or
 - (c) The Waikato Regional Policy Statement ("**RPS**").
- 3.2 As such, I consider that a number of the provisions of PC1 need to be substantially amended to address these concerns and to assist with the overall workability of PC1.
- 3.3 The purpose of this statement is to:
- (a) **Address the concerns raised via Watercare's submission;**
 - (b) Provide further context regarding these concerns; and
 - (c) To provide recommendations as to how these concerns can be adequately resolved.

⁶ Section 4, Statement of Evidence of Garrett John Hall.

⁷ Paragraph 2.3.1, Watercare submission to Proposed Plan Change 1 to the Waikato Regional Plan.

⁸ Paragraph 1.5, Primary Statement of Evidence of Mark Douglas Bourne.

- 3.4 In terms of the recommendations for amendments to the provisions of PC1, I provide:
- (a) A strikethrough and underscore table of my recommendations at **Appendix A**; and
 - (b) A “clean” version of my recommendations at **Appendix B**.
- 3.5 In addition, I intend to provide the hearings panel with the analysis underpinning my recommendations⁹ for amendments to objectives and policies through the block 2 hearing process.

4. **THE ROLE OF VALUES IN A REGIONAL PLAN**

- 4.1 In its primary submission, Watercare raised a number of concerns regarding the role of the values within the Waikato Regional Plan (“**WRP**”) and, in particular, how these values might be applied in the context of the resource consent process, noting that (amongst other things) it is unclear how or if the values tables are to be considered¹⁰.
- 4.2 The Reporting Officer acknowledges there is some uncertainty as to the application of “values”, noting that¹¹:

“Officers note that they are neither policies or methods. As the values are used to set the fundamental direction of PC1 through the freshwater objectives, attributes and attribute states, the values will be considered through the objectives, policies and rules that apply when assessing a resource consent application. It may also be appropriate to consider the values as an ‘other matter’ in accordance with Section 104(1)(c) of the RMA. While not recommended, an option may be to delete the values and uses from PC1 and record them in the Section 32AA Report.”

Process to develop freshwater objectives – relevance of values

⁹ In accordance with section 32AA of the RMA.

¹⁰ Paragraph 2.3.1, Watercare submission to Proposed Plan Change 1 to the Waikato Regional Plan.

¹¹ Paragraph 176, section 42A Report.

- 4.3 Policy CA2 of the NPS:FM requires (amongst other things) that every regional council through discussion with communities to apply the following processes when developing freshwater objectives:
- (a) Consider all national values and how they apply to local and regional circumstances;
 - (b) Identify the values for each freshwater management unit, including the compulsory national values – ecosystem health and human health for recreation;
 - (c) Identify the attributes that the regional council considers appropriate for each value; and
 - (d) Formulate freshwater objectives by reference to the attributes.

Reasons for deleting the values

- 4.4 In my view, neither Policy CA2 (or any other provision of the NPS:FM) nor section 67(1) of the RMA require a regional plan to include the values formulated through the process set out in Policy CA2 of the NPS:FM. I also note that:
- (a) Section 104(1)(b) of the RMA requires a consent authority to have regard to (amongst other things) any relevant provision of a regional plan; and
 - (b) Section 104(1)(c) of the RMA requires a consent authority to have regard to any other matters considered reasonably necessary to determine an application.
- 4.5 As such, whilst the NPS:FM requires a regional council to consider the freshwater values in the development of freshwater objectives, neither the NPS:FM or the RMA require that the values be included within a regional plan. However, if values are to be included in a regional plan, without sufficient clarity being provided within the regional plan, it is highly likely **that the values would be “had regard to” through a resource consent** process as a result of the application of either or both of section 104(1)(b) or (104(1)(c) of the RMA. In my view, the current drafting of PC1 perpetuates such uncertainty.
- 4.6 The values in PC1 are relevant insofar as they inform the freshwater objectives to be included in the regional plan as required by the prescribed process of the NPS:FM. Once the objectives have been formulated, the

values are no longer required as they have been “considered” and “identified” in the development of the objectives. In my opinion, the objectives become the legacy of, and the statutory provision created by, the prescribed process of the development of freshwater objectives as set out in Policy CA2 of the NPS:FM and as such, once the objectives have been confirmed, the values should be deleted from the regional plan.

- 4.7 It is my opinion that the inclusion of the values in PC1 as notified creates a risk that the values would be considered to be a relevant provision of a **regional plan or “any other matter”, and therefore require consideration** as part of a resource consent process under Schedule 4 of the RMA. In my view, this approach is inconsistent with the requirements of the NPS:FM.
- 4.8 **On this basis, I agree with the Reporting Officer’s suggestion (noting it was not a recommendation) to delete the values and uses from PC1¹².** In my view, this approach would better align with the prescribed process set out in Policy CA2 of the NPS:FM and will remove the risk of confusion and unnecessary information requirements in resource consent processes.

