

Proposed Auckland Unitary Plan Submission

Section 123 and 125 Local Government (Auckland Transitional Provisions) Act 2010
Clause 6 First Schedule, Resource Management Act 1991

Auckland Council
Private Bag 92300
Auckland 1142
Attention: Unitary Plan Submission Team

1. Submitter Details

Full name of submitter: The Manukau Harbour Restoration Society Incorporated
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Local Board Area: all boards

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2. Scope of submission

The specific provisions that this submission relates to is:

Part 1 Chapter 6 and 7 and especially section 7.3 (including figure 2 in section 7.3)

Part 3 Chapter H Section 4 Activity Table 4.16 (ATTACHED as APPENDIX A)

3. Submission

I **oppose** the specific provisions identified in the scope of the submission (Section 2) relating to Activity Table 4 which classifies all discharges of untreated wastewater as a permitted, controlled or restricted discretionary activity and the discharge of treated wastewater as a discretionary activity and all other discharges as a non complying activity.

I request and seek an amendment to the Activity Table 4.16 relating to the discharge (and overflows) of **untreated** wastewater from public and private wastewater networks from **permitted, controlled, restricted discretionary and non complying activities to Prohibited Activity** and for the discharge (including overflow) for **treated** wastewater to be classified as a non complying activity.

The reasons for my request to change the activity status of table 4.16 are:

- (i) The table is inconsistent with and contrary to Part 2 of the RMA (including Section 5, 6 and 7).
- (ii) The table is inconsistent with and contrary to Section 12 (use of the coastal marine area) and Section 15 (discharge of containments) of the RMA.
- (iii) The table is inconsistent with and contrary to Section 30 and 31 (functions, powers and duties) required by Council under the RMA.
- (iv) The table is inconsistent with Section 45 and 55 of the RMA relating to the NPS for Freshwater Management and the Coastal Policy Statement.
- (v) The table (in terms of permitted activity status for the discharge of untreated wastewater) likely to be inconsistent with the national environment standard (NES) 2007 for Human Drinking Water.
- (vi) The table is inconsistent with and contrary to the objectives and policies of the Proposed Unitary Plan (in particular but not restricted to those objectives and policies outlined in Part 2 Chapter C Section 5 sub section 5.15 and 5.16 of the Proposed Unitary Plan).
- (vii) The Proposed Unitary Plan Strategic Direction and Regional Policy Statement (including the objectives and Policies) as outlined in Part 1 Chapter B (section 6 and 7) is in direct conflict with the contents of Part 3 Chapter H section 4 Activity table 4.16.
- (viii) The provisions of the Proposed Unitary Plan should be focused on enhancing and improving water quality of the marine and coastal environment in accordance with Section 69 and 70 Of the RMA given that under Section 86 (B) (3) rules that relate to water have immediate legal effect. As a consequence the activity table 4.16 should be revised immediately.

I seek the following decision from Auckland Council:

Accept the Proposed Plan with the activity status for the discharge (including any overflow) of untreated and treated wastewater been amended to prohibitive for untreated wastewater and non complying for treated wastewater discharge or overflow.

Table 4.16 should be withdrawn and amended with immediate legal effect.

I wish to be heard in support of my submission.

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Robert L Demler (for and on behalf of
Manukau Harbour Restoration Society)

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Date