



greater WELLINGTON  
REGIONAL COUNCIL

# Staff Report: Proposed Regional Policy Statement for the Wellington region 2009

## Volume 2

Includes submission summaries, discussion and staff recommendations on submissions on the proposed Regional Policy Statement from policy 20 to end.

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## 2. Summary of submissions and recommendations by topic in the proposed Regional Policy Statement

Numbering continues from Volume 1.

### 2.94 Policy 20: Identifying places, sites and areas with significant historic heritage values – district and regional plans

Submitter	Submission	Summary
Anders Crofoot	25/13	Stated that it is very important that areas are identified before regulation is put in place to protect them under policy 21. This will decrease uncertainty for landowners and the likelihood of perverse incentives being created.
Department of Conservation	31/17	Stated that the Resource Management Act 1991, in the identification of matters of national importance, does not use the qualifier “significant” at s6(f), when referring to the protection of historic heritage from inappropriate subdivision, use, and development. This is unlike the requirement at s6(c) where such a qualifier of significance is required in respect of indigenous vegetation and habitats or outstanding natural features. Sought the following decision from the Council: Remove the word “significant” from the policy and explanation.
F10/9	Wellington Fish and Game Council	Support
Anthony Roy Edwards	34/2	Sought reference to method 20 be corrected to 22.
Federated Farmers of New Zealand	35/40	Sought retention of policy as proposed.
F22/75	Anders Crofoot	Support
Genesis Energy	40/7	Sought that the policy be deleted or amended to read ‘Regional and district plans shall identify places, sites and areas with significant historic heritage values, affording consideration to whether the place, site or area makes an important contribution to an understanding and appreciation of history and culture, and the following matters ...’
New Zealand Historic	87/16	Sought the addition of the following criterion: (h) Statutory Recognition: Whether the place or area has recognition in New Zealand legislation or

Submitter	Submission	Summary
Places Trust		international law including: (i) World Heritage Listing under the World Heritage Convention 1972 (ii) Registration under the Historic Places Act 1993 (iii) An archaeological site as defined under the Historic Places Act 1993 (iv) Statutory acknowledgement under claim settlement legislation (v) Recognition under special legislation.
Porirua City Council	100/18	Supported policy 20 and its criteria for the identification of heritage sites and areas.
F12/18	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
South Wairarapa District Council	112/23	Noted that it would be useful to insert in the 'explanation' how the criteria have been established.
Wellington City Council	131/89	Supported policy 20.

(a) Discussion

**Anders Crofoot** stated the importance of identifying historic heritage prior to regulating its protection to give landowners more certainty. Staff agree with the submitter and note that this also provides certainty to territorial authorities, communities and other interested parties. Full identification of historic heritage values is a critical component of the suite of historic heritage policies.

The **Department of Conservation** requested removal of the word “significant” from policy 20. In their view, there is no qualifier in section 6(f) of the Resource Management Act, therefore there should be none in policy 20. Wellington Fish and Game Council supported this submission. Greater Wellington does not intend for the Regional Policy Statement to be a repetition of the Act, but to provide further direction on what is stated in the Act. Policy 20 is about identifying places, sites and areas with significant historic heritage values. It is the significance of the values that determines whether or not a place, site or area is historic heritage. Greater Wellington staff believe it is



appropriate for district and regional plans to identify only those places, sites and areas with significant historic heritage values, as places without significant values would not warrant inclusion in a district or regional plan. We therefore do not recommend that “significant” be removed from policy 20.

**Anthony Roy Edwards** requested that the reference to method 20 associated with policy 20 on page 91 be corrected to method 22. Method 22 is about areas at high risk from natural hazards, while method 20 is about identification of historic heritage values. Staff consider Method 20 is the correct reference for policy 20.

**Federated Farmers of New Zealand** supported policy 20 and sought its retention so that historic heritage values and the reasons places are included in district plan schedules are known. The submission was supported by Anders Crofoot. The support is noted. Staff note some amendments are recommended in response to other submissions.

**Genesis Energy** supported consistent identification of heritage values. However, they have requested that either policy 20 be deleted or it be amended to clarify the intent of the policy and to emphasise consideration of all matters listed. Greater Wellington staff do not consider it appropriate to shift the emphasis to consideration of all the criteria, as we do not want to give the impression that all the criteria must be met in order for a resource to have significant historic heritage values. In most cases, a resource will be significant under more than one of the criteria, but it would be unusual for a place to have significance under all of the criteria. Staff acknowledge that the wording of the policy is awkward and confusing, and have recommended changes to make the policy more clear and concise.

The **New Zealand Historic Places Trust** supported policy 20. They also requested the addition of another criterion to ensure places with statutory recognition are identified and protected, and suggested the following:

*(h) Statutory recognition: Whether the place or area has recognition in New Zealand legislation or international law including:*

*(i) World Heritage Listing under the World Heritage Convention 1972;*

*(ii) Registration under the Historic Places Act 1993;*

*(iii) An archaeological site as defined by the Historic Places Act 1993;*

*(iv) Statutory acknowledgement under claim settlement legislation;*

*(v) Recognition under special legislation.*

There are a number of reasons that Greater Wellington staff do not believe this additional criterion is necessary.

With regard to World Heritage listing, there are no World Heritage sites in the Wellington region, nor are there any places currently nominated for the honour. Greater Wellington staff consider that if a place, site or area were to be worthy of a World Heritage listing, then it would by default have significant historic heritage value, and hence it would be captured by this policy.

Regarding registration under the Historic Places Act 1993, there are many places currently registered under the Historic Places Act 1993 for which there is little information as to why they were registered. The requirements for registration under the Historic Places Act 1980 were quite loose compared with today's standards. When the Historic Places Act 1993 was introduced, previously registered places were rolled over into the new Register, even if there was little information about why they were initially registered. The Resource Management Act already provides for consideration of registered places in sections 66(2)(c)(iia) and 74(2)(b)(iia). Therefore, it is not considered necessary to include this in the Regional Policy Statement.

With regard to archaeological sites, criterion (b)(i) of policy 20 considers archaeological values. Using the Historic Places Act 1993 to define archaeological sites is problematic in that it limits consideration to those places associated with human activity prior to 1900 only, a restriction not in the Resource Management Act definition of historic heritage. Some archaeological sites have more recent history associated with them. Therefore, Greater Wellington staff do not believe that adding (h)(iii) as proposed would contribute anything beneficial to policy 20.

The Historic Places Trust also sought inclusion of statutory acknowledgement under claim settlement legislation or recognition under special legislation. Greater Wellington assumes that any place identified in legislation would be recognised for its significant historic heritage values, and could also be recognised under the proposed criteria in policy 20. While legislation can be a source of information about places, sites and areas with significant heritage values, Greater Wellington staff do not believe it should be added as a criterion.

**Porirua City Council** supported policy 20 and its criteria. Their submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Limited and Kiwi Properties Management Limited. The support is noted.

**South Wairarapa District Council** requested that the explanation be expanded to include how the criteria in policy 20 were determined. Greater Wellington staff agree with the submitter that further elaboration of how the criteria were determined should be included in the explanation.

**Wellington City Council** supported policy 20. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/13	Accept
Department of Conservation	31/17	Reject
Anthony Roy Edwards	34/2	Reject
Federated Farmers of New Zealand	35/40	Accept in part
Genesis Energy	40/7	Accept in part
New Zealand Historic Places Trust	87/16	Accept in part
Porirua City Council	100/18	Accept
South Wairarapa District Council	112/23	Accept
Wellington City Council	131/89	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 20 to the following:

**Policy 20: Identifying places, sites and areas with significant historic heritage values – district and regional plans**

District and regional ~~Regional and district~~ plans shall identify places, sites and areas with significant historic heritage values ~~using the following criteria, and having determined that the place, site or area makes an important contribution that contribute~~ to an understanding and appreciation of history and culture under one or more of the following criteria: ...

Amend first paragraph of the explanation to read as follows:

Policy 20 provides criteria to ensure significant *historic heritage* resources are identified in district and regional plans in a consistent way. The criteria are based on the Resource Management Act definition of historic heritage and commonly used assessment methodologies. They provide the basis for describing and evaluating historic heritage, including the physical, historic, social and other values that people attach to historic heritage. Greater Wellington, district and city councils are required to assess a place, site or area against all the criteria,

but may use additional criteria. A place, site or area identified must, however, fit one or more of the listed criteria in terms of ~~contributing making an important contribution~~ to an understanding and appreciation of history and culture in a district in order to have significant historic heritage values.

## 2.95 Policy 21: Protecting historic heritage values - district and regional plans

Submitter	Submission	Summary
Department of Conservation	31/18	Sought that the policy be retained as proposed.
Federated Farmers of New Zealand	35/41	Sought retention of policy as proposed.
F22/76	Anders Crofoot	Support
New Zealand Defence Force	86/8	Sought retention of intent of policy and sought that it be retained - subject to Submissions on regionally significant infrastructure.
New Zealand Historic Places Trust	87/17	Sought retention of policy 21.
Porirua City Council	100/19	Supported policy 21's onus on protecting historic heritage values, as opposed to protecting historic heritage sites and areas.
F12/19	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/90	Supported policy 21.

### (a) Discussion

The **Department of Conservation, Federated Farmers of New Zealand, New Zealand Defence Force, New Zealand Historic Places Trust, Porirua City Council** and **Wellington City Council** all supported policy 21. **Kiwi Income Property Trust, Kiwi Income Properties Limited** and **Kiwi Properties Management Limited**

supported the submission of Porirua City Council. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. The New Zealand Historic Places Trust is particularly concerned about the destruction of unrecorded archaeological sites, and feels that part (b) of policy 21 will be a significant improvement to the current situation. New Zealand Defence Force specifically supported the cross-referencing of policy 7 and the clarification that policy 21 is not intended to prevent change. The support for this policy is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/18	Accept
Federated Farmers of New Zealand	35/41	Accept
New Zealand Defence Force	86/8	Accept
New Zealand Historic Places Trust	87/17	Accept
Porirua City Council	100/19	Accept
Wellington City Council	131/90	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to policy 21.

**2.96 Policy 22: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans**

Submitter	Submission	Summary
Winstone Aggregates	15/26	Sought that policy 22 explanation be amended as follows: Regional plans will identify indigenous ecosystems and habitats with significant biodiversity values in the coastal marine area, wetlands and the beds of lakes and rivers. District plans will identify indigenous ecosystems and habitats with significant biodiversity values for all land, except the coastal marine area and the beds of lakes and rivers and where an activity for which ecosystem removal is provided for by way of an existing consent, Certificate of Compliance or permitted activity rule in a relevant district plan.

Submitter	Submission	Summary
Department of Conservation	31/19	<p>Stated that protected species under the Wildlife Act 1953 and the Marine Mammals Protection Act 1978 are not necessarily threatened species; however the indigenous ecosystems and habitats important to these species should still be identified in district and regional plans. Conversely, not all threatened indigenous species (in particular invertebrates) are protected under legislation.</p> <p>Sought the following decision from the Council: That policy 22 (d)(iii) be amended by inserting the following wording: "provides seasonal or core habitat for protected or threatened indigenous species."</p>
Anthony Roy Edwards	34/3	<p>Sought that for conformity with policy 20 that "... and having determined that the ecosystem or habitat makes an important contribution, meets" be added to the first sentence. Also sought that appropriate text be added to refer readers to method 23.</p>
Federated Farmers of New Zealand	35/42	<p>Sought that the proposed criteria under policy 22 be replaced with the following:</p> <ul style="list-style-type: none"> <li>(a) representativeness (concerning the extent of range of genetic and ecological diversity)</li> <li>(b) diversity and pattern (in relation to ecosystems, species and landforms)</li> <li>(c) diversity and pattern rarity factors and/or special features</li> <li>(d) naturalness/intactness</li> <li>(e) size and shape (affecting the long-term viability of species, communities and ecosystems, and amount of diversity)</li> <li>(f) inherent ecological viability/long-term sustainability</li> <li>(g) relationship between natural areas and other areas of more modified character (inasmuch as well-buffered areas linked to other natural or semi-natural areas tend to have higher value than unbuffered isolated ones)</li> <li>(h) vulnerability to "threat processes" liable to disturb existing equilibrium</li> <li>(i) management input required to maintain or enhance an area's significance (including nature and scale of input or degree of intervention, and degree of restoration potential).</li> </ul> <p>And, that a new policy as follows be included:  Provide or facilitate as appropriate support for landowners' efforts to protect and manage indigenous ecosystems and habitats with significant biodiversity values – district and regional plans  And</p>

Submitter	Submission	Summary
		Sought consequential amendments as to detail or substance throughout the Policy Statement, in particular the policy and methods section, to give effect to this Submission
F1/32	Winstone Aggregates	Support and oppose
F19/42	Horticulture New Zealand	Support
F22/77	Anders Crofoot	Support
Genesis Energy	40/8	Sought that the policy be deleted or amended to: define 'commonplace', 'poorly represented' and 'scarce or threatened in a local, regional, or national context'; include an additional criterion requiring a site to be 'positive for sustainability' as defined by Norton and Roper-Lindsay (2004) as well as meeting one of the other criteria to be termed 'significant'; delete references to tangata whenua values.
F8/24	TrustPower Limited	Support in part
Kapiti Coast District Council	56/9	Stated support for policy 22 which provides a standard minimum framework with which to assess the indigenous biodiversity values of indigenous ecosystems, identification of significant ecosystems and protection of these. Stated that the inclusion of these policies in the Proposed Regional Policy Statement will assist in retaining protection for these areas as part of the District Plan review.
Lower Hutt Forest and Bird Protection Society	66/5	Supported policy 22. Requested deletion of 'threatened' from paragraph (d)(ii). Requested amending paragraph (d) to include 'Avoiding incremental loss of indigenous ecosystems and habitats' and 'Avoiding the cumulative effects of the incremental loss of indigenous ecosystems and habitats.'
F1/52	Winstone Aggregates	Oppose
F24/70	Masterton District Council	Oppose

Submitter	Submission	Summary
Meridian Energy Limited	82/24	Sought that the policy be amended to read: 'District and regional plans shall identify indigenous ecosystems and habitats that have been assessed as having significant indigenous biodiversity values using the following ecological significance criteria: Primary Assessment Criteria a)... (d)(ii) provides seasonal or core habitat for threatened indigenous species. Secondary Assessment Criteria (e) Key ecological processes remain viable or still influence the site; and key ecosystems within the site are known to be or are likely to be resilient to existing or potential threats under some realistic level of management activity. ...' to better reflect best practice and the wording endorsed by the Environment Court.
F1/56	Winstone Aggregates	Support
F8/22	TrustPower Limited	Support
F23/55	Federated Farmers of New Zealand	Support
Meridian Energy Limited	82/25	Sought that the explanation be amended to read: '...To be identified as having significant biodiversity values, an indigenous ecosystem or habitat must meet at least one of the Primary Assessment Criteria (Representativeness, Rarity, Diversity or Ecological Context). Noted that any assessment of indigenous ecosystems and habitats undertaken under policy 22 should include field verification of sites for inclusion.
F1/57	Winstone Aggregates	Support
F8/23	TrustPower Limited	Support
F23/56	Federated Farmers of New Zealand	Support
Mighty River Power	83/27	Sought that the policy be amended to read: '...one or more of the following criteria and are considered positive for sustainability as defined below: (a) Representativeness: high representativeness values are given to particular



Submitter	Submission	Summary
		<p>ecosystems and habitats: (i) are now less than approximately 20% of their known or likely former cover in the ecological district; (ii) are a high quality example of an ecosystem; or (iii) are less than 10% formally protected in existing protected areas...'</p> <p>Delete paragraphs (c) and (e).</p> <p>Amend paragraph (d) to read:</p> <p>'...(iii) the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and/or physical features within a prescribed area.'</p> <p>Add new paragraph to read:</p> <p>'A site is considered positive for sustainability if it meets all of the following criteria: (i) Key ecological processes remain viable or still influence the site; (ii) The key ecosystems within the site are known to be or are likely to be resilient to existing or potential threats under some realistic level of management activity; (iii) The potential exists for ecological restoration in fragmented landscapes and environments where the original vegetated cover has been removed; (iv) Existing or potential land and water uses in the area around the site could be feasibly modified to protect ecological values.'</p>
F8/25	TrustPower Limited	Support in part
F16/22	Genesis Energy	Support
F17/42	Meridian Energy Limited	Support in part
New Zealand Historic Places Trust	87/18	Sought retention of policy 22.
Porirua City Council	100/20	Supported.
F12/20	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

Submitter	Submission	Summary
South Wairarapa District Council	112/24	Noted that it would be useful to insert in the 'explanation' how the criteria have been established.
TrustPower Limited	124/26	<p>Sought that the policy be amended to read:  'District and regional plans shall identify indigenous ecosystems and habitats that have been assessed as having significant indigenous biodiversity values in accordance with the following best practice ecological significance criteria:  Primary Assessment Criteria  ..  (d)(ii) provides seasonal or core habitat for threatened indigenous species.  Secondary Assessment Criteria  (e) Key ecological processes remain viable or still influence the site; and key ecosystems within the site are known to be or are likely to be resilient to existing or potential threats under some realistic level of management activity...'</p> <p>Also sought the explanation be amended to read:  'Policy 22 will ensure that indigenous ecosystems and habitats with significant biodiversity values are identified in district and regional plans in a consistent way. Wellington Regional Council, and district and city councils are required to assess indigenous ecosystems and habitats against the relevant criteria. To be identified as having significant biodiversity values, an indigenous ecosystem or habitat must meet at least one of the Primary Assessment Criteria (Representativeness, Rarity, Diversity and Ecological Context). These criteria are consistent with Environment Court accepted and best practice criteria. Any assessment of indigenous ecosystems and habitats undertaken under policy 22 should include field verification of sites for inclusion.</p>
Wellington Botanical Society	130/6	<p>Requested additional criteria be added to read:  'Community values: the health of the ecosystem or habitat is of social, cultural or historical importance to the community as evidenced by their contribution over time to its protection or restoration' and 'potential biodiversity significance: where individuals, communities or public organisations have already taken steps to protect the indigenous habitats and ecosystems and/or facilitate their restoration'.  Requested that Greater Wellington ensure that implementation of method 21 includes identifying processes for establishing 'significance'; providing</p>

Submitter	Submission	Summary
		guidance on the degree of specificity required when identifying these ecosystems and habitats; requiring identification of places not just ecosystem types; encouraging a focus on identifying ecosystems and habitats that are potentially at risk either from infrastructure proposals or by being on private land that has not been covenanted; making the assessments of significance available to the public as part of consultation on district and regional plans; encouraging councils to collaborate with other councils and Department of Conservation to establish combined work programmes.
Wellington City Council	131/91	Supported policy 22.

(a) Discussion

**Winstone Aggregates** sought that the explanation to policy 22 be amended to recognise that any existing consent, certificate of compliance or permitted activity rule in a relevant district plan that provides for an activity that involves ecosystem removal should not be compromised by “rules, zonings and overlays applied to areas of significant indigenous ecosystems”. Greater Wellington staff consider that the proposed amendment to the explanation to policy 22 is inappropriate. If someone holds an existing resource consent then it will remain valid for the period it has been issued for, unless there are specific review provisions, outlined in the resource consent. This applies in the same way for implementation of all policies in the Regional Policy Statement. A certificate of compliance (in accordance with section 139 of the Act) is for an activity that can be lawfully carried out without a resource consent at the time it is sought from a local authority. If a rule changes in a plan and the activity is no longer permitted then the compliance certificate is no longer valid and is not appropriate as an exclusion. Policy 23 requires that local authorities, once they have identified indigenous ecosystems and habitats with significant biodiversity (in accordance with policy 22), include policies, rules and methods to protect the values associated with these sites. This may include amending, or confirming, existing permitted activities. The proposed exclusion for existing permitted activities is therefore inappropriate and it is contrary to the intent of the policy.

**Department of Conservation** stated that protected species under the Wildlife Act 1953 and the Marine Mammals Protection Act 1978 are not necessarily threatened species; however the indigenous ecosystems and habitats important to these species should still be identified in district and regional plans. Conversely, not all threatened indigenous species (in particular invertebrates) are protected under legislation. The submitter sought that policy 22 (d)(iii) be amended by

inserting the following wording: “provides seasonal or core habitat for protected or threatened indigenous species.” Greater Wellington staff agree with this submission and have amended the policy accordingly and have included definitions of the terms threatened and protected indigenous species in Appendix 3.

