

### Group 5 Discharges to Land and Water and Land Management

Group A Whole Chapter 5 - EC Topic number ENV-2006-304-000491							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	08	5 Whole Chapter	Delete Chapter 5 in its entirety.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Transit NZ Oil Companies Air New Zealand Westfield NZ Ports of Auckland Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	06	5 Whole chapter	Delete Chapter 5: Discharges to Land and Water and Land Management in its entirety.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Federated Farmers Sanford Ltd Transit NZ Oil Companies Transpower Stevensons Westfield NZ Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	43	5 Infrastructure	Amend the whole of Chapter 5 to take a more balanced approach which would take into account not only ecological protection, but also the need to provide for use and development so that regionally significant infrastructure can continue to provide for the social and economic well being of communities in the Auckland Region.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Transit NZ Westfield NZ Ports of Auckland

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group A Whole Chapter 5 - EC Topic number ENV-2006-304-000491</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Horticulture New Zealand
ENV-2006-AKL-000100	E506/04	Westfield New Zealand Ltd	04	5 Whole Chapter	Delete Chapter 5, and in particular Section 5.5 which contains the rules.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Federated Farmers Transit NZ Ports of Auckland Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	18	5 Intensive Livestock Farming	Clarify references to "farming" to ensure that they include "Intensive Livestock Farming".	On hold until balance of Chapter 5 matters are resolved.	Federated Farmers Haka International Horticulture New Zealand
ENV-2006-AKL-000076	E532/04	Carter Holt Harvey Ltd	15	5.2. 5.3 5.4	Amend Chapter 5 (stock access previously addressed in Chapter 7) to better reflect relative contribution of different sources of pollution and sedimentation.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Federated Farmers Ports of Auckland Horticulture New Zealand
ENV-2006-AKL-000780	E503/04	Property Council of New Zealand Inc, Cabra Holdings Ltd, Hopper Developments Ltd, Neil Construction Ltd	18	5	Acknowledge that effects will occur as a result of urban development but that such effects are consistent with sustainable management.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Transit NZ Auckland International Airport Ports of Auckland Haka International Horticulture New Zealand
ENV-2006-AKL-	E503/04	Property Council of	20	5	Amend Chapter 5 as undue emphasis is placed on potential adverse effects of discharges to land or water without any	On hold until balance of Chapter 5 matters	ACC/MW

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group A Whole Chapter 5 - EC Topic number ENV-2006-304-000491</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
000780		New Zealand Inc., Cabra Holdings Ltd, Hopper Developments Ltd, Neil Construction Ltd			balancing the need for urbanisation.	are resolved.	Transit NZ  Auckland International Airport  Ports of Auckland  Haka International  Horticulture New Zealand
ENV-2006-AKL-000061	E475/04	WFH Properties Ltd (formerly Danne Mora Holdings Ltd and Fulton Hogan Ltd)	04	5.7.1	Delete the riparian width criteria set out in section 5.7.1, and add Anticipated Environmental Results (5.7.1), which reflect the outcomes of the relevant objectives, policies and rules and consist only of a summary of the anticipated results rather than containing additional policies and measures to be applied in the place of rules.  (THIS HAS BEEN MOVED FROM THE END OF GROUP D NETWORKS – EC topic is ENV-2006-304-000495 )		ACC  Ports of Auckland  Auckland International Airport  Horticulture New Zealand

<b>Group B Variations to Chapter 5 ALWP - EC Topic number ENV-2006-304-000493</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000124	E521/04	Auckland City Council Metrowater Limited North Shore City Council Waitakere City Council Franklin District Council Rodney District Council	02	Variation 1	Reintroduce the Environmental Response Criteria (ERC) by way of a variation at a later date, following appropriate discussion and consultation regarding the proposed framework and ERC levels.	On hold until balance of Chapter 5 matters are resolved.	Transit NZ  Ports of Auckland  Auckland International Airport  Papakura District Council
ENV-	E505/04	Auckland	09	5	As an alternative to the relief sought in Appeal E506/04/08, amend	On hold until balance	ACC/MW

<b>Group B Variations to Chapter 5 ALWP - EC Topic number ENV-2006-304-000493</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
2006-AKL-000099		International Airport Ltd		Coastal 10 20 Rules	Chapter 5 and Coastal V1 to the satisfaction of the appellant, so that: <ul style="list-style-type: none"> <li>• It is clear to users of the Plan which rules apply to which activities;</li> <li>• The activity status given to activities is fair, reasonable and commensurate with the scale of effects of the activity and the reasons or need for the activity. Where possible, permitted and restricted discretionary activity status should be used.</li> <li>• Where activities are required in order to provide for the operation of significant physical resources, such as international airports, appropriate recognition must be given to that requirement and to the need for sustainable management of these physical resources;</li> <li>• The rules impose only fair, reasonable and appropriate requirements, standards and controls and conditions on applications for consent, as well as on the activities themselves.</li> </ul>	of Chapter 5 matters are resolved.	Transit NZ Air New Zealand Westfield NZ Ports of Auckland Horticulture New Zealand
ENV-2006-AKL-000107	E510/04	North Shore City Council	01	5 Stormwater Variation 1 Coastal 20	Delete all requirements relating to stormwater treatment to remove heavy metal and PAH from Plan until greater certainty in relation to costs and benefits and properly researched policy is developed OR provide greater certainty re use of ERC when processing resource consents, and justify requirements re treatment of stormwater from highly trafficked roads and carparks in terms of benefits and costs.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Transit NZ
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	07	5 Coastal 10 Coastal 20 Rules	As an alternative relief to Appeal E/508/04/06, amend Chapter 5, in conjunction with similar amendments to Coastal V1 so that: <ul style="list-style-type: none"> <li>• It is clear to users of the Plan and to the Appellant in particular which rules apply to which activities;</li> <li>• The activity status given to activities is fair, reasonable and commensurate with the scale of the effects of the activity and the reasons or need for the activity.</li> <li>• Wherever appropriate, permitted to restricted discretionary activity status should be used rather than discretionary or non-complying.</li> <li>• Where activities are required to provide for the operation of significant physical resources such as ports, appropriate recognition must be given to that requirement and to the need for sustainable management of these physical resources.</li> <li>• The rules impose only fair, reasonable and appropriate requirements, standards, controls and conditions on applications for consent and as well as on the activities</li> </ul>	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Federated Farmers Sanford Ltd Transit NZ Westfield NZ Horticulture New Zealand

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group B Variations to Chapter 5 ALWP - EC Topic number ENV-2006-304-000493</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
					themselves.		
ENV-2006-AKL-000095	E502/04	Waitakere City Council	03	Variation 1	Amend Chapter 5 of the Proposed Plan and the Variation to reflect the matters raised in Appeal E502/04/02.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Haka International Horticulture New Zealand Transit NZ
ENV-2006-AKL-000095	E502/04	Waitakere City Council	04	Variation 1	Amend Chapter 5 of the Proposed Plan and the Variation by making the policies, rules and other methods more certain and capable of objective interpretation and application.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Haka International Horticulture New Zealand Transit NZ
ENV-2006-AKL-000095	E502/04	Waitakere City Council	01	Variation 1	Withdraw the Proposed Plan and the Variation, at in so far as they relate to discharges to land and water and associated land management (Chapter 5).	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Haka International Horticulture New Zealand Transit NZ
ENV-2006-AKL-000095	E502/04	Waitakere City Council	02	Section 32	Undertake a proper examination of s32 RMA matters and follow the process required by s76 Local Government Act 2002, including an analysis of the objectives of the Proposed Plan and Variation and demonstration whether they can be achieved; an analysis of the benefits relative to the costs of the policies, rules and other methods proposed to achieve the objectives; and modelling of the intended outcomes to ensure that the policies, rules and other methods are directed to those outcomes.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Federated Farmers Transit NZ Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	107	Variation 1	That, to the extent that the amendments sought in respect of the matters raised in the Appellant's submissions were not granted in their entirety (or in a manner otherwise acceptable to the Appellant), then the changes inserted pursuant to ALW V1 be deleted in their entirety.	On hold until balance of Chapter 5 matters are resolved.	ACC/MW Transit NZ Ports of Auckland Auckland International Airport

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<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Horticulture New Zealand

<b>Group C General Objectives and Policies - EC Topic number ENV-2006-304-000494</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000780	E503/04	Property Council of New Zealand Inc Cabra Holdings Ltd Hopper Developments Ltd, Neil Construction Ltd	17	5	Amend the objectives and policies in Chapter 5 to acknowledge the need for urban development to be consistent with the Auckland Regional Growth Strategy, the Auckland Regional Policy Statement and the purpose of the Act.	Mediation held 13 December 2006. General agreement reached. ARC to circulate amended wording to parties. Final agreement dependent on outcome of discussions on other sections in Chapter 5.	ACC/MW Transit NZ Auckland International Airport Ltd Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000780	E503/04	Property Council of New Zealand Inc., Cabra Holdings Ltd, Hopper Developments Ltd, Neil Construction Ltd	19	5.3.1(a) 5.3.4(a) 5.3.13	Amend objectives 5.3.1(a), 5.3.4(a) and 5.3.13 to give effect to the matters contained in E503/04/17 and E503/04/18.	As above.	ACC/MW Transit NZ Auckland International Airport Ltd Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000124	E521/04	Auckland City Council Metrowater Limited North Shore City Council Waitakere City Council Franklin	04	5.3.1	Amend Objective 5.3.1 to recognise that it can only be achieved to the extent practicable, given the need to provide for significant urban growth through intensification.	As above	Contact Energy Ltd Ports of Auckland Ltd Transit NZ Papakura District Council

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Group C General Objectives and Policies - EC Topic number ENV-2006-304-000494							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
		District Council Rodney District Council					
ENV-2006-AKL-000120	E517/04	Auckland City Council Metrowater Limited	06	5.3.1(a)	Amend Objective 5.3.1(a) as follows: <u>"Maintaining areas of high environmental quality, especially those outside of Urban Areas"</u> .	As above	Ports of Auckland Ltd  North Shore City Council
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	50	5.3.1(c)	Amend Objective 5.3.1 as follows: "To protect, maintain or enhance the quality of land and water in the Auckland Region by: (a) Maintaining areas of high environmental quality; (b) Minimising adverse effects on degraded natural and physical resources where these cannot be avoided; and (c) Enhancing degraded areas where practicable. This shall be achieved by <del>avoiding or minimising</del> , <u>remedying or mitigating</u> the adverse effects arising from: ..."	As above	ACC/MW  Transit NZ  Ports of Auckland Ltd  Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	51	5.3.1	Amend Objective 5.3.1 as follows: " <del>To protect, or maintain or enhance</del> the quality of land and water in the Auckland Region by: ..." OR "To protect, maintain or enhance <u>where practicable</u> the quality of land and water in the Auckland Region by: ..."	As above	ACC/MW  Transit NZ  Ports of Auckland  Horticulture New Zealand
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	34	5.3.1	Amend Objective 5.3.1 as follows: " <del>To protect maintain or enhance</del> the quality of land <u>and maintain or enhance</u> the quality of water in the Auckland Region".	As above	ACC
ENV-2006-AKL-000107	E510/04	North Shore City Council	02	5.3.1(a)	Amend Objective 5.3.1(a) as follows: "To protect, maintain or enhance the quality of land and water in the Auckland Region by: (a) Maintaining areas of high environmental quality, <u>where practicable and achievable</u> ;....."	As above	ACC/MW  Transit NZ  Watercare Services
ENV-2006-	E510/04	North Shore City Council	03	5.3.1(b)	Amend Objective 5.3.1(b) as follows: "To protect, maintain or enhance the quality of land and water in the Auckland Region by:	As above	ACC/MW

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

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Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
AKL-000107					(a) Maintaining areas ..... ; (b) Minimising, as far as practicable, adverse effects on degraded natural physical resources where these cannot be prevented; .....		Transit NZ  Watercare Services
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	08	5.3.1	Amend Objective 5.3.1 by adding the phrase " <u>where practicable</u> " or words to like effect, after "in the Auckland Region".	Mediation held 13 December 2006. General agreement reached. ARC to circulate amended wording to parties. Final agreement dependent on outcome of discussions on other sections in Chapter 5.	ACC/MW  Federated Farmers  Sanford Ltd  Transit NZ  Horticulture New Zealand
ENV-2006-AKL-000124	E521/04	Auckland City Council Metrowater Limited North Shore City Council Waitakere City Council Franklin District Council Rodney District Council	05	5.3.3	Amend Objective 5.3.3 to recognise that it can only be achieved to the extent practicable, given the need to provide for significant urban growth through intensification. (THIS HAS BEEN MOVED FROM GROUP D NETWORKS – EC topic 000495)	As above	Transit NZ  Contact Energy Ltd  Papakura District Council
ENV-2006-AKL-000120	E517/04	Auckland City Council Metrowater Limited	07	5.3.3	Amend Objective 5.3.3 as follows: "To minimise, <del>as far as</del> <u>where appropriate and</u> practicable, changes to natural infiltration rates and stormwater runoff volumes, thereby <del>preventing</del> <u>reducing</u> river erosion and protecting aquifer outflows including river and steam base flows." (THIS HAS BEEN MOVED FROM GROUP D NETWORKS – EC topic 000495)	As above	North Shore City Council
ENV-2006-AKL-000124	E521/04	Auckland City Council Metrowater Limited North Shore	06	5.3.4	Amend Objective 5.3.4 to recognise that it can only be achieved to the extent practicable, given the need to provide for significant urban growth through intensification. (THIS HAS BEEN MOVED FROM GROUP D NETWORKS – EC topic 000495)	As above	Transit NZ  Contact Energy Ltd  Papakura District

