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8 June 2009

Proposed Regional Policy Statement
Greater Wellington Regional Council
PO Box 11646
WELLINGTON 6142

Dear Sir/Madam

SUBMISSION ON THE PROPOSED REGIONAL POLICY STATEMENT FOR THE WELLINGTON REGION 2009

Please find enclosed a submission from Porirua City Council, prepared under delegated authority, on the Proposed Regional Policy Statement for the Wellington region (PRPS).

The Proposed Regional Policy Statement seeks to achieve the purpose of the Resource Management Act 1991 (RMA) by providing an overview of the resource management issues for the region, and outlining the policies and methods required to achieve the integrated management of the region's natural and physical resources.

In preparing a submission on the PRPS Porirua City Council has had regard to the RPS's impact on the achievement of Porirua City's community outcomes, PCC's role as a regulator, and PCC's role as a service provider.

With regard to Porirua City's Community Outcomes, we note the PRPS has a critical and influential role to play in achieving these outcomes by setting the overarching policy framework for natural and physical resource management both within the city and across the region. In particular the PRPS is a potentially critical document to guiding and influencing how Porirua City can be "sustainably designed and built" and achieve and sustain a "valued natural environment".

In terms of Council's role as a regulator, as a territorial authority exercising statutory functions under the RMA, Porirua City Council is required to have regard to any proposed regional policy statement when preparing changes to, and reviewing, its district plan. The RMA also requires that Porirua City Council give effect to any operative regional policy statement when preparing changes and reviewing its district plan. Further, the PRPS directs Porirua City Council to consider particular policies when granting resource consents. For these reasons, the PRPS will greatly affect and influence how Porirua City Council performs in its statutory roles. We have considered this matter in some detail in our response.

The PRPS will also affect Porirua City Council in its role as a service provider and resource user.

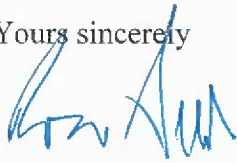
Porirua City Council provides a range of services including: solid waste collection and disposal, potable water supply, wastewater treatment and disposal, stormwater, and roading. The provision of these services often involves the use of resources, such as discharges to land and water, which are the subject of PRPS guiding policies. Therefore, the policy direction set by the PRPS will inevitably affect the planning and delivery of many of Porirua City Council's services (specifically stormwater, waste water and solid waste services).

The enclosed submission from Porirua City Council has been prepared pursuant to Clause 6 of the first schedule to the Resource Management Act 1991.

The submission specifically focuses on the impacts of the PRPS to Porirua City Council in its roles outlined above.

If you have any questions in relation to this submission, please contact Sam Price at (04) 237 3571 or sprice@pcc.govt.nz.

Yours sincerely



Roger Blakeley
CHIEF EXECUTIVE

Enc: Submission on the Proposed Regional Policy Statement for the Wellington Region
Porirua – Our Place, Our Future: Community Outcomes (2009)

RESOURCE MANAGEMENT ACT 1991

SUBMISSION UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT

TO: Wellington Regional Council

SUBMISSION ON: Proposed Regional Policy Statement for the Wellington Region

NAME OF SUBMITTER: Porirua City Council

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SUBMISSION OF PORIRUA CITY COUNCIL

Introduction

1. The Proposed Regional Policy Statement (PRPS) sets a clear and concise direction for the sustainable management of the region's natural and physical resources. Porirua City Council supports the directive nature of the PRPS and welcomes a policy statement that provides strong and clear leadership for the region.
2. Porirua City Council is affected by the PRPS in the exercise of its statutory functions under the Resource Management Act, and as a user of natural and physical resources in the provision of services to its community.
3. The PRPS also affects the delivery of Porirua City's community outcomes. Two of Porirua City's community outcomes are intertwined with the PRPS, these are:
 - a) *A Sustainably Designed & Built City and*
 - b) *A Valued Natural Environment*
4. The PRPS provides clear guidance towards the delivery of a sustainably designed & built city by making regional form, design and function a regionally significant issue.
5. It also provides guidance for the application of Urban Design Protocol and the Wellington Regional Strategy (WRS), both of which Porirua City Council adheres to.
6. Despite this, there is an inconsistency between the regionally significant centres identified by the WRS and those identified by the PRPS. This is of particular concern to Porirua City Council and is addressed in detail by this submission.
7. Clear guidance is also provided towards the creation of a valued natural environment. Porirua City Council seeks that *"the natural environment is valued and protected by the community and its quality is improved."*¹ The PRPS greatly assists with the achievement of this goal and outcome for Porirua City, and this is strongly supported.

¹ Refer to the attached: 'Porirua – Our Place, Our Future: Community Outcomes (2009)'

8. However, of greatest significance to achieving this goal is the protection and enhancement of Porirua Harbour and its catchments along with the return of the harbour's mauri.
9. Whilst it is recognised that the wording and policies of the PRPS imply the significance of Porirua Harbour, Porirua City Council considers it vital that the PRPS *explicitly* state the regional significance of Porirua Harbour, and carry this language through the entire document. How Porirua City Council would like this to be achieved is detailed in by this submission.

Scope of submission

10. Porirua City Council's submission is to the entire Proposed Regional Policy Statement.

Comments on the Proposed Regional Policy Statement

11. Porirua City Council supports the PRPS subject to the matters specifically raised by this submission. In particular, the following general aspects are supported:
 - Strong regional directives;
 - The inclusion of regulatory and non-regulatory policies and methods;
 - Guidance for the application of regulatory policies;
 - Methods that seek integrated management;
 - The inclusion of regional form, design and function; and
 - The emphasis on reducing and removing the discharge of contaminants and sediment to waterways and the coastal environment.
12. Further to the above general comments, Porirua City Council wishes to raise a number of specific comments relating to each regionally significant issue and to the use of consideration policies (section 4.2). To avoid doubt, these comments override the above general comments.