**Anthony Roy Edwards** sought that for conformity with policy 20 that “... and having determined that the ecosystem or habitat makes an important contribution, meets” be added to the first sentence. Greater Wellington staff do not support this submission because a different approach is required for identification of biodiversity in policy 22 than that for historic heritage in policy 20. Also the submitter sought that appropriate text be added to refer readers to method 23. Greater Wellington staff do not support this submission as there is not a strong enough connection to warrant a linkage between policy 22 and method 23.

**Federated Farmers of New Zealand** supported the intent of policy 22 but sought an alternative set of criteria to replace the proposed policy 22 criteria for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values. Winstone Aggregates opposed the submission noting that the submitter’s requests made the policy somewhat unworkable by setting criteria that were not very clear. Horticulture New Zealand and Anders Crofoot supported the submission of Federated Farmers of New Zealand. Greater Wellington staff note that the criteria in policy 22 have been developed in response to the two regionally significant resource management issues for indigenous ecosystems, namely:

1. The region’s indigenous ecosystems are reduced in extent
2. The region’s remaining ecosystems are under threat.

The proposed criteria (a) *Representativeness* and (b) *Rarity* in policy 22 are consistent with internationally and nationally recognised conservation principles that the highest and most urgent priority for protection is accorded to those ecosystems and habitats that are irreplaceable and vulnerable to threat. Proposed criteria (c) *Diversity* recognises the importance of those areas that are diverse and, as such, have high biodiversity values. Proposed criteria (d) *Ecological context of an area* recognises the role that any area may fulfil in linking ecosystems across the landscape, even though that area’s biodiversity values may not be high, and supporting certain indigenous species.

The criteria (a) – (c) suggested by Federated Farmers of New Zealand include some of the concepts described above but with less clarity. For example, the proposed criteria (a) in policy 22 *Representativeness: high representativeness values are given to particular ecosystems and habitats that were once typical and commonplace in a district or in a region; and:*

- (i) are no longer commonplace; or
- (ii) *are poorly represented in existing protected areas.*

directly addresses the issue that the Wellington region has some species, habitats and ecosystems much reduced and poorly protected and that it is these much reduced and poorly protected ecosystems that are the most threatened and in need of protection. However, other submitters (Genesis Energy and Mighty River Power) submit that greater clarity can be achieved by better defining these criteria. This is discussed later. The equivalent criteria suggested by Federated Farmers of New Zealand: (a) Representativeness (concerning the extent of range of genetic and ecological diversity) is inadequate to address the two regionally significant resource management issues for indigenous ecosystems.

The criteria (d) – (i) suggested by Federated Farmers of New Zealand are, in essence, addressing the matter of sustainability. Other submitters – **Genesis Energy, Meridian Energy, Mighty River Power and TrustPower Limited** – also wished to see additional criteria addressing sustainability in various forms. Winstone Aggregates, TrustPower Limited and Federated Farmers of New Zealand supported the submission of Meridian Energy Limited. TrustPower Limited, Genesis Energy and Meridian Energy supported the submission of Mighty River Power either wholly or in part. The intent of the sustainability criterion requested is to determine whether the ecosystems, habitats or species in an area are viable in the longer term. The above submitters propose that areas should not be considered significant if they do not meet any one of the following four conditions:

1. The key ecological processes remain viable or still influence the site
2. The key ecosystems within the site are known to be or are likely to be resilient to existing or potential threats under some realistic level of management activity
3. The potential exists for ecological restoration in fragmented landscapes and environments where the original vegetated cover has been removed
4. Existing or potential land and water uses in the area around the site could be feasibly modified to protect ecological values.

Greater Wellington staff do not support the inclusion of sustainability criteria in the list of criteria for significance. The sustainability criterion introduces considerations of quality or condition, viability, and resilience of a site, and issues of current or future management of the site. These are seen as inappropriate for the following reasons:

- (i) The sustainability criterion is inconsistent with the purpose of the policies in section 3.6. The overall intent of policies 22 and 23 is to counter the on-going reduction in extent of particular types of ecosystems and habitats by addressing the threats to them. Importantly, all or most remaining sites supporting the Wellington region's much reduced ecosystems identified in the first of the regionally significant resource management issues for indigenous ecosystems, namely:
  - (a) wetlands
  - (b) lowland forests
  - (c) lowland streams
  - (d) coastal dunes and escarpments
  - (e) estuaries
  - (f) eastern 'dry-land' forests.

are, by definition, substantially reduced and fragmented from their former extent, modified from their former condition and under threat . They are however, the only places in the region where these ecosystems and habitats now remain. Whether or not these ecosystems and habitats remain in their current condition or are resilient to future threats is a relatively inconsequential matter. The core purpose of policy 22 is to consistently identify the sites that still support these ecosystems in order that their further loss can be avoided through protection from threats.

- (ii) The sustainability criterion introduces considerable potential for speculation and argument over what is and is not significant. Determination of whether an ecosystem is "likely to be resilient" to the range of "potential threats" is problematic and unlikely to be conclusive.

Due to the subjective and ambiguous nature of the sustainability criteria (noted by the Environment Court (Decision A078/2008) Greater Wellington staff do not consider such criteria will adequately address the regionally significant resource management issues.

**Genesis Energy** and **Mighty River Power** submitted that criterion (a) *Representativeness* be amended to clarify the intent. Genesis Energy sought that the terms "commonplace", "poorly represented" and "scarce or threatened in a local, regional or national context" be defined. TrustPower Limited supported the submitters desire to have "sustainability" criteria introduced to policy 22. Mighty River Power sought a quantitative measure. TrustPower Limited supported the submission in part. Greater Wellington staff agree that this part of policy 22 could be clarified to better address the regionally significant resource management issues. Ecological theories, such as the species/area relationship theory, help to understand and predict the impact of habitat reduction on biodiversity. In essence the theory demonstrates that as more habitat is lost the rate of species loss

increases rapidly. This has led to the development of a classification system that attributes a ranking in relative to habitat loss:

Category	Criteria
Acutely threatened	< 10 per cent indigenous cover remaining
Chronically threatened	< 20 per cent indigenous cover remaining
At risk	<30 per cent indigenous cover remaining
Critically unprotected	<30 per cent indigenous cover remaining but < 10 per cent legally protected
Under-protected	<30 per cent indigenous cover remaining but < 10 - 20 per cent legally protected

Greater Wellington staff consider that an appropriate and clear response to the address the two regionally significant resource management issues for indigenous ecosystems is the “under - protected” category. Staff recommend, therefore, that criterion (a) be amended thus:

*(a) Representativeness: high representativeness values are given to particular ecosystems and habitats that were once typical and commonplace in a district or region, and:*

*(i) are no longer commonplace (less than about 30% remaining);  
or*

*(ii) are poorly represented in existing protected areas (less than about 20% legally protected).*

Federated Farmers of New Zealand also sought the inclusion of a new policy as follows:

“Provide or facilitate as appropriate support for landowners’ efforts to protect and manage indigenous ecosystems and habitats with significant biodiversity values – district and regional plans”. Greater Wellington staff agree that support for the efforts of landowners in protecting significant biodiversity values is important but note that policy 64 is intended to support environmental enhancement activities and a new policy is not recommended.

**Kapiti Coast District Council** stated support for policy 22 which provides a standard minimum framework with which to assess the indigenous biodiversity values of indigenous ecosystems, identification of significant ecosystems and protection of these. The submitter stated that the inclusion of these policies in the proposed

Regional Policy Statement will assist in retaining protection for these areas as part of the District Plan review. Greater Wellington notes the support.

**Lower Hutt Forest and Bird Protection Society** supported policy 22 but sought the deletion of ‘threatened’ from paragraph (d)(ii). Greater Wellington staff consider that the removal of the qualifier “threatened” from the policy would result in this criteria being unrealistically broad. The submitter is referred to the discussion regarding the Department of Conservation’s submission above. The Society also requested amending paragraph (d) to include ‘Avoiding incremental loss of indigenous ecosystems and habitats’ and ‘Avoiding the cumulative effects of the incremental loss of indigenous ecosystems and habitats.’ Greater Wellington staff note that policy 22 is about identifying indigenous ecosystems and habitats with significant indigenous biodiversity values. The suggested additional criteria are not related to identification but to management and, as such, they are not recommended. Winstone Aggregates and Masterton District Council opposed the submission.

**New Zealand Historic Places Trust** sought retention of policy 22. Staff recommend retaining the policy with amendments in response to other submissions.

**Porirua City Council** supported policy 22. Their submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd and Kiwi Properties Management Ltd. The support is noted.

**South Wairarapa District Council** noted that it would be useful to insert in the 'explanation' how the criteria have been established. Greater Wellington staff agree with the submitter that further elaboration of how the criteria were determined should be included in the explanation.

**Wellington Botanical Society** requested additional criteria be added to protect ‘Community values’. Greater Wellington staff consider that the assessment of community values of an area would be subjective and would lead to an inconsistent approach. It is also important to note Greater Wellington support the community valuing such areas and encourage environmental enhancement through policy 64. The Society also sought that the scope of method 21 covered a range of matters that are listed in their submission. Greater Wellington staff comment that there will be a number of stakeholders interested in the development and implementation of this method, and it would not be appropriate or practical to list them all in the Regional Policy Statement. Rather than change this method, Greater Wellington staff recommend that a sentence be added in the introduction to the methods section (section 4.5) clarifying that stakeholders will be involved when methods are implemented. See the report on section 4.5 for the wording.



**Wellington City Council** supported policy 22. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/26	Reject
Department of Conservation	31/19	Accept
Anthony Roy Edwards	34/3	Reject
Federated Farmers of New Zealand	35/42	Reject
Genesis Energy	40/8	Accept in part
Kapiti Coast District Council	56/9	Accept
Lower Hutt Forest and Bird Protection Society	66/5	Reject
Meridian Energy Limited	82/24	Reject
Meridian Energy Limited	82/25	Accept in part
Mighty River Power	83/27	Accept in part
New Zealand Historic Places Trust	87/18	Accept in part
Porirua City Council	100/20	Accept
South Wairarapa District Council	112/24	Accept
TrustPower Limited	124/26	Reject
Wellington Botanical Society	130/6	Reject
Wellington City Council	131/91	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 22 as follows:

**Policy 22: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans**

District and regional plans shall identify indigenous ecosystems and habitats with significant indigenous biodiversity values that meet one or more of the following criteria:

- (a) Representativeness: high representativeness values are given to particular ecosystems and habitats that were once typical and commonplace in a district or in the region, and:
  - (i) are no longer commonplace (less than about 30% remaining); or
  - (ii) are poorly represented in existing protected areas (less than about 20% legally protected).
- (b) Rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.
- (c) Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.
- (d) Ecological context of an area: the ecosystem or habitat:
  - (i) enhances connectivity or otherwise buffers representative, rare or diverse indigenous ecosystems and habitats; or
  - (ii) provides seasonal or core habitat for protected or threatened indigenous species.
- (e) Tangata whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to tangata whenua, identified in accordance with tikanga Maori.

### Explanation

Policy 22 sets out criteria as guidance that must be considered in identifying indigenous *ecosystems* and *habitats* with significant *biodiversity* values. These criteria need to be considered in all assessments but the relevance of each will depend on individual cases. The criteria are based on the Resource Management Act definition of indigenous ecosystems and commonly used assessment criteria and provide the basis for describing and evaluating them.

Policy 22 will ensure that significant biodiversity values are identified in district and regional plans in a consistent way. Wellington Regional Council, and district and city councils are

required to assess indigenous ecosystems and habitats against all the criteria. To be identified as having significant biodiversity values, and indigenous ecosystems or habitat must fit one or more of the listed criteria.

Regional plans will identify indigenous ecosystems and habitats with significant biodiversity values in the *coastal marine area*, *wetlands* and the beds of *lakes* and *rivers*. District plans will identify indigenous ecosystems and habitats with significant biodiversity values for all land, except the coastal marine area and the beds of lakes and rivers.

**2.97 Policy 23: Protecting indigenous ecosystems, habitats and areas with significant indigenous biodiversity values – district and regional plans**

Submitter	Submission	Summary
Aggregate and Quarry Association of New Zealand	3/6	Sought inclusion of an additional policy that provides guidance on what inappropriate subdivision, use or development is. Stated that the guidance should take into consideration the significance of any adverse effects, if the subdivision, use or development can be located elsewhere or is restricted to a particular locality and any benefits that it may generate.
F1/3	Winstone Aggregates	Support in part
Winstone Aggregates	15/27	Sought policy 23 explanation be amended as follows: District and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant biodiversity values from inappropriate subdivision, use and development except where an activity for which ecosystem removal is provided for by way of an existing consent, Certificate of Compliance or permitted activity rule in a relevant district plan. Also sought similar amendments to policy 61.
Anders Crofoot	25/14	Stated that the techniques used to identify areas in Table 16 include broad areas and while the sentiments expressed are laudable the lack of recognition of the sustainable practices that have produced the current situation may lead to perverse incentives.
Department of Conservation	31/20	Stated that Table 16 in Appendix 1 identifies ecosystems, habitats and areas with regionally significant indigenous biodiversity values located in river and lake environments. This should be extended to include wetlands, as wetlands with regionally significant indigenous biodiversity values

Submitter	Submission	Summary
		<p>have been identified in the 2008 Landcare Research publication: "Wetland ecosystems of national importance for biodiversity: Criteria, methods and candidate list of nationally important inland wetlands". Sought the following decision from the Council: The explanation be reworded: "Table 16 in Appendix 1 identifies ecosystems, habitats and areas with regionally significant indigenous biodiversity values located in wetland, river and lake environments."</p>
Kapiti Coast District Council	56/10	<p>Stated support for policy 23 which provides a standard minimum framework with which to assess the indigenous biodiversity values of indigenous ecosystems, identification of significant ecosystems and protection of these. Stated that the inclusion of these policies in the Proposed Regional Policy Statement will assist in retaining protection for these areas as part of the District Plan review.</p>
Lower Hutt Forest and Bird Protection Society	66/6	<p>Supported policy 23. Requested amending the explanation to read 'Where indigenous ecosystems and habitat with significant biodiversity values have been identified in accordance with policy 22, district and regional plans shall include policies, rules and/or methods that protect indigenous ecosystems and habitat with significant biodiversity values from inappropriate subdivision, use or development.'</p>
Pamela Joy Meekings-Stewart	81/2	<p>Sought:</p> <ol style="list-style-type: none"> <li>1. Policy 23 be amended to include encouragement of partnerships with landowners over protection of ecosystems and landscape values that those land owners who comply and/or exceed regulatory requirements be acknowledged in some way including the possibility of rates relief.</li> <li>2. That landowners who allow public access to Te Araora have legal protection from vandalism, pollution and nuisance so that their rights to privacy and sovereignty are not diluted.</li> </ol>
Mighty River Power	83/28	<p>Sought retention of policy in its entirety.</p>
Porirua City Council	100/21	<p>Supported</p>

Submitter	Submission	Summary
F12/21	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
TrustPower Limited	124/27	Sought that the explanation be amended to read: 'Policy 23 applies to provisions in regional and district plans and seeks to ensure that indigenous ecosystems and habitat with significant indigenous biodiversity values throughout the region are protected from inappropriate subdivision, use and development. Policy 23 does not seek to prevent subdivision, use and development in these areas and recognises that disturbances associated with regionally significant infrastructure activities may be appropriate.'
F4/7	Transpower New Zealand Limited	Support
F5/25	PowerCo Limited	Support
F7/7	Oil Companies	Support
F26/42	Mighty River Power	Support
F23/57	Federated Farmers of New Zealand	Support
Wellington City Council	131/92	Supported policy 23.

(a) Discussion

**Aggregate and Quarry Association of New Zealand** generally support this policy but sought an additional policy that provided guidance on what inappropriate subdivision, use or development is. This would include consideration of the significance of any adverse effects, whether the subdivision, use or development can be located elsewhere or is restricted to a particular locality and any benefits that

it may generate. It is considered that these concerns raised are to some degree addressed through policy 46, in regard to managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values. This policy provides guidance in determining whether an activity is inappropriate, where regard shall be given to a list of matters. Greater Wellington staff also note that policy 60 gives consideration to the social, economic, and environmental benefits from utilising mineral resources within the region. Winstone Aggregates supported the submission in part.

**Winstone Aggregates** sought that the wording “except where an activity for which ecosystem removal is provided for by way of an existing consent, certificate of compliance or permitted activity rule in a relevant district plan” be added to policy 23. They also sought similar amendments to policy 61. Greater Wellington staff consider that the proposed exceptions to policy 23 inappropriate. If someone holds an existing resource consent then it will remain valid for the period it has been issued for, unless there are specific review provisions, outlined in the resource consent. This applies in the same way for implementation of all policies in the Regional Policy Statement. There is therefore no need to outline a resource consent as an exception. A certificate of compliance (in accordance with section 139 of the Act) is for an activity that can be lawfully carried out without a resource consent at the time it is sought from a local authority. If a rule changes in a plan and the activity is no longer permitted then the compliance certificate is no longer valid and is not appropriate as an exclusion. Policy 23 requires that local authorities, once they have identified indigenous ecosystems and habitats with significant biodiversity (in accordance with policy 22), include policies, rules and methods to protect the values associated with these sites. This may include amending, or confirming, existing permitted activities. The proposed exclusion for existing permitted activities is therefore inappropriate and it is contrary to the intent of the policy.

**Anders Crofoot** noted that the techniques used to identify areas in Table 16 identify broad areas and while the sentiments expressed are laudable the lack of recognition of the sustainable practices that have produced the current situation may lead to perverse incentives. Greater Wellington staff note that Table 16 identifies significant indigenous ecosystems in rivers and lakes. The submitter’s concern is that when policy 17 is combined with policy 23 and 42 it will have effects on land that were not intended. This matter is addressed in response to the submission on Table 16, Appendix 1.

**The Department of Conservation** submitted that Table 16 in Appendix 1 identifies ecosystems, habitats and areas with regionally significant indigenous biodiversity values located in river and lake environments. They believe that identification should be extended to include wetlands, as wetlands with regionally significant indigenous biodiversity values have been identified in the 2008 Landcare

Research publication: "Wetland ecosystems of national importance for biodiversity: The same submission from the Department of Conservation is made on policies 17 and 42, and Table 16. The response from Greater Wellington staff on these provisions is the same as the response on Table 16.

**Kapiti Coast District Council** supported Policy 23. The support is noted.

**The Lower Hutt branch of the Royal Forest and Bird Protection Society** supported policy 23. They requested the addition of explanatory wording similar to that used for policy 25 to provide a link between policies 22 and 23. Greater Wellington staff agree that this addition would be useful.

**Pamela Joy Meekings-Stewart** sought policy 23 be amended to include encouragement of partnerships with landowners over protection of ecosystems and landscape values that those land owners who comply and/or exceed regulatory requirements be acknowledged in some way including the possibility of rates relief. The submitter also sought that landowners who allow public access to Te Araora have legal protection from vandalism, pollution and nuisance so that their rights to privacy and sovereignty are not diluted. Greater Wellington staff note that policy 23 is a regulatory policy directed at regional and district plans. The Resource Management Act does not provide for landowner compensation in such a regulatory context. However, policy 64 takes a non-regulatory approach to supporting environmental enhancement initiatives. The explanation to policy 64 mentions "... providing financial incentives to promote their maintenance enhancement and restoration". The Local Government Act 2002 would be the statutory instrument used to provide any such financial incentives, rather than the Resource Management Act (and Regional Policy Statement). It is also noted that the Resource Management Act does not have any power to prevent people from trespassing and damaging private property. Method 31 directs the Regional Council and City and District Councils to involve iwi, hapu, marae or whanau and the community when identifying and protecting outstanding indigenous ecosystems and habitats with significant biodiversity values.

**Mighty River Power** sought retention of the policy in its entirety. Staff recommend retaining the policy but note some amendments to the explanation.

**Porirua City Council** supported policy 23. Their submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd and Kiwi Properties Management Ltd. The support is noted.

**TrustPower Limited** sought an amendment to the explanatory text to this policy to recognise that in some situations some disturbance to indigenous ecosystems and habitats with significant indigenous

biodiversity values may be appropriate, particularly if it is required for developing regionally significant infrastructure. Greater Wellington staff note that policies 6 and 7 recognise the benefits of regionally significant infrastructure and protect it. This approach provides an appropriate emphasis for the development of new regionally significant infrastructure. Policy 23 protects indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development. The qualification of “inappropriate” means that appropriate development is allowed and now further explanation is needed. Staff do not recommend any change in response to this submission.