Amendments to the values if they are not deleted

- 4.9 However, if the above relief is not granted, it is my opinion that:
- (a) Further clarity should be provided in PC1 to ensure that the values are not considered as provisions and/or any other matter through a resource consent process. In that regard, I have included recommended amendments to Section 3.11.1 of PC1 in **Appendix A** of my evidence.
 - (b) **Amendments are required to “commercial, municipal and industrial use” and “water supply” values to better recognise the importance of water treatment plants and wastewater treatment plants.**

5. SHORT AND LONG-TERM WATER QUALITY TARGETS / LIMITS

- 5.1 Table 3.11-1 sets out the short and long-term water quality targets / limits of PC1. **Mr Hall’s evidence explains his concerns regarding the “levels” the water quality targets / limits are set at¹³.** In particular, Mr Hall notes that the water quality targets / limits for ammonia are unnecessarily low and that there are a number of errors and inconsistencies throughout the targets / limits. Mr Hall also discusses the implications of these issues in

¹² Section 42A report, at [176], page 33.

¹³ Paragraphs 5.5 – 5.9. Primary Statement of Evidence of Mr Garrett John Hall

the context of a resource consent process for a municipal wastewater discharge.¹⁴ I concur with Mr Halls concerns.

5.2 In addition to the concerns raised by Mr Hall, I have additional concerns relating to how the targets / limits might (or are likely to) be considered in the context of a resource consent process.

5.3 The explanatory note in Section 3.11.6 of PC1 states the following with regards to the targets / limits of Table 3.11-1:

"it is not intended, nor is it in the nature of water quality targets, that they be used directly as receiving water compliance/standards"

5.4 Despite the explanatory note above, I consider that it is highly likely that the short and long-term water quality targets / limits of PC1 will be applied **by the Waikato Regional Council reporting officers ("WRC")** in assessing consistency with the objectives and policies of PC1. This concern is substantiated by:

(a) References to the achievement of the short and long-term water quality targets / limits of PC1 in Objectives 1 and 3 of PC1. The current wording of these objectives suggests, in my view, that the short and long-term water quality targets / limits are a target by which to measure consistency with Objectives 1 and 3 respectively despite the above explanatory note.

(b) The following statement in Paragraph 3.11.1:

"These targets and desired water quality states are used in decision making processes guided by the objectives in Chapter 3.11"

5.5 Objectives 1 and 3 seek to achieve the restoration and protection of the two rivers through reductions in discharge of contaminants over set periods of time (short and long) and (I assume) by the actions of numerous parties.

5.6 Having regard to the above, it is in my opinion highly likely that consistency with Objectives 1 and 3 will be assessed as achieving the short and/or long-term water quality targets / limits of PC1 through a resource consent process.

5.7 In my view, it is not practicable, realistic or reasonable for a municipal discharge resource consent application to be required to demonstrate how

¹⁴ Paragraphs 5.10 – 5.17, Primary Statement of Evidence of Garrett John Hall.

it will achieve the short or long-term water quality targets / limits of PC1 in isolation. I consider that the most appropriate approach is for the achievement of short and long-term water quality targets / limits of PC1 to be through an ongoing, progressive process in which all applicants are required to contribute towards their achievement in a proportional manner. As such, I consider that it is appropriate that Objectives 1 and 3 be amended to recognise that the achievement of short and long-term water quality targets / limits of PC1 will be through an ongoing process in which all applicants are required to contribute towards their achievement in a proportional manner.

5.8 In that regard, I consider that, as currently drafted, PC1 provides no guidance as to how each individual application will be considered in terms of its own contribution towards the achievement of the short and long-term water quality targets / limits of PC1 and, as such, it is highly likely that each individual resource consent will be assessed against achievement of the short and long-term water quality targets / limits of PC1 in isolation. Mr Hall comments on the implications of this for the municipal treated wastewater discharge from the Pukekohe Wastewater Treatment Plant ("**PWWTP**") in Section 5 of his evidence and I share his concerns.

5.9 With specific regard to Objective 1, I note that the 80-year water quality targets of Table 3.11-1 **are acknowledged as being "aspirational"**¹⁵. I agree with that acknowledgement as I consider that there are inherently high levels of uncertainty associated with an 80-year timeframe and, as such, I consider that it is appropriate to recognise that the achievement of the long-term targets is both uncertain and aspirational at this time and likely to be subject to further analysis and associated plan change processes. In this regard, whilst I do not disagree with the Reporting Officers **recommendation to delete the "reason for adopting Objective 1"**¹⁶, I consider that it is important that the acknowledgement of the aspirational nature of the 80-year water quality targets of Table 3.11-1 are recognised in PC1.

5.10 In summary, I consider that as currently drafted Objectives 1 and 3 create uncertainty in terms of:

- (a) Whether an applicant is expected to achieve the short and long-term water quality targets / limits of PC1 to meet objectives 1 and

¹⁵ Principal Reason for adopting Objective 1, PC1.

¹⁶ Page 12, Section 42A Report.

3 in isolation or, if not, **what degree of "improvement"** is appropriate in any given case;

- (b) Assuming each applicant is required to demonstrate a contribution to achievement of the short and long-term water quality targets / limits of PC1, how relative contributions will be measured (assumedly) on a case by case basis.