Consideration policies (section 4.2)

13. Porirua City Council supports the use of consideration policies, within section 4.2, which need to be given regard to when " assessing and deciding on resource consents, notices of requirement (designations), or when changing, varying or replacing district plans".
14. We recognise the need for the PRPS to have a mix of policies that are able to effectively guide or influence both long and short term natural and physical resource management decision making.
15. However, Porirua City Council has some concerns relating to 'mechanics' of how some of the section 4.2 'consideration policies' will be implemented.
16. Section 4.2 'consideration' policies essentially fall into two groups:
 - Those that **cease to have effect** when they are superseded by section 4.1 'Regulatory' policies which are implemented in newly adopted district plans, and;

- Those that have a **continuous effect**.
17. Porirua City Council generally supports this approach, and recognises that not all section 4.2 policies are able to cease once section 4.1 policies are given effect to.
 18. However, Porirua City Council requests that Greater Wellington: reviews whether the broad application and consideration of the 'continuous' section 4.2 policies is appropriate to all resource consent applications and decision making, and; reviews the 'interplay' between the section 4.2 policies, which have continuous effect, and the section 4.1 policies
 19. In particular we note that section 4.2 policies 34-36, 38(b), 39, 41, 43, 44, 47, 48, 50(a-f, h, i), and 51 -60 do not cease to have effect once particular section 4.1 policies are implemented.
 20. Whilst we recognise the intent for ensuring that these particular policies have a continuous effect, we question whether these policies will have a continuous relevance to the assessment of all resource consents. Once these policies have been considered and addressed in the preparation of a plan change or new proposed plan, prepared under the PRPS, shouldn't these policies cease to have an effect?
 21. Once the PRPS becomes operative, and replacement plans and plan changes start to implement its policies, we believe that there will be confusion in processing resource consents as to which section 4.2 policies have ceased, and which policies are still relevant. Where there is not confusion we believe that there is also likely to be duplication in assessment, or even redundant assessment.
 22. We can see this situation potentially leading to additional costs for applicants.
 23. We also can envisage circumstances where submitters may challenge Council's consideration of RPS policies– with little regard to their actual relevance - resulting in potential costs to Councils and applicants either associated with 'court costs' and/or processing delays.
 24. Accordingly, we believe GWRC needs to review the 'inter-play' between the section 4.2 'continuous' policies and 4.1 policies. This will need to consider the efficiency, effectiveness and necessity of having 'continuous' policies.
 25. We also question whether the 'consideration' policies should be relevant matters to be addressed in all resource consent assessments and decision making.
 26. In particular, Porirua City Council is concerned with the cost and efficiency implications of applying Policies 34, 36, 38(b), 44, 50(a-f, h, i) and 53 to all resource consent assessment and decision making exercises.
 27. We would suggest that some form of threshold needs be applied to these policies so that they do not apply to all resource consent decision making. This may include noting the specific circumstances in which the policy shall be considered.
 28. As an example- in assessing and processing any resource consents triggered as a result of 'breaking' a district plan rule for 'side yards', height, site coverage, building envelopes etc the current application of section 4.2 would require Council's to have particular regard to:
 - (Policy 34) preserving the natural character of the coastal environment;
 - (Policy 36) safeguarding the life supporting capacity of coastal ecosystems; and

- (Policy 44) requiring water collection, water demand management and water reuse and/or recycling (amongst others).
29. We don't consider that it was the intent of the PRPS to be so 'blunt' in its application.

Air quality

Policy 1: Reverse sensitivity associated with odour, smoke and dust – district plans

30. Policy 1 states that district plans shall include policies that discourage new sensitive activities locating near activities that emit odour, dust or smoke, and vice-versa.
31. Porirua City Council opposes the use of district plans to control the reverse sensitivity effects of odour, smoke and dust.
32. Such reverse sensitivity effects should be addressed by regional plans when considering applications for air discharge consents.
33. Policy 1 seeks to control these reverse sensitivity effects by controlling land use activities.
34. This approach is not reasonable as it has the potential to unreasonably compromise land use activities that could avoid these effects.
35. The policy also doesn't provide for any recognition and consideration to be given to existing established industrial and residential zoning patterns within the region- where many such sites essentially lay side by side.
36. As such there are a number of issues in applying Policy 1.
37. Policy 1 discourages land uses or 'activities' that emit dust being established near existing sensitive activities, and lists earthworks and vegetation clearance as such an 'activity'.
38. We note that earthworks and vegetation clearance are a necessary component of land development, and often occur in proximity to sensitive land uses (e.g. "Greenfield" sites adjacent to existing established residential areas).
39. The dust effects of such activity can be satisfactorily controlled through resource consent conditions. However, despite the necessity of such activities and satisfactory control of dust effects, Policy 1 could be interpreted as requiring district plans to discourage such activity.
40. It is important to distinguish the difference between activities, and the effects of activities. Whilst it is appropriate for territorial authorities to discourage the dust effects of earthworks and vegetation clearance near sensitive activities, it is not appropriate for territorial authorities discourage the said activities, particularly if they are associated with land development.
41. Further, if earthworks or vegetation clearance activities were unable to comply with dust control conditions, they should require an air discharge permit under the regional plan.
42. Porirua City Council considers that it is important for all effects associated with intentional air discharges to be managed by the regional plan, including reverse sensitivity.