**Wellington City Council** supported policy 23. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
Aggregate and Quarry Association of New Zealand	3/6	Reject
Winstone Aggregates	15/27	Reject
Anders Crofoot	25/14	See submission on Table 16, Appendix 1
Department of Conservation	31/20	see submission on Table 16, Appendix 1
Kapiti Coast District Council	56/10	Accept
Lower Hutt Forest and Bird Protection Society	66/6	Accept
Pamela Joy Meekings-Stewart	81/2	Reject
Mighty River Power	83/28	Accept
Porirua City Council	100/21	Accept
TrustPower Limited	124/27	Reject
Wellington City Council	131/92	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 23 as follows:

**Policy 23: Protecting indigenous ecosystems, habitats and areas with significant indigenous biodiversity values – district and regional plans**



District and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant biodiversity values from inappropriate subdivision, use and development.

**Explanation**

Policy 23 applies to provisions in regional and district plans.

Table 16 in Appendix 1 identifies rivers and lakes with significant indigenous ecosystems and habitats with significant indigenous biodiversity values by applying criteria taken from policy 22 of rarity (habitat for threatened indigenous fish species) and diversity (high macroinvertebrate community health, habitat for six or more migratory indigenous fish species) habitats biodiversity values located in river and lake environments.

Policy 46 will need to be considered alongside policy 23 when changing, varying or replacing a regional or district plan.

Policy 23 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the biodiversity values identified in policy 22.

**2.98 Policy 24: Identifying outstanding natural features and landscapes - district and regional plans**

Submitter	Submission	Summary
Anders Crofoot	25/15	Stated that naturalness under policy 24(b)(iii) does not adequately identify the disconnect between 'natural = indigenous' and 'natural = what people like'. Stated that the policy should recognise that pasture is man made and extensively managed, and landowners should therefore not be frozen into the current point in time under the policy, rules, and methods. Changes in land use on farmland may also be against coherence but people should not be prevented from changing land use to make a living. Expressiveness is created by clearing of land and maintenance of short cover – grass.
Department of Conservation	31/21	Stated that natural features or landscapes, if assessed individually, may not be considered to be outstanding. However, if assessed as a group or collection then the sum of those features or landscapes may indeed be considered to be outstanding. Sought the following decision from the Council: The policy be reworded: "District and regional plans shall identify outstanding natural features and landscapes or collections of features and/or

Submitter	Submission	Summary
		landscapes using the following criteria, and having determined that the natural feature or landscape or collection of features and/or landscapes is exceptional or out of the ordinary under one or more of the criteria and the natural components dominate over the influence of human activity:"
F14/3	East Harbour Environmental Association Incorporated	Support
F16/3	Genesis Energy	Oppose
F24/13	Masterton District Council	Oppose
East Harbour Environmental Association Incorporated	33/11	Sought policy 24(b)(ii) be amended by replacing 'vividness' with 'visual impact'.
F1/24	Winstone Aggregates	Oppose
Anthony Roy Edwards	34/4	Stated that except for the first sentences this policy and policy 26 are identical and need to be either merged or more adequately differentiated. State preference as separation as 'natural science policy' and 'others (amenity, aesthetics) policy'. Sought appropriate text referring readers to method 24. Also sought correction and reference to method 49 be changed to 48.
Federated Farmers of New Zealand	35/43	Sought policy 24 be amended as follows: District and regional plans [in consultation with landowners, the community and other key stakeholders] shall identify outstanding natural features and landscapes using the following criteria and having determined that the [feature or landscape is conspicuous, eminent or remarkable and that it has a high degree of naturalness,]
F22/78	Anders Crofoot	Support
Genesis Energy	40/9	Sought that the policy be deleted or amended to read 'District and regional plans shall identify outstanding features and landscapes affording consideration to whether natural components dominate over the influence of human activity, and

Submitter	Submission	Summary
		to the following matters...'
Lower Hutt Forest and Bird Protection Society	66/7	Requested amendment to explain what happens after district and regional councils have determined features are significant.
Shona McCahon	67/1	Noted that the main purpose of the submission is to draw the council's attention to a national 'Landscape Planning Initiative' that the New Zealand Institute of Landscape Architects Education Foundation began in 2008. The purpose of the Initiative is to develop a 'best practice' for landscape planning. The Initiative was in its early stages at the time that the proposed Regional Policy Statement was being finalised, so could not be taken into account at that stage, but the Initiative offers an opportunity to ensure the Regional Policy Statement landscape provisions are aligned with commonly accepted landscape assessment best practice. Suggested wording to align with the outcome from this best practice, correct application of the criteria (factors), delete reference to "one or more of the criteria" and amend a grammatical error were as follows: "District and regional plans shall identify outstanding natural features and landscapes having determined that each identified natural feature or landscape is exceptional or out of the ordinary and the natural components dominate over the influence of human activity, taking into account the following matters and their characteristic combination within the natural feature or landscape:..."
John and Julie Martin	73/3	Asked that if the council wishes to preserve additional outstanding features and landscapes on private land, then these should be areas should be formally identified and landowners compensated.
Meridian Energy Limited	82/26	Sought that policy be amended to read: 'District and regional plans shall identify outstanding and natural features and landscapes using the following criteria: (a) Natural science values: these values relate to the geological, ecological, topographical and natural elements, patterns and processes: (i) Representativeness: the combination of natural components that form the feature or landscape and is a good example of its

Submitter	Submission	Summary
		<p>type. ...</p> <p>(b) Aesthetic values: these values relate to sensory appreciation of the feature or landscape: ...</p> <p>(c) Expressiveness (legibility): the feature or landscape clearly shows the formative natural processes that led to its existing character...'</p> <p>to better reflect current practice and wording endorsed by the Environment Court. Deletion of factors (f) and (g).</p>
F1/58	Winstone Aggregates	Support
F23/58	Federated Farmers of New Zealand	Support
Meridian Energy Limited	82/27	Sought that policy explanation (2nd para) be amended to read: '...and out of the ordinary in accordance with those criteria where the natural components...'
Mighty River Power	83/29	Sought that policy 24 be combined with policy 26 to read: 'District and regional plans shall identify outstanding natural features and landscapes and significant amenity landscapes using the following criteria, and having determined that either: - the natural feature or landscape is exceptional or out of the ordinary under one or more of the criteria and the natural components dominate over the influence of human activity; or – the landscape has important landscape value under one or more of the criteria:...'
F17/43	Meridian Energy Limited	Oppose
New Zealand Historic Places Trust	87/19	Sought retention of policy 24.
Porirua City Council	100/22	Supported the criteria identified in the policy

Submitter	Submission	Summary
F12/22	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
South Wairarapa District Council	112/25	Noted that it would be useful to insert in the 'explanation' how the criteria have been established.
F14/4	East Harbour Environmental Association Incorporated	Support
Wellington City Council	131/17	Sought that the explanations to policy 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation, with examples, of how the policies overlap and function together. It must clearly explain the concept of human-made and human-maintained landscapes, and explain that human-made landscapes can be as highly valued as natural landscapes.
F24/122	Masterton District Council	Support in part
F26/2	Mighty River Power	Support
Shear Hard Work	141/2	<p>Agreed that landscapes are shaped by activities such as farming. Noted that it is not just Maori for which land provides earthly links and family history, for example Paekakariki and its hill have powerful cultural significance to their family, as they are a family who have been farming the same land for five generations.</p> <p>As such, stated that they would like to have policies 24 and 27 changed to reflect the many non-Maori families in the same situation so not disadvantaged just because of ethnicity.</p> <p>Sought policy 24 be changed to read:  "Identify, in conjunction with the landowners, outstanding natural features and landscapes — district and regional plans".</p>

(a) Discussion

**Anders Crofoot** stated that coherence and naturalness will result in landowners being frozen into the current point in time under rules and methods that are created to manage these areas. Greater Wellington staff considers that it is the values, such as coherence and naturalness, that result in the landscape or feature being exceptional and out of the ordinary that need to be protected through district and regional plans. Therefore, change may occur within these landscapes, so long as the activity is appropriate, having considered all the values that make it outstanding.

Anders Crofoot also sought that naturalness adequately identify the disconnect between 'natural' equals 'indigenous' and 'natural' equals 'what people like'. The criteria 'naturalness' has been determined through case law. The Environment Court stated in the *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* (C180/99) where it referred to the *Harrison v Tasman District Council* (W042/93) decision, that the term natural does not necessarily equate to pristine and it would be wrong to equate "natural" with "endemic." It is also worth noting that when considering the definition of "naturalness" with regard to natural character and natural landscapes, the Environment Court in the *Long Bay-Okura Great Park Society vs North Shore City Council* (A078/2008) recently extended the widely used criteria of naturalness under the Resource Management Act to include (the addition is underlined):

- Relatively unmodified and legible physical landform and relief
- The landscape being uncluttered by structures and/or obvious human influence
- The presence of water (lakes, rivers, sea)
- The vegetation (especially native vegetation) and other ecological patterns

Therefore, it is not recommended that the naturalness factor be amended.

The **Department of Conservation** sought that the policy is amended to provide for collections of features and/or landscapes that may not have qualified individually. East Harbour Environmental Association Incorporated supported this submission, and Genesis Energy and Masterton District Council opposed this submission. Greater Wellington staff do not recommend an amendment to the policy as it is considered that the current policy will in fact address the submitter's concerns.

**East Harbour Environmental Association Incorporated** sought that policy 24(b)(ii) be amended by replacing ‘vividness’ with ‘visual impact’. Winstone Aggregates opposed this submission. The term vividness accurately reflects the scenic perception of the feature or landscape that this particular factor is capturing, being that the feature is visually striking and is widely recognised within the local and wider community for its memorable and sometimes iconic qualities. It is recommended that the reference to vividness be retained.

**Anthony Roy Edwards** stated that except for the first sentences, this policy and policy 26 are identical and need to be either merged or more adequately differentiated. Greater Wellington staff consider that although the factors for both policies 24 and 26 are the same, it is the qualifiers, being exceptional and out of the ordinary and the dominance of natural components over the influence of human activity that determines whether it is outstanding. It is therefore recommended that the identification policies (policies 24 and 26) are retained in their current format, with the same factors used to identify both outstanding natural features and landscapes and significant amenity landscapes.

Anthony Roy Edwards has also requested that text be added to refer to method 24, and that the reference to method 49 be changed to 48. As method 24 is about a database of sites at risk of contamination, there is low relevance to this policy. Method 48 is about the use of Maori names for places, whereas method 49 is the preparation of a regional landscape character description. Method 49 is the correct reference for policy 24. Greater Wellington staff recommend no changes to the method references.

**Federated Farmers of New Zealand** sought that the wording used in this policy should reflect that of significant case law. In particular, that the words “is exceptional or out of the ordinary under one or more of the criteria and the natural components dominate over the influence of human activity” be replaced with “is conspicuous, eminent or remarkable and that it has a high degree of naturalness”. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. The words “exceptional or out of the ordinary” were chosen instead of “conspicuous, eminent or remarkable” because it was felt many readers would understand better what was meant. It is recommended that the wording in this policy be retained.

**Genesis Energy** sought an amendment to this policy to take into account that the criteria need to be considered in assessing the significance of a landscape, rather than each individual matter acting as a “threshold test” in determining outstanding natural landscape per se. Greater Wellington staff agree that the current wording does not accurately reflect that the factors are recognised matters that need to be considered when determining whether the natural feature or landscape is exceptional and out of the ordinary. It is recommended that the policy be amended to make it clear that the individual factors

are not to be used as a threshold test when making a determination as to whether it is outstanding, but rather it's a combination of these factors.

**Lower Hutt Forest and Bird Protection Society** sought an amendment to explain what happens after district and regional councils have determined features are significant. Greater Wellington staff note that Policy 25 directs the district and regional plans to include policies, rules and methods to protect the outstanding natural feature and landscape values that have been identified from inappropriate subdivision, use and development. No changes are recommended as requested by the submitter.

**Shona McCahon** sought that the word "criteria" be replaced with "factors". "Factors" are a list of landscape attributes, whereas "criteria" infers setting a threshold or a measure. The threshold is whether it is exceptional and out of the ordinary and the natural components dominate over the influence of human activity. It is therefore recommended that the policy be amended to make it explicit that the factors are not a threshold test in themselves.

Shona McCahon also sought that the words "one or more" be deleted as they infer that a natural feature or landscape could be deemed outstanding if natural components "dominated over the influence of human activity" and just one of the listed criteria was assessed as being "exceptional or out of the ordinary," rather than the widely recognised concept that landscape is really about the sum of the parts. The deletion of "one or more" is recommended to be consistent with common landscape assessment practice.

Shona McCahon stated that the word "and" in the second line of the policy is superfluous as it suggests that there will be an identification and a determination and then some undefined action. Greater Wellington staff concur with the submitter and recommend that the word "and" is deleted.

**John and Julie Martin** requested that if the council wishes to preserve additional outstanding features and landscapes on private land, then formal compensation should be provided to the landowners when identified. The Regional Policy Statement has been prepared to achieve the purpose of the Resource Management Act, which is to promote the sustainable management of natural and physical resources in the region. Section 85(2) of the Act allows any person having an interest in land to challenge any provision or proposed provision of a plan or proposed plan if that provision or proposed provision renders that interest in land incapable of reasonable use. However, the Act does not have any provision for compensation of the loss of landowner rights that could be addressed through the landscape provisions in the Regional Policy Statement.



**Meridian Energy Limited** sought that the policy be amended to read, “District and regional plans shall identify outstanding and natural features and landscapes using the following criteria:...”. Winstone Aggregates and Federated Farmers of New Zealand supported this submission. As discussed above, Greater Wellington staff consider that it is appropriate to amend the wording for this policy. However, the threshold tests for determining whether it is outstanding, being “exceptional and out of the ordinary” and “the natural components dominate over the influence of human activity” are recommended to be retained within the policy.

Meridian Energy Limited also sought that the factors (a) Natural science values, (a)(i) Representativeness and (b) Aesthetic values, be amended and that (f) Tangata whenua values and (g) Historical associations be deleted to better reflect current best practice and wording endorsed by the Environment Court. Winstone Aggregates and Federated Farmers of New Zealand supported this submission. It is considered that the factors (a), (a)(i), (b), (f) and (g) in their current form reflect best practice and are consistent with the relevant case law. It is accepted that case law defines expressiveness (legibility) as being, how obviously the landscape demonstrates the formative processes leading to it. Therefore, staff agree that the current wording for this factor does not accurately reflect current best practice and it is therefore recommended that the reference to “natural” and “historic influences” be deleted from factor (c).

Meridian Energy Limited requested that the second paragraph of the policy explanation be amended to read “...and out of the ordinary in accordance with that criteria ~~and~~ where the natural components...” to better reflect current practice. It is considered appropriate to add the word “where” as requested, but not to delete “and,” as this provides for a better sentence structure.

**Mighty River Power** sought that policy 24 and 26 are combined as the criteria for the assessment of these landscapes and natural features are the same. Meridian Energy Limited opposed this submission. Greater Wellington staff acknowledge that the factors for assessment are identical. However, it is considered appropriate to keep the two separate as this provides a clear differentiation between outstanding natural features and landscapes and significant amenity landscapes, which have a different status under the Resource Management Act. Therefore it is not recommended to make amendments arising from this submission.

The **New Zealand Historic Places Trust** supported this policy and **Porirua City Council** supported the criteria. Kiwi Income Property Trust, Kiwi Income Properties Limited and Kiwi Properties Management Limited supported the submission by Porirua City Council. Support for the policy and the criteria are noted.

**South Wairarapa District Council** noted it would be useful to insert how the criteria have been established in the explanation for this policy. East Harbour Environmental Association Incorporated supported this submission. Greater Wellington staff agree that further elaboration of how the factors were established should be provided in the explanation. It is therefore recommended that, where reference to significant case law is stated in the first paragraph of the explanation, a footnote is included that states the two significant Environment Court decisions that determined the criteria for landscape assessment.

**Wellington City Council** sought that the explanation to policy 3, 24, 25, 26 and 27 (and 35 and 49) includes a plain-English explanation with examples of how the policies overlap and function together. Masterton District Council supported in part this submission, and Mighty River Power supported this submission. The submitter's concern is noted, however, these concerns have been under policy 3.

Wellington City Council also sought that the explanation clearly explains the concept of human-made and human-maintained landscapes, as human-made landscapes can be as highly valued as natural landscapes. Masterton District Council supported in part this submission, and Mighty River Power supported this submission. It is considered that policy 26, the identification of significant amenity landscapes, will pick up any highly valued human-made and maintained landscapes that would not otherwise qualify as an outstanding landscape due to its highly modified nature. A footnote has also been added to the explanation for policies 24 and 26 that provides relevant case law, including the Wakatipu Environment Society Inc v Queenstown Lakes District case, which gives guidance on the factor "naturalness" under the Resource Management Act. However, it is considered appropriate to amend the explanation by adding a sentence that clearly explains that the evidence of human activity can be present, although it would be subordinate to the natural components.

**Shear Hard Work** noted that it is not just Maori for which land provides earthly links and family history and consequently sought that policy 24 be changed to read, "Identify, in conjunction with the landowners, outstanding natural features and landscapes — district and regional plans". Greater Wellington staff do not consider it appropriate to add the reference to "in conjunction with the landowners" to this policy as this is already covered through method 31, where landowners are part of the community that need to be engaged when giving effect to this policy. Greater Wellington staff have also recommended that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when identifying and protecting significant values. It is also noted that there are a number of factors that would also cover the concerns of the submitter, such as "historical associations" and "shared and recognised values" when a landscape assessment was undertaken.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/15	Reject
Department of Conservation	31/21	Reject
East Harbour Environmental Association Incorporated	33/11	Reject
Anthony Roy Edwards	34/4	Reject
Federated Farmers of New Zealand	35/43	Reject
Genesis Energy	40/9	Accept in part
Lower Hutt Forest and Bird Protection Society	66/7	Reject
Shona McCahon	67/1	Accept
John and Julie Martin	73/3	Reject
Meridian Energy Limited	82/26	Accept in part
Meridian Energy Limited	82/27	Accept in part
Mighty River Power	83/29	Reject
New Zealand Historic Places Trust	87/19	Accept
Porirua City Council	100/22	Accept
South Wairarapa District Council	112/25	Accept
Wellington City Council	131/17	Accept in part See also recommended changes to policy 3
Shear Hard Work	141/2	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Policy 24 is amended as follows:

**Policy 24: Identifying outstanding natural features and landscapes – district and regional plans**

District and regional plans shall identify outstanding natural features and landscapes ~~using the following criteria, and~~ having determined that the natural feature or landscape is exceptional or out of the ordinary ~~under one or more of the criteria~~ and that its the natural components dominate over the influence of human activity, taking into account the following factors:

- (a) Natural science values: these values relate to the geological, ecological, topographical and natural process components of the natural feature or landscape:
  - (i) Representativeness: the combination of natural components that form the feature or landscape strongly typifies the character of an area.
  - (ii) Research and education: all or parts of the feature or landscape are important for natural science research and education.
  - (iii) Rarity: the feature or landscape is unique or rare within the district or region, and few comparable examples exist.
  - (iv) Ecosystem functioning: the presence of healthy ecosystems is clearly evident in the feature or landscape.
- (b) Aesthetic values: these values relate to scenic perceptions of the feature or landscape:
  - (i) Coherence: the patterns of land cover and land use are in harmony with the underlying natural pattern of landform and there are no significant discordant elements of land cover or land use.
  - (ii) Vividness: the feature or landscape is visually striking and is widely recognised within the local and wider community for its memorable and sometimes iconic qualities.
  - (iii) Naturalness: the feature or landscape appears largely unmodified by human activity and the patterns of landform and land cover appear to be largely the result of intact and healthy natural systems.
- (c) Expressiveness (legibility): the feature or landscape clearly shows the formative ~~natural processes and/or historic influences~~ that led to its existing character.
- (d) Transient values: the consistent and noticeable occurrence of transient natural events, such as seasonal change in

vegetation or in wildlife movement, contributes to the character of the feature or landscape.

- (e) Shared and recognised values: the feature or landscape is widely known and is highly valued for its contribution to local identity within the immediate and wider community.
- (f) Tangata whenua values: Maori values inherent in the feature or landscape add to the feature or landscape being recognised as a special place.
- (g) Historical associations: knowledge of historic events that occurred in and around the feature or landscape is widely held and substantially influences and adds to the value the community attaches to the natural feature or landscape.

Amend the first two paragraphs of the explanation as follows:

Policy 24 provides ~~criteria~~ factors to ensure outstanding *natural features* and *landscapes* are consistently identified in district and regional plans. The ~~criteria~~ factors are consistent with significant case law<sup>2</sup> and commonly used landscape assessment methodologies.