Recommended amendments

5.11 In addition to proposed amendments to Objectives 1 and 3 (which are discussed below at Paragraphs 8.7 – 8.13), I also consider further amendments to the Policies of PC1 are required to recognise the collective and proportional responsibility in achieving the short and long-term water quality targets / limits of PC1. I intend to address this further through Block 2.

5.12 I also consider that Objective 1 should be amended to reflect:

- (a) The uncertainty associated with whether the aspirational long-term **targets can be "achieved";** and
- (b) The aspirational nature of the long-term targets.

5.13 In addition, I consider a number of consequential amendments to policies of PC1 are required, however I intend to address this through Block 2.

6. NEED TO PROVIDE FOR FUTURE PLANNED GROWTH

6.1 As noted in the evidence of Mr Bourne¹⁷, Watercare provides water and wastewater services in the northern part of the Waikato region (Tuakau, Pokeno, Meremere, Buckland and Patumahoe). Water is supplied to these communities by Watercare and wastewater is discharged to and treated at **Watercare's** Pukekohe WWTP. Watercare provides these municipal services pursuant to a supply agreement with the Waikato District Council, as these communities are within the Waikato District.

Significant future growth

¹⁷ Paragraph 2.4, Primary Statement of Evidence of Mark Douglas Bourne.

6.2 Significant growth is anticipated in the Waikato District and this is reflected in the statutory framework. For example, it is important to note that:

- (a) The Waikato District is identified as a high growth urban area in the NPS:UDC; and PC1 is required to give effect to any relevant national policy statement¹⁸. In my view, the NPS:UDC is a relevant national policy statement.
- (b) PC1 is required to give effect to the Waikato RPS¹⁹ and Policy 6.3(a)(iv) of the RPS requires that the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place.

6.3 With regards to the catchment of the PWWTP, it is noted that:

- (a) Approximately 12,000 people are anticipated to live in Pokeno by 2045²⁰;
- (b) Approximately 11,000 people are anticipated to live in Tuakau by 2045²¹; and
- (c) According to Auckland Councils Future Urban Land Supply Strategy, some 16,000 additional dwellings are proposed in Pukekohe and Paerata before 2046

6.4 As such, the catchment of the PWWTP is anticipated to grow significantly in the next 30 years.

6.5 In its primary submission Watercare raised a number of concerns regarding the servicing of future growth in the Waikato Region. In particular, Watercare noted that PC1 recognises the importance of the continued operation of existing infrastructure²² but does not adequately recognise the obligation on Watercare and other municipal providers to service future growth and that in some cases, this is likely to require new infrastructure, discharges and water takes.

¹⁸ Section 67(3)(a) of the RMA.

¹⁹ Section 67(3)(c) of the RMA.

²⁰ Future Proof Growth Strategy, Appendix 1.

²¹ Future Proof Growth Strategy, Appendix 1.

²² Policy 10 of PC1.

6.6 The Reporting Officer has acknowledged these concerns, noting that:²³

To avoid confusion, Officers agree that the value should refer to domestic or municipal supply and consider that the definition is consistent with the intent of the value. In relation to Watercare's request to recognise the need for future water supply and the two specific waterbodies, Officers consider that this is not appropriate in the value and uses section and that this would be better addressed via the objectives or policies of PC1.

6.7 The Reporting Officer refers only to the provision of domestic or municipal supply and has not commented on the provision of wastewater services. In my opinion, the importance of servicing future growth is as relevant for wastewater services as it is to water supply. Notwithstanding this I note that no amendments have been recommended by the Reporting Officer to the provisions of PC1 to recognise the need to provide for future growth.

6.8 Having regard to the above, it is, in my opinion necessary for the provisions of PC1 to adequately recognise and provide for both existing water and wastewater infrastructure, discharges and water takes as well as future infrastructure, discharges and water takes required to support anticipated growth.

Regionally significant infrastructure

6.9 It is acknowledged that the policies of PC1 are to be considered as part of Block 2. Notwithstanding this, I note that Policy 10 is the only relevant provision relating to the "operation of regionally significant infrastructure"²⁴ and, from my review of the provisions, I conclude that Policy 10 "cascades" from the value "commercial, municipal and industrial use", however, I am unable to identify an objective that relates to Policy 10. In this regard I note the following concerns:

- (a) The value "commercial, municipal and industrial use" identifies the term "municipal" in the heading but does not include anything relating to regionally significant infrastructure (as defined in the RPS) in the value;
- (b) There is no clear connection between the objectives of PC1 and the value "commercial, municipal and industrial use";

²³ Paragraph 245, Section 42A Report.

²⁴ Which includes within the definition municipal wastewater treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams (including Mangatangi and Mangatawhiri water supply dams) and ancillary infrastructure.

- (c) There is no clear connection between the objectives of PC1 and Policy 10 so there is a need to amend and/or add objectives to ensure an appropriate cascade between objectives and policies;
- (d) The value **“commercial, municipal and industrial use”**, Policy 10 and the objectives need to be amended to adequately provide for both existing water and wastewater infrastructure, discharges and water takes as well as future water and wastewater infrastructure, discharges and water takes required to support anticipated growth; and
- (e) **The term “regionally significant infrastructure”** as used in Policy 10 is an undefined term in the WRP. As noted above, the RPS provides a definition of regionally significant infrastructure that includes municipal wastewater treatment plants, wastewater conveyance and storage systems and ancillary infrastructure. In my view, PC1 should be amended to include the RPS definition of the term **“regionally significant infrastructure”**.