43. Accordingly, Porirua City Council seeks that Policy 1 be removed from the regional policy statement.

Coastal environment

New policy & Method

44. The degradation of Porirua's coastal environment, and particularly its harbour, is one of the most significant resource management issues facing the Porirua community and this Council.
45. At present, Porirua City Council is working with Ngati Toa and other agencies, such as GWRC, to develop a harbour and catchment strategy that will integrate the management of the harbour catchment between Porirua City Council, Wellington City Council, Greater Wellington and other relevant Crown entities.
46. A change in the way that the harbour is managed is necessary to maintain and enhance its ecological health, restore its mauri, and to achieve Porirua's community outcome: A Valued Natural Environment. The harbour is also a strategic priority area in Porirua City Council's LTCCP.
47. If current management practices are not improved, the ecological health, recreational utility and mauri of the harbour will continue to decline, which may lead to an inability for the harbour to flush out sediment and the eventual silting up of the harbour.
48. A change in the way the harbour and its catchments are managed is also necessary to ensure that the potential adverse effects of existing and future urban and rural development within Wellington and Porirua Cities on the harbour are appropriately managed, avoided or mitigated.
49. Future potential development within the harbour catchment includes forest harvesting, major greenfield development², and rural residential development. It is also possible that significant wind farm developments may occur (e.g. the proposed Puketiro wind farm).
50. Porirua City Council supports the approach taken by the PRPS in regard to the coastal environment, particularly the onus of maintaining and enhancing the coastal environment, and the range of policies and methods that seek to achieve this.
51. However, Porirua City Council seeks that Porirua Harbour is explicitly recognised by the policies of the RPS to take account of its regional and national significance; and its ecological, cultural, social and economic values.
52. Accordingly, a new regulatory policy and method to specifically address the harbour and its catchments is proposed. This new proposed policy would need to be implemented under Objectives 3, 5, 6, 7. The policy will be implemented by its own proposed method and Methods 1 and 2. The suggested wording for the proposed policy and method is as follows:

District and Regional Plans with jurisdiction over all or part of the Porirua Harbour catchment area shall include policies, rules and/or methods that:

² 100% of Wellington and Porirua City Council's and 50% of Wellington region's greenfield development will occur within the Porirua Harbour catchment within the next decade.

- (a) recognise and acknowledge the regional significance of Porirua Harbour; and
- (b) recognise and provide for the maintenance, protection and enhancement of the significant amenity, recreational, ecological and cultural values associated with the Porirua Harbour.

Explanation

Porirua Harbour includes the Pauatahanui inlet and the Onepoto arm. Porirua Harbour contains a nationally significant ecosystem and has high cultural significance to Ngati Toa.

While the harbour is a recognised aesthetic, natural and community asset, parts of it have been significantly impacted by historic and current land and coastal management practices. The regulatory approach of the Regional Policy Statement seeks to address the discharge of sediment, nutrients and other contaminants into the harbour and its ecological health through regional and district plans. However, general regulatory policies cannot address the cross-boundary issues associated with the management of the harbour, and the need to address existing land management practices that are increasingly impacting the harbour.

A non-regulatory method is also necessary to address the issues that cannot be resolved through a regulatory approach, but that are vital in restoring the mauri and ecological health of the harbour. Further, the integrated and coordinated management of Porirua Harbour between Porirua City Council, Wellington City Council and Wellington Regional Council is vital to protecting and restoring the harbour.

Method

Prepare a harbour and catchment management strategy for Porirua Harbour to address the restoration of Porirua Harbour and reduce the discharge of sediment, nutrients and contaminants into the harbour.

Implementation: Wellington Regional Council, Porirua City Council and Wellington City Council.

Policy 3: Discouraging development in areas of high natural character in the coastal environment – district and regional plans

- 53. The implementation of Policy 3 may potentially reduce some existing development rights within Porirua's coastal environment.
- 54. Porirua City Council does not specifically oppose this policy. However, the implementation of this policy will have potential difficulties, as it will either require district plans to identify areas with high natural character, or introduce generic policies and rules for this purpose that could be difficult to apply. In particular, it may be difficult to apply this policy to areas in the coastal environment that contain boat sheds.
- 55. Porirua City Council requests that GWRC gives further consideration to how this policy will be interpreted and the methods by which it shall be applied, having regard to its efficiency and effectiveness.

Method 7: Information about high natural character in the coastal environment

56. Porirua City Council requests that Greater Wellington complete Method 7 as soon as practicable to assist with the implementation of Policy 3.

Policy 4: Identifying the landward extent of the coastal environment – district plans & Method 49: Prepare a regional landscape description

57. Policy 4 relates to the identification of the coastal environment, and is related to Method 49 – Prepare a regional landscape character description.
58. Porirua City Council recognises the need to identify the landward extent of the coastal environment, particularly with regard to implementing Policy 3 and the proposed NZCPS.
59. In order to assist Porirua City Council and other councils with completing such work, Porirua City Council urges Wellington Regional Council to quickly commence the regional landscape character description required by Method 49.

Policy 34: Preserving the natural character of the coastal environment

60. Porirua City Council supports Policy 34.
61. In particular, Porirua City Council supports Policy 34(b), and its requirement to protect the special values of estuaries including the unique physical processes that occur within and between them so that healthy ecosystems are maintained and kaimoana restored, which is of particular significance to Porirua Harbour.
62. Porirua City Council seeks the retention of Policy 34 in its current wording.

Method 50: Identify areas for improved public access

63. Method 50 requires the identification of areas of the coast where public access should be improved.
64. Porirua City Council considers that this method should be expanded to also identify areas of the coast where public access should be controlled, as required by the Proposed NZCPS.

Energy, infrastructure and waste

Objective 9

65. Porirua City Council supports the efforts of the PRPS to improve energy efficiency and conservation, diversify renewable generation, maximise the use of renewable energy, reduce dependency on fossil fuels, and reduce gas emissions through Objective 9 and its policies and methods.
66. Porirua City Council seeks that the intent of this objective, policies and methods be retained.
67. However, Porirua City Council requests that Greater Wellington consider adding a method under this objective for GW to lead a region-wide strategy for renewable energy development to assist in determining the location, appropriateness and priority of development encouraged by Objective 9 in relation to other resource management issues and activities.