The Wellington Regional Council, district and city councils are required to assess landscapes and natural features against all the ~~criteria~~ factors, but may use additional ~~criteria~~ factors. An outstanding natural landscape or natural feature ~~must fit one or more of the listed criteria and~~ will be exceptional and out of the ordinary, having taken into account all of the in accordance with that ~~criteria~~ factors, and where the natural components ~~will~~ dominate over the influence of human activity. This does not mean that evidence of human activity cannot be present, but that it should be subordinate to the natural components.

Insert new footnote to paragraph one in the explanation as follows:

2. Pigeon Bay Aquaculture Ltd v Canterbury Regional Council Environment Court Decision, 1999 (C32/99) and the Wakatipu Environment Society Incorporated v Queenstown Lakes District Council Environment Court Decision, 1999 (C180/99)

**2.99 Policy 25: Protecting outstanding natural features and landscape values - district and regional plan**

Submitter	Submission	Summary
Aggregate and Quarry Association of New Zealand	3/7	Sought an additional policy that provided guidance on what inappropriate subdivision, use or development is. Stated that the guidance should take into consideration the significance of any adverse effects, if the subdivision, use or development can be located

Submitter	Submission	Summary
		elsewhere or is restricted to a particular locality and any benefits that it may generate.
F1/4	Winstone Aggregates	Support in part
Department of Conservation	31/22	Sought that the policy be retained as proposed
F26/46	Mighty River Power	Oppose
Federated Farmers of New Zealand	35/44	Sought policy be retained as proposed.
F22/79	Anders Crofoot	Support
Pamela Joy Meekings-Stewart	81/3	Sought: 1. Policy 25 be amended to include encouragement of partnerships with landowners over protection of ecosystems and landscape values that those land owners who comply and/or exceed regulatory requirements be acknowledged in some way including the possibility of rates relief. 2. That landowners who allow public access to Te Araora have legal protection from vandalism, pollution and nuisance so that their rights to privacy and sovereignty are not diluted.
Mighty River Power	83/30	Sought retention of the policy in its entirety.
F17/44	Meridian Energy Limited	Support in part
New Zealand Historic Places Trust	87/21	Sought retention of policy 25.
Porirua City Council	100/23	Supported the onus on protecting 'values' in this policy.

Submitter	Submission	Summary
F12/23	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Tararua Tramping Club	114/13	Stated that the wording is too weak and sought that it be strengthened by replacing "must be done with a full understanding of its value" with "must be done without adversely impacting its values". State that without strengthening objective 17 would not be achieved.
F1/87	Winstone Aggregates	Oppose
TrustPower Limited	124/28	Sought that the policy explanation be amended to read: '...policies 25 and 27 are not intended to prevent change, but rather to ensure that change is carefully considered, has demonstrated regional or national benefits and is appropriate in relation to the landscape values identified in policy 24...'
F23/59	Federated Farmers of New Zealand	Support
Wellington City Council	131/18	Sought that the explanations to policy 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation, with examples, of how the policies overlap and function together. It must clearly explain the concept of human-made and human-maintained landscapes, and explain that human-made landscapes can be as highly valued as natural landscapes.
F24/123	Masterton District Council	Support in part

(a) Discussion

**Aggregate and Quarry Association of New Zealand** generally supported this policy, but sought an additional policy that provides guidance on what inappropriate subdivision, use or development is. This would include consideration of the significance of any adverse

effects, whether the subdivision, use or development can be located elsewhere or is restricted to a particular locality and any benefits that it may generate. Winstone Aggregates supported in part this submission. It is considered that the concerns raised are to some degree addressed through policy 49, which is in regard to managing effects on outstanding natural features and landscapes and significant amenity landscapes. This policy provides guidance in determining whether an activity is inappropriate, where regard shall be given to a list of matters provided in the policy. Greater Wellington staff would also like to point out that policy 60 gives consideration to the social, economic, and environmental benefits from utilising mineral resources within the region. It is therefore not recommended to make amendments to this policy arising from this submission point.

The **Department of Conservation, Federated Farmers of New Zealand, Mighty River Power** and the **New Zealand Historic Places Trust** all supported the retention of policy 25. Mighty River Power opposed the submission by the Department of Conservation, and Meridian Energy Limited supported in part the submission by Mighty River Power. Porirua City Council supported the 'protecting values' aspect of this policy. Kiwi Income Property Trust, Kiwi Income Properties Limited and Kiwi Properties Management Limited supported Porirua City Council's submission. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. Greater Wellington staff note the support.

**Pamela Joy Meekings-Stewart** sought that policy 25 be amended to include encouragement of partnerships with landowners over protection of ecosystems and landscape values, and that those land owners who comply and/or exceed regulatory requirements be acknowledged in some way including the possibility of rates relief. The submitter also sought that landowners who allow public access to Te Araroa have legal protection from vandalism, pollution and nuisance so that their rights to privacy and sovereignty are not diluted. Rates relief is a matter for local authorities to consider when developing Long Term Council Community Plans. It is outside the scope of the Resource Management Act and the Regional Policy Statement. Further, crime perpetrated as a result of public access to private land is also beyond the scope of the Resource Management Act and Regional Policy Statement. It is therefore not recommended to make any changes to this policy as requested by the submitter.

**Tararua Tramping Club** sought that the wording in the explanation of this policy is strengthened by replacing "must be done with a full understanding of its value" with "must be done without adversely impacting its values." Winstone Aggregates opposed this submission. The submitter's suggested wording repeats what the policy already states, in that the values of identified outstanding natural features and landscapes are protected from inappropriate subdivision, use and development. The purpose of this statement in the explanation is to emphasise the importance of understanding the values that need to be



protected within the landscape or feature. Therefore it is not recommended to make an amendment as requested by the submitter.

**TrustPower Limited** sought that the policy explanation be amended to read "...policy 25 is not intended to prevent change, but rather to ensure that change is carefully considered, has demonstrated regional or national benefits and is appropriate in relation to the landscape values identified in policy 24...". Federated Farmers of New Zealand supported this submission. Policies 6 and 38 already address the recognition of the benefits from regionally significant infrastructure and renewable energy and these policies need to be read in conjunction with the landscape policies and not in separation. Therefore, it is not recommended to make amendments to the policy explanation as requested by the submitter.

**Wellington City Council** sought that the explanations to policies 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation with examples of how the policies overlap and function together. Masterton District Council supported in part this submission. The submitter's concern is noted, however, these concerns have been addressed under policy 3.

Wellington City Council also sought that the explanation clearly explains the concept of human-made and human-maintained landscapes, as human-made landscapes can be as highly valued as natural landscapes. Masterton District Council supported in part this submission. This submission point has already been addressed in the discussion of policy 24 above.

(b) Recommended decision

Submitter	Submission	Recommendation
Aggregate and Quarry Association of New Zealand	3/7	Accept in part
Department of Conservation	31/22	Accept
Federated Farmers of New Zealand	35/44	Accept
Pamela Joy Meekings-Stewart	81/3	Reject
Mighty River Power	83/30	Accept
New Zealand Historic Places Trust	87/21	Accept
Porirua City Council	100/23	Accept
Tararua Tramping Club	114/13	Reject

Submitter	Submission	Recommendation
TrustPower Limited	124/28	Reject
Wellington City Council	131/18	Accept in part Also see recommendation for policy 3

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to policy 25.

**2.100 Policy 26: Identifying significant amenity landscape values - district and regional plans**

Submitter	Submission	Summary
Anders Crofoot	25/16	Stated that while it may be reasonable to identify farmland as significant, it must be recognised that farmland is a working landscape that provides a livelihood for the owner.
F23/60	Federated Farmers of New Zealand	Support
Department of Conservation	31/23	Sought that the policy be retained as proposed
F17/46	Meridian Energy Limited	Oppose
F24/14	Masterton District Council	Oppose
East Harbour Environmental Association Incorporated	33/12	Sought that policy 26(b)(ii) be amended by replacing 'vividness' with 'visual impact'
Anthony Roy Edwards	34/5	Stated that except for the first sentences this policy and policy 24 are identical and need to be either merged or more adequately differentiated. State preference as separation as 'natural science policy' and 'others (amenity, aesthetics) policy'. Sought appropriate text referring readers to method 24.

Submitter	Submission	Summary
Federated Farmers of New Zealand	35/45	Submitted that only those landscapes that are classified as Outstanding Landscapes should be considered for their sensitivity to any primary industry activities. In the context that the extensive farming systems present on those landscapes has shaped those landscapes it is difficult to see how these activities are having any detrimental effect in terms of section 6(b) of the Act. Sought that policy 26 be deleted And Sought any consequential amendments as to detail or substance throughout the Policy Statement, in particular the methods section, to give effect to this Submission
F19/43	Horticulture New Zealand	Support
F22/80	Anders Crofoot	Support
F24/49	Masterton District Council	Support
Genesis Energy	40/10	Sought that the policy be deleted or amended to read: 'District and regional plans shall identify significant amenity landscapes taking into consideration the following matters'
Shona McCahon	67/2	Noted that the main purpose of the submission is to draw the Council's attention to a national 'Landscape Planning Initiative' that the New Zealand Institute of Landscape Architects Education Foundation began in 2008. The purpose of the initiative is to develop a 'best practice' for landscape planning. The Initiative was in its early stages at the time that the Proposed Regional Policy Statement was being finalised, so could not be taken into account at that stage, but the Initiative offers an opportunity to ensure the Regional Policy Statement landscape provisions are aligned with commonly accepted landscape assessment best practice. Suggested wording to align with the outcome from this best practice, correct application of the criteria (factors) and amend a grammatical error were as follows: "District and regional plans shall identify significant amenity landscapes having determined that each

Submitter	Submission	Summary
		identified landscape has important landscape value, taking into account the following matters and their characteristic combination within the landscape:..."
F17/45	Meridian Energy Limited	Oppose
Masterton District Council	75/20	Sought that policy 26 is deleted as it relates to "amenity landscapes".
Meridian Energy Limited	82/28	Sought deletion of all proposed criteria and that they be replaced with criteria that derive more explicitly from the definition of 'amenity values' in the Resource Management Act 1991 and consequential amendments to the explanation.
F24/87	Masterton District Council	Support
New Zealand Historic Places Trust	87/22	Sought retention of policy 26.
F17/47	Meridian Energy Limited	Oppose
Porirua City Council	100/24	Supported the policy and that it is separated from policy 24.
F12/24	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
F17/48	Meridian Energy Limited	Oppose
South Wairarapa District Council	112/26	Noted that it would be useful to insert in the 'explanation' how the criteria have been established. Suggested the word 'values' be deleted. Stated that are identifying the landscapes not the criteria, which are the values listed in the policy. Noted that

Submitter	Submission	Summary
		there is a definition of significant amenity landscapes (Appendix 3 page 169) and stated that the criteria mentioned in the definition are supposedly the criteria in policy 26. Therefore thought it would be useful to have a cross reference.
F14/5	East Harbour Environmental Association Incorporated	Support
Transpower New Zealand Limited	123/21	Sought the deletion of policy 26.
F24/104	Masterton District Council	Support
TrustPower Limited	124/29	Sought to amend policy 26 and the relating explanatory text so that it is not a mandatory requirement for district and regional councils to identify significant amenity landscape values.
Wellington City Council	131/19	Sought that the explanations to policy 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation, with examples, of how the policies overlap and function together. It must clearly explain the concept of human-made and human-maintained landscapes, and explain that human-made landscapes can be as highly valued as natural landscapes.
F24/124	Masterton District Council	Support in part

(a) Discussion

**Anders Crofoot** stated that while it may be reasonable to identify farmland as significant, it must be recognised that farmland is a working landscape that provides a livelihood for the owner. Federated Farmers of New Zealand supported this submission. Greater Wellington staff acknowledge that farmland is a working landscape and has been and continually will be modified as a consequence. Therefore in the explanation for policies 25 and 27, it states that these policies are not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the landscape values identified. It is therefore not recommended that changes be made to the policy.

The **Department of Conservation, New Zealand Historic Places Trust** and **Porirua City Council** sought that the policy be retained as proposed. Meridian Energy Limited and Masterton District Council opposed the submission by the Department of Conservation, and Meridian Energy Limited opposed the submission by the New Zealand Historic Places Trust. Porirua City Council also supported the separation of outstanding from significant amenity landscapes. Kiwi Income Property Trust, Kiwi Income Properties Limited and Kiwi Properties Management Limited supported the submission by Porirua City Council, and Meridian Energy Limited opposed the submission by the Porirua City Council. Greater Wellington staff note the support of the Department of Conservation, New Zealand Historic Places Trust and Porirua City Council. Staff have recommended some amendments in response to other submissions.

**East Harbour Environmental Association Incorporated** sought that policy 26(b)(ii) be amended by replacing ‘vividness’ with ‘visual impact’. It is not recommended to make an amendment as requested by the submitter for reasons outlined in the discussion about policy 24.

**Anthony Roy Edwards** stated that except for the first sentences this policy and policy 24 are identical and need to be either merged or more adequately differentiated. The submitter also sought that a reference to method 24 be added. Staff do not recommend these amendments be adopted. Please refer to the discussion about policy 24.

**Federated Farmers of New Zealand , Masterton District Council** and **Transpower New Zealand Limited** sought that policy 26 be deleted and any consequential amendments as to detail or substance throughout the Regional Policy Statement, in particular the methods section, to give effect to this submission. Anders Crofoot, Horticulture New Zealand and Masterton District Council supported the submission by Federated Farmers of New Zealand, and Masterton District Council supported the submission by Transpower New Zealand Limited. It has been identified that inappropriate modification and destruction of significant amenity landscapes are causing a loss of values associated with these landscapes. Therefore, there is a need for the regionally integrated identification and maintenance and enhancement of these landscapes, which has been addressed through policies 26 and 27 and their associated methods. It is therefore recommended that policy 26 and its associated methods are retained.

**Genesis Energy** sought that the policy be deleted or amended to read, “District and regional plans shall identify significant amenity landscapes taking into consideration the following matters.” Greater Wellington staff agree that the current wording does not accurately reflect that the factors need to be considered when determining whether the landscape has important landscape value. It is therefore recommended that the policy be amended to make it clear that the

individual factors are not to be used as a threshold test for identifying significant amenity landscapes.

**Shona McCahon** sought that the word “criteria” be replaced with “factors,” and that the words “one or more” be deleted. The submitter also sought that the word “and” in the second line of the policy is superfluous as it suggests that there will be an identification and a determination and then some undefined action. Meridian Energy Limited opposed this submission. Greater Wellington staff agrees with all of the submitter’s suggested amendments, the reasons for which have already been discussed in regard to policy 24.

**Meridian Energy Limited** sought the deletion of all proposed criteria and that they be replaced with criteria that derive more explicitly from the definition of ‘amenity values’ in the Resource Management Act. Masterton District Council supported this submission. The factors have been adapted from the “Amended Pigeon Bay Criteria,” which were derived from case law<sup>1</sup> and have been accepted as a framework for landscape assessment in New Zealand. A consequential amendment is required, removing reference to both “natural” and “historic influences” from factor (c). Please refer to the discussion on the Meridian Energy submission in policy 24 for an explanation. Greater Wellington staff therefore recommend that factor (c) be amended, otherwise all other factors be retained in full.

**South Wairarapa District Council** noted that it would be useful to insert in the explanation how the criteria have been established and also to cross reference the criteria to the definition in the appendices. East Harbour Environmental Association Incorporated supported this submission. Greater Wellington staff agree with the submitter that further elaboration of how the criteria were established be provided in the explanation. It is therefore recommended that where reference to significant case law is stated in the first paragraph of the explanation, a footnote is included that states the two significant Environment Court decisions that determined the factors for landscape assessment.

South Wairarapa District Council suggested the word ‘values’ be deleted. Greater Wellington staff agree that the word ‘values’ be deleted from the policy title. It was incorrectly used in the title for Policy 26 and should have been used in the title for Policy 27. Staff recommend that the word ‘values’ be deleted from the title for policy 26 and inserted in the title for policy 27, to read ‘.....significant amenity landscapes values...’.

South Wairarapa District Council also sought the insertion of a cross reference to link this policy with the definition of significant amenity landscapes. Staff agree with the submitter that reference to significant amenity landscapes have not been italicised and thereby have not been cross referenced to the definition. It is therefore recommended to

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<sup>1</sup> Pigeon Bay Aquaculture Ltd v Canterbury Regional Council Environment Court Decision, 1999 (C32/99) and the Wakatipu Environment Society Incorporated v Queenstown Lakes District Council Environment Court Decision, 1999 (C180/99)

amend the explanation for this policy by italicising the first reference to significant amenity landscapes.

**TrustPower Limited** sought to amend policy 26 and the related explanatory text so that it is not a mandatory requirement for district and regional councils to identify significant amenity landscape values. It has been identified that inappropriate modification and destruction of significant amenity landscapes is causing a loss of values associated with these landscapes and hence there is a need for the respective landscape objective, policies and methods to address this issue in an integrated manner. If this policy was not mandatory, then the regionally significant issue for landscape would not be addressed. Greater Wellington staff therefore recommends that policy 26 is retained.

**Wellington City Council** sought that the explanations to policies 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation with examples of how the policies overlap and function together. Masterton District Council supported in part this submission. The submitter’s concern is noted, however, these concerns have been addressed under policy 3.

Wellington City Council also sought that the explanation clearly explains the concept of human-made and human-maintained landscapes, as human-made landscapes can be as highly valued as natural landscapes. Masterton District Council supported in part this submission. This submission point has already been addressed in the discussion of policy 24 above.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/16	Reject
Department of Conservation	31/23	Accept in part
East Harbour Environmental Association Incorporated	33/12	Reject
Anthony Roy Edwards	34/5	Reject
Federated Farmers of New Zealand	35/45	Reject
Genesis Energy	40/10	Accept in part
Shona McCahon	67/2	Accept
Masterton District Council	75/20	Reject



Submitter	Submission	Recommendation
Meridian Energy Limited	82/28	Reject
New Zealand Historic Places Trust	87/22	Accept in part
Porirua City Council	100/24	Accept in part
South Wairarapa District Council	112/26	Accept
Transpower New Zealand Limited	123/21	Reject
TrustPower Limited	124/29	Reject
Wellington City Council	131/19	Accept in part Also see recommended changes to policy 3

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 26 as sought by the submitters above and in response to the submission by Meridian Energy on policy 24 as follows:

**Policy 26: Identifying significant amenity landscapes values – district and regional plans**

District and regional plans shall identify significant amenity landscapes ~~using the following criteria and~~ having determined that the landscape has important landscape value, taking into account the following factors ~~under one or more of the criteria:~~

- (a) Natural science values: these values relate to the geological, ecological, topographical and natural process components of the natural feature or landscape:
  - (i) Representativeness: the combination of natural components that form the feature or landscape strongly typifies the character of an area.
  - (ii) Research and education: all or parts of the feature or landscape are important for natural science research and education.
  - (iii) Rarity: the feature or landscape is unique or rare within the district or region, and few comparable examples exist.

- (iv) Ecosystem functioning: the presence of healthy ecosystems is clearly evident in the feature or landscape.
- (b) Aesthetic values: these values relate to scenic perceptions of the feature or landscape:
  - (i) Coherence: the patterns of land cover and land use are in harmony with the underlying natural pattern of landform and there are no significant discordant elements of land cover or land use.
  - (ii) Vividness: the feature or landscape is visually striking and is widely recognised within the local and wider community for its memorable and sometimes iconic qualities.
  - (iii) Naturalness: the feature or landscape appears largely unmodified by human activity and the patterns of landform and land cover appear to be largely the result of intact and healthy natural systems.
- (c) Expressiveness (legibility): the feature or landscape clearly shows the formative ~~natural~~ processes ~~and/or~~ ~~historic influences~~ that led to its existing character.
- (d) Transient values: the consistent and noticeable occurrence of transient natural events, such as seasonal change in vegetation or in wildlife movement, contributes to the character of the feature or landscape.
- (e) Shared and recognised values: the feature or landscape is widely known and is highly valued for its contribution to local identity within the immediate and wider community.
- (f) Tangata whenua values: Maori values inherent in the feature or landscape add to the feature or landscape being recognised as a special place.
- (g) Historical associations: knowledge of historic events that occurred in and around the feature or landscape is widely held and substantially influences and adds to the value the community attaches to the natural feature or landscape.

Amend the first two paragraphs of the explanation as follows:

Policy 26 provides ~~criteria~~ factors to ensure significant amenity landscapes are consistently identified in district and regional plans. The ~~criteria~~ factors are consistent with significant case law<sup>3</sup> and commonly used *landscape* assessment methodologies.