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Group C General Objectives and Policies - EC Topic number ENV-2006-304-000494							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
		City Council Waitakere City Council Franklin District Council Rodney District Council					Council
ENV-2006-AKL-000107	E510/04	North Shore City Council	04	5.3.4	Amend Objective 5.3.4 as follows: "To ensure that land-use intensification activities, as far as practicable: (a) Avoid adverse effects on natural and physical resources outside Urban Areas (b) Minimise adverse effects on natural and physical resources within Urban Areas; This shall be achieved by avoiding, remedying or mitigating adverse effects or preventing or minimising the adverse effects arising from the matters where a Best Practicable Option approach is adopted as set out in Objective 5.3.1(c)(i)-(xii)". (THIS HAS BEEN MOVED FROM GROUP D NETWORKS – EC topic 000495)	As above	ACC/MW
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	09	5.4 Structure of Policies	Amend the new policies in Section 5.4 so that they read as policies, rather than rules, with guidance and flexibility to take account of individual cases (eg use of terms such as "taking into account the nature of the receiving environment", and "should where practicable minimise").	As above	ACC/MW  Federated Farmers  Sanford Ltd  Transit NZ  Horticulture New Zealand
ENV-2006-AKL-000120	E517/04	Auckland City Council Metrowater Limited	11	5.4.3	Amend Policy 5.4.3 as follows: "To have particular regard to the Urban Stream Management Framework in Section 3.5 (Table 3.1) of this Plan when assessing any proposal to discharge contaminants within an Urban Area".  MOVED FROM GROUP D NETWORKS – EC topic 000495	As above	Transit NZ  Ports of Auckland Ltd  North Shore City Council

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

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<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000107	E510/04	North Shore City Council	06	5.4.3	Delete Policy 5.4.3 as the Urban Stream Management Framework in Table 3.1 is inappropriate.  MOVED FROM GROUP D NETWORKS - – EC topic 000495	As above	ACC/MW  Transit NZ

<b>Group D Networks – Issues, Objectives and Policies – EC Topic number ENV-2006-304-000875</b> <b>Environment Court issued Record of Determination 12 July 2007</b> <b>Points resolved by Record of Determination removed from Group D list.</b>								
Env Court Case No	Env Court (Prior No)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name	
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Chevron New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	05	5 Minimise Discharges Approach	Delete all policy and regulatory provisions that adopt the minimise approach to discharges, including those that require removal of Total Suspended Solids (TSS) to a level of 75 percent, or to the greatest extent practicable and all provisions having the same or similar intent; and Introduce by way of Variation, an alternative standard that is both appropriate and measurable.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Sanford Ltd Transit NZ Westfield NZ Ports of Auckland Ltd Auckland International Airport	
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Chevron New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	06	5 Minimise Discharges Approach	Delete all policy and regulatory provisions that adopt the minimise approach to discharges, including those that require the achievement of, or an assessment against the failure to achieve, removal from stormwater of 75 percent TSS on an average annual basis, or the removal from stormwater of TSS to the greatest extent practicable, and all provisions having the same or similar intent, including from <ul style="list-style-type: none"> <li>• Policy 5.4.4 (e) (i) and (ii)</li> <li>• Rules 5.5.2 (e) and 5.5.9 (b) (ii)</li> </ul>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Sanford Ltd Transit NZ Westfield NZ Ports of Auckland Ltd Auckland International Airport	
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Chevron New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	08	5 Total Suspended Solids	Introduce appropriate alternative policy and regulatory provisions by way of Variation if necessary to ensure that: <ul style="list-style-type: none"> <li>• TSS is regulated as a contaminant in terms of the discharge of contaminant rules, ensuring that such regulation only relates to contaminants generated from on-site sources; and</li> <li>• Ensure that the issue of discharges of TSS is dealt with on a catchment wide level and/or that an appropriate means of determining the baseline is incorporated into the provisions.</li> </ul>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Sanford Ltd Westfield NZ Ports of Auckland Ltd Auckland International Airport Transit NZ	

**Group D Networks – Issues, Objectives and Policies – EC Topic number ENV-2006-304-000875**

**Environment Court issued Record of Determination 12 July 2007**

**Points resolved by Record of Determination removed from Group D list.**

ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	05	5 Minimise Discharges Approach	Delete all policy and regulatory provisions that adopt the minimise approach to discharges, including those that require removal of Total Suspended Solids (TSS) to a level of 75 percent, or to the greatest extent practicable and all provisions having the same or similar intent; and Introduce by way of Variation, an alternative standard that is both appropriate and measurable.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW DB Breweries Westfield NZ Ports of Auckland Ltd Auckland International Airport
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	06	5 Minimise Discharges Approach	Delete all policy and regulatory provisions that adopt the minimise approach to discharges, including those that require the achievement of, or an assessment against the failure to achieve, removal from stormwater of 75 percent TSS on an average annual basis, or the removal from stormwater of TSS to the greatest extent practicable, and all provisions having the same or similar intent, including from <ul style="list-style-type: none"> <li>• Policy 5.4.4 (e) (i) and (ii)</li> <li>• Rules 5.5.2(e) and 5.5.9 (b) (ii)</li> </ul>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW DB Breweries Westfield NZ Ports of Auckland Ltd Auckland International Airport Transit NZ
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	08	5 Total Suspended Solids	Introduce appropriate alternative policy and regulatory provisions by way of Variation if necessary to ensure that: <ul style="list-style-type: none"> <li>• TSS is regulated as a contaminant in terms of the discharge of contaminant rules, ensuring that such regulation only relates to contaminants generated from on-site sources; and</li> <li>• Ensure that the issue of discharges of TSS is dealt with on a catchment wide level and/or that an appropriate means of determining the baseline is incorporated into the provisions.</li> </ul>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW DB Breweries Westfield NZ Ports of Auckland Ltd Auckland International Airport Transit NZ
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	02	5 Minimise Discharges Approach	Delete all policy and regulatory provisions that adopt the minimise approach to discharges, including those that require the achievement of, or an assessment against the failure to achieve, removal from stormwater of 75 percent TSS on an average annual basis, or the removal from stormwater of TSS to the greatest extent practicable, and all provisions having the same or similar extent, including from:	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Transit NZ DB Breweries Westfield NZ

**Group D Networks – Issues, Objectives and Policies – EC Topic number ENV-2006-304-000875**

**Environment Court issued Record of Determination 12 July 2007**

**Points resolved by Record of Determination removed from Group D list.**

					<ul style="list-style-type: none"> <li>• Policy 5.4.4(e)(i) &amp; (ii)</li> <li>• Rules 5.5.2(e) and 5.5.9 (b) ii.</li> </ul>		Ports of Auckland Ltd  Auckland International Airport
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	01	5 Minimise Discharges Approach	Delete all policy and regulatory provisions effectively adopting the minimise approach to discharges, including those that require removal of Total Suspended Solids (TSS) to a level of 75 percent, or to the greatest extent practicable and all provisions having the same or similar extent; AND Introduce by way of a Variation an alternative standard that is both appropriate and measurable.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Transit NZ  DB Breweries  Westfield NZ  Ports of Auckland Ltd  Auckland International Airport  Auckland District Health Board
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	04	5 Total Suspended Solids	Introduce appropriate alternative policy and regulatory provisions by way of Variation if necessary to ensure that: <ul style="list-style-type: none"> <li>• TSS is regulated as a contaminant in terms of the discharge of contaminant rules, ensuring that such regulation only relates to contaminants generated from on-site sources; and</li> <li>• Ensure that the issue of discharges of TSS is dealt with on a catchment wide level and/or that an appropriate means of determining the baseline is incorporated into the provisions.</li> </ul>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  DB Breweries  Westfield NZ  Ports of Auckland Ltd  Transit NZ
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	05	5.5.10	Amend Rule 5.5.10 as some of the standards and terms are not appropriate for the management of stormwater and wastewater networks, are inherently subjective and are not appropriate for controlled activity standards and terms e.g. standard and term (v)(g) which refers to removing the highest practicable amount of total suspended solids. Operators require certainty as to the consent status of their activities and the definition of a controlled activity in this way is not sufficiently certain and therefore unlawful (see proposed new wording in appeal).  It is also inappropriate for the ARC to retain control over the methods used to achieve the performance standards. These are	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Transit NZ  North Shore City Council  Horticulture New Zealand

**Group D Networks – Issues, Objectives and Policies – EC Topic number ENV-2006-304-000875**

**Environment Court issued Record of Determination 12 July 2007**

**Points resolved by Record of Determination removed from Group D list.**

					the responsibility and within the expertise of the Network Operators.  <b>Removed from Group D Networks – Network Rules</b>		
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	06	5.5.11	Amend Rule 5.5.11, as there are inconsistencies, in particular the matters over which the ARC has sought to restrict its discretion e.g. the frequency of overflows and the level of suspended solid removal at a catchment level. Network performance, is determined by the BPO that is developed as part of the ICMP or NMP. The Regional Council's discretion should be restricted to the extent to which the BPO is consistent with the NMP and ICMP objectives (see proposed new wording in appeal).  The Regional Council should not be able to direct applicants to achieve performance standards they are unable to achieve. The Regional Council should not retain control over methods to achieve performance standards as these are the responsibility and within the expertise of the Network Operators.  <b>Removed from Group D Networks – Network Rules.</b>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	North Shore City Council  Horticulture New Zealand  Transit NZ

Group D Networks – Non-Network Rules - EC Topic number ENV-2006-304-000495							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	01	5.5.2 5.5.3 5.5.4 5.5.5 5.5.6 5.5.7	Add an Advice Note to Rules 5.5.2, 5.5.3, 5.5.4, 5.5.5, 5.5.6 and 5.5.7 that: <ul style="list-style-type: none"> <li>“informs consent applicants/holders that obtaining a resource consent for a particular discharge or diversion will not mean that the territorial authority or network operator will accept ownership/responsibility for the discharge and any new infrastructure; and</li> <li>advising consent applicants to discuss this matter with the relevant territorial authority/network operator before applying for consent.”</li> </ul>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Transit NZ  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	02	5.5.6(e)	Amend Rule 5.5.6(e) to include reference to Rule 5.5.11 and delete the references to Rules 5.5.14 and 5.5.15.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	25	5.5.1 – 5.5.5	Amend Rules 5.5.1 – 5.5.5 by a) inserting a new condition into each rule as follows: <u>‘It does not originate from an industrial or trade premise’</u> , AND b) inserting an explanatory note above Rules 5.5.1 – 5.5.5 as follows: <u>‘Discharges originating from industrial or trade premises are excluded from the Rules 5.5.5 to 5.5.5 relating to stormwater diversions and discharges and are instead covered by Rules 5.5.14 to 5.5.19 relating to stormwater diversions and discharges from industrial or trade premises.’</u>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Winstone Aggregates  Transpower  Westfield NZ  Ports of Auckland Ltd  Auckland International Airport  Horticulture New Zealand
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	31	5.5.1	Delete the words “and it originates ... local roading activity” from Rule 5.5.1(3).	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Horticulture New Zealand

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Non-Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	32	5.5.1	Amend Rule 5.5.1 as follows: <ul style="list-style-type: none"> <li>Delete Rule 5.5.1(4) and renumber accordingly</li> <li>Delete the words “land-use giving ... and the” from Condition (a) of Rule 5.5.1</li> <li>Delete Condition (d) of Rule 5.5.1 and replace with “<u>The discharge does not result in an increased concentration of flow over a neighbouring property other than in a waterbody</u>”</li> <li>Amend Condition (f) of Rule 5.5.1 to read “<u>Discharge directly to a Category 1 river or stream is to be minimised</u>”</li> </ul> Delete conditions (j), (k) and (n) of Rule 5.5.1	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Horticulture New Zealand
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	43	5.5.1 5.5.2	Amend Rules 5.5.1 & 5.5.2 so that impervious areas for rural areas to be no more than 50% of site.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC  Poultry Industry Association of New Zealand  Transit NZ  Contact Energy Ltd
ENV-2006-AKL-000047	E480/04	Juderon Family Trusts	01	5.5.1(h) 5.5.2(h) 5.5.3(b) 5.5.4(b)	Amend Rules 5.5.1(h), 5.5.2(h), 5.5.3(b) and 5.5.4(b): “Where the discharge arises from a subdivision or development that is located outside Urban Areas, the average ratio of total impervious area to lot area for the subdivision or development shall be less than 6%; unless the land is zoned for future urban growth in the relevant District Plan <del>and or</del> the development is in accordance with a Structure Plan (incorporated into the District Plan)....”	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	
ENV-2006-AKL-000047	E480/04	Juderon Family Trusts	02	5.5.1(j)	Amend Rule 5.5.1(j): “Each new countryside living lot has a minimum area of 1 hectare, unless the subdivision is otherwise in accordance with a structure plan that forms part of an <del>Operative</del> District Plan that allows a smaller lot size;....”	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	
ENV-2006-AKL-000071	E478/04	Manukau City Council	03	5.5.2(a)	Amend Controlled Activity Rule 5.5.2 (a) to reflect Manukau City Council’s catchment wide approach to stormwater management.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Transit NZ  Oil Companies  Westfield NZ  Ports of Auckland Ltd