68. Such a strategy would avoid a potential 'gold rush' approach to developing renewable energy in the region, and address conflicts between Objective 9 and Objective 17 and their policies, and could be incorporated into the regional plan under Method 2.

Policy 6: Recognising the benefits from regionally significant infrastructure and renewable energy – regional and district plans

69. Policy 6 requires plans to recognise the benefits from regionally significant infrastructure and renewable energy.
70. This policy is supported by Porirua City Council, but its title needs to be amended to clarify the policies application.
71. To avoid any confusion in how the policy may be interpreted we request that the policy is re-ordered to state: *Recognising the benefits from renewable energy and regionally significant infrastructure.*

Policy 10: Promoting energy efficient design and small scale renewable energy generations – district plans

72. Porirua City Council supports the intent of Policy 10.
73. However, it requests that Greater Wellington reconsider the use of the term 'small scale'. The proposed NPS for Renewable Energy Generation defines small scale renewable energy as up to 4MW, which is the size of the turbines being constructed at Makara.
74. The 4MW threshold for small scale generation envisaged by the proposed NPS, and that envisaged by the explanation to Policy 10 are inconsistent.
75. Porirua City Council supports the promotion of small scale renewable energy as noted in the policy's explanation, but does not support promoting small scale energy as defined by the proposed NPS.
76. Therefore, to avoid this inconsistency and future conflict, Porirua City Council requests that the term 'small scale' be replaced with the term 'domestic scale'.

Fresh water

77. Porirua City Council commends the efforts of the PRPS to reduce stormwater contamination, minimise the effects of earthworks and vegetation clearance, and maintaining and enhancing the aquatic ecosystem health in water bodies. Such policies are vital to maintaining and improving the quality and ecological health of Porirua Harbour and its catchments. For this reason, the environmental focus of the fresh water objectives and policies is strongly supported.

Method 30: Protocols for the management of earthworks and air quality between local authorities

78. Porirua Harbour is a good example for the need for the management of earthworks and vegetation disturbance to be coordinated between local authorities. The Porirua harbour catchment area lies within both Porirua City Council and Wellington City Council jurisdictional areas.

79. In order for Policy 14 and 40 to be effectively implemented, they must be preceded by an agreed protocol under Method 30. Therefore, Porirua City Council requests that Method 30 be retained and implemented as soon as possible.

Policy 15: Promoting discharges to land – regional plans

80. Policy 15 of the PRPS promotes discharges of contaminants to land rather than water.
81. Porirua City Council supports the intent of the policy and recognises the impacts that discharging contaminants can have on the mauri of water bodies. While there are limitations to discharging contaminants to land, Porirua City Council considers that these are reasonably addressed by the Policy. Accordingly, Porirua City Council seeks that the policy be retained in its current wording.

Policy 16: Protecting aquatic ecological function of water bodies – regional plans

82. Porirua City Council supports Policy 16.

Policy 19: Prioritising water abstraction for the health needs of people – regional plans

83. Porirua City Council strongly supports Policy 19's prioritisation of water abstraction for the health needs of people, and seeks that this policy be retained in its current form.

Policy 41: Minimising contaminate in stormwater from development – consideration

84. Policy 41 of the PRPS requires particular regard to be given to minimising contamination in stormwater from development.
85. Whilst recognising that the policy intends to apply guiding principals for reducing stormwater contamination, and not set performance requirements, Porirua City Council notes that there will be difficulty in implementing this policy. For example, Policy 41(a) requires particular regard to limiting new impervious surfaces, but no guidance is available on how much limitation would be acceptable. Similarly, implementing Policies 41(e)(f)&(g) is technically challenging in Porirua due to its topography and soil profile.
86. Porirua City Council recognises the intent of Policy 41 and strongly supports the minimisation of contaminants in stormwater. However, within the Wellington region the approach stipulated by Policy 41 has not been broadly applied, and the geography of some parts of the Wellington region may make applying the policy difficult.
87. Porirua City Council therefore considers that research into, and information about, the application of Policy 41 to the unique climate conditions, topography, and soil profiles of the Wellington region is a matter of regional significance and should be required by the Regional Policy Statement.
88. Accordingly, Porirua City Council requests the addition of a new method to part 4.5.2 of the PRPS requiring the preparation of: *information about minimising contamination in stormwater from development specific to the Wellington region* or words to similar effect, with Greater Wellington as the lead authority.

Policy 44: Using water efficiently – consideration

89. Policy 44 seeks that particular regard is had to using water efficiently when considering applications for resource consent.
90. Policy 44 is one of the policies that could have a significant effect on all new subdivision, and building developments requiring resource consent, within the region.

91. Consistent with general comments made earlier in this submission relating to application of policies within section 4.2, Porirua City Council requests that Greater Wellington clarifies its intention for this policy.
92. Porirua City Council does not believe that Greater Wellington intended that this policy should be considered within every resource consent application.
93. We note that under its current wording, the policy would need to be considered and applied to a range of minor building developments that require discretionary consent, such as the construction of a deck in a side yard, a height recession plane encroachment, or the construction of new car parking spaces. Is it appropriate for these applications to have regard to water efficiency? Porirua City Council does not consider that this was Greater Wellington's intent when drafting the policy.
94. If this policy is intended to broadly apply, we have concerns that the s.32 cost/benefit analysis of the policy does not adequately consider the cost and consistency of applying this policy at a resource consent level. The policy also does not adequately address a significant amount of development that may be permitted.
95. We consider that the use and application of this policy should be reviewed, and that it should only generally apply to consents for the use, take, and discharge of water.
96. We also believe that the policy should also have a significant non-regulatory component aimed at promoting water conservation through the use of the various tools referred to in the explanation.
97. Accordingly, we request that Greater Wellington reconsider the appropriateness of applying Policy 44 to all resource consents.
98. Porirua City Council supports Method 11 and considers it vital to the implementation of Policy 44, and the implementation of Policy 44 at a resource consent level may need to be postponed until Method 11 is implemented.