Wellington Regional Council and district and city councils are required to assess landscapes and natural features against all the

~~criteria~~ factors, but may use other ~~criteria~~ additional factors. A significant amenity landscape will have important amenity values and make an important contribution to the maintenance of amenity values in the district, city or region, and may be dominated by either natural elements or human activity.

Insert a new footnote to paragraph one in the explanation as follows:

3. Pigeon Bay Aquaculture Ltd v Canterbury Regional Council Environment Court Decision, 1999 (C32/99) and the Wakatipu Environment Society Incorporated v Queenstown Lakes District Council Environment Court Decision, 1999 (C180/99)

**2.101 Policy 27: Maintaining and enhancing significant amenity landscapes - district and regional plans**

Submitter	Submission	Summary
Anders Crofoot	25/17	Stated that while farmed landscape may be identified as significant it is not reasonable to try and regulate the look of the farmed environment. Farming must have the right not to be frozen in time and treated like a public park.
F23/61	Federated Farmers of New Zealand	Support
Department of Conservation	31/24	Sought that the policy be retained as proposed
F24/15	Masterton District Council	Oppose
Federated Farmers of New Zealand	35/46	Submitted that only those landscapes that are classified as Outstanding Landscapes should be considered for their sensitivity to any primary industry activities. In the context that the extensive farming systems present on those landscapes has shaped those landscapes it is difficult to see how these activities are having any detrimental effect in terms of section 6(b) of the Act. Sought that policy 27 be deleted And Sought any consequential amendments as to detail or substance throughout the Policy Statement, in particular the methods section, to give effect to this Submission

Submitter	Submission	Summary
F19/44	Horticulture New Zealand	Support
F22/81	Anders Crofoot	Support
F24/50	Masterton District Council	Support
Masterton District Council	75/18	Sought that the words "amenity landscape" and "enhance" be deleted from policy 27.
Mighty River Power	83/31	Sought an amendment to state that the maintenance or enhancement of a significant amenity landscape will occur where it is reasonably practicable to do so. Also sought an amendment to the explanation so states that sometimes the benefits of a development will mean that a compromise on the maintenance or enhancement of a significant amenity landscape will need to occur.
Porirua City Council	100/25	Supported. The separation of this policy from policy 25 was also supported.
F12/25	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Tararua Tramping Club	114/14	Stated that the wording was too weak and sought that it be strengthened by replacing "must be done with a full understanding of its value" with "must be done without adversely impacting its values". State that without such strengthening objective 17 will not be achieved.
Transpower New Zealand Limited	123/22	Requested deletion of policy 27.
F17/49	Meridian Energy Limited	Support in part
F24/105	Masterton District Council	Support

Submitter	Submission	Summary
Wellington City Council	131/20	Sought that the explanations to policy 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation, with examples, of how the policies overlap and function together. It must clearly explain the concept of human-made and human-maintained landscapes, and explain that human-made landscapes can be as highly valued as natural landscapes.
F24/125	Masterton District Council	Support in part
Shear Hard Work	141/3	Agreed that landscapes are shaped by such activities as farming. Noted that it is not just Maori for which land provides earthly links and family history, for example Paekakariki and its hill has powerful cultural significance to their family, as they are a family whom has been farming the same land for five generations. As such stated that they would like to have policies 24 and 27 changed to reflect the many non-Maori families in the same situation so not disadvantaged just because of ethnicity. Sought policy 27 be changed to read: Maintaining and enhancing, in conjunction with landowners, significantly amenity landscape values — district and regional plans.

(a) Discussion

**Anders Crofoot** stated that while farmed landscape may be identified as significant it is not reasonable to try and regulate the look of the farmed environment. Farming must have the right not to be frozen in time and treated like a public park. Federated Farmers of New Zealand supported this submission. Greater Wellington staff acknowledge that significant amenity landscapes are likely to be working farm environments and consequently changes in farming activities and practices are likely to occur. However, policy 27 directs district and regional plans to maintain or enhance those landscape values that have been identified, pursuant to Section 7(c) of the Resource Management Act. This is distinctly different to policy 25, whereby district and regional plans are directed to protect those outstanding natural features and landscapes, pursuant to Section 6(b) of the Act. The provisions incorporated into district and regional plans are going to relate to the maintenance and enhancement of those identified values within the landscape. Therefore, these provisions are likely to be less onerous for significant amenity landscapes than for outstanding natural features and landscapes. It is likely that for any farmland identified as a significant amenity landscape, the farming of the land would contribute to its amenity value, and would be encouraged to

continue. The explanation also states that policy 27 is not intended to prevent change but to ensure that change is carefully considered and appropriate in relation to the landscape values present. It is therefore recommended that no amendments be made to address the submitter's concerns.

The **Department of Conservation** and **Porirua City Council** both supported the retention of this policy and Porirua City Council also supported the separation of this policy from policy 25. Masterton District Council opposed the submission by the Department of Conservation, and Kiwi Income Property Trust, Kiwi Income Properties Limited and Kiwi Properties Management Limited supported the submission by Porirua City Council. Support for the policy is noted. Staff have recommended some amendments in response to other submissions.

**Federated Farmers of New Zealand** sought that policy 27 be deleted. The submitter stated as “extensive farming systems present on those landscapes has shaped those landscapes[,] it is difficult to see how these activities are having any detrimental effect”. Anders Crofoot, Horticulture New Zealand and Masterton District Council supported this submission. The issue is the introduction of new land uses in rural areas, not existing activities. It has been identified that inappropriate modification and destruction of significant amenity landscapes are causing a loss of values associated with these landscapes. There is a need for regionally integrated identification, maintenance and enhancement of these landscapes, and this has been addressed through policies 26, 27 and 49 and the associated methods of the proposed Regional Policy Statement. If policy 27 was deleted from the Regional Policy Statement, the issue of inappropriate modification and destruction of significant amenity landscapes, causing a loss of those values associated with them, would not be addressed. It is therefore recommended that policy 27 is retained.

**Masterton District Council** sought that the words “amenity landscape” and “enhance” be deleted from policy 27. Greater Wellington staff consider that significant amenity landscapes need to be maintained or enhanced as the modification and destruction of these landscapes have been identified as a regionally significant issue. The wording “maintained or enhanced” is in reference to Section 7(c) of the Resource Management Act, and therefore the use of “enhancement” is consistent with the Act and also appropriate within a landscape context. It is therefore recommended that the reference to “significant amenity landscapes” and “enhancement” be retained.

**Mighty River Power** sought an amendment to state that the maintenance or enhancement of a significant amenity landscape will occur where it is reasonably practicable to do so. Mighty River Power also sought an amendment to the explanation so it states that sometimes the benefits of a development will mean that a compromise on the maintenance or enhancement of a significant amenity landscape

will need to occur. When assessing how landscapes should be enhanced and maintained, local authorities will also need to consider all other related policies in the Regional Policy Statement, local values and issues and whether the way in which the maintenance and enhancement provided will promote 'sustainable management' in accordance with Part II of the Resource Management Act. Therefore, it is not recommended to make amendments to the policy arising from this submission point.

**Tararua Tramping Club** sought that the wording in this policy is strengthened by replacing "must be done with a full understanding of its value" with "must be done without adversely impacting its values". Greater Wellington staff do not recommend making an amendment arising from this submission. This submission point has already been addressed in the discussion of policy 25 above.

**Transpower New Zealand Limited** also sought the deletion of policy 27 because the criteria in policy 26 are the same as those in policy 24. Meridian Energy Limited supported in part and Masterton District Council supported this submission. Even though the factors are the same in policies 24 and 26, the thresholds for identifying the two types of landscapes are very different. The protection of landscape values sought in policy 25 is quite different to the maintenance and enhancement of significant amenity values in policy 27. Greater Wellington staff recommend that policy 27 be retained.

**Wellington City Council** sought that the explanations to policies 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation with examples of how the policies overlap and function together. Masterton District Council supported in part this submission. The submitter's concern is noted, however, these concerns have been addressed under policy 3 in this report.

Wellington City Council also sought that the explanation clearly explains the concept of human-made and human-maintained landscapes, as human-made landscapes can be as highly valued as natural landscapes. Masterton District Council supported in part this submission. This submission point has already been addressed in the discussion of policy 24 above.

**Shear Hard Work** noted that it is not just Maori for which land provides earthly links and family history and consequently sought that policy 27 be changed to read: "Maintaining and enhancing, in conjunction with the landowners, significant amenity landscape values — district and regional plans". It is considered that the submitter's concerns have already been addressed in the discussion for policy 24 of this report.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/17	Reject
Department of Conservation	31/24	Accept in part
Federated Farmers of New Zealand	35/46	Reject
Masteron District Council	75/18	Reject
Mighty River Power	83/31	Reject
Porirua City Council	100/25	Accept in part
Tararua Tramping Club	114/14	Reject
Transpower New Zealand Limited	123/22	Reject
Wellington City Council	131/20	Accept in part Also see recommended changes to policy 3
Shear Hard Work	141/3	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 27 as sought by the submitters above and in response to the submission by South Wairarapa District Council on policy 26 as follows:

**Policy 27: Maintaining and enhancing significant amenity landscapes**

**values– district and regional plans**

Where significant amenity landscapes have been identified in accordance with policy 26, district and regional plans shall include policies, rules and/or methods that maintain or enhance the significant amenity landscape values.

**Explanation**

Appropriate subdivision, use and development respects those values identified within the *landscape* or *natural feature*. Planning for, developing and undertaking activities within an identified significant amenity landscape must be done with a full understanding of its values.



Policy 27 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the landscape values identified in policy 26.

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

Submitter	Submission	Summary
Agenda Development Planning	2/5	Requested addition of: '(c) identify land uses suitable for areas at high risk from natural hazard where opportunities arise to retire such land from more vulnerable uses.' with consequential grammatical changes.
Department of Conservation	31/25	Sought retention of the policy as proposed
F15/14	Porirua City Council	Oppose
East Harbour Environmental Association Incorporated	33/13	Supported.
East Harbour Environmental Association Incorporated	33/14	Supported improvements made from draft Regional Policy Statement.
Anthony Roy Edwards	34/6	Sought that appropriate text be added to refer readers to method 49.
Federated Farmers of New Zealand	35/47	Sought policy 28 be amended to ensure that development does not include activities undertaken as part of rural production. And Sought consequential amendments as to detail or substance throughout the Policy Statement, in particular the methods section, to give effect to this Submission
F22/82	Anders Crofoot	Support
GNS Science	42/1	Sought strengthening of policy 28 to ensure district plans require fault rupture avoidance zones of 20m setbacks from eroding coastlines; hazard areas on floodplains are mapped; and require geotechnical investigations for areas prone to landslide (p 96).
F15/15	Porirua City Council	Oppose

Submitter	Submission	Summary
GNS Science	42/2	Sought reference to Geological and Nuclear Science to be amended to GNS Science (p 96);
Greater Wellington Regional Council	46/1	Greater Wellington has responsibility (in accordance with proposed policy 62) for objectives, policies and methods, for the control of the use of land, to avoid or mitigate natural hazards in the coastal marine area and the beds of lakes and rivers. Policy 28 therefore applies to regional plans. District plan have responsibility for other land in accordance with proposed policy 62. Sought reference to regional plans in policy 28 alongside district plans.
F15/16	Porirua City Council	Support
F10/10	Wellington Fish and Game Council	Support
Horticulture New Zealand	50/26	Sought that the explanation to policy 28 be amended as follows: Generally activities undertaken as part of rural production activities will not be included as requiring extensive mitigation works.
F22/83	Anders Crofoot	Support
F23/62	Federated Farmers of New Zealand	Support
Kapiti Coast District Council	56/28	Supported the intent of policy 28 which is to 'avoid subdivision and development in high hazard risk areas' when developing plans and assessing resource consents and specifically includes fault rupture zones in the list of hazards. However, was concerned in relation to the practicalities of implementing policy 28 specifically in relation to fault rupture and flooding. Noted that the interpretation of "high hazard risk areas", particularly in relation to climate change impacts, currently varies across the region. Stated that a regionally consistent approach would be very valuable, and advocated that this be developed between Councils as a non-regulatory measure as part of the Plan. Requested changes to policy 28 to make it more specific that the impact of climate change needs to be included in these assessments, e.g. "Assessment

Submitter	Submission	Summary
		of hazards shall include the potential for climate change and sea level rise to increase the frequency or magnitude of hazard events". Also requested that the explanation to this policy be amended to reflect the uncertainties relating to earthquake fault traces and flooding by removing the word 'likely' from the explanation to the policy or that a definition 'likely' is included to clarify the situation for low probability high risk hazards which could be seen as unlikely at any given time if the dictionary definition of 'likely' is to be relied upon.
F15/17	Porirua City Council	Support
Meridian Energy Limited	82/29	Sought an amendment to policy 28(b) to read: 'include policies and rules to avoid subdivision and inappropriate development in those areas (with exceptions for essential infrastructure of regional significance where necessary).'
Oil Companies	92/11	Sought policy 28 be amended to clarify that it is not the natural hazards areas per se that subdivision and development needs to avoid, but rather that increasing the associated risk needs to be avoided and consequentially amend the associated Anticipated Environmental Result. Stated that this could be achieved by making amendments to the following effect: Policy 28 ... District plans shall: (a) identify areas at high risk from natural hazards ; and (b) include policies and rules to avoid subdivision and development in those areas, if such activities would result in unacceptable levels of risk.
F8/26	TrustPower Limited	Support
F15/18	Porirua City Council	Support
F26/23	Mighty River Power	Support
Porirua City Council	100/26	Opposed the blanket avoidance of subdivision and development in high hazard areas that is required by policies 28(b) and 50(g). Considered policy to be unrealistic given that significant areas of Porirua, Wellington, Hutt Valley and Kapiti Coast are located within areas that could

Submitter	Submission	Summary
		<p>be considered to be at high risk from seismic, flooding and/or tsunami hazard events.</p> <p>Requested 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.</p> <p>Stated that policy 50(g) should also be amended to read: avoiding or managing development in areas at high risk from natural hazards.</p>
F6/5	Hutt City Council	Support
F12/26	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
F8/27	TrustPower Limited	Support
F13/38	Wellington International Airport Limited	Support
Porirua City Council	100/27	<p>Stated that policy 28 refers to subdivision and development, however, its corresponding consideration policy refers only to development.</p> <p>Queried whether this distinction is deliberate, and if not, suggested rewording policy 50(g) to be consistent with policy 28.</p>
F12/27	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Transpower New Zealand Limited	123/23	<p>Sought an amendment to policy 28 by making amendments to the following effect:</p> <p>Policy 28 ...</p> <p>District plans shall :</p> <p>(a) identify areas at high risk from natural hazards;</p>

Submitter	Submission	Summary
		and (b) include policies and rules to avoid subdivision and development in those areas, if such activities would increase the associated risk.
F15/19	Porirua City Council	Support
TrustPower Limited	124/30	Sought an amendment to sub-clause (b) to read: 'include policies and rules to avoid inappropriate subdivision, use and development in those areas.' Also sought an amendment to the explanation by adding 'Notwithstanding the above, this policy does not seek to prohibit development in areas of high risk to natural hazards as some types of development and use, such as regionally significant infrastructure may be appropriate.'
F23/63	Federated Farmers of New Zealand	Support
F24/115	Masterton District Council	Support
F26/30	Mighty River Power	Support
Upper Hutt City Council	125/6	Sought clarification from Greater Wellington as to the precise applicability of the policy, and if required amendment to the policy so it would not preventing appropriate development on land affected by natural hazards (such as the St Patricks College site in Silverstream).
F15/20	Porirua City Council	Support
Wellington City Council	131/93	Supported policy 28.
Pritchard Group Ltd	142/1	Sought that policy 28 and associated explanations and cross referencing be deleted from the proposed Regional Policy Statement or, alternatively, re-worded to allow for a more managed and innovative approach.

(a) Discussion

Staff note that many submitters sought clarification of the applicability and intent of this policy. Staff would like to emphasise that this policy was not intended to prohibit development on land that

faces a low to moderate risk from natural hazards. It is recognised that the whole region faces a risk to some degree from natural hazards. Rather, it *explicitly* refers to areas that face a *high* (or greater) risk. It is expected there will be a robust process in identifying these areas for district and regional plans; indeed, much work has already been undertaken.

Staff would like to respond to a number of submitters who sought amendments to policy 28 to allow appropriate development and/or subdivision (or words to this effect). Staff recommend that policy 28 be reworded to allow *appropriate development*. The rewording does not apply to subdivision, excepting minor boundary adjustments. Staff do not consider that it is appropriate for new subdivisions to occur in high hazard areas. In order to minimise the risk to new subdivision in high hazard areas requires, in most instances, large scale hazard mitigation works. Structural mitigation works have a high capital outlay and ongoing maintenance costs and usually have adverse effects on the natural environment, as outlined in the explanation.

**Agenda Development Planning** sought the insertion of an additional clause to consider land *use* activities, which would require local authorities to identify, manage and retire land from certain uses in high hazard areas. Staff consider this requirement to be unworkable and too economically and scientifically unrealistic a task for councils to undertake. However, policy 51 deals with hazard mitigation measures, and does allow land retirement or managed retreat to be implemented in hazardous areas if appropriate.

**Anthony Roy Edwards** requested that policy 28 make reference to method 49 – to prepare a regional landscape character description. Staff do not consider the policy has strong enough links to this method to warrant a reference.

**Federated Farmers of New Zealand and Horticulture New Zealand** wanted the policy to be amended to ensure that development does not include activities undertaken as part of rural production. Policy 28 specifically refers to subdivision and development, not uses. Thus, Greater Wellington staff would like to reassure Federated Farmers of New Zealand and Horticulture New Zealand that this policy will not interfere with day to day farming activities. However, there may be some farming developments or activities that come under the scope of this policy. The recommended amendments and rewording of the policy and explanation will allow developments that are considered appropriate, including farm activities, to occur in high hazard areas. The submissions of Federated Farmers of New Zealand and Horticulture New Zealand were supported by Anders Crofoot.

**GNS Science** sought a strengthening of policy 28 to ensure district plans require; fault rupture avoidance zones of 20m; setbacks from eroding coastlines; floodplain hazard maps; and a requirement for geotechnical investigations in areas prone to landslides. Porirua City

Council opposed this submission. Staff consider that the policy is sufficiently strong to allow appropriate avoidance zones to be decided upon in requisite regional or district plans, and note that the references provided in the explanation are guides of how to implement the policy. The exact details of how this policy is implemented is best dealt with by rules and policies in the plans. This allows flexibility for regional and district plans to apply rules in different ways and situations depending on factors such as: local environmental conditions; community expectations or; degree of uncertainty; i.e. all those factors that need to be considered for a thorough risk assessment. The explanation outlines the use of certain guidance documents that include recommended planning tools such as coastal setbacks or fault avoidance zones, which are broadly understood policy mechanisms in hazards management. It is recommended that another reference document is added to this list that provides guidance on managing coastal hazards, to bolster the guidance material.

**Greater Wellington Regional Council** sought that regional plans should also be required to give effect to this policy and were supported by Porirua City Council. Considering that many natural hazards are associated with the coastal marine area and rivers and lakes, staff agree with this recommendation.

**Transpower New Zealand Limited** and **Oil Companies** requested that policy 28 be amended to avoid subdivision and development in high hazard areas, if such activities would result in unacceptable levels of risk. This was supported by TrustPower Limited, Porirua City Council and Mighty River Power. Meridian Energy Limited sought that the policy avoid subdivision and inappropriate development and TrustPower Limited sought that the policy avoid inappropriate subdivision, use and development. Staff accept that the policy should be flexible enough to allow certain developments to proceed in high hazard areas where this is unavoidable and in situations where there is no suitable alternate locations. However, as discussed previously, it is not appropriate that subdivision be allowed in high hazard areas and thus the rewording only applies to development. Any development proposed for high hazard areas would require a thorough risk assessment and suitable measures to be put in place to mitigate the risk. The policy and explanation has been reworded to accommodate this change. A reference in the explanation to policy 50 that will now (additionally) be used to determine what development is considered appropriate. TrustPower Limited, supported by Federated Farmers of New Zealand, Masterton District Council and Mighty River Power, requested that the policy also be applicable to land use activities. Staff note that the policy is aimed at subdivision and development, not land use, which is dealt with by policy 50. Oil companies noted that it is not the natural hazards areas *per se* that subdivision and development needs to avoid, but rather that increasing the associated risk needs to be avoided. Staff agree with this sentiment and note that this policy is risk focussed. Nevertheless, there are some areas that should simply be avoided, where the

required engineering would either be impossible or prohibitively expensive to implement (*e.g.* fault zones, 100 year floodways) or would result in unacceptable adverse environmental impacts (*e.g.* coastal erosion zones, dunes).