Amendments recommended

6.10 Having regard to the above, I provide a number of recommended amendments to the provisions of PC1 at Appendix A. The main amendments that I recommend can be summarised as follows:

- (a) Amend the values **“commercial, municipal and industrial use”** and **“water supply”** to include existing and future municipal functions and/or services;
- (b) Include a new objective providing for regionally significant infrastructure;
- (c) Include in the glossary section of the WRP a definition for regionally significant infrastructure consistent with the definition in the RPS; and
- (d) Amend Policy 10 to include reference to the future operation of both existing and new regionally significant infrastructure.

7. **ASSIMILATIVE CAPACITY OF WATER BODIES AND THE ZONE OF REASONABLE MIXING**

- 7.1 In its submission, Watercare noted the importance of the assimilative capacity of rivers for wastewater discharges from municipal wastewater treatment plants and the importance of this for the health and social and economic wellbeing of existing and future communities²⁵.
- 7.2 Mr Hall sets out his understanding of the meaning of assimilative capacity within his statement of evidence²⁶. I concur with his view.
- 7.3 The Reporting Officer acknowledges the importance of the assimilative capacity of rivers by noting that²⁷:

As discussed above, the role of rivers for stormwater drainage is inevitable. The commercial, municipal and industrial use value already recognise the importance of this function and Officers disagree that this is not clearly articulated. With regards to the disposal of treated wastewater, Officers consider that it should not be assumed that rivers are always the appropriate receiving environment as, unlike stormwater, there can be alternative discharge options. Officers do not consider it is necessary or appropriate to insert a new value as proposed by Hamilton CC and Watercare.

Lack of recognition of assimilative capacity in the objectives of PC1

- 7.4 The values of PC1 also note the importance of the assimilative capacity of the Waikato and Waipa Rivers in the use values for commercial, municipal, and industrial use.
- 7.5 Given that the NPS:FM requires freshwater objectives to be developed to reflect the values developed through the process set out in Policy CA2 of the NPS:FM, it is in my opinion, appropriate that the objectives proposed through PC1 also recognise and provide for the importance of the assimilative capacity of rivers. As currently proposed, there is no recognition of the importance of the assimilative capacity of rivers in the objectives of PC1.

²⁵ Paragraph 2.3.1, Watercare submission to PC1.

²⁶ Paragraph 3.3, Primary Statement of Evidence of Garrett John Hall.

²⁷ Paragraph 262, Section 42A Report.

Lack of recognition of the zone of reasonable mixing in objectives of PC1

- 7.6 In addition to the above, there is no reference in the objectives or policies of PC1 to the concept of the zone of reasonable mixing which I understand to be a key function of the assimilative capacity of a waterbody with respect to point source discharges from municipal wastewater treatment plants.
- 7.7 Policy 3.2.3.8 of the WRP is a detailed policy that is relevant to resource consent processes associated with point source discharges from municipal wastewater treatment plants. The policy describes how the zone of reasonable mixing is intended to operate and specifies that, within the reasonable mixing zone, specified standards are not required to be achieved, hence recognising the assimilative capacity of water bodies:

Policy 8: Reasonable Mixing

The zone of reasonable mixing is the area within which a discharge into water (including any discharge that occurs subsequent to a discharge onto or into land) does not need to achieve the standards specified in the water management class for the receiving water body. The size of the mixing zone must be minimised as far as is practicable and will be determined on a case-by-case basis, including consideration of the following matters:

- a. *The nature of the effluent, including its flow rate, composition and contaminant concentrations.*
 - b. *River flow rate and flow characteristics.*
 - c. *The design of the outfall.*
 - d. *The depth, velocity and rate of mixing in the receiving water body.*
 - e. *Existing contaminant concentrations in the receiving water body both upstream and downstream of the discharge point and the assimilative capacity of the water body.*
 - f. *The frequency of the discharge.*
 - g. *The speed with which any contaminants will be diluted.*
 - h. *The ability of the discharger to alter the location of the discharge and the mixing characteristics of the outfall so as to ensure that adverse effects of the discharge beyond the zone of non-compliance are not inconsistent with the purpose for which the water body is being managed.*
 - i. *Whether the discharger has taken all practicable steps to minimise the concentration and volume of contaminants at source.*
 - j. *Any effects of the mixing zone on other users of the water body.*
 - k. *The extent of adverse effects within the mixing zone.*
- 7.8 Whilst I consider Policy 3.3.2.8 to be a relevant policy to be assessed as part of a resource consent process associated with point source discharges from municipal wastewater treatment plants, I consider that additional policies are needed to reflect the values of PC1 with regards to the importance of the zone of reasonable mixing. In this regard, I intend to provide further comment on this matter through Block 2.