Method 33: Prepare a regional water strategy

99. Method 33 seeks to create a regional water strategy. Porirua City Council supports this method. However, it stresses the importance for the outcomes and approach of any regional strategy to be integrated with the region's Long Term Plan.

Method 35: Support industry-led environmental accords and codes of practice

100. Method 35 is supported, as industry led environmental accords and codes of practice can greatly assist in the application of the PRPS objectives and policies.

Policy 64: Supporting environmental enhancement initiative – non-regulatory

101. Community restoration initiatives are of great significance to enhancing aquatic ecosystem health and can benefit from practical support by local authorities. Accordingly, Porirua City Council supports Policy 64 and Method 52.

Historic heritage & indigenous ecosystems

102. Porirua City Council supports the PRPS's approach to historic heritage.
103. In particular, Porirua City Council supports Policy 20 and its criteria for the identification of heritage sites and areas and Policy 21's onus on protecting historic heritage values, as opposed to protecting historic heritage sites and areas.

104. Porirua City Council supports the use of a consideration policy for historic heritage (Policy 45) and supports this policy ceasing when Policies 20 and 21 are given effect.
105. Porirua City Council also supports the PRPS's approach to indigenous ecosystems.
106. In particular, Porirua City Council supports Policy 22 and its criteria for the identification of indigenous ecosystems and Policy 23's requirement for protection.
107. Porirua City Council also supports the use of a consideration policy for indigenous ecosystems (Policy 46) and supports this policy ceasing when Policies 22 and 23 are given effect.
108. Porirua City Council requests that Greater Wellington clarify what 'specific indigenous species' are in Policy 46(e).

Landscape

109. Porirua City Council supports the PRPS's approach to identifying and managing significant landscapes and supports Objective 17 and its policies and methods. In particular, Porirua City Council supports the criteria identified by Policy 24 and the onus on protecting values in Policy 25.

Method 49: Prepare a regional landscape character description

110. Porirua City Council supports Policies 26 and 27 and supports these policies being separate from Policies 24 and 25. The use of a consideration policy (Policy 45), and the ceasing of this policy once the earlier policies are implemented, is also supported.
111. However, it is noted that at present there is no guidance addressing how territorial authorities are meant to give effect to these policies or address cross-boundary issues, particularly where there may be conflicting views between councils about what qualifies as outstanding or significant.
112. Therefore, Porirua City Council requests that this issue be addressed by Method 49, and that the method is implemented as soon as practicable.

Natural hazards

Policy 28: Avoiding subdivision and development in areas at high risk from natural hazards – district plans

113. Porirua City Council opposes the blanket avoidance of subdivision and development in high hazard areas that is required by Policies 28(b) and 50(g).
114. Within the Wellington region, a blanket requirement to avoid all subdivision and development in high hazard risk areas is considered to be unrealistic given that significant areas of Porirua, Wellington, Hutt Valley and Kapiti Coast are located within areas that could be considered to be at high risk from seismic, flooding and/or tsunami hazard events.
115. Strict adherence to the policies could potentially affect any new development or redevelopment in these areas, and the achievement of Objective 21 and its policies.

116. Further, the policies do not specify the extent of high hazard areas or specify precise criteria for their identification, which could result in the policy being inconsistently applied, or having greater costs than those identified in the s.32 analysis.
117. There is a need for a balance to exist between avoiding or managing subdivision and development in an area at a high risk from natural hazards.
118. Management may be more appropriate in some circumstances, for example in areas such as the Porirua and Wellington city centres that are dissected by fault rupture zones and predominantly lay on soils prone to liquefaction and seismic amplification.
119. Accordingly, Porirua City Council requests that Policy 28 be amended to state: District Plans shall... (b) include policies and rules **to manage, where appropriate, or** avoid subdivision and development in those areas.
120. Consequentially, Policy 50(g) will also need to be amended to read: avoiding or managing development in areas at high risk from natural hazards.

Regional form, design and function

121. Porirua City Council supports the inclusion of regional form, design and function as a matter of regional significance. The inclusion of this issue is consistent with the Wellington Regional Strategy (WRS) and its focus area three: investment in good regional form.

Policy 29: Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans

122. Porirua City Council considers that the objectives and policies of this section are not entirely consistent with the intent of the WRS and seeks that this be amended.
123. The WRS identifies that "the Wellington CBD and the regional centres are the engine rooms of economic development" (p.39 WRS). Porirua City Council understands that these regional centres include Upper Hutt, Lower Hutt, Porirua, Paraparaumu and Masterton city/town centres.
124. Policy 29 of the PRPS seeks to maintain and enhance the viability and vibrancy of these centres, but also considers Petone, Kilbirnie and Johnsonville as regionally significant centres.
125. Porirua City Council does not consider that the suburban commercial centres of Petone, Kilbirnie and Johnsonville provide the same function and role as the city centres of Lower Hutt, Upper Hutt and Porirua, or the district centres of Paraparaumu and Masterton.
126. Accordingly, Porirua City Council seeks that Policy 29, and consequentially Appendix 3, Section 3.9 and Objective 21(b), be amended to be consistent with the WRS.
127. Porirua City Council also suggests that the policy's language be amended to be more consistent with the WRS by referring to the centres as sub-regional centres, not regionally significant centres. Should it be considered necessary that suburban centres be specifically mentioned by the RPS, then Porirua City Council suggests the addition of a new policy, or a distinction within Policy 29, so that significant commercial centres are separated from the sub-regional centres.