**Kapiti Coast District Council** and **Porirua City Council** supported the intent of policy 28, but had concerns about the practicalities of its implementation, particularly in relation to fault rupture hazard and flooding. Porirua City Council opposed the blanket avoidance of subdivision and development in high risk areas and **Upper Hutt City Council** sought clarification of the applicability of the policy. This was supported by Hutt City Council, Kiwi Income Properties Limited, TrustPower Limited and Wellington International Airport Limited. Greater Wellington staff comment that the policy only refers to high risk areas, not simply areas affected by hazards, which would make the policy unworkable. Staff disagree with a comment by Porirua City Council that significant areas of Porirua, Wellington, Hutt Valley and Kapiti Coast are in areas that could be considered high risk. Many of these areas could be considered to have a low to moderate hazard risk. The amount of land that falls within the high hazard zones is considerably less. Again, the policy is only targeted at the high risk areas, not the low to moderate risk areas. It is expected there will be a robust process, taking into consideration the best scientific understanding, public expectations, statutory requirements and legal rights when defining any high hazard area in a district or regional plan. To address some of these concerns it is recommended that policy 28 and consequent wording in policy 50 be amended to clarify the meaning of avoiding subdivision and inappropriate development. This would also provide stronger links to policy 50 in making an assessment of inappropriate development. Staff would like to reassure Upper Hutt City Council and Porirua City Council that the policy will not prevent appropriate development on land simply affected by natural hazards.

Porirua City Council queried whether policy 28 (which refers to *subdivision* and *development*) and the associated consideration policy 50(g) (which refers to just *development*) should be consistent. This query was supported by Kiwi Income Properties Limited. Staff note that the word 'development' is used in its generic sense in the clauses to policy 50. The policy itself applies to resource consent applications, and as such, covers off all those activities (subdivision, use and development) for which a consent would be required as per section 87 of the Resource Management Act.

Kapiti Coast District Council also noted that there is variation across the region in the interpretation of high hazard areas in relation to climate change impacts, and wanted a regionally consistent approach to climate change to be developed between councils as a non-regulatory measure. Kapiti Coast District Council requested changes to the policy to make it more specific to climate change impacts. Staff note that policy 50 (the related consideration policy) contains a clause



that requires: “Assessment of hazards shall include the potential for climate change and sea level rise to increase the frequency or magnitude of hazard events”. The assessment of what constitutes a high hazard area should include climate change impacts, but can only take into account the best understanding we have, including all the uncertainties. Climate change effects will manifest themselves differently across the region depending on the local climate, terrain, coastal processes and so on, so it is important the impacts are examined at a local level. Nevertheless, there is a great deal of merit in having a regionally accepted climate change impact scenario, that would for example have consistently agreed levels for sea level rise, changes in rainfall and increases in flood levels etc. There is a desire to have national consistency for these levels and central government is working on national policy statements and national environmental standards to this effect (e.g. on sea level). However, it is important to recognise that the science in this area is still developing, and as yet there is no model that can sufficiently resolve the broad scale atmospheric and climatic models to a regional level. It is necessary for this to happen before allowing the forecasts to be accepted for hazard management and planning. Unfortunately, developing a region wide consensus on climate change impacts is beyond the scope of policy 28. But staff would like to point out that method 14 (which relates to policy 28) does require information about climate change effects to be gathered, analysed and disseminated by local authorities for public education and policy development. Staff recommend the inclusion of a climate change and coastal hazards planning guidance document in the explanation to the policy.

Kapiti Coast District Council also requested that the explanation to the policy be amended by removing the word ‘likely’ from the description of high risk. In particular, to reflect the uncertainties relating to fault traces and flooding, and to clarify the situation for low probability high risk hazards which could be seen as unlikely at any given time. Staff note that the word ‘likely’, which has been used deliberately, only refers to the consequences or impacts of a hazard event, not the probability. This is dealt with in the preceding clause, where the word ‘potential’ is used to refer to the probability of occurrence. This allows for low probability, high impact events such as fault rupture or tsunami zones to be included if there is a sufficient level of certainty about the hazard. The biggest uncertainty in hazards science is the probability, rather than the impacts. The physical effects resulting from flooding, tsunami, earthquakes, landslides etc. are widely understood. Thus, we can have a much greater level of comfort around the word ‘likely’.

**Pritchard Group Ltd** sought the deletion or rewording of the policy to allow a more innovative approach. Staff consider the policy to be firm yet flexible enough to be applied to a wide range of situations. The policy balances legislative requirements, the latest scientific understanding of a broad range of natural hazards, principles of civil defence and emergency management planning, the needs of local

authorities and the pragmatic reality of planning and managing the natural hazard risk in a geologically active landscape. Thus, the policy is innovative in that it manages to achieve this balance in a way that will satisfy the diverse hazard planning needs of our communities across the region.

**Wellington City Council** and the **Department of Conservation** supported policy 28. Their support is noted. Staff have recommended retaining the policy with amendments in response to other submissions.

(b) Recommended decision

Submitter	Submission	Recommendation
Agenda Development Planning	2/5	Reject
Department of Conservation	31/25	Accept in part
East Harbour Environmental Association Incorporated	33/13	Accept
East Harbour Environmental Association Incorporated	33/14	Accept
Anthony Roy Edwards	34/6	Reject
Federated Farmers of New Zealand	35/47	Accept in part
GNS Science	42/1	Reject
GNS Science	42/2	Accept
Greater Wellington Regional Council	46/1	Accept
Horticulture New Zealand	50/26	Accept in part
Kapiti Coast District Council	56/28	Accept in part
Meridian Energy Limited	82/29	Accept
Oil Companies	92/11	Accept in part
Porirua City Council	100/26	Accept in part
Porirua City Council	100/27	Accept in part
Transpower New	123/23	Accept in part

Submitter	Submission	Recommendation
Zealand Limited		
TrustPower Limited	124/30	Accept in part
Upper Hutt City Council	125/6	Accept in part
Wellington City Council	131/93	Accept in part
Pritchard Group Ltd	142/1	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

It is recommended that the word ‘inappropriate’ be inserted before ‘development’ to allow for special cases where it may be acceptable to allow a development to proceed, following a full risk assessment. This requires associated clarifications in the explanation and to policy 50, which will now act as a test to guide the decision to decide what is considered appropriate. It is not accepted by staff that subdivision would ever be appropriate in high hazard areas. However, this should not preclude minor boundary adjustments. It is recommended the policy and explanation be reworded:

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

Regional and District plans shall:

- (a) identify areas at high risk from natural hazards; and
- (b) include policies and rules to avoid subdivision and inappropriate development in those areas.

Explanation

Whilst this policy requires an avoidance of subdivision in high hazard areas, it is not intended that this prevent minor boundary adjustments.

The term ‘areas at *high risk*’ refers to those areas potentially affected by *natural hazard* events that are likely to cause moderate to high levels of damage to the subdivision or development, including the buildings, infrastructure, or land on which it is situated, or which require extensive mitigation works.

Areas at high risk from natural hazards are those areas that would experience serious consequences in a hazard event – such as *fault rupture zones*, beaches that experience cyclical or long term erosion, failure prone hill slopes, or areas that are subject to

serious flooding – and those areas facing potential adverse impacts from climate change.

Policy 50 will need to be considered alongside policy 28 when changing, varying or replacing a regional or district plan, and/or when making a decision on whether a development is inappropriate in a high hazard area.

This policy will require district plans to prevent new subdivision and inappropriate development in areas that would require extensive hazard mitigation works. Extensive mitigation works are those involving structural works that:

- cover and/or affect a large geographical area
- may adversely modify natural processes
- significantly alter the natural landscape
- have high establishment and maintenance costs
- leave a residual risk, and/or
- are likely to be permanent, and their effects irreversible.

This policy promotes a risk-based approach, taking into consideration the characteristics of the natural hazard, its likelihood, potential impacts and the vulnerability of development.

Examples of how this may be achieved include: fault rupture avoidance zones 20 metres either side of a fault trace; setback distances from an eroding coastline; hazard areas on floodplains; or, requirements for a geotechnical investigation before development proceeds on a hill slope identified as prone to failure.

Guidance documents that could be used to assist in the process include:

- Risk Management Standard AS/NZS 4360:2004
- Guidelines for assessing planning policy and consent requirements for landslide prone land, *Geological and Nuclear Sciences GNS Science* (2008)
- Planning for development of land on or close to active faults, *Ministry for the Environment* (2003).
- Coastal Hazards and Climate Change: A Guidance Manual for Local Government in New Zealand, Ministry for the Environment (2008).

This policy also recognises....

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

Submitter	Submission	Summary
Coastland Shopping Limited	24/3	Sought retention of policy, but asked that local authorities be encouraged to engage in consultation with key stakeholders when regionally significant centres create their visions and principles.
F20/6	Westfield New Zealand Ltd	Support
Anders Crofoot	25/18	Sought that Wairarapa towns other than Masterton should be included. Stated that smaller towns may have greater potential for development which could have adverse effects if taken in isolation.
F15/21	Porirua City Council	Oppose
Department of Corrections	32/5	Sought that policy 29 be retained, in part, but amended to read: District plans shall include policies, rules and/or methods that encourage a range of land use activities and social infrastructure that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the following centres of regional significance:
East Harbour Environmental Association Incorporated	33/15	Supported.
Foodstuffs (Wellington) Co operative Society Ltd	37/1	Opposed in part and associated method 1 as they may be applied too prescriptively. Requested a new policy be added to detail how retail development outside regionally significant centres may be appropriate in some instances
F20/22	Westfield New Zealand Ltd	Oppose
Kiwi Property Holdings Ltd	62/6	Sought the inclusion of emphasis on the need to control retail activity to encourage and protect the vitality and vibrancy of the regionally significant centres, whilst ensuring the maintenance and enhancement of the Wellington City Central Business District as the pre-eminent centre in the Wellington region.

Submitter	Submission	Summary
		<p>The following changes were sought:</p> <p>Policy 29: Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans</p> <p>District plans shall include policies, rules and/or methods that enable and manage a range of land use activities (including retail activity) at a rate that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city as the preeminent centre and the following centres of regional significance:</p> <ul style="list-style-type: none"> <li>(a) Upper Hutt city centre</li> <li>(b) Lower Hutt city centre</li> <li>(c) Porirua city centre</li> <li>(d) Paraparaumu town centre</li> <li>(e) Masterton town centre</li> <li>(f) Petone town centre</li> <li>(g) Kilbirnie town centre</li> <li>(h) Johnsonville town centre.</li> </ul> <p>Explanation</p> <p>In achieving this District plans shall ensure that the range of land use activities within the centres of regional significance listed in (a) – (f) shall not reduce the viability and vitality of the regional central business district in Wellington City.</p> <p>The region's central business district in Wellington city and the centres of regional significance identified in policy 29 were identified in the Wellington Regional Strategy as regionally significant centres for economic development, transport movement, civic and community investment.</p> <p>The Wellington central business district is the regional central business district, with 73,000 people working there each day. The regional central business district is at the top of the hierarchy of regional centres and it is therefore important to ensure its viability and vibrancy is maintained above other regionally significant centres. The other regionally significant centres are the civic centres of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Paraparaumu town centre, Masterton town centre, and other major town centres of Petone, Kilbirnie and Johnsonville.</p> <p>Maintaining and enhancing the viability and vibrancy of these centres is important in order to encourage investment and development that supports an increased range and diversity of activities. It is also important for their prosperity and resilience in the</p>

Submitter	Submission	Summary
		<p>face of social and economic change. The success of the other regionally significant centres must however not be achieved by reducing the viability and vitality of the regional central business district.</p> <p>Although the range of appropriate land uses to be encouraged through this policy will vary depending on the character and context of each centre the need to manage the dispersal of retail activity is fundamental to achieving objective 21. For this reason, policy 29 requires the region's district and city councils to determine the range of land uses (including retail activity) to be encouraged and/or controlled in order to maintain and enhance the viability and vibrancy of the relevant centre managed through its district plan. However, when maintaining and enhancing the regionally significant centres within a district, councils also need to consider the viability and vibrancy of the regionally significant centres outside their district, in particular the Wellington central business district.</p>
F15/22	Porirua City Council	Oppose
F20/30	Westfield New Zealand Ltd	Support
F24/68	Masterton District Council	Oppose
New Zealand Historic Places Trust	87/23	Sought retention of policy 29.
Porirua City Council	100/28	<p>Sought that policy 29, and consequentially Appendix 3, section 3.9 and objective 21(b), be amended to be consistent with the Wellington Regional Strategy. Stated that the Wellington Regional Strategy identified that "the Wellington Central Business District and the regional centres are the engine rooms of economic development" (p.39 Wellington Regional Strategy). Porirua City Council understands that these regional centres include Upper Hutt, Lower Hutt, Porirua, Paraparaumu and Masterton city/town centres.</p> <p>Stated that the suburban commercial centres of Petone, Kilbirnie and Johnsonville do not provide the same function and role as the city centres of Lower Hutt, Upper Hutt and Porirua, or the district centres</p>

Submitter	Submission	Summary
		of Paraparaumu and Masterton. Also noted 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, Kilbirnie and Johnsonville are to be retained within the Regional Policy Statement 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'.
F12/28	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
F20/36	Westfield New Zealand Ltd	Support
South Wairarapa District Council	112/27	Stated that South Wairarapa District Council is already implementing this policy through the proposed Wairarapa Combined District Plan for all three of its town centres. Stated that exclusion from this policy is not justified. More people come to the Wairarapa to visit the towns in the South Wairarapa than they do to visit Masterton.
F15/23	Porirua City Council	Oppose
Wellington City Council	131/28	Supported policy 29
Wellington Police	135/3	Sought policy 29 be amended to read 'District plans shall include policies, rules and/or methods that encourage a range of land use activities and social infrastructure that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the following centres of regional significance.
Westfield New Zealand Ltd	138/8	Sought that policy 29 be amended as follows (or words to like effect): "Policy 29: Maintaining and enhancing the viability



Submitter	Submission	Summary
		<p>and vibrancy of regionally significant centres – district plans</p> <p>District plans shall include policies, rules and/or methods that:</p> <ul style="list-style-type: none"> <li>• maintain and enhance the viability and vibrancy of the regionally significant centres; and</li> <li>• enable a range of complementary land use activities in and around regionally significant centres.</li> </ul> <p>When implementing this policy for centres within their district, councils shall consider the viability and vibrancy of the regionally significant centres outside their district.</p> <p>Regionally significant centres include the regional central business district in Wellington city and the following centres of regional significance:</p> <p>(a) Upper Hutt city centre  (b) Lower Hutt city centre  (h) Johnsonville</p> <p>Explanation</p> <p>The region's central business district in Wellington city and the centres identified in policy 29 are of regional significance and the Wellington Regional Strategy has reiterated their importance in respect of economic development, transport movement, and civic and community investment.</p> <p>The Wellington central business district is the regional central business district, with 73,000 people working there each day. The regionally significant centres are the civic centres of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Paraparaumu town centre, Masterton town centre, and other major centres of Petone, Kilbirnie and Johnsonville. Maintaining and enhancing the viability and vibrancy of these centres is important in order to encourage investment and development that supports an increased range and diversity of activities. It is also important for their prosperity and resilience in the face of social and economic change. Accordingly, policy 29 requires the policies, rules and/or methods within district plans to respond to the positive and negative factors which can affect the viability and vibrancy of centres.</p> <p>The range of appropriate land uses to be enabled through this policy will vary depending on the character and context of each centre. For this reason, policy 29 requires the region's district and city councils to determine the range of land uses to be enabled in order to maintain and enhance the</p>

Submitter	Submission	Summary
		viability and vibrancy of the relevant centre managed through its district plan. However, when maintaining and enhancing the regionally significant centres within a district, councils also need to consider the viability and vibrancy of the regionally significant centres outside their district."
F12/61	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support in part
F15/24	Porirua City Council	Oppose

(a) Discussion

**East Harbour Environmental Association Incorporated, New Zealand Historic Places Trust and Wellington City Council** supported policy 29. The support is noted.

**Coastland Shopping Limited** sought retention of policy 29, but asked that local authorities be encouraged to engage with key stakeholders when creating their visions for the regionally significant centres. Their submission was supported by Westfield New Zealand Limited. No changes are required to policy 29. The submitter is directed to section 4.5 where it is recommended that a sentence about involvement of stakeholders in the development of methods be included.

**Department of Corrections and Wellington Police** sought that policy 29 be amended to read 'District plans shall include policies, rules and/or methods that encourage a range of land use activities and social infrastructure that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the following centres of regional significance.' It is recommended that the addition of "social infrastructure" not be added to policy 29. It is, however, noted that it would be expected that a city or district council would consider the need for social infrastructure when assessing the range of land use activities. To clarify this it is recommended that an amendment be made to the explanation to this effect.

**Foodstuffs (Wellington) Co operative Society Ltd** opposed the policy, in part. This was opposed by Westfield New Zealand Limited.

Foodstuffs (Wellington) Co operative Society Ltd was concerned that the policy would be applied too prescriptively. It is recommended that this submission be rejected. It is considered appropriate that city and district council's determine how policy 29 is to be implemented in their district. Any changes they make to their plans, to give effect to this policy, will need to go through the first schedule process. This process provides an opportunity for the submitter to raise concerns about how the policy is being implemented. The submitter also requested a new policy to describe how retail development, outside regionally significant centres, would be managed. It is also recommended that this request be declined. Proposed method 42 'Develop principles for retail activities' is intended to apply to development, outside regionally significant centres, in a non-regulatory way.

**Kiwi Property Holding Ltd** sought that the policy be amended to place emphasis on the need to control retail activity, to encourage and protect the vitality and vibrancy of the regionally significant centres, whilst ensuring the maintenance and enhancement of the Wellington City Central Business District as the pre-eminent centre in the Wellington region. This submission was supported by Westfield New Zealand Limited and opposed by Porirua City Council and Masterton District Council. Policy 29 is considered to have appropriately identified the Wellington city central business district as being at the top of the hierarchy (and the regional central business district). The focus in the policy is on maintaining and enhancing the viability and vibrancy of the centres, rather than specifically directing control of retail development. Discretion is with each city and district council to determine the range and extent of activities (and whether this includes retail activities) that need to be provided for, or managed, to maintain and enhance viability and vibrancy.

**Porirua City Council** raised concern about policy 29 and the centres listed. They note that it was their understanding that the regional centres, referred to in the Wellington Regional Strategy, were limited to Upper Hutt, Lower Hutt, Porirua, Paraparaumu and Masterton city/town centres. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd and Westfield New Zealand Limited. The list of centres included in policy 29 is derived directly from the list of sub-regional centres listed (on page 25 'Action Area 2.2 Maturing our sub-regional centres') in the Wellington Regional Strategy discussion document, 2005. It is however noted that the list was not included in the final strategy document. It is recommended that the full list of centres in policy 29 be retained. These centres were identified as centres of significance for the region's form because of their economic development, transport movement, civic or community investment. Porirua City Council's concern that the centres listed have different functions and roles is however valid and the policy should be amended to refer to the sub-regional centres of Upper Hutt, Lower Hutt, Porirua, Paraparaumu and Masterton and the suburban centres of

Petone, Kilbirnie and Johnsonville. The explanation should also be amended accordingly.

**Anders Crofoot** sought that Wairarapa towns, other than Masterton, be included. He stated that smaller towns may have greater potential for development which could have adverse effects if undertaken in isolation. **South Wairarapa District Council** also stated that exclusion of the three South Wairarapa towns from this policy was not justified. They noted that more people come to the Wairarapa, to visit the towns in the South Wairarapa, than they do to visit Masterton. Porirua City Council opposed the addition of centres that were not identified as significant by the Wellington Regional Strategy.

Policy 29 is not intended to devalue the significance of other centres in the region or signify that their development should not be managed. The list includes those centres that are significant to the region's form because of their economic, transport, civic or community investment and are the centres identified during the development of the Wellington Regional Strategy. By maintaining and enhancing the viability and vibrancy of these centres it will strengthen the regions urban form. These centres are therefore regionally significant for these reasons. It is therefore recommended that the centres be the only ones identified in policy 29.