Group D Networks – Non-Network Rules - EC Topic number ENV-2006-304-000495							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000071	E478/04	Manukau City Council	04	5.5.2(e)	Delete Controlled Activity Rule 5.5.2 (e) and: <ul style="list-style-type: none"> <li>Use the targets stated in ARC's Technical Publication 10 relating to the removal of Total Suspended Solids (TSS);</li> <li>Include a methodology on how the target will be measured.</li> </ul>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Transit NZ Westfield NZ Ports of Auckland Ltd Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000107	E510/04	North Shore City Council	11	5.5.1(h)	Add new condition to Rule 5.5.1 as follows: <u>“(h) Where the ownership of the proposed stormwater works is to be taken over by the TA upon deposit of the survey plan, the written approval of that TA regarding the operational and maintenance aspects of the proposed works has been provided to the ARC: and...”</u> and renumber the remaining matters.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Transit NZ
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	20	5.5.2 - 5.5.5	As an alternative to the relief sought in Appeal E508/04/19, delete rules 5.5.2 to 5.5.5 (stormwater discharges from impervious areas >1,000 m <sup>2</sup> ) and replace them with rules that are effects based and which allow the discharge of stormwater subject only to standards as to the quality of the discharges, treatment systems etc and not any criteria based on area. Such rules should provide for permitted activities, subject to standards, together with controlled or restricted discretionary activities that will be assessed by reference only to those standards that they are not able to meet.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Federated Farmers Sanford Ltd Contact Energy Ltd Auckland International Airport Horticulture New Zealand
ENV-2006-	E477/04	Poultry Industry	20	5.5 Stormwater	Amend the threshold for a permitted activity should be raised to at least 10,000 m <sup>2</sup> and 10 percent impervious area;	ARC currently preparing a position	Federated Farmers

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Non-Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
AKL-000066		Association of New Zealand		Discharges Outside Urban Areas	AND Exceeding the percentage threshold should be a controlled or restricted discretionary activity. It should not be permitted below the percentage and non-complying above it.	paper which will be circulated in anticipation of negotiations.	Haka International  Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	19	5.5 Stormwater Discharges Outside Urban Areas	Amend the Rules to increase both the total area and the percentage area of impervious surface allowed as permitted, controlled and discretionary activity; Or Amend the rule specifically to exclude intensive farming and provide for a separate impervious surface rule that recognises a practical limit as a permitted, controlled and discretionary activity;	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Federated Farmers  Haka International  Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	23	5.5 Stormwater Discharges	Provide for existing activities with existing stormwater discharges as a controlled activity with relevant conditions.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Federated Farmers  Oil Companies  Transpower  Haka International  Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	21	5.5 Stormwater Discharges 12 Site	Change references to “lot” in stormwater discharge rules to references to “site”; AND Amend the definition of “site” so that with respect to stormwater activities, it refers to a property under the management or ownership of a single entity.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Federated Farmers  Haka International  Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	24	5.5.1 5.5.2	Amend Rules 5.5.1 (m) and 5.5.2 (e) to clarify that it applies only those roofs containing cooper or zinc (ie galvanised roofs) and not to other roofs with a proprietary finish such as Colorsteel and Colorcote finishes, or other roofs with an acceptable paint finish.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Federated Farmers  Haka International  Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	22	5.5.1(n) 5.5.2(a) 5.5.3(a) Stormwater Discharges Outside Urban	Clarify reference to “not already authorised or consented” in the various rules.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Federated Farmers  Oil Companies  Transpower

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Non-Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
				Areas			Haka International Horticulture New Zealand
ENV-2006-AKL-000780	E503/04	Property Council of New Zealand Inc Cabra Holdings Ltd Hopper Developments Ltd Neil Construction Ltd	21	5.3 – 5.5 Networks & Non Networks	Remove the distinction between networks and non-networks. If the distinction is to remain adequately define the point at which a network begins and ends.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Transit NZ Auckland International Airport Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000780	E503/04	Property Council of New Zealand Inc	22	5.5.1 – 5.5.4	Delete Rules 5.5.1 to 5.5.4 and replace with rules adopting greater maximum impervious areas using reasonable and appropriate standards for discharge and removing the emphasis on redevelopment conditions to obtain permitted activity status.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Transit NZ Auckland International Airport Ports of Auckland Ltd Haka International Horticulture New Zealand
ENV-2006-AKL-000780	E503/04	Property Council of New Zealand Inc	23	5.5.5 Urban Development outside Urban Areas	Delete Rule 5.5.5 and replace with a rule that contains effects based criteria for stormwater discharges from urban development outside urban areas.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Transit NZ Auckland International Airport Ports of Auckland Ltd

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Non-Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Haka International Horticulture New Zealand
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Chevron New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	13	5.5 Stormwater Discharges	Include a new rule to permit those stormwater discharges that are sanctioned by the explanations in provisions 5.5.1(d) and 5.5.2(a) and by Table 2. This would permit discharges from existing premises that are connected to existing stormwater networks.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Sanford Ltd Westfield NZ Ports of Auckland Ltd Auckland International Airport
ENV-2006-AKL-000079	E493/04	Transit New Zealand	9	5.5 Stormwater/Wastewater Urban	Amend Rules 5.5 to provide for minor stormwater and wastewater works within the Urban Area as permitted activities.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd
ENV-2006-AKL-000079	E493/04	Transit New Zealand	6	5.5.1- 5.5.5	Amend Rules 5.5.1 – 5.5.5 to more adequately provide for the activities carried out by Transit on the regional roading network.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd
ENV-2006-AKL-000079	E493/04	Transit New Zealand	7	5.5.4	Reclassify Rule 5.5.4 (previously 5.5.5) from a discretionary to a restricted discretionary activity.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Oil Companies Ports of Auckland Ltd
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	13	5.5 Stormwater Discharges	Include a new rule to permit those stormwater discharges that are sanctioned by the explanations in provisions 5.5.1(d) and 5.5.2(a) and by Table 2. This would permit discharges from existing premises that are connected to existing stormwater networks.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Westfield NZ Ports of Auckland Ltd Auckland

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

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<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	06	5.5 Stormwater Discharges	Include a new rule to permit those stormwater discharges that are sanctioned by the explanations in provisions 5.5.1(d) and 5.5.2(a) and by Table 2. This would permit discharges from existing premises that are connected to existing stormwater networks.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	International Airport ACC/MW DB Breweries Westfield NZ Ports of Auckland Ltd
ENV-2006-AKL-000100	E506/04	Westfield New Zealand Ltd	05	5 Stormwater Discharges	As an alternative to E506/04/04, amend the requirements for treatment of stormwater to set more reasonable standards, including the requirement to remove 75 percent of total suspended solids from stormwater in Rule 5.5.1 (m).	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Federated Farmers Transit NZ Ports of Auckland Ltd Horticulture New Zealand

<b>Group D Networks – Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	03	5 Public Stormwater and Wastewater Networks Explanation before 5.5.8	Amend the first sentence of the Explanation for Stormwater and Wastewater Networks to read: “The following Rules 5.5.8 to 5.5.13 apply to stormwater and wastewater networks for a whole or part of a catchment, <u>or a network spanning one or more catchments.</u> ”	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Transit NZ  Horticulture New Zealand
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	04	5 Public Stormwater and Wastewater Networks Explanation before 5.5.8	Amend the second to last sentence of the Explanation for Stormwater and Wastewater Networks to read: “The NMP must be consistent with the ICMPs for the catchments within, <u>or across,</u> which the network resides.”	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Transit NZ  Horticulture New Zealand
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	05	5.5.10	Amend Rule 5.5.10 as some of the standards and terms are not appropriate for the management of stormwater and wastewater networks, are inherently subjective and are not appropriate for controlled activity standards and terms e.g. standard and term (v)(g) which refers to removing the highest practicable amount of total suspended solids. Operators require certainty as to the consent status of their activities and the definition of a controlled activity in this way is not sufficiently certain and therefore unlawful (see proposed new wording in appeal).  It is also inappropriate for the ARC to retain control over the methods used to achieve the performance standards. These are the responsibility and within the expertise of the Network Operators.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Transit NZ  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	06	5.5.11	Amend Rule 5.5.11, as there are inconsistencies, in particular the matters over which the ARC has sought to restrict its discretion e.g. the frequency of overflows and the level of suspended solid removal at a catchment level. Network performance, is determined by the BPO that is developed as part of the ICMP or NMP. The Regional Council’s discretion should be restricted to the extent to which the BPO is consistent with the NMP and ICMP objectives (see proposed new wording in appeal).  The Regional Council should not be able to direct applicants to achieve performance standards they are unable to achieve. The Regional Council should not retain control over methods to achieve performance standards as these are the responsibility and within the expertise of the Network Operators.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	North Shore City Council  Horticulture New Zealand  Transit NZ

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Group D Networks – Network Rules - EC Topic number ENV-2006-304-000495							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	07	5.5.12(iv)	Amend Rule 5.5.12 as the inclusion of a reference to standard and term (iv) of Rule 5.5.10 is confusing and unnecessary. Standard and term (iv) refers to the adoption of the BPO for managing stormwater and wastewater networks. The development of the BPO is a requirement of a NMP. Therefore a stormwater or wastewater consent which is applied for in the absence of a supporting NMP fails to meet Rule 5.5.10(iii) and is a discretionary activity. Amend Rule 5.5.12 as follows: “The following activities are discretionary activities ... <u>where the activity meets the standards and terms i and ii of Rule 5.5.10 but does not meet standard and term (iii) of Rule 5.5.10.</u> ”	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	Transit NZ  Auckland International Airport  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000107	E510/04	North Shore City Council	12	5.5.10(c)(iii)	Delete the words ‘to the satisfaction of the ARC’ from Rule 5.5.10(c)(iii).	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Transit NZ  Watercare Services  Auckland District Health Board
ENV-2006-AKL-000107	E510/04	North Shore City Council	15	5.5.10(vi)(f)	Delete Rule 5.5.10(vi)(f) as there are no practicable means of meeting the requirements that are not already provided for as part of network design.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Watercare Services
ENV-2006-AKL-000107	E510/04	North Shore City Council	16	5.5.10(vi)(h)	Amend Rule 5.5.10(vi)(h) as follows: “The NMP provides for the network to be maintained and operated to meet standards and terms (vi)(e) <del>(f)</del> and (g) of this rule on an ongoing basis”.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Watercare Services
ENV-2006-AKL-000107	E510/04	North Shore City Council	17	5.5.11(e)	Delete Rule 5.5.11(e) as it is not appropriate for the ARC to over-ride the formal process of programme implementation for the BPO for the network in terms of the Local Government Act 2002.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Transit NZ
ENV-2006-AKL-000079	E493/04	Transit New Zealand	10	5.4 5.5	Amend Chapter 5 policies and rules to ensure that NMPs, as management tools, do not determine consent status.	ARC currently preparing a position paper which will be circulated in	ACC/MW  Ports of Auckland Ltd

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
						anticipation of negotiations.	Auckland International Airport  Auckland District Health Board
ENV-2006-AKL-000079	E493/04	Transit New Zealand	11	5.5.13	Amend Rule 5.5.13 (formerly 5.5.14) to better provide for the activities undertaken by Transit on the regional roading network.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Ports of Auckland Ltd
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	47	5.4 5.5 Variation 1 Coastal 20 Management Plans	Amend the Proposed Plan, ALW Variation 1 or Coastal V1 so that any management plans are indicative only and allow for flexibility in terms of timing, options and design.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Federated Farmers  Transit NZ  Ports of Auckland Ltd  Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	59	5.5 Public Stormwater & Wastewater Networks	Amend the rules in Section 5.5 to provide for infiltration and exfiltration, including any diversion of stormwater or ground water in respect of public wastewater networks as a permitted activity, subject to conditions.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Ports of Auckland Ltd  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	60	5.5.8(b)	Delete condition (b) from Permitted Activity Rule 5.5.8.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW  Westfield NZ  Ports of Auckland  Horticulture New Zealand
ENV-	E509/04	Watercare	63	5.5.10-5.5.12	Amend Rules 5.5.10 to 5.5.12 by defining “wastewater activity” and	ARC currently	ACC/MW

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
2006-AKL-000103		Services Ltd		12 Wastewater & Stormwater Activities	“stormwater activity” and that the definition and/or new rules clarify how a combined stormwater/wastewater overflow discharging directly (or through a stormwater pipe) to the environment would be treated.	preparing a position paper which will be circulated in anticipation of negotiations.	Ports of Auckland Ltd <del>North Shore City Council</del> Withdrawn Horticulture New Zealand Transit NZ
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	70	5.5 Wastewater Network	Amend the rules Section 5.5 relating to stormwater and wastewater networks so that references to the wastewater network also includes subsequent upgrades etc to that system.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd North Shore City Council Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	62	5.5.10- 5.5.12 12 Network Overflow Definition	Amend Rules 5.5.10 to 5.5.12 by including a definition of “network overflow”.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd North Shore City Council Horticulture New Zealand Transit NZ
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	64	5.5.10(c)(iii)	Amend condition (c) (iii) of Permitted Activity Rule 5.5.10 by adding the following words: <u>“...in such detail as corresponds with the scale and significance of the actual and potential effects that the activity may have on the environment.”</u>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Auckland International Airport North Shore City