128. Porirua City Council also notes that the language used to define the centres in the policy is inconsistent. For example, 'Masterton town centre' and 'Upper Hutt city centre' are more defining terms than 'Petone' or 'Johnsonville'. If Petone, Kilbirne and Johnsonville are to be retained within the RPS as 'sub-regional centres' the extent of these areas should be better defined by stating whether the entire suburb is of significance, or the commercial/suburban centre is of significance. This could be achieved by using the term 'suburban centre'.

Policy 53: Achieving the region's urban design principles – consideration

129. Porirua City Council supports using consideration policies to achieve Objective 21.
130. However, it opposes the application of Policy 53 to resource consent decision making. The design principles listed by the policy and detailed by Appendix 2 are at a high level, and whilst they are useful for producing policy and design guidelines, they do not provide practical guidance to resource consent decision makers.
131. Porirua City Council believes that it is the role of the district plan to set how the urban design principles are applied at a resource consent level and that the application of these principles at a resource consent level by a RPS would be inconsistent and confused.

Appendix 2: Urban design principles

132. The urban design principles outlined in Appendix 2 are supported as they largely accord with the New Zealand Urban Design Protocol. There are some aspects of the Appendix that are additional to the NZUDP, and these are accepted by Porirua City Council. However, we believe factor 2(e) may be better placed under 'custodianship' rather than 'character'.

Policy 54: Maintaining a compact, well designed and sustainable regional form – consideration

133. Policy 54 is supported, however, its explanation lists the current development frameworks within the region, but does not list Porirua City Council's Porirua Development Framework. Porirua City Council seeks that the explanation also refers to this document.

Policy 58: Managing the Regional Focus Areas – consideration

134. Policy 58 refers to 'management goals' within the WRS. The WRS does not clearly identify 'management goals' but does list a range of actions. Porirua City Council suggests that the explanation of this policy be refined to clearly state which part of the WRS the policy is referring to.

Method 40: Integrate public open space

135. Method 40 seeks to integrate public open space. This method is supported, but consideration should be given to requiring the method to: 'improve integration *and use* of public open space', as the use of public open space requires integrated management.

Resource management with tangata whenua

136. Porirua City Council strongly supports the objectives and policies relating to resource management with tangata whenua.

Section 5.2: Anticipated environmental results

137. The anticipated environmental result for Objective 25 is that iwi authorities consider that no further degradation of mauri has occurred, particularly in relation to coastal and fresh waters. Given the significance of Porirua Harbour, and Porirua City Council's goal of restoring its ecological health and mauri, Porirua City Council requests that a further anticipated environmental result be added to Section 5.2, Objective 25 being that: *Iwi authorities consider that Porirua Harbour's mauri is being restored.*

Soils and minerals

138. Porirua City Council supports the objectives, policies and method relating to this theme. Policy 68, and corresponding Methods 15 and 54, are particularly supported.

Policy 33: Avoiding activities on contaminated land – district plans

139. Porirua City Council has reservations about the implementation of Policy 33.
140. The policy requires district plans to not allow activities on contaminated land if that activity could be adversely affected by contamination.
141. At present, there is no verified database of contaminated land in the Wellington region. Therefore, this policy places a significant onus on Councils to identify and verify all contaminated sites within their jurisdictions in order to fairly apply the rule required by Policy 33.
142. Porirua City Council opposes such an approach, as the identification and verification of contaminated sites is a regional council obligation, and this policy seeks to pass this work and expense to district and city councils.
143. However, Porirua City Council recognises the need for district plans to manage land use activities on *verified* contaminated sites. Therefore, the following amendments to Policy 33 are requested:

District plans shall include policies and rules that do not allow activity on 'verified contaminated land' if that activity could be adversely affected by the contamination. For the purposes of this policy, 'verified contaminated land' is land that is identified within Wellington Regional Council's verified contaminated sites register.

New Method

144. In order to successfully apply the above amendments to Policy 33, a new method is required under Section 3.5.2 stating that Greater Wellington shall compile a verified register of verified contaminated sites within the Wellington region.

Miscellaneous

145. The sentence: *Imported energy resources include as oil, natural gas and coal* in the explanation to Policy 6 contains an error and the word 'as' should be deleted.
146. Policy 52(g) could be clearer. Porirua City Council suggests changing the wording from 'sensitive indigenous habitats of species' to 'habitats of sensitive indigenous species' or 'sensitive habitats and/or indigenous species'.

147. Policy 28 refers to subdivision and development, however, its corresponding consideration policy refers only to development. Porirua City Council queries whether this distinction is deliberate, and if not, suggests rewording Policy 50(g) to be consistent with Policy 28.
148. Policies 53 and 54 are cross-referenced to Objective 27. This should be Objective 21.
149. Non-regulatory Policy 64 is cross referenced to Objective 3, but does not appear in Table 2 under Objective 3.
150. Method 45 reads: 'Develop planning for each Regional Focus Area', this could be clearer, i.e. 'develop plans...' or 'develop planning guidelines...'.

Relief sought

151. In the following paragraphs, ~~strike through~~ indicates wording to be deleted, underline indicates wording to be added, and *italics* indicates wording within the PRPS. All references are to paragraph numbers within this submission.