Summary and recommended amendments

- 7.9 To summarise the above, there is currently:
- (a) No reference to the importance of the assimilative capacity of water bodies in the objectives of PC1, yet this importance is recognised in the values;
 - (b) A policy within the WRP that acknowledges the function of the zone of reasonable mixing in providing for a water bodies assimilative capacity on a case by case basis; and
 - (c) Uncertainty whether the objectives of PC1 require the short and long-term water quality attribute states for nitrogen, phosphorus, sediment, and microbial pathogens to be met at the discharge point (end of pipe) or after the zone of reasonable mixing.
- 7.10 In response to the above issues, I recommend that the objectives of PC1 be amended by adding an additional objective (3.11.2.7 at Appendix A) to appropriately reflect the values of PC1 with regards to recognising the importance of the assimilative capacity of rivers.

8. FRESHWATER OBJECTIVES

- 8.1 The Watercare submission raised a number of general concerns through its submission on PC1 regarding the objectives of PC1, noting that²⁸:
- (a) They are not well drafted and in many cases are not RMA statutory plan objectives. In general, Watercare sought that the PC1 objectives (and policies) be redrafted so that they are RMA statutory plan objectives and policies and that they reflect best practice RMA plan drafting.
 - (b) The objectives as currently drafted do not provide for outcomes that can be easily considered or measured through the resource consent application process; and
 - (c) Many of the headings before the objectives are lengthy and it is not clear whether they are simply headings or form part of the objective.
- 8.2 In response to Watercares submission, the Reporting Officer agreed that the headings preceding the objectives are confusing and has recommended

²⁸ Paragraph 2.5.1 of the Watercare submission on Proposed Plan Change 1 to the Waikato Regional Plan.

that these be deleted. I agree with the Reporting Officers recommendation in this regard.

- 8.3 In addition, the Reporting Officers appear (to some degree) to agree that the objectives of PC1 could be better drafted stating that²⁹:

"the Officers agree there are opportunities to amend the objectives so that they better reflect the outcomes sought in a more clear and concise manner. It is recommended this submission is adopted where amendments are considered appropriate to improve the objective, without altering the outcome. That said, there may well be opportunity to further adjust the wording to make it more 'plain-English'."

- 8.4 In my opinion, my comments above regarding the drafting of PC1 are relevant to all the objectives and policies of PC1. Notwithstanding this, I provide specific comments below regarding the objectives of most concern to Watercare.

- 8.5 In addition, given the chronological nature of Objectives 1 and 3, I consider that the ordering of the objectives should be changed to reflect this. In particular:

- (a) Objective 2 should be Objective 1;
- (b) Objective 3 should be Objective 2; and
- (c) Objective 1 should be Objective 3.

- 8.6 I consider the above to be a more appropriate sequencing of the objectives and provide recommended amendments at Appendix A to reflect this.

Objective 1

- 8.7 I understand that the intent of the objective is to achieve the 80-year water quality attribute states set in in Table 3-11-1 by 2096 through a reduction in the discharge of nitrogen, phosphorus, sediment and microbial pathogens to land and water.

- 8.8 I do not disagree with the intent of Objective 1; however, I do have concerns regarding how it is currently drafted and how it might (or is likely to) be considered in the context of future resource consent processes. I have discussed this in detail above at Paragraphs 5.1 – 5.11.

- 8.9 In addition to the above and discussion at Paragraphs 5.1 to 5.11 of this statement, it is recommended that Objective 1 be amended to:

²⁹ Paragraph 312, Section 42A report.

- (a) Recognise that achievement of the 80-year timeframe is not achievable by any single action of an applicant but is likely to be achieved by the actions of a number of parties progressively. In particular, I note that the 80-year timeframe goes beyond the 10 year review cycle of a regional plan (as set out in section 79(1) of the RMA)) and goes beyond the maximum duration of resource consent for a discharge of 35 years³⁰;
- (b) Recognise that the long-term water quality attribute states set in in Table 3-11-1 are aspirational; and
- (c) Recognise that the long-term water quality attribute states set in Table 3-11-1 are to be measured at the identified state of the environment monitoring sites.

8.10 Having regard to the above, I provide recommended amendments to Objective 1 at Appendix A.

Objective 3

8.11 Watercare submitted that Objective 3 is drafted as a statement and it is unclear whether the heading forms part of the objective. The Reporting Officer has recommended amendments to Objective 3, including deletion of the heading and specifying that the objective applies to both point source and diffuse discharges.

8.12 I support these amendments and have recommended that Objective 1 also be amended to provide clarity regarding diffuse and point source discharges; however, I consider that Objective 3 should be amended in a manner consistent with Objective 1 (other than differing timeframes). In this regard, I provide recommended amendments to Objective 3 in Appendix A.

8.13 Subsequently, I provide recommended amendments to Objective 3 at Appendix A.

Objective 4

8.14 Watercare submitted that, in general, some of the PC1 objectives are drafted as rules or standards rather than RMA statutory plan objectives. In my view, as proposed, Objective 4 is a rule or other implementation method.

³⁰ Section 123(c), RMA.