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Group D Networks – Network Rules - EC Topic number ENV-2006-304-000495							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Council Horticulture New Zealand Transit NZ
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	65	5.5.10(vi)(e)	Amend condition (vi) (e) of Permitted Activity Rule 5.5.10 by changing the words “The wastewater collection network” to “ <u>The network overflow</u> ”.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd North Shore City Council Horticulture New Zealand Transit NZ
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	67	5.5.10(vi)(f)	Delete condition (vi) (f) of Permitted Activity Rule 5.5.10.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd North Shore City Council Horticulture New Zealand Transit NZ
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	68	5.5.10(vi)(h)	Amend condition (vi) (h) of Permitted Activity Rule 5.5.10 by adding after the words “maintained and operated” the words “ <u>where practicable</u> ”.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd Auckland International Airport North Shore City Council Horticulture New

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Zealand Transit NZ
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	66	5.5.10(vi)(l)	Amend Condition (vi) (i) of Permitted Activity Rule 5.5.10 by adding to the end of the existing text the following (or words to like effect): <u>The discharge does not result in .....and there is a recorded history of community complaints about aesthetic effects resulting from the discharge and overflows are projected to occur at the location on more than ten occasions in any continuous five year period.</u>	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Ports of Auckland Ltd North Shore City Council Horticulture New Zealand Transit NZ
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	69	5.5.10-5.5.13	Amend Rules 5.5.10 to 5.5.13 so that for infrastructure providers the same rules apply to both inside and outside urban areas.	ARC currently preparing a position paper which will be circulated in anticipation of negotiations.	ACC/MW Transit NZ Ports of Auckland Ltd Auckland International Airport North Shore City Council Horticulture New Zealand
<b>Network Rules – Wastewater Discharges in All Areas - EC Topic number ENV-2006-304-000495</b>							
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	02	5.5.6(e)	Amend Rule 5.5.6(e) to include reference to Rule 5.5.11 and delete the references to Rules 5.5.14 and 5.5.15.	ARC to respond to comments received.	North Shore City Council Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	61	5.5.6	Delete conditions (f) and (h) from Permitted Activity Rule 5.5.6.	ARC to respond to comments received	ACC/MW Ports of Auckland Ltd

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group D Networks – Network Rules - EC Topic number ENV-2006-304-000495</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							North Shore City Council  Horticulture New Zealand

<b>Coastal Plan Variation – Chapter 10 Amendments - EC Topic number ENV-2006-304-000496</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	25	Coastal 10.5.2 10.5.8	As an alternative to the relief sought in Appeal E505/04/17, delete Rules 10.5.2 and 10.5.8 or alternatively reword them so that the proposed amendments do not apply to the Airport Management Area.	ARC to respond to comments received from parties.	ACC/MW  Air New Zealand  Horticulture New Zealand
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	26	Coastal 10.5.2 10.5.8	As an alternative to the relief sought in Appeal E505/04/17, amend Coastal V1 as follows: <ul style="list-style-type: none"> <li>• Delete Rule 10.5.2 (a), (b), (f) and (g) and any other provisions which seek to impose retrospective conditions or constraints on lawfully established existing structures</li> </ul> OR <ul style="list-style-type: none"> <li>• Amend the rule to ensure that the only factors that are of relevance to the ARC when considering resource consents for these structures are matters associated with the permitted activity conditions that the structure is unable to comply with.</li> </ul>	ARC to respond to comments received from parties.	ACC/MW  Air New Zealand  Ports of Auckland Ltd  Horticulture New Zealand  Transit NZ
ENV-2006-AKL-000094	E501/04	Federated Farmers of New Zealand (Inc)	22	Coastal 10.5.2	Amend Permitted Activity Rule 10.5.2 to provide for existing structures in all of the coastal marine area in rural areas that are not operated by network utility operators.	ARC to respond to comments received from parties.	ACC  Transit NZ  Auckland International Airport
ENV-2006-AKL-000094	E501/04	Federated Farmers of New Zealand (Inc)	23	Coastal 10.5.2	Amend Permitted Activity Rule 10.5.2 to provide for all stormwater outfalls in all parts of the coastal marine area in rural areas.	ARC to respond to comments received from parties.	ACC  Transit NZ  Horticulture New Zealand
ENV-2006-AKL-000091	E498/04	Transit New Zealand	01	Coastal 10.5.2	Amend Rule 10.5.2 to restrict ARC's power to impose retrospective conditions or constraints on lawfully established existing structures.	ARC to respond to comments received from parties.	ACC/MW  Ports of Auckland Ltd
ENV-2006-AKL-000091	E498/04	Transit New Zealand	02	Coastal 10.5.2	Amend Rule 10.5.2 to better provide for existing structures in the CMA and Urban Areas.	ARC to respond to comments received from parties.	ACC/MW  Ports of Auckland Ltd
ENV-2006-	E498/04	Transit New Zealand	03	Coastal 10.5.2	Amend Rule 10.5.2 to provide for existing structures in all parts of the CMA in rural areas not operated by stormwater or network utility	ARC to respond to comments received	ACC/MW

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Coastal Plan Variation – Chapter 10 Amendments - EC Topic number ENV-2006-304-000496							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
AKL-000091					operators as permitted activities..	from parties.	Ports of Auckland Ltd  Auckland International Airport
ENV-2006-AKL-000091	E498/04	Transit New Zealand	04	Coastal 10.5.2	Amend Rule 10.5.2 to provide for stormwater outfalls in all parts of the CMA in rural areas as permitted activities.	ARC to respond to comments received from parties.	ACC/MW  Ports of Auckland
ENV-2006-AKL-000091	E498/04	Transit New Zealand	05	Coastal 10.5.8	Delete criteria (a) – (e) from Rule 10.5.8 and amend 3 <sup>rd</sup> paragraph of Rule 10.5.8 as follows: “The ARC <del>will restrict the</del> shall exercise of its discretion to control over the matters within conditions (a) to (g) of Rule 10.5.2 that the activity is unable to comply with.” ((a) – (e) to be deleted) OR If conditions (a) to (g) are retained, amend Rule 10.5.8 to provide that the predominant criteria for assessment of an existing structure is the importance of infrastructure and that discretion be exercised only in exceptional circumstances to effect change to a structure.	ARC to respond to comments received from parties.	ACC/MW  Ports of Auckland Ltd

Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000124	E521/04	Auckland City Council Metrowater Limited North Shore City Council Waitakere City Council Franklin District Council Rodney District Council	01	Coastal Tables 20.1A to 20.1D Variation 1	Delete the Environmental Response Criteria (ERC) from Tables 20.1A to 20.1D and associated Introduction, Policies, Other Methods from the Regional Plan: Coastal. Delete from Chapter 5 all references to the Environmental Response Criteria from the Proposed Plan.	ARC to respond to comments received from parties.	Transit NZ  Ports of Auckland Ltd  Auckland International Airport  Papakura District Council
ENV-2006-AKL-000121	E519/04	Auckland City Council Metrowater Limited	01	Coastal Table 20.1.A	Amend the sediment contamination levels of Table 20.1.A to levels that indicate potential adverse effects, consistent with national and international levels.	ARC to respond to comments received from parties.	North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000121	E519/04	Auckland City Council Metrowater Limited	02	Coastal 20.4.11 20.4.12 20.4.13 20.4.14	Delete Policies 20.4.11, 20.4.12, 20.4.13 and 20.4.14 and replace with a policy framework that provides for the adoption of the best practicable option and the general management objectives associated with the ERC. A more appropriate framework would be to establish appropriate contaminant levels to provide a true indication of potential adverse effects, and adopt a realistic management framework.	ARC to respond to comments received from parties.	North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000121	E519/04	Auckland City Council Metrowater Limited	05	Coastal Table 20.1.D	Amend Table 20.1.D Contact Recreation Criteria – Triggers for Public Health Risk Advisory Notes, by removing the words “ <del>and no events occasioned by dry weather network overflows.</del> ”	ARC to respond to comments received from parties.	North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000121	E519/04	Auckland City Council Metrowater Limited	06	Coastal 20.6.10 20.6.11 20.6.12 20.6.13 20.6.14	Amend Other Methods 20.6.10, 20.6.11, 20.6.12, 20.6.13 and 20.6.14 to reflect the revised management framework sought by the Appellants in Appeal E519/04/01 to E519/04/05.	ARC to respond to comments received from parties.	North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000121	E519/04	Auckland City Council Metrowater Limited	03	Coastal 20.1	Delete Section 20.1 - Introduction as introduced by the Proposed Variation and replace with a section that reflects the ERC, management objectives and associated revised framework sought by the Appellants in the Appeal including adopting the best practicable option.	ARC to respond to comments received from parties.	North Shore City Council  Horticulture New Zealand

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000121	E519/04	Auckland City Council Metrowater Limited	04	Coastal Table 20.1.B	Delete Table 20.1.B Sediment Quality Criteria – Secondary contaminants.	ARC to respond to comments received from parties.	North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000765	E524/04	Auckland City Council Metrowater Limited	01	Coastal 20.5.14(i) 20.5.14	Amend Rule 20.5.14(i) and the note in Rule 20.5.14 of the RP:C (Proposed Variation) to read as follows: “Any direct discharges of sewage to the coastal marine area that have not passed through soil or a wetland that are undertaken by a stormwater or wastewater network utility operator: i within the Urban Area shall be assessed under Rules 5.5.11 <del>and or</del> <u>5.5.12 (as is appropriate)</u> of the Operative or Proposed Auckland Regional Plan: Air, Land and Water as if <del>that rule those rules</del> also categorised the activity as a restricted coastal activity, and ii outside the Urban Area shall be assessed under Rule 5.5.13 of the operative or Proposed Auckland Regional Plan: Air, Land and Water as if either rule also categorised the activity as a restricted coastal activity. Note: Rule 20.5.14 means that any stormwater or wastewater network discharges by a stormwater or wastewater network utility operator to the CMA within the Urban Area containing sewage are assessed under Rules 5.5.11 <del>and or</del> <u>5.5.12</u> of the Auckland Regional Plan: Air, Land and Water (ARP:ALW) as if <del>those Rules that rule</del> categorised the activity as a <u>restricted discretionary or discretionary (depending upon which rule applies)</u> and restricted coastal activity. Similar discharges outside the Urban Area are assessed under Rule 5.5.13 of the ARP:ALW as non-complying activities and restricted coastal activities. In all cases the relevant policy provisions of the ARP:ALW listed in Rule 20.5.13 apply to those activities.”	ARC to respond to comments received from parties.	
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	17	Coastal V1 20.5 Rules	Delete Coastal VI in its entirety	ARC to respond to comments received from parties.	ACC/MW  Air New Zealand  Ports of Auckland Ltd  Horticulture New Zealand  Transit NZ
ENV-2006-	E505/04	Auckland International	18	Coastal 10	As an alternative to the relief sought in Appeal E505/04/18, amend Coastal V1 to:	ARC to respond to comments received	ACC/MW

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
AKL-000099		Airport Ltd		20	<ul style="list-style-type: none"> <li>promote sustainable management of resources, achieve the purpose of the Act, comply with Part II and other provisions of the Act and be consistent with all other district and regional plans within the Auckland Region;</li> </ul> OR alternatively <ul style="list-style-type: none"> <li>delete all the amendments and additions to Section 20.5: Rules by the Respondent's decisions.</li> </ul>	from parties.	Transit NZ  Air New Zealand  Ports of Auckland Ltd  Horticulture New Zealand
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	19	Coastal 20.5 Rules	As an alternative to the relief sought in Appeal E505/04/17, amend Chapter 5 and Coastal V1 to the satisfaction of the appellant, so that: <ul style="list-style-type: none"> <li>It is clear to users of the Plan which rules apply to which activities;</li> <li>The activity status given to activities is fair, reasonable and commensurate with the scale of effects of the activity and the reasons or need for the activity. Where possible, permitted and restricted discretionary activity status should be used.</li> <li>Where activities are required in order to provide for the operation of significant physical resources, such as international airports, appropriate recognition must be given to that requirement and to the need for sustainable management of these physical resources;</li> <li>The rules impose only fair, reasonable and appropriate requirements, standards and controls and conditions on applications for consent, as well as on the activities themselves;</li> </ul>	ARC to respond to comments received from parties.	ACC/MW  Air New Zealand  Ports of Auckland Ltd  Horticulture New Zealand  Transit NZ
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	22	Coastal 20.1 20.6 20.7	As an alternative to the relief sought in Appeal E505/04/17 amend Coastal V1 as follows: <ul style="list-style-type: none"> <li>Delete the amendments made by the Respondent's decisions to Section 20.1: Introduction, Section 20.6: Methods and Section 20.7: Principal Reasons for Adopting,</li> </ul> OR <ul style="list-style-type: none"> <li>Or alternatively amend these sections in a manner that meets the Appellant's concerns.</li> </ul>	ARC to respond to comments received from parties.	ACC/MW  Air New Zealand  Ports of Auckland Ltd  Horticulture New Zealand  Transit NZ
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	26	Coastal Map Series 5 Maps 8 - 10	As an alternative to the relief sought in Appeal E505/04/17, amend Coastal V1 by deleting the three Settling Zone Sample Points shown to the east of Auckland International Airport and the Settling Zones located within the Pukaki Creek.	ARC to respond to comments received from parties.	ACC/MW  Air New Zealand  Horticulture New