**Westfield New Zealand Ltd** also sought amendments to the centres listed in policy 29. This involved limiting the regionally significant centres to Wellington city central business district, Upper Hutt city centre, Lower Hutt city centre and Johnsonville. Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd supported the submission in part. Porirua City Council opposed the submission. It is recommended that the submission be rejected for the same reasons as outlined in response to the submission from Anders Crofoot and South Wairarapa District Council.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastland Shopping Limited	24/3	Accept
Anders Crofoot	25/18	Reject
Department of Corrections	32/5	Accept in part
East Harbour Environmental Association Incorporated	33/15	Accept

Submitter	Submission	Recommendation
Foodstuffs (Wellington) Co operative Society Ltd	37/1	Reject
Kiwi Property Holding Ltd	62/6	Reject
New Zealand Historic Places Trust	87/23	Accept
Porirua City Council	100/28	Accept
South Wairarapa District Council	112/27	Reject
Wellington City Council	131/28	Accept
Wellington Police	135/3	Accept in part
Westfield New Zealand Ltd	138/8	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 29 as follows:

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

District plans shall include policies, rules and/or methods that encourage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the ~~following of regional significance:~~

(a) Sub-regional centres of:

- (i) Upper Hutt city centre;
- (ii) Lower Hutt city centre;
- (iii) Porirua city centre;
- (iv) Paraparaumu town centre;
- (v) Masterton town centre; and the

(b) Suburban centres in:

- (i) Petone;
- (ii) Kilbirnie; and
- (iii) Johnsonville.

**Explanation**

~~The region's central business district in Wellington city and the centres of regional significance identified in policy 29 were identified in the Wellington Regional Strategy as regionally~~

~~significant centres for economic development, transport movement, civic and community investment.~~

The centres listed in policy 29 were identified during the development of the Wellington Regional Strategy as centres of significance to the region's form for economic development, transport movement, civic or community investment. The Wellington central business district is the regional central business district, with 73,000 people working there each day. ~~The regionally significant sub-regional centres of regional significance~~ are the civic centres of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Paraparaumu town centre, Masterton town centre, ~~and other major centres of The suburban centres of regional significance are in~~ Petone, Kilbirnie and Johnsonville. Maintaining and enhancing the viability and vibrancy of these centres is important in order to encourage investment and development that supports an increased range and diversity of activities. It is also important for their prosperity and resilience in the face of social and economic change.

The range of appropriate land uses to be encouraged through this policy will vary depending on the character and context of each centre. For this reason, policy 29 requires the region's district and city councils to determine the range of land uses, supported by appropriate social infrastructure to be encouraged in order to maintain and enhance the viability and vibrancy of the relevant centre managed through its district plan. ~~However, when maintaining and enhancing regionally significant centres within a district, councils also need to consider the viability and vibrancy of the regionally significant centres outside their district.~~

**2.104 Policy 30: Identifying and promoting higher density and mixed use development - district plans**

Submitter	Submission	Summary
Lucy Adams	1/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/1	Upper Hutt City Council	Oppose
F27/1	Lucy Adams	Support
Agenda Development Planning	2/6	Requested insertion of new sub-paragraph: '(c) identify locations where with necessary investment good access to the public transport network can be provided, and prevent inefficient forms of land use in those locations that would be incompatible with the creation of future high density and/or mixed use development; and' with

Submitter	Submission	Summary
		consequential renumbering and grammatical changes.
F20/2	Westfield New Zealand Ltd	Support
John and Margaret Ankcorn	5/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/2	Upper Hutt City Council	Oppose
F27/2	Lucy Adams	Support
Dana Arcus	6/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/3	Upper Hutt City Council	Oppose
F27/3	Lucy Adams	Support
Peter Laurence Arcus	7/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/4	Upper Hutt City Council	Oppose
F27/4	Lucy Adams	Support
Maree Atkinson	8/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/5	Upper Hutt City Council	Oppose
F27/5	Lucy Adams	Support
Maggie Bannatyne	9/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/6	Upper Hutt City Council	Oppose
F27/6	Lucy Adams	Support

Submitter	Submission	Summary
Catherine Barron	10/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/7	Upper Hutt City Council	Oppose
F27/7	Lucy Adams	Support
Regan Bentley	11/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/8	Upper Hutt City Council	Oppose
F27/8	Lucy Adams	Support
David Charles Billmore	12/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/9	Upper Hutt City Council	Oppose
F27/9	Lucy Adams	Support
James Alexander Blair	13/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/10	Upper Hutt City Council	Oppose
F27/10	Lucy Adams	Support
Colleena June Blair	14/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/11	Upper Hutt City Council	Oppose
F27/11	Lucy Adams	Support
Helen Blundell	16/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/12	Upper Hutt City Council	Oppose



Submitter	Submission	Summary
F27/12	Lucy Adams	Support
Rozalie Anita Brown	18/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/13	Upper Hutt City Council	Oppose
F27/13	Lucy Adams	Support
Edward Francis Butters	19/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/14	Upper Hutt City Council	Oppose
F27/14	Lucy Adams	Support
George Butters	20/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/15	Upper Hutt City Council	Oppose
F27/15	Lucy Adams	Support
Angela Calkin Goeres	21/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/16	Upper Hutt City Council	Oppose
F27/16	Lucy Adams	Support
Coastland Shopping Limited	24/4	Supported policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development.
F20/9	Westfield New Zealand Ltd	Support
Reginald Allan Davies	28/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/17	Upper Hutt City Council	Oppose

Submitter	Submission	Summary
F27/17	Lucy Adams	Support
Liam Davies	29/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/18	Upper Hutt City Council	Oppose
F27/18	Lucy Adams	Support
Patricia Kathleen Davies	30/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/19	Upper Hutt City Council	Oppose
F27/19	Lucy Adams	Support
Department of Conservation	31/26	Neutral submission, but noted that higher density development may result in increased impermeable surfaces and increased stormwater run-off, with consequential impacts on streams and estuaries, but that district and regional councils are required by other policies within the Regional Policy Statement to avoid these adverse impacts.
Department of Corrections	32/6	Sought that policy 30 be retained in part but amended to read: (d) includes policies, rules and/or methods that support local social infrastructure and essential social services in areas of higher density and mixed use development
East Harbour Environmental Association Incorporated	33/9	Stated that promoting high density development should not be at the expense of sacrificing green spaces and gardens for asphalt.
Foodstuffs (Wellington) Co operative Society Ltd	37/2	Supported in part. Stated that flexibility is required by developers.
F20/23	Westfield New Zealand Ltd	Support
Liz Gibbs	41/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation

Submitter	Submission	Summary
F21/20	Upper Hutt City Council	Oppose
F27/20	Lucy Adams	Support
Steffen Goeres	43/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/21	Upper Hutt City Council	Oppose
F27/21	Lucy Adams	Support
Kristina Anne Hefford	47/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/22	Upper Hutt City Council	Oppose
F27/22	Lucy Adams	Support
Walter Jack Hutchings	52/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/23	Upper Hutt City Council	Oppose
F27/23	Lucy Adams	Support
Joan Elizabeth Hutson	53/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/24	Upper Hutt City Council	Oppose
F27/24	Lucy Adams	Support
Michele Karen Johnston	54/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/25	Upper Hutt City Council	Oppose
F27/25	Lucy Adams	Support

Submitter	Submission	Summary
Kapiti Coast District Council	56/29	<p>Supported policy 30 in principle. Requested that the wording be more specific to reflect the intent as expressed in the Wellington Regional Strategy. Noted that Kapiti Coast District Council made a submission on the Draft Policy Statement suggesting a more specific policy which has only been partially addressed in the proposed Policy Statement.</p> <p>Stated that an important part of targeted intensification is ensuring that intensification away from key centres is discouraged. Noted that policy 55 for rural areas links to relevant Council strategies and the use of similar criteria would assist in making policy 30 more robust.</p> <p>Stated that within all the district's centres we need to carefully manage the mix of uses and avoid intensification at the smallest commercial nodes. Stated that this could be eroded by private plan changes relying on policy 30 as it was proposed. Requested that the policy be reworded to include a reference to Council Strategies or the key centres in the Wellington Regional Strategy if there is no relevant local council strategy</p>
Neville William Kean	57/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/26	Upper Hutt City Council	Oppose
F27/26	Lucy Adams	Support
Marilyn Sally Kean	58/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/27	Upper Hutt City Council	Oppose
F27/27	Lucy Adams	Support
Kevin Kirk	59/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/28	Upper Hutt City Council	Oppose
F27/28	Lucy Adams	Support

Submitter	Submission	Summary
Beryl Kirk	60/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/29	Upper Hutt City Council	Oppose
F27/29	Lucy Adams	Support
Sean Knight	63/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/30	Upper Hutt City Council	Oppose
F27/30	Lucy Adams	Support
Sara Knight	64/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/31	Upper Hutt City Council	Oppose
F27/31	Lucy Adams	Support
Michael John Marfell-Jones	70/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/32	Upper Hutt City Council	Oppose
F27/32	Lucy Adams	Support
Adrienne Marfell-Jones	71/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/33	Upper Hutt City Council	Oppose
F27/33	Lucy Adams	Support
Sam McLean	76/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/34	Upper Hutt City Council	Oppose

Submitter	Submission	Summary
F27/34	Lucy Adams	Support
Isaac Hamiora McLean	77/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/35	Upper Hutt City Council	Oppose
F27/35	Lucy Adams	Support
Ranea McLean	78/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/36	Upper Hutt City Council	Oppose
F27/36	Lucy Adams	Support
Robert John McLellan	79/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/37	Upper Hutt City Council	Oppose
F27/37	Lucy Adams	Support
Lynne McLellan	80/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/38	Upper Hutt City Council	Oppose
F27/38	Lucy Adams	Support
Richard John Moore	84/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/39	Upper Hutt City Council	Oppose
F27/39	Lucy Adams	Support
David Murray	85/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation

Submitter	Submission	Summary
F21/40	Upper Hutt City Council	Oppose
F27/40	Lucy Adams	Support
New Zealand Historic Places Trust	87/24	Sought retention of policy 30
Kevin Nicol	90/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/41	Upper Hutt City Council	Oppose
F27/41	Lucy Adams	Support
Robert Orriss	93/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/42	Upper Hutt City Council	Oppose
F27/42	Lucy Adams	Support
Joan Margaret Perry	96/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/43	Upper Hutt City Council	Oppose
F27/43	Lucy Adams	Support
Robert Edward	97/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/44	Upper Hutt City Council	Oppose
F27/44	Lucy Adams	Support
Keith James Pittams	99/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/45	Upper Hutt City Council	Oppose

Submitter	Submission	Summary
F27/45	Lucy Adams	Support
June Ralston	102/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/46	Upper Hutt City Council	Oppose
F27/46	Lucy Adams	Support
Sarah Ratana	103/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/47	Upper Hutt City Council	Oppose
F27/47	Lucy Adams	Support
Mary Teresa Roberts	106/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/48	Upper Hutt City Council	Oppose
F27/48	Lucy Adams	Support
Scott Rose	107/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/49	Upper Hutt City Council	Oppose
F27/49	Lucy Adams	Support
Jacqui Roy	108/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/50	Upper Hutt City Council	Oppose
F27/50	Lucy Adams	Support
Mary Helen Sheppard	110/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation



Submitter	Submission	Summary
F21/51	Upper Hutt City Council	Oppose
F27/51	Lucy Adams	Support
Robyn Smith	111/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/52	Upper Hutt City Council	Oppose
F27/52	Lucy Adams	Support
Robert Wilfred Teal	115/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/53	Upper Hutt City Council	Oppose
F27/53	Lucy Adams	Support
Theresa Tetteroo	116/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/54	Upper Hutt City Council	Oppose
F27/55	Lucy Adams	Support
Keith Martyn Thompson	120/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/55	Upper Hutt City Council	Oppose
F27/55	Lucy Adams	Support
Carolina Thompson	121/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/56	Upper Hutt City Council	Oppose
F27/56	Lucy Adams	Support

Submitter	Submission	Summary
Thompson Family Trust	122/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/57	Upper Hutt City Council	Oppose
F27/57	Lucy Adams	Support
Upper Hutt City Council	125/7	Sought that the provisions of the Regional Policy Statement as relating to Regional Form, be retained as notified, excepting the explanatory provisions to policy 30. That the location criteria for the 'strategic public transport network' in the explanatory text of policy 30 be removed or qualified to be suggestive rather than directive. That the word 'Urban' be added after 'Council' in reference to the Upper Hutt City Council Urban Growth Strategy.
Wellington City Council	131/29	Supported policy 30
Wellington Police	135/4	Sought policy 30 be amended to include new paragraph (d) includes polices, rules and/or methods that support locating social infrastructure and essential social services in areas of high density and mixed development.
Westfield New Zealand Ltd	138/9	Sought that the explanation to policy 30 be amended to read as follows (or words to like effect): "Key centres include the regionally significant centres identified in policy 29, as well as other significant local centres that a city or district council considers are integral to the functioning of the region's or a district's form. Generally, regionally significant centres are preferred for higher density and mixed use development, given their importance in respect of economic development, transport movement, and civic and community investment."
F12/62	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

Submitter	Submission	Summary
Ian Peter and Anne Marie Wood	139/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/58	Upper Hutt City Council	Oppose
F27/58	Lucy Adams	Support
Xia Zhangji	140/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/59	Upper Hutt City Council	Oppose
F27/59	Lucy Adams	Support
Julie Martin	143/1	Sought that the explanatory notes following policy 30, including the definition of "locations", be retained as provide definition and clarification of the policy intent and guidance for the implementation
F21/60	Upper Hutt City Council	Oppose
F27/60	Lucy Adams	Support

(a) Discussion

**New Zealand Historic Places Trust** sought retention of policy 30. **Wellington City Council** supported policy 30. The support is noted.

**Coastland Shopping Limited** supported the policy in principle, but asked that the policy be reviewed to ensure it was flexible when applied to policies about new development. Foodstuffs (Wellington) Co-operative Society Ltd also supported policy 30 but sought flexibility. Their submission was supported by Westfield New Zealand Limited. No changes are, however, required to policy 30. There is flexibility in the policy. Each city and district council has the discretion to assess and determine locations that they believe are key centres, or locations with good access to the strategic public transport network, then include a range of policies, rules and/or methods they consider appropriate to encourage higher density and/or mixed use development.

The **Department of Conservation** made a neutral submission, but noted that higher density development may result in increased impermeable surfaces and increased stormwater run-off, with consequential impacts on streams and estuaries. They noted however

that councils are required, by other policies within the Regional Policy Statement, to avoid these adverse impacts. The submission is noted.

**East Harbour Environmental Association Incorporated** stated that high density development should not be at the expense of sacrificing green spaces and gardens. The submitter did not, however, seek any specific changes to policy 30. When implementing policy 30, policy 53 will also need to be considered. Policy 53 requires that particular regard be given to achieving the region's urban design principles (see Appendix 2). The principles of context, character and connection will ensure that areas of green spaces and gardens will be considered when implementing policy 30.

**Agenda Development Planning** requested insertion of a new clause to policy 30 to require councils to identify locations where (with necessary investment) good access to the public transport network could be provided. They also sought that inefficient forms of land use in those locations (where they would be incompatible with the creation of future high density and/or mixed use development) be prevented. It is noted that policy 56 and 57 will need to be considered when implementing policy 30 and that the proposed changes are therefore unnecessary.

**Kapiti Coast District Council** supported policy 30 in principle. They, however, requested that the term key centres include reference to council strategies, or as a minimum, the key centres in the Wellington Regional Strategy, if there is no relevant local council strategy.

Paragraph 3 in the explanation to policy 30 defines 'key centres' as the regionally significant centres listed in policy 29, as well as any other significant local centres that a city and district council consider are integral to the functioning of the region's, or a districts, form. 'Key centres' is also defined in Appendix 3 'Definitions'. It is noted that the first reference to 'key centres' in the explanation should be italics to highlight that the term has been defined. It is not considered appropriate to only refer to 'Council growth and/or development frameworks or strategies' (as in policies 54 and 55) as it may be appropriate to include other centres, where a council has assessed them as integral to the functioning of the region's, or a districts, form and achieving objective 21. It is however recommended that the definition be amended to clarify that this includes the centres identified in 'Council growth and/or development frameworks or strategies'. It is also important for the submitter to note that the definition clarifies that a key centre is a centre identified by a city or district council - no other organisation or person.

**Westfield New Zealand Ltd** sought that the explanation to policy 30 be amended where it described 'key centres'. The change proposed included an additional statement "Generally, regionally significant centres are preferred for higher density and mixed use development, given their importance in respect of economic development, transport

movement, and civic and community investment”. Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd supported the submission. Although the centres identified in policy 29 are noted as being ‘key centres’ a local authority still needs to determine whether they are suitable for higher density and/or mixed use development. In policy 29 they need to ensure that they have policies, rules and/or methods that encourage a ‘range or land use activities’ that maintain and enhance the regionally significant centres viability or vibrancy. This may, or may not, include higher density and/or mixed use development.

**Upper Hutt City Council** sought that the location criteria for the 'strategic public transport network' in the explanatory text of policy 30 be removed or qualified to be suggestive rather than directive. It is recommended that this submission be accepted and that the word ‘may’ be included. The description of ‘locations with good access to the strategic public transport network’ was included to provide guidance. It is also noted that the phrase is not defined in Appendix 3 ‘Definitions’.

The **Department of Corrections** and **Wellington Police** sought that policy 30 be amended to include a new paragraph requiring the inclusion of polices, rules and/or methods that support the location of social infrastructure and essential social services in areas of high density and mixed development. It is recommended that the additional clause on “social infrastructure” not be added to policy 30. It is noted that clauses (a), (b) and (c) are to be carried out in order to maintain and enhance the region’s compact, well designed and sustainable regional form. The explanation to policy 30 outlines that objective 21 outlines the range of elements to be achieved by a compact, well designed and sustainable regional form. As a result of points from these submitters on objective 21, a new clause (i) has been added which addresses the need for essential social services to meet the region’s needs. This will therefore be considered when determining locations suitable for and provisions in plans to encourage higher density and mixed use development.

The **remaining submissions** made on policy 30 make a connection between policy 30 and 55. The submitter stated support for the definition of ‘locations’ in the explanation to policy 55. These submissions were supported by Lucy Adams and opposed by Upper Hutt City Council. It is noted that the term ‘location’ is not defined. The term defined under policy 30 is ‘key centres’ then there is guidance on the phrase ‘locations with good access to the strategic public transport network’. There is no relationship between this phrase, as used in policy 30, and the term ‘location’ used in policy 55. It is therefore recommended that these submissions be rejected. To clarify that guidance is being provided on the whole phrase ‘locations with good access to the strategic public transport network’ it is also recommended that a minor change be made and quotation marks be placed around the phrase.

(b) Recommended decision

Submitter	Submission	Recommendation
Lucy Adams	1/1	Reject
Agenda Development Planning	2/6	Reject
John and Margaret Ankcorn	5/1	Reject
Dana Arcus	6/1	Reject
Peter Laurence Arcus	7/1	Reject
Maree Atkinson	8/1	Reject
Maggie Bannatyne	9/1	Reject
Catherine Barron	10/1	Reject
Regan Bentley	11/1	Reject
David Charles Billmore	12/1	Reject
James Alexander Blair	13/1	Reject
Colleena June Blair	14/1	Reject
Helen Blundell	16/1	Reject
Rozalie Anita Brown	18/1	Reject
Edward Francis Butters	19/1	Reject
George Butters	20/1	Reject
Angela Calkin Goeres	21/1	Reject
Coastland Shopping Limited	24/4	Accept
Reginald Allan Davies	28/1	Reject
Liam Davies	29/1	Reject
Patricia Kathleen Davies	30/1	Reject
Department of Conservation	31/26	Accept
Department of Corrections	32/6	Reject
East Harbour Environmental Association Incorporated	33/9	Accept

Submitter	Submission	Recommendation
Foodstuffs (Wellington) Co operative Society Ltd	37/2	Accept
Liz Gibbs	41/1	Reject
Steffen Goeres	43/1	Reject
Kristina Anne Hefford	47/1	Reject
Walter Jack Hutchings	52/1	Reject
Joan Elizabeth Hutson	53/1	Reject
Michele Karen Johnston	54/1	Reject
Kapiti Coast District Council	56/29	Accept in part
Neville William Kean	57/1	Reject
Marilyn Sally Kean	58/1	Reject
Kevin Kirk	59/1	Reject
Beryl Kirk	60/1	Reject
Sean Knight	63/1	Reject
Sara Knight	64/1	Reject
Michael John Marfell-Jones	70/1	Reject
Adrienne Marfell-Jones	71/1	Reject
Sam McLean	76/1	Reject
Isaac Hamiora McLean	77/1	Reject
Ranea McLean	78/1	Reject
Robert John McLellan	79/1	Reject
Lynne McLellan	80/1	Reject
Richard John Moore	84/1	Reject
David Murray	85/1	Reject
New Zealand Historic Places Trust	87/24	Accept
Kevin Nicol	90/1	Reject
Robert Orriss	93/1	Reject
Joan Margaret Perry	96/1	Reject
Robert Edward	97/1	Reject
Keith James Pittams	99/1	Reject

Submitter	Submission	Recommendation
June Ralston	102/1	Reject
Sarah Ratana	103/1	Reject
Mary Teresa Roberts	106/1	Reject
Scott Rose	107/1	Reject
Jacqui Roy	108/1	Reject
Mary Helen Sheppard	110/1	Reject
Robyn Smith	111/1	Reject
Robert Wilfred Teal	115/1	Reject
Theresa Tetteroo	116/1	Reject
Keith Martyn Thompson	120/1	Reject
Carolina Thompson	121/1	Reject
Thompson Family Trust	122/1	Reject
Upper Hutt City Council	125/7	Accept
Wellington City Council	131/29	Accept
Wellington Police	135/4	Reject
Westfield New Zealand Ltd	138/9	Reject
Ian Peter and Anne Marie Wood	139/1	Reject
Xia Zhang	140/1	Reject
Julie Martin	143/1	Reject

All further submissions are accepted or rejected accordingly.