8.15 The Reporting Officer agrees with this view, stating:³¹

The Officers have reviewed Objective 4 in response to this submission and the submission from Watercare. It is the Officers' view that Objective 4 does not describe an outcome or future state, but rather outlines implementation methods and a programme for future intervention, which are typically contained in policies and rules (s67(1) (b) and (c) of the RMA). On this basis, the Officers recommend that Objective 4 be deleted, noting that the deletion of the objective will have little consequence as these matters are well covered by Policies 5 and 7. While the Officers recommend that the objective is deleted, the Hearing Commissioners may reach a different view on whether or not Objective 4 is indeed an objective and not an implementation method. In this event, to assist the Hearing Panel in making a decision whether any amendments to Objective 4 are necessary, an analysis of the submissions on Objective 4 has been undertaken below.

8.16 I support the deletion of this objective and I agree with the Reporting Officer that this deletion will have little consequence as the matters are covered by Policies 5 and 7. I intend to address these policies as part of Block 2.

9. **SEASONALITY**

9.1 Mr Hall discusses the importance of recognising seasonality when considering water quality targets in his statement of evidence,³² noting that there is a variation in seasonal effects of treated wastewater discharges between the summer and winter seasons due to greater flows during winter that are available to dilute contaminants compared to the summer low flows that significantly reduce the dilution factor.

9.2 I agree with this view and concur that the provisions of PC1 should recognise seasonality. However, I consider that this is a matter best addressed at the policy level and, as such, I intend to provide further comment on this matter through Block 2.

10. **CONCLUSIONS**

10.1 As noted above Watercare is, in principle, supportive of PC1. However, there are several aspects of PC1 that Watercare is concerned about. I

³¹ Paragraph 417, Section 42A Report.

³² Section 4, Statement of Evidence of Garrett John Hall.

understand and share those concerns and, as such, have provided a number of recommended amendments to the values and objectives of PC1 and I set these proposed amendments out at Appendix B to this statement.

10.2 To summarise my recommended amendments, I recommend:

- (a) The deletion of the values from PC1 to remove uncertainty and to ensure alignment with the NPS:FM. If this relief is not granted then I have recommended alternative relief being:
 - (i) Amendments to Paragraph 3.11.1 to provide clarity that the values are not to be had regard to through a resource consent process; and
 - (ii) **Amendments to the “water quality” and “commercial, municipal and industrial use” values to better recognise the importance of regionally significant infrastructure.**
- (b) A number of amendments to Objective 1 to better recognise:
 - (i) The aspirational aspect of the achievement of the long-term water quality targets;
 - (ii) The progressive nature of the achievement of the objective;
 - (iii) The collective responsibility of all applicants to contribute to its achievement; and
 - (iv) Where the achievement of the water quality targets will be measured.
- (c) A number of amendments to Objective 3 to better recognise:
 - (i) The progressive nature of the achievement of the objective;
 - (ii) The collective responsibility of all applicants to contribute to its achievement; and
 - (iii) Where the achievement of the water quality targets will be measured.
- (d) The deletion of Objective 4;
- (e) The addition of a new Objective 5 to recognise the importance of the assimilative capacity of rivers; and

(f) The addition of a new Objective 6 to recognise the importance of regionally significant infrastructure.

10.3 I also consider that significant amendments to the policies of PC1 are necessary to adequately meet the requirements of the RMA and to give effect to the NPS:FM, NPS:UDC and RPS. I will address those amendments in the Block 2 hearings.

10.4 As such, I consider that a number of the provisions of PC1 need to be redrafted to address these concerns and to assist with the overall workability of PC1.

10.5 In my view, the adoption of the recommendations set out in Appendix A to this statement will ensure that PC1 achieves the purpose of the RMA and appropriately gives effect to the NPS:FM, subject to consideration of and confirmation of the policies of PC1 through Block 2.

Chris Scrafton
15 February 2019

Appendix A – Recommended Amendments to Provisions of PC1

Recommended changes are shown with underlining for additions and ~~strikethrough~~ for deletions.

Values

Value – from the s42A Report	Value – Recommended Changes	Comments
<p>3.11.1 Values and uses for the Waikato and Waipa Rivers/Ngā Uara me ngā Whakamahinga o ngā Awa o Waikato me Waipā</p> <p>This section describes the values and uses for the Waikato and Waipā Rivers. The values and uses reflect the Vision and Strategy for the Waikato River. The values and uses set out below apply to all FMU's unless explicitly stated, and provide background to the freshwater objectives, and the attributes and attribute states outlined in Table 3.11-1.</p>	<p>3.11.1 Values and uses for the Waikato and Waipa Rivers/Ngā Uara me ngā Whakamahinga o ngā Awa o Waikato me Waipā</p> <p>This section describes the values and uses for the Waikato and Waipā Rivers. The values and uses reflect the Vision and Strategy for the Waikato River. The values and uses set out below apply to all FMU's unless explicitly stated, and provide background to the freshwater objectives, and the attributes and attribute states outlined in Table 3.11-1.</p> <p><u>The Values and Uses have been developed to give effect to Policy CA2 of the National Policy Statement Freshwater Management and have informed the freshwater objectives. For the purpose of clarity the Values and Uses shall not be considered as "provisions" or "any other matter" for any resource consent process.</u></p>	Refer to Paragraphs 4.1 – 4.9
The rivers provide for community water supply, municipal supply and, drinkable water supply.	The rivers provide for community water supply, <u>existing and future</u> municipal supply and, drinkable water supply	Refer to Paragraphs 4.1 – 4.9
The rivers, lakes and wetlands provide economic opportunities to people, businesses and industries	The rivers, lakes and wetlands provide: <ul style="list-style-type: none"> a) Economic opportunities to people, businesses and industries; <u>and</u> b) <u>For existing and future municipal wastewater discharges</u> 	Refer to Paragraphs 4.1 – 4.9