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Zealand
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	20	Coastal Tables 20.1	As an alternative to the relief sought in Appeal E505/04/17, delete Table 20.1 (including for the avoidance of doubt, Tables 20.1A, 20.1B, 20.1C and 20.1D)	ARC to respond to comments received from parties.	ACC/MW Air New Zealand Ports of Auckland Ltd Horticulture New Zealand Transit NZ
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	21	Coastal Tables 20.1	As an alternative to the relief sought in Appeal E505/04/20, amend Table 20.1 (and all listed parts) in a manner that meets the following concerns: Replace the current values in Table 20.1 with the following: (a) green: <ANZECC trigger level (ISQG-Low) (b) amber: ISQC-Low to ISQG-High (c) red: >ISQG- High	ARC to respond to comments received from parties.	ACC/MW Air New Zealand Ports of Auckland Ltd Horticulture New Zealand Transit NZ
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	23	Coastal 20.4.11 – 20.4.14	As an alternative to the relief sought in Appeal E505/04/17, amend Coastal V1 as follows: <ul style="list-style-type: none"> <li>Delete proposed new Policies 20.4.11 to 20.4.14 in their entirety, including associated explanatory text;</li> </ul> OR <ul style="list-style-type: none"> <li>Amend Policies 20.4.11 to 20.4.14 in a manner which meets the appellant's concerns outlined above and including: (a) promoting sustainable management and achieving the purpose and principles of the RMA; and (b) amending the policies so they read as policies and not as rules.</li> </ul>	ARC to respond to comments received from parties.	ACC/MW Air New Zealand Ports of Auckland Ltd Horticulture New Zealand Transit NZ
ENV-2006-AKL-000094	E501/04	Federated Farmers of New Zealand (Inc)	21	Coastal 20.5.7	Amend Non-complying Activity Rule 20.5.7 so that the discharge of stormwater that first occurs after the notification of the Proposed Plan that is not listed in Table 20.2 and that is in a rural area be a controlled activity.	ARC to respond to comments received from parties.	ACC PIANZ Transit NZ Auckland

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							International Airport Horticulture New Zealand
ENV-2006-AKL-000118	E513/04	North Shore City Council	03	Coastal 20.4.11	Delete Section 20.4.11 from Variation 1 to the Regional Plan: Coastal.	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd
ENV-2006-AKL-000118	E513/04	North Shore City Council	05	Coastal 20	If the relief sought in E515/04X/01-04 is not granted delete the Proposed Variation in its entirety	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Ltd Transit NZ
ENV-2006-AKL-000107	E510/04	North Shore City Council	14	Coastal 20 Table 20.1D	Delete the Environmental Response Criteria in their entirety OR Amend the Environmental Response Criteria in Variation 1 to the Regional Plan: Coastal by deleting reference to signs not being allowed to be erected following a dry weather overflow (refer also to Appeal E515/04/02).	ARC to respond to comments received from parties.	ACC/MW Watercare Services Auckland International Airport
ENV-2006-AKL-000118	E513/04	North Shore City Council	04	Coastal 20 Tables 20.1A – 20.1D Variation 1	If the relief sought in E515/04/01-03 is not granted, delete the ERC in Tables 20.1A – 20.1D and associated introduction, policies, other methods and any other references to the ERC in the Proposed Variation and Proposed Plan AND Re-introduce the ERC by way of variation at a later date.	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd
ENV-2006-AKL-000118	E513/04	North Shore City Council	02	Coastal 20 Table 20.1D	Amend the Environmental Response Criteria in Table 20.1D of Variation 1 to the Regional Plan: Coastal by deleting reference to signs not being allowed to be erected following a dry weather overflow (refer also to Appeal E510/04/14).	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd
ENV-2006-AKL-000118	E513/04	North Shore City Council	01	Coastal 20	Delete all requirements relating to the treatment of stormwater to remove heavy metals and PAH until greater certainty in relation to costs and benefits and properly researched policy can be developed OR The Plan provide greater certainty as to how it is intended to use the Environmental Response Criteria when processing consent applications, and the requirements relating to the treatment of stormwater from highly trafficked roads and car parks are justified in	ARC to respond to comments received from parties.	ACC/MW Transit NZ Oil Companies Ports of Auckland Ltd

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
					terms of benefits and costs.		
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	43	Coastal 10 20	Delete the whole of Coastal Variation 1.	ARC to respond to comments received from parties.	ACC/MW Federated Farmers Sanford Ltd Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	44	Coastal 10 20	As an alternative to the relief sought in Appeal E508/04/43, amend the provisions of the Regional Plan: Coastal as set out in detail in the relief listed in Appeals E508/04/45 to E508/04/53, so as to give effect to the Appellants concerns including: <ul style="list-style-type: none"> <li>• Promoting sustainable management of resources</li> <li>• Achieving the purpose of the RMA</li> <li>• Complying with Part II and other RMA provisions</li> <li>• Ensuring that its provisions are consistent with all other district and regional plans within the Auckland Region.</li> </ul>	ARC to respond to comments received from parties.	ACC/MW Federated Farmers Sanford Ltd Transit NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	50	Coastal Map Series 5, Map 3	Delete the area of the commercial port of Auckland from the Special Investigation Area shown on Sheet 3 of Map Series 5.	ARC to respond to comments received from parties.	ACC/MW Sanford Ltd Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	52	Coastal Definitions Settling Zone	Amend the definition of “settling zone” as follows: “The near shore marine or estuarine environment within which most <del>(nominally 75%)</del> catchment derived contaminants (including terrestrial sourced sediment and sediment bound contaminants) <del>settle and</del> accumulate. The primary settling zones within the Auckland Region are as shown on Map Series 5.”	ARC to respond to comments received from parties.	ACC/MW Federated Farmers Sanford Ltd Transit NZ Auckland International Airport Horticulture New Zealand

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	53	Coastal Definitions Stormwater	Amend definition of “stormwater” to specifically include reference to discharges to the CMA.	ARC to respond to comments received from parties.	ACC/MW Federated Farmers Sanford Ltd Transit NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	45	Coastal 20.1.1 Map Series 5	Delete the Environmental Response Criteria from Section 20.1.1 and Map Series 5.	ARC to respond to comments received from parties.	ACC/MW Federated Farmers Sanford Ltd Auckland International Airport Horticulture New Zealand Transit NZ
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	46	Coastal 20.1.1 Map Series 5	As an alternative to the relief sought in Appeal E508/04/45, refine the Environmental Response Criteria so that they apply more appropriately to each receiving environment, depending of the nature of that receiving environment and its sensitivity to contaminants	ARC to respond to comments received from parties.	ACC/MW Federated Farmers Sanford Ltd Auckland International Airport Horticulture New Zealand Transit NZ
ENV-2006-AKL-	E508/04	Ports of Auckland Ltd	47	Coastal 20.1.1(b)	Amend Section 20.1.1 (b) to specify a mechanism or a process to provide clear guidance as to how: <ul style="list-style-type: none"> <li>The investigation of multiple sources of a discharge or</li> </ul>	ARC to respond to comments received from parties.	ACC/MW Federated Farmers

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
000102					contaminant will occur; <ul style="list-style-type: none"> <li>Disagreements about the sharing of the associated costs of further investigations will be resolved;</li> <li>Responsibility for implementing the Best Practicable Option will be allocated between those parties identified as contributing to the contamination.</li> </ul>		Sanford Ltd Transit NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	48	Coastal 20.4 Structure of Policies	Amend the policies in Section 20.4 so that they read as policies, rather than rules, with guidance and flexibility to take account of individual cases (through use of terms such as “taking into account the nature of the receiving environment”, or “should were practicable minimise”)	ARC to respond to comments received from parties.	ACC/MW Federated Farmers Sanford Ltd Transit NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	51	Coastal 20 Table 20.1	Delete the Environmental Response Criteria listed in Tables 20.1.A to 20.1.D and prior to adopting any form of ERC in the future, undertake further investigations to clarify the ERC and to provide additional explanations as to why the nominated criteria have been selected. In making that assessment the ARC needs to decide on the importance of the information provided in TP153 in relation to settling standards in the Auckland Region, bearing in mind that this publication is used as background criteria for investigations of potentially contaminated sites in the Auckland Region.	ARC to respond to comments received from parties.	ACC/MW Transit NZ Federated Farmers Sanford Ltd Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000079	E493/04	Transit New Zealand	04	5.4.9 & 5.4.11 Coastal 20	Delete the ERC from the Plan OR amend the Plan to <ul style="list-style-type: none"> <li>account for discharges from background concentrations of contaminants.</li> <li>provide criteria that account for laboratory sensitivity and relevance to water quality.</li> </ul>	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Ltd Auckland

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
					<ul style="list-style-type: none"> <li>avoid the requirement for extensive monitoring, high assessment costs, and the need from numerous investigations.</li> <li>be consistent across different Plans and sections of those Plans.</li> </ul>		International Airport
ENV-2006-AKL-000079	E493/04	Transit New Zealand	05	5.4.9 & 5.4.11 Coastal 20	Amend the Plan to address <ul style="list-style-type: none"> <li>distribution of responsibility for the contamination when there are a number of sources.</li> <li>processes for resolving disagreements and associated costs for further investigations.</li> <li>uniform application of the ERC across settling zones and boundaries.</li> </ul>	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Ltd Auckland International Airport
ENV-2006-AKL-000091	E498/04	Transit New Zealand	06	Coastal 20	Include in the Coastal Variation protocol which has been investigated, established and agreed by network utility operators and other significant consent holders for identification of possible sources of contaminants including who will bear the cost of investigations and dispute resolution methodology.	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Ltd Auckland International Airport
ENV-2006-AKL-000091	E498/04	Transit New Zealand	07	Coastal 20	Delete the ERC from the Variation  OR amend the Variation to: <ul style="list-style-type: none"> <li>account for discharges from background concentrations of contaminants;</li> <li>provide criteria that account for laboratory sensitivity and relevance to water quality;</li> <li>avoid the requirement for extensive monitoring, high assessment costs, and the need from numerous investigations; and</li> <li>be consistent across different Plans and sections of those Plans.</li> </ul>	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Ltd Auckland International Airport
ENV-2006-AKL-000091	E498/04	Transit New Zealand	08	Coastal 20	Amend the Variation to address <ul style="list-style-type: none"> <li>distribution of responsibility for the contamination when there are a number of sources;</li> <li>processes for resolving disagreements and associated costs for further investigations; and</li> <li>uniform application of the ERC across settling zones and boundaries</li> </ul>	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Ltd Auckland International Airport
ENV-2006-AKL-000091	E498/04	Transit New Zealand	9	20.5	Amend Section 20.5 (Variation) to provide for the erection, occupation and use of new structures associated with stormwater and wastewater networks within the Urban Areas as RDA	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Ltd

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000091	E498/04	Transit New Zealand	10	20.5	Amend Section 20.5 (Variation) to provide for specific recognition of importance of wastewater and stormwater networks to social and economic wellbeing of present and future generations.	ARC to respond to comments received from parties.	ACC/MW Ports of Auckland Auckland International Airport
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	108	Coastal 10 20	That in the event that the amendments sought by the Appellant are not granted, that Coastal V1 be deleted in its entirety.	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	110	Coastal 20.1.1	Delete the new paragraphs in Section 20.1.1. which introduce the concept of the urban CMA Environmental Response Criteria.	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd North Shore City Council Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	111	Coastal 20.4.1-20.4.14	Delete Policies 20.1.1 to 20.4.14 and associated notes and explanation that describe the application of urban CMA Environmental Response Criteria.	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd North Shore City Council Horticulture New Zealand

Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	115	Coastal Table 20.1D	Delete Table 20.1D: Contact Recreation – Microbiological Indicators and associated notes and explanatory text.	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd North Shore City Council Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	116	Coastal 20.1.1	Amend Section 20.1.1 by adding new text, proposing a joint ARC/network operator programme to develop a process for addressing contamination issues and treatment methods with a view to the subsequent development of locally appropriate environmental targets and criteria, as follows (or words to like effect): “The ARC and network operators undertake a programme to: (a) <u>Investigate the condition of the existing urban aquatic environment, where that condition may be significantly affected by discharges of wastewater and/or stormwater.</u> (b) <u>Identify localities where there are or could be significant adverse effects on the environment caused by wastewater and/or stormwater discharges.</u> (c) <u>Investigate the most likely cause of such effects, including specific discharges, and the parties responsible for those discharges.</u> (d) <u>Investigate generic management options (including possible environmental targets and/or criteria) for avoiding, remedying or mitigating those adverse effects, that utilise BPO practice and that (if required) identify actions that would be undertaken by individual network consent operators, through the exercise of network consents.</u> (e) <u>Undertake appropriate local and regional consultation on community expectations of desired outcomes and level of funding.</u> ”	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland Ltd Auckland International Airport North Shore City Council Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	117	Coastal 20.3	Include objectives in Section 20.3 which specifically recognise the importance of water, wastewater and stormwater networks to the social and economic wellbeing of present and future generations, and the need to take a balance approach to environment, social and economic issues, using a Best Practicable Option approach, consistent	ARC to respond to comments received from parties.	ACC/MW Transit NZ Ports of Auckland