Consideration policies (Section 4.2)

152. That GWRC reviews the application of Policies 34, 36, 38(b), 44, 50(a-f, h, i) and 53 in the assessment of all resource consent application, and that GWRC considers the development of a 'threshold test' for triggering when policies 34, 36, 38(b), 44, 50(a-f, h, i) and 53 shall be considered as part of any resource consent. This may include noting the specific circumstances in which these policy shall be considered. (ref: para 13-29)
153. That GWRC reviews the 'inter-play' between the above policies and section 4.1, and the efficiency and effectiveness of the current PRPS's current 'continuous' policies. (ref: para 13-29)

Air quality

154. Delete Policy 1. (ref: para 30-43)

Coastal environment

155. Insert the following regulatory policy into Section 4 (ref: para.52):

District and Regional Plans with jurisdiction over all or part of the Porirua Harbour catchment area shall include policies, rules and/or methods that:

- (a) *recognise and acknowledge the regional significance of Porirua Harbour; and*
- (b) *recognise and provide for the maintenance, protection and enhancement of the significant amenity, recreational, ecological and cultural values associated with the Porirua Harbour.*

Explanation

Porirua Harbour includes the Pauatahanui inlet and the Onepoto arm. Porirua Harbour contains a nationally significant ecosystem and has high cultural significance to Ngati Toa.

While the harbour is a recognised aesthetic, natural and community asset, parts of it have been significantly impacted by historic and current land and coastal management practices. The regulatory approach of the Regional Policy Statement seeks to address the discharge of sediment, nutrients and other contaminants into the harbour and its ecological health through regional and district plans. However, general regulatory policies cannot address the cross-boundary issues associated with the management of the harbour, and the need to address existing land management practices that are increasingly impacting the harbour.

A non-regulatory method is also necessary to address the issues that cannot be resolved through a regulatory approach, but that are vital in restoring the mauri and ecological health of the harbour. Further, the integrated and coordinated management of Porirua Harbour between Porirua City Council, Wellington City Council and Wellington Regional Council is vital to protecting and restoring the harbour.

156. Insert the following method into Section 4.5.3 (ref: para. .52)

Method

Prepare a harbour and catchment management strategy for Porirua Harbour to address the restoration of Porirua Harbour and reduce the discharge of sediment, nutrients and contaminants into the harbour.

Implementation: Wellington Regional Council, Porirua City Council and Wellington City Council.

157. That GWRC gives further consideration to how policy 3 will be interpreted and the methods by which it shall be applied, having regard to its efficiency and effectiveness.. (ref: para.55)
158. That Greater Wellington retains and implements Methods 7 and 49 as soon as practicable. (ref: para.56-57)
159. Retain Policy 34 in its current wording. (ref: para.62)
160. Expand Method 50 to also identify areas where public access should be controlled. (ref: para.64)

Energy, infrastructure and waste

161. That GWRC add a method to Section 4.5 for Greater Wellington to lead a region-wide strategy for renewable energy development to assist in determining the location, appropriateness and priority of large scale windfarms and other renewable energy sources throughout the region. (ref: para.67)
162. Clarify Policy 6 as follows: Recognising the benefits from renewable energy and regionally significant infrastructure and renewable energy. (ref: para.71)
163. Amend Policy 10(a) as follows (ref: para.76):
- promote energy efficient design and the use of small domestic scale renewable energy generation; and*
164. Amend the explanation to Policy 10 as follows (ref: para.76):

Small Domestic scale renewable energy generation facilities include...

Fresh water

165. That Greater Wellington retain and implement Method 30 as soon as practicable. (ref: para.79)
166. Retain the proposed wording of Policy 15. (ref: para.81)
167. Retain Policy 16 (ref: para.82)
168. Retain the proposed wording of Policy 19. (ref: para.83)
169. Add a new method to Section 4.5.2 stating: *Information about minimising contamination in stormwater from development specific to the Wellington region* or words to similar effect, with Wellington Regional Council as the lead authority. (ref: para.88)
170. That further consideration is given to the practicalities and inconsistencies of applying Policy 44 to resource consent decision making, and if necessary amend the policy to address these issues. (ref: para.97)
171. That the outcomes of Method 33 are integrated with Wellington Regional Council's LTCCP. (ref: para.99)
172. Retain Method 35. (ref: para.100)
173. Retain Policy 64 and Method 52. (ref: para.101)

Historic heritage & indigenous ecosystems

174. Retain Objective 15 and its policies and methods. (ref: para.102-108)
175. Retain Objective 16 and its policies and methods. (ref: para.102-108)
176. Clarify what flora and fauna constitute 'specific indigenous species' in Policy 49(e). (ref: para.108)

Landscape

177. Retain Objective 17 and its policies and methods (ref: para.109)
178. That Method 49 provides guidance on the cross-boundary issues associated with implementing Objective 17 and its policies. (ref: para.112)

Natural hazards

179. Remove the blanket requirement to avoid subdivision and development in high hazard areas by amending Policy 28(b) to state: '*...policies and rules to manage, where appropriate, or avoid subdivision and development in those areas.*' (ref: para.119)
180. Remove the blanket requirement to avoid subdivision and development in high hazard areas by amending Policy 50(g) to state: '*...avoiding or managing development in areas at high risk from natural hazards*'. (ref: para.120)

Regional form, design and function

181. Retain regional form, design and function as an issue of regional significance. (ref: para.121)

182. Amend Objective 21(b), Policy 29, Appendix 3 and Section 3.6 by removing Petone, Kilbirnie and Johnsonville as regionally significant centres. (ref: para.122-128)
183. If the above request is rejected, amend Objective 21(b), Policy 29, Appendix 3 and Section 3.6 to clearly distinguish between sub-regional civic and commercial centres and the suburban centres of Petone, Kilbirnie and Johnsonville. (ref: para.122-128)
184. If the request in paragraph 182 is rejected, that the officer report clearly demonstrates why the suburban centres of Petone, Kilbirnie and Johnsonville are of regional significance whereas other suburban centres, such as Newtown, Waikanae and Otaki are not. (ref: para.122-1128)
185. If the request in paragraph 182 is rejected, that the suburban centres of Kilbirnie, Petone and Johnsonville are defined in a manner consistent with the sub-regional centres, by using the term 'suburban centre' or words to similar effect. (ref: para.128)
186. Remove the reference to resource consent decision making in Policy 53. (ref: para.130)
187. Amend Appendix 2 so that factor 2(e) is placed under 'custodianship'. (ref: para.132)
188. Recognise the Porirua Development Framework in the explanation of Policy 54. (ref: para.133)
189. Clearly identify the management goals within the WRS that Policy 58 refers to. (ref: para.134)
190. Consider requiring Method 40 to: 'improve integration and use of public open space'. (ref: para.135)