Objectives

Objective – from the s42 Report	Objective – Recommended Changes	Comments
<p>3.11.2.1 By 2096 at the latest, a reduction in the discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water results in achievement of the restoration and protection of the Waikato and Waipā Rivers, such that of the 80-year water quality attribute states in Table 3.11-1 are met.</p>	<p>3.11.2.1 By 2096 at the latest, a reduction in the discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water results in achievement of the restoration and protection of the Waikato and Waipā Rivers, such that of the 80 year water quality attribute targets states in Table 3.11-1 are met.</p> <p><u>3.11.2.3:</u></p> <p><u>The progressive reduction of Diffuse and Point Source discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water with the aim of achieving the aspirational water quality attribute states in Table 3.11-1 by 2096 as measured at the identified state of the environment monitoring sites.</u></p>	<p>Refer to Paragraphs 8.7 – 8.10</p>
<p>3.11.2.3 Actions put in place and implemented by 2026 to reduce diffuse and point source discharges of nitrogen, phosphorus, sediment and microbial pathogens, are sufficient to achieve the short-term water quality attribute states in Table 3.11-1.</p>	<p>3.11.2.3 Actions put in place and implemented by 2026 to reduce diffuse and point source discharges of nitrogen, phosphorus, sediment and microbial pathogens, are sufficient to achieve the short-term water quality attribute states in Table 3.11-1.</p> <p><u>3.11.2.2:</u></p> <p><u>Diffuse and Point Source discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water are progressively reduced, so that the short-term water quality attribute states in Table 3.11-1 are met by 2026 as measured at the identified state of the environment monitoring sites.</u></p>	<p>Refer to Paragraphs 8.11 – 8.13</p>

Objective – from the s42 Report	Objective – Recommended Changes	Comments
<p>3.11.2.4 A staged approach to reducing contaminant losses enables people and communities to continue to provide for their social, economic and cultural wellbeing in the short term while:</p> <p>a) Taking action to achieve the attribute^ states for the Waikato and Waipa Rivers in Table 3.11-1; and</p> <p>b) Recognising that further contaminant reductions will be required by subsequent regional plans in order to meet Objective 1.</p>	<p>3.11.2.4 A staged approach to reducing contaminant losses enables people and communities to continue to provide for their social, economic and cultural wellbeing in the short term while:</p> <p>a) Taking action to achieve the attribute^ states for the Waikato and Waipa Rivers in Table 3.11-1; and</p> <p>b) Recognising that further contaminant reductions will be required by subsequent regional plans in order to meet Objective 1.</p>	<p>Refer to Paragraphs 8.14 – 8.16</p>
	<p><u>3.11.2.5:</u> <u>The achievement of the restoration and protection of the Waikato and Waipā Rivers recognises the importance of the assimilative capacity of rivers</u></p>	<p>Refer to Paragraphs 7.1 – 7.9.X</p>
	<p><u>3.11.2.6:</u> <u>The achievement of the restoration and protection of the Waikato and Waipa Rivers recognises the importance of existing and future regionally significant infrastructure and associated discharges and water takes in providing for the health and wellbeing of communities.</u></p>	<p>Refer to Paragraphs 6.9 – 6.10</p>

Policies

Policy – from PC1	Policy – Recommended Changes	Comments
<p>3.11.3.10 When deciding resource consent applications for point source discharges of nitrogen, phosphorus, sediment and microbial pathogens to water or onto or into land, provide for the:</p> <ul style="list-style-type: none"> a) Continued operation of regionally significant infrastructure'; and b) Continued operation of regionally significant industry' 	<p>3.11.3.10 When deciding resource consent applications for point source discharges of nitrogen, phosphorus, sediment and microbial pathogens to water or onto or into land, provide for the:</p> <ul style="list-style-type: none"> a) Continued <u>and future</u> operation of regionally significant infrastructure'; and b) Continued operation of regionally significant industry'; <u>and</u> c) <u>Future operation of new regionally significant infrastructure</u> 	<p>Refer to Paragraphs 6.9 – 6.10</p>