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
					with Policy 5.4.5 of the Proposed Plan.		Ltd  Auckland International Airport  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	118	Coastal 20.4	Include policies in Section 20.4 which specifically recognise the importance of water, wastewater and stormwater networks to the social and economic well-being of present and future generations, and the need to take a balance approach to environmental, social and economic issues, using a Best Practicable Option approach.	ARC to respond to comments received from parties.	ACC/MW Transit NZ  Ports of Auckland Ltd  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	112	Coastal Table 20.1A	Delete Table 20.1A: Sediment Quality Criteria and associated notes and explanatory text.	ARC to respond to comments received from parties.	ACC/MW Transit NZ  Ports of Auckland Ltd  Auckland International Airport  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	113	Coastal Table 20.1B	Delete Table 20.1B: Sediment Quality – Secondary Contaminants and associated notes and explanatory text.	ARC to respond to comments received from parties.	ACC/MW Transit NZ  Ports of Auckland

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Coastal Plan Variation – Chapter 20 Amendments - EC Topic number ENV-2006-304-000497</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Ltd  Auckland International Airport  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	114	Coastal Table 20.1C	Delete Table 20.1C: Water Quality Contaminants and associated notes and explanatory text.	ARC to respond to comments received from parties.	ACC/MW  Transit NZ  Ports of Auckland Ltd  Auckland International Airport  North Shore City Council  Horticulture New Zealand

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000800	E523/04	Auckland City Council Metrowater Limited	09	5.5.19	Amend Rule 5.5.19 to require the written consent of the relevant stormwater or wastewater network utility operator prior to any discharge of contaminants from an Industrial or Trade Process to a public network.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved.	Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000076	E532/04	Carter Holt Harvey Ltd	20	5.5.14 -5.5.19	Delete Rules 5.5.14 -5.5.19 (previously 5.5.16 – 5.5.21) and replace with non-regulatory methods of encouraging acceptable environmental performance OR Amend Rules 5.5.14 – 5.5.19 to impose effects-based environmental standards.	As Above	ACC/MW Golden Bay Cement Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	31	5 Stormwater/Wastewater 5.5.14 – 5.5.19	Amend stormwater network provisions and Rules 5.5.14 to 5.5.19 to ensure no duplication of control or assessment of industrial or trade premises.	As Above	ACC/MW Transpower Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	49	5.1.1	Amend Section 5.1.1, para. 2 as follows: “This part of the plan uses Section 9 of the RMA to control management practices that undertake an industrial or trade process to avoid, remedy or mitigate the adverse effects of contaminant discharges....”	As above.	ACC/MW Transit NZ Westfield NZ

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	26	5.3.9	Amend Objective 5.3.9 as follows: 'To promote sustainable site management practices that avoid <u>where practicable and otherwise remedy or mitigate the effects of discharges of contaminants from an industrial or trade process where practicable.</u> '	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	35	5.5.14	Amend Rule 5.5.14 as follows: " <del>The use of land for the purposes of</del> <u>The diversion and discharge of stormwater that originates from an industrial or trade premise Process, (other than those activities listed as a moderate risk and or high risk site in terms of Schedule 3);</u> <del>Industrial or Trade Processes....</del> "	As above	ACC/MW Winstone Aggregates Mighty River Power Ltd Transpower Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-	E479/04	Contact	32	5.5.15	Amend Rule 5.5.15 as follows: " <del>The use of land for the purposes of an</del>	On hold until the	ACC/MW

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
2006-AKL-000081		Energy Ltd			<del>Industrial or Trade Process listed as moderate risk in Schedule 3: Industrial and Trade Processes</del> <u>The diversion and discharge of stormwater that originates from an industrial or trade premise that is a moderate risk site in terms of Schedule 3 is a Permitted Activity, subject to the following conditions:..</u>	stormwater (network) diversion and discharge rules are further developed or resolved	Winstone Aggregates Transpower Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	27	5.5.17	Amend Rule 5.5.17 as follows: 'The <del>discharge of contaminants</del> <u>diversion and discharge of stormwater that originates</u> from an Industrial or Trade Process that is: ...'	As above	ACC/MW Winstone Aggregates Transpower Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	30	5.5.17 & 5.5.18	Delete Rule 5.5.18 and amend Rule 5.5.17 to reflect the intended staged approach for the obtaining of discharge consents for existing sites.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Vector Limited Transpower Westfield NZ

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	28	5.5.17(a)	Amend 5.5.17(a) as follows: "The scale, character and intensity of the activity discharge is similar or less than those existing prior to the date of notification of the Plan."	As above	ACC/MW Vector Limited Winstone Aggregates Transpower Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	29	5.5.17(b)(i)	Amend 5.5.17(b)(i) as follows: "The site has an Environmental Management Plan which: i has regard to all the appropriate matters listed as conditions for Rule 5.5.14 and Rule 5.5.15."	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Vector Limited Winstone Aggregates Transpower Westfield NZ Ports of Auckland Auckland International Airport

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	34	5.5.19	Amend Rule 5.5.19 as follows: "The <u>diversion and discharge of contaminants stormwater that originates</u> from an Industrial or Trade process that is: ..."	As above.	ACC/MW Winstone Aggregates Westfield NZ Ports of Auckland Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	36	5.5.19(b)	Amend Rule 5.5.19(b) as follows: "Treatment shall be implemented to reduce contaminants that are entrained in the stormwater runoff <del>to minimise adverse environmental effects, including cumulative effects, to acceptable levels; and to avoid, remedy or mitigate any adverse environmental effects of stormwater runoff;</del> "	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000053	E483/04	DB Breweries Ltd	14	5 Stormwater/Wastewater Ind & T Schedule 3	Make Permitted Activity and Controlled Activity provision for increased impermeable areas.	As Above	Ports of Auckland Auckland International Airport
ENV-2006-AKL-000050	E469/04	Golden Bay Cement	01	5.5.18(b)	Delete clause 5.5.18 (b).	As Above	ACC/MW
ENV-2006-AKL-	E473/04	Golden Bay Cement	01	5.6.8	Amend Other Method 5.6.8 by adding the following bullet points: <ul style="list-style-type: none"> <li>• <u>"Any person who holds a scientific or environmental management qualification</u></li> </ul>	As above	ACC/MW

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
000057					<ul style="list-style-type: none"> <li>Any person who has completed and passed a course in site assessment established by the Auckland Regional Council.</li> </ul>		
ENV-2006-AKL-000057	E473/04	Golden Bay Cement	02	5.6.8	Amend Other Method 5.6.8 by adding the following words: <u>"the ARC will develop a short course for training of industrial and trade process assessors. The ARC will develop an assessment protocol for use in assessing Industrial or Trade process sites."</u>	As Above	ACC/MW
ENV-2006-AKL-000057	E473/04	Golden Bay Cement	03	5.6.8	Delete from Other Method 5.6.8 the statement "Approved Assessors will also need a minimum of three years experience in assessing Industrial or Trade Process sites."	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	11	5.4.18	Amend Policy 5.4.18 to clarify that businesses with greater financial resources will not in effect be required to subsidise businesses with fewer financial resources.	As Above	ACC/MW Federated Farmers Sanford Ltd Westfield NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	21	5.5.14	Delete references to "environmentally hazardous substances" and to the Hazardous Substances Regulations in Permitted Activity Rule 5.5.14 and reword as follows (or words to like effect): <u>Rule 5.4.14(e) : An Emergency Spill Response Plan shall be developed for each site and shall include:</u>	As Above	ACC/MW Federated Farmers Sanford Ltd Vector Limited Contact Energy Ltd Auckland International Airport Horticulture New Zealand

<b>Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499</b>							
<b>Industrial or Trade Processes</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	24	5.5.14 – 5.5.19 Schedule 3	Amend Rules 5.5.14 to 5.5.19 relating to Industrial and Trade Processes and Schedule 3 to make it clear that those rules apply to the “area of activity” rather than the whole site or certificate of title.	As above	ACC/MW Federated Farmers Sanford Ltd Vector Limited Golden Bay Cement Westfield NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	22	5.5.14(f)	Amend condition (f) of Rule 5.5.14 as follows (or words to like effect): Rule 5.5.14(f): <u>Substances requiring storage under cover or secondary containment shall have:</u>	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Federated Farmers Sanford Ltd Vector Limited Contact Energy Ltd Auckland International Airport Stevensons Transpower Oil Companies Horticulture New Zealand
ENV-2006-AKL-	E508/04	Ports of Auckland Ltd	19	5.5.14-5.5.19	Delete Permitted, Controlled and Discretionary Activity Rules 5.5.14 to 5.5.19, which relate to the use of land for the purpose of an Industrial or Trade Process.	As above	ACC/MW Federated Farmers

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
000102							Sanford Ltd Vector Limited Golden Bay Cement Contact Energy Ltd Stevensons Transpower Oil Companies Westfield NZ Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	23	5.5.15(a)	Amend Permitted Activity Rule 5.5.15 as follows: <ul style="list-style-type: none"> <li>Amend condition (a) (i) by replacing it with the following words (or words to like effect) <u>“addresses such matters set out in Rule 5.5.14 as appropriate to each site and the relevant activities undertaken on that site”</u>;</li> <li>Amend condition (a) (ii) by deleting the word “specific”;</li> <li>Delete condition (a) (iii) given the broad definition of “stormwater” and “contaminants” in the Proposed Plan.</li> </ul>	As Above	ACC/MW Federated Farmers Sanford Ltd Vector Limited Golden Bay Cement Contact Energy Ltd Westfield NZ Auckland International Airport Stevensons

<b>Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499</b>							
<b>Industrial or Trade Processes</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Transpower Oil Companies Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	26	5.5.17-5.5.18	Amend Controlled Activity Rules 5.5.17 to 5.5.18 so that they do not apply retrospectively to activities lawfully established prior to the date of notification of the Proposed Plan.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved.	ACC/MW Federated Farmers Sanford Ltd Vector Limited Golden Bay Cement Contact Energy Ltd Westfield NZ Auckland International Airport Stevensons Transpower Oil Companies Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	27	5.5.19	Amend Discretionary Activity Rule 5.5.19 so that the standards and terms listed are imposed on a controlled activity and not a discretionary activity. Where these standard and terms cannot be complied with, restricted discretionary or discretionary consent should be required.	As above.	ACC/MW Federated Farmers Sanford Ltd Vector Limited Golden Bay Cement

<b>Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499</b>							
<b>Industrial or Trade Processes</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
							Contact Energy Ltd Westfield NZ Auckland International Airport Stevensons Transpower Oil Companies Horticulture New Zealand
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Caltex New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	12	5.5 Industrial Pollution Prevention Programme	Make consequential amendments arising from appeal E485/04/11, including deleting the reference to the Industrial Pollution Prevention Programme from all other Rules, including 5.5.16(c).	As Above	ACC/MW Sanford Ltd Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Caltex New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	07	5.5.17(e) 5.5.17(i)	Delete Standard and Term (e) from Controlled Activity Rule 5.5.17 and subclause (i) from the matters over-which the ARC will exercise its control.	As above.	ACC/MW Sanford Ltd Transit NZ Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-	E485/04	Shell New Zealand Ltd, Mobil Oil	09	5.5.18	Delete Controlled Activity Rule 5.5.18.	As Above	ACC/MW Sanford Ltd

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499</b>							
<b>Industrial or Trade Processes</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
000060		New Zealand Ltd, Caltex New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd					Golden Bay Cement Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Caltex New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	11	5.5.18(b)	Delete Condition (b) (previously condition (c)) of Controlled Activity Rule 5.5.18.	As Above	ACC/MW Sanford Ltd Golden Bay Cement Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	12	5.5 Industrial Pollution Prevention Programme	Make consequential amendments arising from appeal E488/04/11, including deleting the reference to the Industrial Pollution Prevention Programme from all rules, including 5.5.16(c).	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved.	ACC/MW DB Breweries Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	07	5.5.17(e) 5.5.17(i)	Delete standard and term (e) from Controlled Activity Rule 5.5.17 and subclause (i) from the matters over which the ARC will exercise its control.	As Above	ACC/MW Transit NZ Westfield NZ Ports of Auckland Auckland International Airport

<b>Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499</b>							
<b>Industrial or Trade Processes</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	09	5.5.18	Delete Controlled Activity Rule 5.5.18.	As Above	ACC/MW Golden Bay Cement Mighty River Power Ltd DB Breweries Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	11	5.5.18 (b)	Delete Condition (b) (previously condition (c)) of Controlled Activity Rule 5.5.18.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved.	ACC/MW Golden Bay Cement Mighty River Power Ltd Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000043	E467/04	Vector Limited	03	5.5	Amend Section 5.5. – Rules by including rules allowing for the self monitoring of Environmental Audits for each electricity substation owned by Vector/United Networks	As Above	Auckland International Airport
ENV-2006-AKL-000043	E467/04	Vector Limited	02	5.5.16(e) 5.5.16(f)	Delete Rules 5.5.16 (e) & (f)	As Above	Contact Energy Ltd Transpower Auckland International Airport
ENV-2006-	E467/04	Vector Limited	04	5.5.17	Amend Rule 5.5.17 to exempt network utility service providers where they comply with the suggested self-monitoring procedures, or facilities	As above.	