Resource management with tangata whenua

191. Retain Objectives 22-27 and their policies and method. (ref: para.136)
192. Retain the recognition of mauri in the RPS. (ref: para.136)
193. Add a new anticipated environmental result to Section 5.2, Objective 25 stating: '*Iwi authorities consider that Porirua Harbour's mauri is being restored*'. (ref: para.137)

Soils and minerals

194. Amend Policy 33 as follows: District plans shall include policies and rules that do not allow activity on 'verified contaminated land' if that activity could be adversely affected by the contamination. For the purposes of this policy, 'verified contaminated land' is land that is identified within Wellington Regional Council's verified contaminated sites register. (ref: para.143)
195. Add a new method to Section 4.5.2 requiring Greater Wellington to compile a verified register of verified contaminated sites within the Wellington region (ref: para.144)
196. Retain Policy 68 and Methods 15 and 54.

Other

197. Any consequential amendments required to satisfy the relief sought above.
198. Address the minor errors and wording suggestions highlighted in paragraphs 145 to 150 of this submission.

Hearing

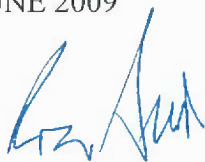
199. Porirua City Council wishes to be heard in support of its submission.

200. Porirua City Council would not consider making a joint presentation at the hearing.

DATED AT PORIRUA THIS 8 DAY OF JUNE 2009



Jenny Brash
Mayor



Roger Blakeley
Chief Executive

Acting pursuant to delegated authority on behalf of Porirua City Council

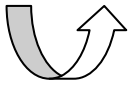
Porirua – Our Place, Our Future: Community Outcomes (2009)

A summary of the Community Outcomes, what they mean and the priority projects, from the Draft Community Outcomes Action Plan out for consultation 1 April – 1 May 2009

	Porirua is ...	This means ...	These sorts of things are important ...
1	Multicultural & Creative "A vibrant and creative city that celebrates diversity, involves people, and has a sense of belonging."	a) We are proud of who we are and where we live b) There's lots happening and we take part c) We are creative and celebrate our successes	<ul style="list-style-type: none"> ● Ngati Toa is tangata whenua: we honour the Treaty of Waitangi ● We have people from all around the world ● People feel that Porirua is a great place ● We get together often for many things
2	Strong Families & People, Young & Old "A city that welcomes and includes all people and supports families and communities."	a) We know about the people of our city b) We invest in our families and young people and value the skills and experience of older people c) We feel good, enjoy our lives and care for our community	<ul style="list-style-type: none"> ● We have information about the city, its people, their strengths and likely needs ● We have services and assistance for different groups in our city and use them when needed ● We encourage and achieve participation in civic activities
3	Active & Healthy "People understand, access and participate in healthy choices, activities and healthcare services."	a) We live healthily b) We know about and use health services when we need them	<ul style="list-style-type: none"> ● People live longer ● People are physically active ● Fewer people smoke ● Fewer people are ill
4	Learning for Life "Diverse life-long learning opportunities supported by quality educational facilities and programmes."	a) We learn something new everyday b) We achieve	<ul style="list-style-type: none"> ● Learning opportunities are available to everyone throughout life ● We take part in education ● People of all ages achieve a wide range of educational qualifications
5	Prosperous "Businesses flourish, innovation abounds, and people have quality jobs."	a) We have a successful range of businesses and enterprises b) Our businesses and enterprises are known worldwide for innovation c) We have access to good jobs for our skills	<ul style="list-style-type: none"> ● We have businesses and enterprises in many sectors ● We have a healthy local economy
6	A Safe City "A safe place to live, work, shop, learn, play and visit."	a) We are safe b) We are ready for emergencies	<ul style="list-style-type: none"> ● Accidents and injuries are reduced and prevented ● Crime is reduced and prevented ● People feel safe
7	Sustainably Designed & Built "The built environment fits our harbour and hills, meets current and future community requirements and housing needs."	a) We plan our City well b) Our housing meets our communities needs c) We live sustainably	<ul style="list-style-type: none"> ● Our built environment meets our needs and is sustainably managed ● We have pride in the 'look and feel' of our City ● We know what our housing needs are
8	A Valued Natural Environment "The natural environment is valued and protected by the community and its quality is improved."	a) We know how important our land and harbour environments are b) We look after our environment	<ul style="list-style-type: none"> ● We have a multi-sector city strategy for managing safety ● For emergencies: We know the risks; We have plans; We will act; We will recover ● We have a plan to manage housing needs sustainably ● We manage water, waste and energy efficiently ● We know about sustainability
9	Well Connected & On The Move "People connect in a safe, accessible and affordable manner."	a) We get to where we want b) We know what's going on c) We are connected to the world	<ul style="list-style-type: none"> ● We have the right plans and strategies in place to help us ● We take part in activities that help the environment ● We get enough useful information ● We keep in touch with each other wherever we are ● We keep in touch with the world



See over page for what each outcome means



*Te Tiriti o Waitangi - Sustainability - Partnership
 Collaboration - Interdependence - Participation - Equity
 Social Justice*

The Umbrella Principles



The 9 Community Outcomes

“Community Outcomes are for everyone”
 Porirua - Our Place, Our Future: Community Outcomes Action Plan (2009 – 2015)
 Porirua – Tō Tātou Wāhi Ināianeī, Ki Tua Hoki: Mahere Mahi Putanga Hapori