Glossary

New Definition to be Added to the Glossary	Comment
<p><u>Regionally significant infrastructure – includes:</u></p> <ul style="list-style-type: none"> a) <u>pipelines for the distribution or transmission of natural or manufactured gas or petroleum;</u> b) <u>infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001;</u> c) <u>radio apparatus as defined in section 2(1) of the Radio Communications Act 1989;</u> d) <u>the national electricity grid, as defined by the Electricity Industry Act 2010;</u> e) <u>a network (as defined in the Electricity Industry Act 2010);</u> f) <u>infrastructure for the generation and/ or conveyance of electricity that is fed into the national grid or a network (as defined in the Electricity Industry Act 2010);</u> g) <u>significant transport corridors as defined in Map 6.1 and 6.1A;</u> h) <u>lifeline utilities, as defined in the Civil Defence and Emergency Management Act 2002, and their associated essential infrastructure and services;</u> i) <u>municipal wastewater treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams (including Mangatangi and Mangatawhiri water supply dams) and ancillary infrastructure;</u> j) <u>flood and drainage infrastructure managed by Waikato Regional Council;</u> k) <u>Hamilton City bus terminal and Hamilton Railway Station terminus; and</u> l) <u>Hamilton International Airport.</u> 	<p>Refer to Paragraphs 6.9 - 6.10</p>

Appendix B – Clean Version of Recommended Amendments

3.11.1 Values and uses for the Waikato and Waipa Rivers/Ngā Uara me ngā Whakamahinga o ngā Awa o Waikato me Waipā

This section describes the values and uses for the Waikato and Waipā Rivers. The values and uses reflect the Vision and Strategy for the Waikato River. The values and uses set out below apply to all FMU’s unless explicitly stated, and provide background to the freshwater objectives, and the attributes and attribute states outlined in Table 3.11-1.

The Values and Uses have been developed to give effect to Policy CA2 of the National Policy Statement Freshwater Management and have informed the freshwater objectives. For the purpose of clarity the Values and Uses shall not be considered as “provisions” or “any other matter” for any resource consent process.

...

Water supply

<p>The rivers provide for community water supply, existing and future municipal supply and, drinkable water supply</p>	<ul style="list-style-type: none"> • The catchments’ surface and subsurface water is of a quality that can be effectively treated to meet appropriate health standards for both potable and non-potable uses.
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...

Use values - Commercial, municipal and industrial use

<p>The rivers, lakes and wetlands provide:</p> <ul style="list-style-type: none"> a) Economic opportunities to people, businesses and industries; and b) For existing and future municipal wastewater discharges 	<p>Fresh water is used for industrial and municipal processes, which rely on the assimilative capacity for discharges to surface water bodies. In addition:</p> <ul style="list-style-type: none"> • Lakes, rivers and wetlands provide for economic wellbeing, financial and economic contribution, individual businesses and the community and the vibrancy of small towns. They are working lakes, rivers and wetlands; they create wealth. • Those industries are important to the monetary economy of Waikato region, enabling a positive brand to promote to overseas markets. • Lakes, rivers and wetlands provide for domestic and international tourism. Promotion of a clean, green image attracts international and domestic visitors. • Lakes, rivers and wetlands provide assimilative capacity for wastewater disposal, flood and stormwater
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...

3.1.1.2 Objectives

...

3.11.2.2: Diffuse and Point Source discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water are progressively reduced, so that the short-term water quality attribute states in Table 3.11-1 are met by 2026 as measured at the identified state of the environment monitoring sites.

3.11.2.3: The progressive reduction of Diffuse and Point Source discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water with the aim of achieving the aspirational water quality attribute states in Table 3.11-1 by 2096 as measured at the identified state of the environment monitoring sites.

...

3.11.2.5: The achievement of the restoration and protection of the Waikato and Waipa Rivers recognises the importance of the assimilative capacity of rivers.

3.11.2.6: The achievement of the restoration and protection of the Waikato and Waipa Rivers recognises the importance of existing and future regionally significant infrastructure and associated discharges and water takes in providing for the health and wellbeing of communities.

3.11.3 Policies

...

3.11.3.10

When deciding resource consent applications for point source discharges of nitrogen, phosphorus, sediment and microbial pathogens to water or onto or into land, provide for the:

- d) Continued and future operation of regionally significant infrastructure;
- e) Continued operation of regionally significant industry; and
- f) Future operation of new regionally significant infrastructure

...

Glossary

Regionally significant infrastructure – includes:

- a) pipelines for the distribution or transmission of natural or manufactured gas or petroleum;
- b) infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001;
- c) radio apparatus as defined in section 2(1) of the Radio Communications Act 1989;
- d) the national electricity grid, as defined by the Electricity Industry Act 2010;
- e) a network (as defined in the Electricity Industry Act 2010);
- f) infrastructure for the generation and/ or conveyance of electricity that is fed into the national grid or a network (as defined in the Electricity Industry Act 2010);
- g) significant transport corridors as defined in Map 6.1 and 6.1A;
- h) lifeline utilities, as defined in the Civil Defence and Emergency Management Act 2002, and their associated essential infrastructure and services;
- i) municipal wastewater treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams (including Mangatangi and Mangatawhiri water supply dams) and ancillary infrastructure;
- j) flood and drainage infrastructure managed by Waikato Regional Council;
- k) Hamilton City bus terminal and Hamilton Railway Station terminus; and
- l) Hamilton International Airport.