<b>Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499</b>							
<b>Industrial or Trade Processes</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
AKL-000043					do not fall within the suggested definition of 'electricity substations'.		
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	03	5.5.17(e) 5.5.17(i)	Delete Standard and Term (e) from Controlled Activity Rule 5.5.17 and subclause (i) from the matters over-which the ARC will exercise its control.	As Above	ACC/MW Transit NZ DB Breweries Westfield NZ Ports of Auckland
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	05	5.5.18(b) 5.5.16(c)	Delete Rule 5.5.18 (b) (previously 5.5.18(c)) and delete the references to the Industrial Pollution Prevention Programme, from all other rules, including for example 5.5.16 (c).	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Golden Bay Cement Westfield NZ Ports of Auckland
ENV-2006-AKL-000124	E521/04	Auckland City Council Metrowater Limited North Shore City Council Waitakere City Council Franklin District Council Rodney District Council	14	5 Stormwater and Wastewater Network Discharges 8 Financial Contributions	Amend the provisions of Chapters 5 and 8 to exclude the taking of financial contributions through consents for stormwater and wastewater network discharges.	As above	Transit NZ Ports of Auckland Auckland International Airport Papakura District Council
ENV-2006-AKL-000134	E525/04	Auckland City Council Metrowater Limited	01	5 Stormwater and Wastewater Networks 8 Financial Contributions	Include a new policy or rule providing that no financial contribution will be imposed for stormwater or wastewater discharges from public drainage networks.	As above.	NSCC Watercare Services Ports of Auckland Auckland International Airport

Group E Industrial Sites and Other Discharges - EC Topic number ENV-2006-304-000499							
Industrial or Trade Processes							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Transit NZ

Schedule 3 – Industrial or Trade Processes - EC Topic number ENV-2006-304-000500							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	15	Schedule 3 Transport and Related Activities	Delete “Commercial Airports” from “Transport and Related Activities” in Schedule 3 of the Plan.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Air New Zealand Horticulture New Zealand
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	16	Schedule 3 Airports	As an alternative to the relief sought in Appeal E505/04/15, amend Schedule 3 by: <ul style="list-style-type: none"> <li>Specifically defining the areas of the Airport that could be appropriately considered as high or moderate risk in respect of stormwater discharges;</li> <li>Generally any controls placed on the Airport under the Plan in connection with Schedule 3 by as limited as possible.</li> </ul>	As Above	ACC/MW Air New Zealand Horticulture New Zealand
ENV-2006-AKL-000076	E532/04	Carter Holt Harvey Ltd	21	Schedule 3	Delete Schedule 3 as it is not accurate enough OR Remove ‘wood or paper product storage, manufacturing or fabrication’ from Schedule 3.	As above.	ACC/MW Westfield NZ Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	39	Schedule 3 Explanation	Amend Point 2 of the explanation of ‘Activity Area’ in Schedule 3 as follows: “Where an Industrial or Trade Process listed in Schedule 3 does not have any Activity Area calculated using the provisions listed above, and does not discharge any contaminants, the Industrial or Trade Process is deemed to be <del>Moderate</del> <u>Low Risk (Not Moderate or High)</u> for the purposes of this Plan.	As Above	ACC/MW Vector Limited Golden Bay Cement Transpower Westfield NZ Ports of Auckland Auckland

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Schedule 3 – Industrial or Trade Processes - EC Topic number ENV-2006-304-000500							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	40	Schedule 3 Explanation	Delete from the end of the Explanation in Schedule 3 as follows: "Note: m <sup>2</sup> figures refer to total site area".	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Vector Limited Transpower Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	38	Schedule 3 Explanation	Amend the first sentence of the explanation of 'Activity Area' in Schedule 3 by deleting the word 'contaminant' and substituting the word 'stormwater', AND Amend the first bullet point of Point 1 of the explanation of 'Activity Area' in Schedule 3 as follows 'Exclusion of all areas that discharge into an authorised trade waste system <u>or into an authorised stormwater system.</u> '	As above	ACC/MW Vector Limited Golden Bay Cement Winstone Aggregates Transpower Westfield NZ Ports of Auckland Auckland International Airport Horticulture New Zealand

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Schedule 3 – Industrial or Trade Processes - EC Topic number ENV-2006-304-000500</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000053	E483/04	DB Breweries Ltd	16	Schedule 3 5.5.14 – 5.5.19	Amend the provisions that classify sites greater than 5,000 m2 used for beverage or malt product manufacturing as a high risk area AND Provide for such areas as Permitted Activities OR Provide for existing DB Breweries site stormwater discharges as Permitted Activity.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	Ports of Auckland
ENV-2006-AKL-000053	E483/04	DB Breweries Ltd	13	5 Stormwater/Wastewater Ind & T Schedule 3	Delete references to site and permeable areas in Schedule 3 and Ch 5 OR Increase the size of the impermeable area if the size is used to determine activity status for stormwater diversion and discharge OR Make provision to enable existing DB Breweries site stormwater discharges to occur as Permitted Activity.	As Above	Ports of Auckland
	E474/04	Golden Bay Cement	02	Schedule 3 Explanation	Amend Schedule 3 – Explanation, bullet points 5 and 6 by adding the following qualification: “ <u>Provided that materials which contribute only inert sediments to stormwater and products which have undergone a curing process which stabilises contaminants so they do not leach from the product shall not be taken into account in assessing the activity area</u> ” or words to similar effect.	As above	ACC/MW Oil Companies Transpower
ENV-2006-AKL-000058	E474/04	Golden Bay Cement	03	Schedule 3 – Explanation	Delete Schedule 3 – Explanation – Item 2.	As Above	ACC/MW Transpower Oil Companies
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	42	Schedule 3 Marina	Remove “ marinas” (under Transported and related activities) other than refuelling depots or boat repair areas from Schedule 3.	As Above	ACC/MW Sanford Ltd Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	25	Schedule 3	Include a mechanism in the Plan (other than a plan change) by which the classification of land can be changed or removed in terms of Schedule 3, if monitoring proves that such as classification is no longer appropriate	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Federated Farmers Sanford Ltd Vector Limited Westfield NZ

Schedule 3 – Industrial or Trade Processes - EC Topic number ENV-2006-304-000500							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Auckland International Airport Horticulture New Zealand
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	41	Schedule 3 Transport and Related Activities	Change “ship loading/unloading” (under Transport and related activities) from high risk to “moderate risk activities”.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Sanford Ltd Horticulture New Zealand
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Caltex New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	10	Schedule 3 Explanation 2	Amend Explanation 2 in Schedule 3 to read as follows: “Where an industrial or trade process listed in Schedule 3 does not have any activity area calculated using the provisions above, and/or does not discharge any contaminants <u>from the industrial or trade process</u> , the industrial or trade process is deemed to be moderate risk for the purposes of this Plan”.	As above	ACC/MW Sanford Ltd Golden Bay Cement Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Caltex New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	14	Schedule 3 Motor Vehicle Services Facilities	Delete the two references to “contaminant (stormwater) treatment” from the entry relating to “Motor Vehicle services facilities”.	As Above	ACC/MW Sanford Ltd Westfield NZ Ports of Auckland
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Caltex New Zealand Ltd,	15	Schedule 3 Motor Vehicle Services Facilities	Amend Schedule 3 – Motor Vehicle Services Facilities so that: <ul style="list-style-type: none"> <li>Service stations meeting the requirements of the “<i>Environmental Guidelines for Water Discharges From Petroleum Industry Sites in New Zealand</i>”, MfE, 1998, and having an activity area of less than 5,000m<sup>2</sup> are classified as a moderate risk activity and those having an activity area of more than 5,000m<sup>2</sup> are classified as a high risk activity;</li> </ul>	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Sanford Ltd Westfield NZ

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

Schedule 3 – Industrial or Trade Processes - EC Topic number ENV-2006-304-000500							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
		BP Oil New Zealand, Wiri Oil Services Ltd			<ul style="list-style-type: none"> <li>Service stations not meeting the requirements of the "Environmental Guidelines for Water Discharges From Petroleum Industry Sites in New Zealand", MfE, 1998, are classified as a high risk activity.</li> </ul>		
ENV-2006-AKL-000060	E485/04	Shell New Zealand Ltd, Mobil Oil New Zealand Ltd, Caltex New Zealand Ltd, BP Oil New Zealand, Wiri Oil Services Ltd	16	Schedule 3	Delete "Note: m2 figures refer to total site area" from the explanation and/or text of Schedule 3.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Sanford Ltd Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	10	Schedule 3 Explanation 2	Amend Explanation 2 of Schedule 3 to read as follows: "Where an industrial or trade process listed in Schedule 3 does not have any activity area calculated using the provisions above, and/or does not discharge any contaminants <u>from the industrial or trade process</u> , the industrial or trade process is deemed to be moderate risk for the purposes of this Plan".	As Above	ACC/MW Golden Bay Cement DB Breweries Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000067	E488/04	Transpower New Zealand Ltd	14	Schedule 3	Delete "Note: m2 figures refer to total site area" from the explanation and/or text of Schedule 3.	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW Westfield NZ Ports of Auckland Auckland International Airport
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	07	Schedule 3	Amend Explanation 2 to read as follows: "Where an industrial or trade process listed in Schedule 3 does not have any activity area calculated using the provisions above, and/or does not discharge any contaminants <u>from the industrial or trade process</u> , the industrial or trade process is deemed to be moderate risk for the purposes of this Plan.	As above	ACC/MW Golden Bay Cement DB Breweries Westfield NZ

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Schedule 3 – Industrial or Trade Processes - EC Topic number ENV-2006-304-000500</b>							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Ports of Auckland Auckland International Airport
ENV-2006-AKL-000054	E484/04	W Stevenson & Sons Ltd	08	Schedule 3	Delete “ Note: m <sup>2</sup> figures refer to total site area” from Schedule 3	On hold until the stormwater (network) diversion and discharge rules are further developed or resolved	ACC/MW DB Breweries Westfield NZ Ports of Auckland Auckland International Airport

<b>Other Discharges of Contaminants - EC Topic number ENV-2006-304-000501</b>							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000107	E510/04	North Shore City Council	18	5.5.54(k)	Amend Rule 5.5.54(k) as follows: “Site dewatering during building construction and excavation <u>and all construction, maintenance and upgrading works associated with networks;</u> and ...”	ARC to respond to comments and seek final agreement on revised version of provisions.	ACC/MW Transit NZ Westfield NZ Watercare Services
ENV-2006-AKL-000102	E508/04	Ports of Auckland Ltd	16	5.4.44	Delete Policy 5.4.44 or amend to provide for the discharge of Washwater as a permitted activity, where collection is unreasonable or impracticable and where the best practicable option is taken in respect of controlling adverse effects	ARC to respond to comments and seek final agreement on revised version of provisions.	ACC/MW Federated Farmers Westfield NZ Sanford Ltd Horticulture New Zealand
ENV-2006-	E508/04	Ports of Auckland Ltd	30	5.5.54 5.5.55	Amend Permitted Activity Rules 5.5.54 and 5.5.55 to provide for the discharge of Washwater where it is impracticable for that Washwater to	ARC to respond to comments and seek	ACC/MW

<b>Other Discharges of Contaminants - EC Topic number ENV-2006-304-000501</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
AKL-000102					be collected and where there will not be any significant adverse effects.	final agreement on revised version of provisions	Federated Farmers Transit NZ Westfield NZ NZ Fire Service Sanford Ltd Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	46	5.3 Other Discharges	Include a new objective (5.3.19) and a new heading "Other Discharges" relating to discharges from reticulated water systems as follows (or words to like effect): <u>"To provide for discharges from activities such as discharges from reticulated water systems which are of such minor nature that management techniques can ensure there are no more than minor effects."</u>	ARC to respond to comments and seek final agreement on revised version of provisions.	ACC/MW Westfield NZ Ports of Auckland Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	49	5.4.45	As an alternative to the relief sought by appeal 4E509/04/48, amend Policy 5.4.45 as follows (or words to like effect): <del>"Discharges from activities that result in large quantities of water with negligible amounts of contaminants, such as swimming pools and water reticulation systems, to land or water bodies shall be considered appropriate where simple management techniques are adopted which avoid effects on the environment ensure that there are no more than minor adverse effects."</del>	ARC to respond to comments and seek final agreement on revised version of provisions.	ACC/MW Westfield NZ Ports of Auckland Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	75	5.5.58	Amend Rule 5.5.8 which lists permitted activity conditions so that: <ul style="list-style-type: none"> <li>It reflects an effects-based approach, rather than the current blanket "activities-based" approach. In particular, in some cases, discharges into Wetland or Natural Stream Management Areas may be the only practicable alternative and, if the other criteria are met, it will have no effects. Condition (e) should therefore be deleted.</li> <li>It allows the discharge of scour water from reservoirs and other sources as the source of the discharge is irrelevant if the various identified permitted activity parameters are complied with.</li> </ul>	ARC to respond to comments and seek final agreement on revised version of provisions	ACC/MW Transit NZ Westfield NZ Horticulture New Zealand
ENV-2006-	E509/04	Watercare Services Ltd	48	5.4 Reticulated	Include a new policy in Section 5.4 to implement new Objective 5.3.19 as follows (or words to like effect):	ARC to respond to parties on this appeal	ACC/MW

<b>Other Discharges of Contaminants - EC Topic number ENV-2006-304-000501</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
AKL-000103				Water Supply	<p><u>"Reticulated Water Supply</u>  <u>To provide for discharges from activities such as discharges from reticulated water systems which are of such minor nature that management techniques can ensure there are no more than minor effects.</u>  <u>(This policy relates to Objective 5.3.19)."</u></p> <p>(MOVED FROM GROUP D NETWORKS)</p>	point.	Ports of Auckland  North Shore City Council  Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	51	5.4 Reticulated Water Supply	<p>Include a new policy, equivalent to Policy 5.4.9 in respect of the construction, use, operation and maintenance of reticulated water networks.</p> <p>(MOVED FROM GROUP D NETWORKS)</p>	ARC to respond to parties on this appeal point.	ACC/MW  Ports of Auckland  North Shore City Council  Horticulture New Zealand

Group F Onsite Wastewater and Sewage Solids - EC Topic number ENV-2006-304-000502							
Onsite Wastewater							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000082	E537/04	Colin Ashby	07	5.5 5.6	Amend Technical Publication 58 "On-site Waste Water Systems: The Design and Management Manual", 2004, to address the issues set out in Attachment 3 of the appeal. Specific changes are requested to the following parts of TP 58:  Section 2.6.3 Notification/Non-Notification of Resource Consent Applications Section 5.5 (Table 5.2) On-Site Land Disposal Systems according to Soil Categories Section 6.3.1 (Table 6.1) Occupancy Allowances, 6.3.2 (Table 6.2) Design Flow Allowances Per Person Section 7.2.2 (Table 7.2) Septic Tank Capacities for Dwellings, 7.4.4 (Figure 7.7) Typical Components of Recirculating Textile filter Section 9.2.3 Areal loading rates for pressure compensating drip irrigation Section 9.3.1 General Section 9.4.1 Function and Application Section 9.4.2 Design and Operation for General Purposes Section 9.4.3 Advantages and Disadvantages Section 9.4.4 Design and Operation for free draining soils Section 9.4.5 LPED Design and Operation for Slowly Draining Soils Section 9.5.1 Function and Application Figure 9.3 Typical Surface LPED Land Disposal System Section 13 Glossary of Terms	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC  Ian Gunn
ENV-2006-AKL-000082	E537/04	Colin Ashby	02	5.5.20	Amend Rule 5.5.20 by deleting 'one dwelling' and adding 'up to two dwellings'.	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC
ENV-2006-AKL-000082	E537/04	Colin Ashby	03	5.5.20(c) 5.5.22(c) 5.5.23(c)	Amend Rules 5.5.20(c), 5.5.22(c), and 5.5.23(c) by deleting the first paragraph of each clause and adding the following: " <u>ARC Technical Publication Number 58 'On-site Waste Water Systems: The Design and Management Manual', August 2004 (TP 58) shall be subject to amendment from time to time in consultation with the industry and subject to appeal. All aspects of on-site waste water treatment and land application disposal system, designed, installation and operation shall be in accordance with TP 58, and in particular the following:....</u> "	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC
ENV-2006-	E537/04	Colin Ashby	05	5.5.23	Amend Rule 5.5.23 by amending the first paragraph and inserting two new sub-clauses at the beginning, as follows:	ARC will circulate revised provisions	ACC

Group F Onsite Wastewater and Sewage Solids - EC Topic number ENV-2006-304-000502							
Onsite Wastewater							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
AKL-000082					<p><b>“Large Lots (Alternative Systems)</b>                      The discharge of domestic waste water to land the via treatment and land application disposal systems for up to 3 dwellings within a the lot in circumstances where the dwellings are sufficiently remote from each other that the wastewater systems cannot be feasibly combined is a Permitted Activity, may be accommodated subject to the following conditions:                      (a) Where up to 3 dwellings share the same system, the total design flow for that system, shall not be greater than 2 m<sup>2</sup>/day;                      (b) Where up to 3 dwellings within the lot are sufficiently remote from each other that the waste water systems cannot be combined, the design flow from each system shall not be greater than 2 m<sup>2</sup>/day;                      (a)(c) The design flow for .....</p>	soon and commence negotiation with parties.	
ENV-2006-AKL-000082	E537/04	Colin Ashby	06	5.5.23	Add a new sub-clause to Rule 5.5.23 as follows: <u>“Composting toilets, vermicomposters, and other alternative Systems approved by the ARC and/or designed and certified by a Chartered Engineer experienced in on-site waste disposal design may be allowed under this rule provided sufficient area is available for a replacement system should the system breakdown, or require to be replaced”.</u>	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC
ENV-2006-AKL-000082	E537/04	Colin Ashby	04	5.5.24(c)	Delete the first paragraph of Rule 5.5.24(c) and replace with the following: <u>“Design and installation details are in <b>general</b> accordance with the principles, procedures and parameter ranges in TP 58. ARC Technical Publication Number 58, “On-site Waste Water Systems: The Design and Management Manual”, August 2004, (TP 58) shall be subject to amendment from time to time in consultation with the industry and subject to appeal. On the basis of valid argument, the parameters outlined in TP 58 may be varied by up to 20% as a control activity at the discretion of the ARC”.</u>	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	33	5.5.20	Amend Rule 5.5.20 by deleting the words “domestic wastewater from one dwelling” and replace with <u>“domestic and domestic type wastewater from one source”</u>	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC/MW Watercare Services Horticulture New Zealand
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	36	5.5.20(d) 5.5.22(d) 5.5.23(e)	Delete Rules 5.5.20(d), 5.5.22(d) and 5.5.23(e), and replace with Rule 5.5.21(c).	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC/MW Watercare Services Horticulture New Zealand
ENV-	E470/04	Haka	34	5.5.21	Amend Rule 5.5.21 by deleting the words “domestic wastewater” and	ARC will circulate	ACC/MW

<b>Group F Onsite Wastewater and Sewage Solids - EC Topic number ENV-2006-304-000502</b>							
<b>Onsite Wastewater</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
2006-AKL-000052		International NZ Ltd			replace with " <u>and domestic type wastewater</u> "	revised provisions soon and commence negotiation with parties.	Watercare Services Horticulture New Zealand
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	35	5.5.22 5.5.23	Amend Rules 5.5.22 and 5.5.23 by deleting the words "domestic wastewater" and replace with "domestic and domestic type wastewater", and delete the word "dwelling" and replace with " <u>sources</u> "	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC/MW Watercare Services Horticulture New Zealand
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	37	5.5.25(a)	Amend Rule 5.5.25(a) by deleting the words "volume of wastewater"	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC/MW Watercare Services Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	45	5.3.10	Amend Objective 5.3.10 by replacing the word "ensure" with the word "promote", or adding "where practicable" following the word "ensure", or other appropriate words to like effect.	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC/MW Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	55	5.4.19 – 5.4.21	Rewrite Policies 5.4.19 to 5.4.21 to be consistent with the Auckland Regional Plan: Coastal policies for discharge of contaminants and which further recognise the importance of community treatment and disposal and in particular, discharges should be appropriate if the effects are avoided, remedied or mitigated; AND Clarify the extent to which Policies 5.4.19 to 5.4.21 apply to wastewater overflows.	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC/MW Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	56	5.4.22	Include an additional paragraph (d) in Policy 5.4.22 as follows (or words to like effect): <u>"(d) That consideration is given to the public affordability and economics viability of any proposed reuse scheme".</u>	ARC will circulate revised provisions soon and commence negotiation with parties.	ACC/MW Horticulture New Zealand

<b>Sewage Solids - EC Topic number ENV-2006-304-000503</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000094	E501/04	Federated Farmers of New Zealand (Inc)	03	5.3.2 5.4.25	Replace the word “encourage” with the word “ allow” and replace the word “promote” with the word “allow” in the relevant provisions of the Plan relating to the land application of sewage solids.	ARC to respond to appellant suggestions on revised mediation version of provisions.	ACC  Horticulture New Zealand
ENV-2006-AKL-000107	E510/04	North Shore City Council	09	5.4.25 5.4.26 5.5.29 5.5.30 5.5.31 5.6.13 5.6.14	Amend Policies 5.4.25, 5.4.26, Rules 5.5.29 – 31, Other Methods 5.6.13 and 5.6.14 so term ‘biosolid’ is used in place of ‘sewage solids’.	ARC to respond to appellant suggestions on revised mediation version of provisions.	ACC/MW  Watercare Services  Friends of the Earth (NZ)
ENV-2006-AKL-000107	E510/04	North Shore City Council	10	5.5.29 5.5.30 5.5.31	Amend Rules 5.5.29 – 31 to be consistent with the “Guidelines for the safe application of Biosolids to land in New Zealand”.	ARC to respond to appellant suggestions on revised mediation version of provisions.	ACC/MW  Watercare Services  Friends of the Earth (NZ)
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	57	5 12 Sewage Solids Biosolids	Define the term “sewage solids” and separately define “ biosolids” and amend Chapter 5 to separate provisions applying to each.	ARC to respond to appellant suggestions on revised mediation version of provisions.	ACC/MW  Federated Farmers  Horticulture New Zealand  Friends of the Earth (NZ)
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	58	5.5 Biosolids	Amend the Plan to insert more appropriate rules relating to biosolids, including making the application of biosolids to land a permitted activity subject to development controls (eg meeting certain high quality biosolids standards), and otherwise the application of biosolids be a controlled activity for all land uses.	ARC to respond to appellant suggestions on revised mediation version of provisions..	ACC/MW  Federated Farmers  Horticulture New Zealand  Friends of the Earth (NZ)
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	73	5.5.29	Amend Controlled Activity Rule 5.5.29 so that additional appropriate management practices are detailed, and elsewhere, which provide for issues such as buffer zones to water and neighbouring properties, method of application for specified end uses (eg soil incorporation for pastoral applications) and address the current potential preclusion of the application of high quality biosolids to forestry where soil	ARC to respond to appellant suggestions on revised mediation version of provisions..	ACC/MW  Federated Farmers  Horticulture New Zealand

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan; Coastal (Variation 1)  
 Appeal Summaries October 2009

<b>Sewage Solids - EC Topic number ENV-2006-304-000503</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
					incorporation is not practicable.		Friends of the Earth (NZ)
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	71	5.5.29(b)	Amend Controlled Activity Rule 5.5.29 relating to sewage solids by deleting the phrase "directly for food protection" from clause (b), as this restriction does not meet Policies 5.4.25 & 5.4.26 or objectives 5.3.1 & 5.3.2.	ARC to respond to appellant suggestions on revised mediation version of provisions..	ACC/MW Federated Farmers Horticulture New Zealand Friends of the Earth (NZ)
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	72	5.5.29(b)-(d)	Amend Controlled Activity Rule 5.5.29 (b) to (d) so that any concentrations of trace elements used in any assessment by the Respondent of any consent applications specifically take into account the local background levels of trace elements. Paragraph (d) of Rule 5.5.29 should include other organic material (eg kitchen waste).	ARC to respond to appellant suggestions on revised mediation version of provisions..	ACC/MW Federated Farmers Horticulture New Zealand Friends of the Earth (NZ)
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	74	5.5.31	Delete Discretionary Activity Rule 5.5.31 in so far as it relates to biosolids (as opposed to sewage solids) being applied to land for food production as it is inconsistent with the stated objectives and policies of encouraging the reuse of biosolids.	ARC to respond to appellant suggestions on revised mediation version of provisions..	ACC/MW Federated Farmers Horticulture New Zealand Friends of the Earth (NZ)
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	76	5.6.14	Amend Other Method 5.6.14 by adding the words " <u>in conjunction with registered processors of biosolids</u> " after the phrase "The ARC will".	ARC to respond to appellant suggestions on revised mediation version of provisions..	ACC/MW Federated Farmers Horticulture New Zealand Friends of the Earth (NZ)

<b>Group I Quality Aquifer Management Areas and map Series 1 - EC Topic number ENV-2006-304-000508</b>							
<b>Env. Court Case No.</b>	<b>Env. Court (Prior No.)</b>	<b>Appellant Name</b>	<b>Point of Relief</b>	<b>Provision # (2004 Plan)</b>	<b>Relief Sought</b>	<b>Status</b>	<b>Section 274 Party Name</b>
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	41	3.9.1	Amend the Plan so that each aquifer identified in the Plan is consistently referred to by a single name (see also E479/04/01 above)	Agreed – ARC to respond back to Appellant.	ACC/MW Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	44	3.9.1	Amend Section 3.9.1 as follows: "The second group of aquifers underlies the city on the Auckland isthmus.... These urban aquifers are used to dispose of stormwater from both roads and private property. Some aquifers such as Onehunga and the Wiri Volcanic aquifer ( <del>located outside of the Auckland isthmus</del> ) also provide municipal water supply.	Agreed – ARC to respond back to Appellant.	ACC/MW Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	43	Map Series 1	Identify Quality Sensitive Aquifer Management Areas in Map Series 1 as areas with underlying aquifers (identified in Map Series 2) that are shallow and unconfined.	Agreed – ARC to respond back to Appellant.	ACC/MW Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	42	Map Series 2	Amend Map Series 2 of the Plan to identify the extent of each Quality Sensitive Aquifer listed in Section 3.9.1.	Agreed – ARC to respond back to Appellant.	ACC/MW Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	32	3.9.2	Include a new paragraph in Section 3.9.2 as follows (or words to like effect): <u>"The Onehunga Aquifer needs particular attention because its use for municipal water supply. The ARC will regularly update the fire brigade and undertake regular industrial yard inspections to minimise the risk of chemical spills into the ground or stormwater drains in this catchment."</u>	Meeting to be scheduled.	ACC/MW Transit NZ Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	119	3.9.2	Amend the Management Approach in Section 3.9.2 for Quality Sensitive Aquifer Management Areas to appropriately manage the existing resource, as well as avoiding over abstraction.	Meeting to be scheduled.	ACC/MW Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	35	Map Series 1 Map Series 2	Amend the Plan Maps to include a large-scale highlighted area of the Onehunga water supply catchment with recognition given to its role in potable water supply.	Meeting to be scheduled.	ACC/MW Horticulture New Zealand Transit NZ