(c) **Recommended changes**

Amend the definition of ‘key centres’ in Appendix 3 and paragraph 3 and the last paragraph in the explanation to policy 30 as follows:

Key centres include the regionally significant centres identified in policy 29, as well as other significant local centres that a city or district council considers are integral to the functioning of the region’s or a district’s form. This includes centres identified for higher density and/or mixed use development in a Council growth and/or development framework or strategy. Examples of growth and/or development framework or strategies in the region are:



- the Upper Hutt Urban Growth Strategy
- Wellington City Northern Growth Management Framework
- Porirua Development Framework
- Kapiti Coast: Choosing Futures Development Management Strategy and local outcomes statements contained in the Kapiti Coast Long-term Council Community Plan

'Locations with good access to the strategic public transport network' may include those:

- within reasonable walk times to stops or stations on the strategic public transport network (research indicates a walk time of up to 10 minutes is 'reasonable')
- with frequent and reliable public transport services
- with accessibility, by public transport, to key destinations in the region, and
- without physical barriers to public transport (for example, busy roads, lack of footpaths or crossing facilities, steep hills).

**2.105 Policy 31: Identifying and protecting key industrial-based employment locations - district plans**

Submitter	Submission	Summary
Coastland Shopping Limited	24/5	Sought retention of the policy and associated method 43. Considered that industrially zoned land should be protected from inappropriate and sporadic development of retail and ad hoc commercial areas.
F20/7	Westfield New Zealand Ltd	Support
Anders Crofoot	25/19	Stated that while the policy may be directed at heavy or light industry, the value of the farming industry should be recognised in the Regional Policy Statement as well.
Foodstuffs (Wellington) Co operative Society Ltd	37/3	Requested deletion of policy and associated method 43.

Submitter	Submission	Summary
F20/25	Westfield New Zealand Ltd	Oppose
Wellington City Council	131/30	Supported policy 31

(a) Discussion

**Coastland Shopping Limited** sought retention of policy 31 and associated method 43. They considered that industrially zoned land should be protected from inappropriate and sporadic retail development and ad hoc commercial areas. Westfield New Zealand Limited and Wellington City Council supported the submission. The submissions are noted.

**Anders Crofoot** stated that the value of the farming industry should be recognised in the Regional Policy Statement as well. Policy 55 provides recognition of the farming in clause (a). It is also noted that a number of recommended changes have also been made to the Regional Policy Statement to reinforce the value of the farming industry to the region. No changes are required to policy 31 which is focused on industrial business based employment locations.

**Foodstuffs (Wellington) Co operative Society Ltd** sought that policy 31 and associated method 43 be deleted. They expressed a concern that the policy might restrict commercial activities from locating in industrial locations. This submission was opposed by Westfield New Zealand Limited.

The policy states that district plans “should” include policies, rules and/or methods that identify and protect key industrial employment locations (where they are important in maintaining and enhancing the region’s compact well designed and sustainable regional form). If a district determines that they have a ‘key industrial employment location’, then they need to assess, on a case by case basis, the way in which they should protect that area. This may, or may not, result in controls over commercial activities. It is not considered appropriate to delete this policy on the possibility that it could support restrictions on commercial activities in industrial areas.

**Wellington City Council** supported policy 30. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
Coastland Shopping Limited	24/5	Accept
Anders Crofoot	25/19	Reject

Submitter	Submission	Recommendation
Foodstuffs (Wellington) Co operative Society Ltd	37/3	Reject
Wellington City Council	131/30	Accept

The further submissions from Westfield New Zealand Ltd are accepted or rejected accordingly.

(c) Recommended changes

No changes to policy 31 are recommended.

**2.106 Policy 32: Supporting a compact, well designed and sustainable regional form - Regional Land Transport Strategy**

Submitter	Submission	Summary
Coastland Shopping Limited	24/6	Supported policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development.
F20/10	Westfield New Zealand Ltd	Support in part
F20/15	Westfield New Zealand Ltd	Oppose in part
Department of Conservation	31/27	Sought that the policy be retained as proposed.
Wellington City Council	131/31	Supported policy 32

(a) Discussion

**Coastland Shopping Limited** supported policy 32 in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development. The submission was supported by Westfield New Zealand Limited. They however opposed the request to review the policy to ensure it was flexible. No changes are required to policy 32. The Wellington Regional Land Transport Committee will be able to flexibly determine the type of objectives and policies that are appropriate to support the region's compact well designed and sustainable regional form for inclusion in the Regional Land Transport Strategy.

The **Department of Conservation** sought that the policy be retained as proposed. **Wellington City Council** supported policy 32. The submissions are noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastland Shopping Limited	24/6	Accept
Department of Conservation	31/27	Accept
Wellington City Council	131/31	Accept

The further submissions from Westfield New Zealand Ltd are accepted or rejected accordingly.

(c) Recommended changes

No changes to policy 32 are recommended.

**2.107 Policy 33: Avoiding activities on contaminated land - district plans**

Submitter	Submission	Summary
CentrePort Wellington	23/9	Sought that policy be amended to read: 'District plans shall include policies and rules that require the management of new activities on contaminated land in a way that avoids, remedies or mitigates adverse effects of the contamination on the activity.'
Horticulture New Zealand	50/27	Sought policy 33 be amended to include Regional Council functions for identifying and monitoring contaminated land and remove reference to the Hazardous Activities and Industries List.
F15/25	Porirua City Council	Support
F22/84	Anders Crofoot	Support
New Zealand Defence Force	86/9	Supported the intent to policy 33 and sought that it be retained.
Oil Companies	92/13	Sought that policy 33 be clarified so that it clearly reflects the 'fit for purpose' concept and is applied only when the land use is changed. Noted that this could be achieved by making amendments to the following effect:

Submitter	Submission	Summary
		District plans shall include policies and rules to manage new activities on contaminated land to ensure that any adverse effects arising from the contamination do not adversely affect the activity.
F19/45	Horticulture New Zealand	Support in part
Porirua City Council	100/29	<p>Stated reservations about the implementation of policy 33. Noted that the policy requires district plans to not allow activities on contaminated land if that activity could be adversely affected by contamination. Stated that at present, there is no verified database of contaminated land in the Wellington region. Therefore, the 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.</p> <p>Opposed such an approach, as the identification and verification of contaminated sites is a regional council obligation, and the policy seeks to pass this work and expense to district and city councils.</p> <p>However, recognised the need for district plans to manage land use activities on verified contaminated sites. Therefore, the following amendments to policy 33 were requested:</p> <p>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.</p> <p>For the purposes of this policy, 'verified contaminated land' is land that is identified within Wellington Regional Council's verified contaminated sites register.</p> <p>Also noted that 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.</p>
F12/29	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

Submitter	Submission	Summary
F19/46	Horticulture New Zealand	Support in part
TrustPower Limited	124/31	Sought that it be amended to read: 'Policy 33: Avoiding inappropriate activities on contaminated land – district plans District plans shall include policies and rules that prevent activities on contaminated land if that activity could be adversely affected by the contamination.'
Wellington City Council	131/94	Supported policy 33.

(a) Discussion

**CentrePort Wellington** sought that policy 33 require district plans to manage new activities on contaminated land in a way that avoids, remedies or mitigates adverse effects. Policy 33 requires that district plans take a precautionary approach to new activities on contaminated land by first assessing that an activity will not be affected in any way by land contamination. The proposed change to policy 33 sought by CentrePort for activities to be managed in 'a way' that avoids, remedies or mitigates effects is not appropriate as activities cannot be managed in 'a way'. Officers also consider the changes sought by CentrePort do not substantially change the intent of policy 33, but that policy 33 is more specific about what is to be undertaken.

**Horticulture New Zealand** requested policy 33 include reference to regional council function in section 30(1)(ca) of the Resource Management Act to identify and monitor contaminated land. The submission was supported by Porirua City Council. Officers note that Greater Wellington fulfils this function through work on the contaminated land database and other work activities with city and district council and with other parties wishing to develop land that may be contaminated. Method 24 describes the work Greater Wellington will undertake for the management of the database. Officers also do not consider it appropriate to outline functional responsibilities of regional councils around investigating and monitoring contaminated land under a policy which is directing district councils to manage contaminated land as part of land use. The submitter also sought removal of the Ministry for the Environment, Hazardous Activities and Industries List from the explanation of policy 33. The Hazardous Activities and Industries List is used by city and district councils in the management of contaminated land in the region and is integral to how Greater Wellington manages its investigation and monitoring of contaminated land. Removal of the list would reduce the effective management of contaminated land in

the region. The submission of Horticulture New Zealand was supported by Anders Crofoot.

**New Zealand Defence Force** sought that the policy be retained as proposed. The submitters support is noted.

The **Oil Companies** were concerned that policy 33 could be interpreted by third parties, to mean, no land use activities can be developed on contaminated land. The submission was supported in part by Horticulture New Zealand. Officers note that policy 33 is not intended to preclude activities on contaminated land. Policy 33 requires district councils through their plans to establish the necessary provisions to protect human health before activities are allowed to proceed on contaminated land. The Oil Companies suggest that the ‘fit for purpose’ test be adopted for land use change. This test would control land uses where the exposure to humans is actually increased. Officers consider the ‘fit for purpose’ test is something that may be appropriate to use during the application of policy 33.

**Porirua City Council** expressed reservations about the implementation of policy 33 in that, only ‘verified’ contaminated sites should be included into any assessment. Porirua City Council also pointed out that Greater Wellington has the function to identify and monitor contaminated sites and it is from this work that ‘verified’ sites should be held. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd and supported in part by Horticulture New Zealand. Officers note the contaminated site database is managed by Greater Wellington in accordance with its functions under the Resource Management Act. The database has status levels (or categories) that describe sites with a verified history of hazardous activities and industries (so potentially contaminated), and sites where contamination has been confirmed to be present, or not.

**TrustPower Limited** stated that policy 33 was too restrictive and sought that the word ‘avoid’ be removed to allow more activities on contaminated land. Officers note that policy 33 does not preclude the use of contaminated land. The policy requires district councils through their plans to be sufficiently sure that further contamination will not cause adverse effects on the people and the environment before providing for new activities on that land. Policy 33 is precautionary as the potential risks are high if land is contaminated. Officers therefore recommend that policy 33 remains as proposed.

**Wellington City Council** supported policy 33. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
CentrePort Wellington	23/9	Reject

Submitter	Submission	Recommendation
Horticulture New Zealand	50/27	Reject
New Zealand Defence Force	86/9	Accept
Oil Companies	92/13	Reject
Porirua City Council	100/29	Reject
TrustPower Limited	124/31	Reject
Wellington City Council	131/94	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no changes recommended to policy 33.

**2.108 Section 4.2 Regulatory policies - matters to be considered**

Submitter	Submission	Summary
Meridian Energy Limited	82/30	Sought amendment of the chapter to make it clear that policies in the proceeding section must be given effect to in accordance with sections 67(3) and 75(3) of the Resource Management Act 1991.
Porirua City Council	100/30	Generally supported the use of consideration policies, within section 4.2 however, requested that Greater Wellington review whether the broad application and consideration of the 'continuous' section 4.2 policies is appropriate to all resource consent applications and decision making, and; review the 'interplay' between the section 4.2 policies, which have continuous effect, and the section 4.1 policies. Also questioned whether the 'consideration' policies should be relevant matters to be addressed in all resource consent assessments and decision making. Suggested that some form of threshold needs be applied to these policies so that they do not apply to all resource consent decision making.
F6/4	Hutt City Council	Support
F12/30	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties	Support



Submitter	Submission	Summary
	Management Ltd	
F20/38	Westfield NZ Ltd	Support
Transpower NZ Limited	123/24	<p>Sought a specific regulatory policy (matters to be considered) and method responding to policy 14 of the National Policy Statement for Electricity Transmission 2008 and method drafted that has the following effect: Policy X: Accommodating Future Transmission Corridors</p> <p>To accommodate a transmission route between new sources of electricity generation and the National Grid, and to take into account whether land use activities, including new or redeveloped urban areas, will prematurely foreclose or compromise options for accommodating future transmission corridors.</p> <p>Explanation: Security of energy supply is a key issue and existing and new transmission networks must have sufficient capacity to support growth both within and outside of the region. Ongoing investment in the transmission network, along with significant upgrading, is required in order to meet the demand for electricity and the Government's objective for a renewable energy future. For example, there will be grid connection requirements for new entry developments, including new sources of generation, in the region. Strategic planning to provide for transmission infrastructure is required.</p> <p>Policy 14 of the National Policy Statement on Electricity Transmission states that: Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.</p> <p>Accordingly, it is important to recognise the national significance of the electricity transmission network and the need for ongoing investment in the transmission network, including the establishment of new transmission resources, if required, to meet the needs of present and future generations.</p> <p>Method: Implement policy X: Accommodating Future Transmission Corridors via method 4</p>
Wellington City Council	131/21	<p>Sought that:</p> <ol style="list-style-type: none"> <li>1. Section 4.2 be amended to identify the policies that may be applied through non regulatory/non</li> </ol>

Submitter	Submission	Summary
		<p>Resource Management Act 1991 processes.</p> <p>2. Appropriate provision be made to ensure that there is no 'blanket' requirement for the policies to apply in all cases under Resource Management Act 1991 processes.</p> <p>3. Where policy topic areas have been given effect to in the District Plan the provisions of section 4.2 shall not apply.</p>
F6/7	Hutt City Council	Support
F15/26	Porirua City Council	Support
F20/40	Westfield NZ Ltd	Support
F24/118	Masterton District Council	Support

(a) Discussion

**Meridian Energy Limited** sought amendments to the chapter to make it clear that policies in the proceeding section must be given effect to in accordance with sections 67(3) and 75(3) of the Resource Management Act 1991. The submitter's suggestion will help with usability of the documents. A change is therefore recommended to the bullet points under the heading "4.1 Regulatory policies – direction to district and regional plans and the Regional Land Transport Strategy" to highlight the relevant sections of both the Resource Management Act and the Land Transport Management Act. See recommended changes to section 4.1.

**Porirua City Council** generally supported the use of consideration policies within section 4.2, they were, however, concerned with the mechanics of the policies. They noted that the policies essentially fell into two groups:

1. 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;
2. Those that have a continuous effect.

They sought that Greater Wellington review:

- the 'interplay' between the section 4.1 and 4.2 policies; and

- whether the broad application and consideration of the 'continuous' section 4.2 policies were appropriate for all resource consent applications and decision making,

Porirua City Council's submission was supported by Hutt City Council, Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd and Westfield NZ Ltd.

**Wellington City Council** stated that section 4.2 was the most problematic from their perspective. They stated that the approach of creating a 'second order' of policies was understandable where they relate to matters that might not yet have been given effect to in the District Plan. They noted that in their submission on the draft Regional Policy Statement they requested a sunset clause for all second order policies (where the policies had been given effect to in the District Plan) but that this had not been accepted. The two main concerns for Wellington City Council were that section 4.2 required that all the 'second order' policies be implemented through Resource Management Act processes and that there was a blanket requirement to apply all policies when assessing and deciding on resource consents, notices of requirement or plan changes or variations.

They outlined the following problems:

1. Addressing all policies under Section 4.2 would create a significant additional workload for the Council's planners processing resource consents and policy planners and private parties preparing District Plan changes.
2. Resource consents and district plan changes cover a wide spectrum from the simple to the more complex. Having regard to the Section 4.2 policies in all cases would seem to be unnecessary.
3. Confusion would arise when dealing with resource consents and plan changes etc where matters have been given effect to in the District Plan. There would be considerable duplication of effort.
4. The specific detail in the policies (in some cases akin to rules) that must be given particular regard to would potentially provide added opportunity for third parties to frustrate development proposals or plan changes on the grounds that various policies have not been considered.
5. Consideration is required to be given to matters under Section 4.2 from a District Plan perspective when they are not required to be given effect to under 4.1, e.g. protecting aquatic ecosystems, the efficient use of water and the contamination of stormwater. This is confusing.

Wellington City Council sought that:

- where policy topic areas have been given effect to in the District Plan that the provisions of section 4.2 shall not apply;
- that appropriate provision be made to ensure that there is no ‘blanket’ requirement for the policies to apply in all cases under Resource Management Act processes; and
- section 4.2 be amended to identify policies that may be applied through non regulatory/non Resource Management Act.

Wellington City Council’s submission was supported by Hutt City Council, Porirua City Council, Westfield NZ Ltd and Masterton District Council.

*Background on policy types and policies that will cease to have effect*

Policies contained in the Regional Policy Statement fall into one of four types. The first type are those that direct certain policies, rules and/or other methods be included in the Regional Land Transport Strategy, or a district and/or regional plan. These policies are proposed where there is certainty that the matters can be specifically addressed by provisions in a plan. I.e. there is the information available, or is to be developed.

The second type of policies contain matters that are to be given particular regard when making resource management decisions. Some of the policies are interim and outline matters to be considered prior to policies in section 4.1 being implemented. Each of these policies contain a clause in their explanations that states that the policy will cease to have effect once the relevant policy in section 4.1 has been given effect to. There are six interim policies and they are policies 37, 38(a), 39(for regional consents), 40, 42 (for regional consents), 45, 46 and 49. Other policies (of the second type) are not ‘second order’ but outline matters be given particular regard when making decisions, instead of directing content in plans or outlining non-regulatory actions. These policies are Policy 34, 35, 36, 39 (for district consents), 41, 42 (for district consents), 43, 44, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59 and 60.

The third type of policies outline the allocation of functions for indigenous biodiversity, natural hazards and hazardous substances, as required by section 62 of the Resource Management Act.

The fourth types of policies are those which are to be implemented through purely non-regulatory actions.

In each instance, when developing the proposed Regional Policy Statement and deciding what type of policy was appropriate, an evaluation was made as to whether a policy was the most effective and efficient to achieve an objective. In many instances, the most effective way to achieve the objective through the Regional Policy Statement

was to outline matters to be given regard when making resource management decisions. These matters are set out in the policies in section 4.2. Where policies in section 4.2 were included, as interim to policies in section 4.1, they cease to have effect once the policies in section 4.1 have been given effect to.

#### *Interplay between policies in section 4.1 and 4.2*

Staff have responded to Porirua City Council's request for an assessment of the interplay of policies in section 4.1 and section 4.2. Appendix 2 provides a copy of this assessment. The review resulted in some minor recommended changes to policies and explanations, including the removal of the term "replacement" from proposed policies 37 and 40. It was not necessary to include the word "replacement" in these policies, as corresponding policies 4 and 14 (in section 4.1) required the same assessment to be undertaken at the time of the review to a plan. It should be noted that resource consents have also been removed from policy 53 and both resource consents and designations from policy 48, as a consequence of other submission points. In addition, clarification has been included in policies 39 and 42 that the policies cease to have effect for regional resource consents once relevant policies in section 4.1 have been given effect to in a regional plan, but the matters remain relevant for district decision making.

#### *Application of policies to all resource management decision making*

Porirua City Council questioned whether the 'consideration' policies should be relevant matters to be addressed in all resource consents. They were concerned about the cost and efficiency of applying policies 34, 36, 38(b), 44, 50(a-f,h,i) and 53 to all resource consents. They provided an example of a resource consent triggered as a result of 'breaking' a district plan rule for 'side yards', height, etc and that the Council would have to have regard to policies 34, 36, and 44. Wellington City Council also expressed concern about the significant additional workload for resource consents, and district plan, planners if required to have regard in all cases. Porirua City Council's sought a threshold to guide when to apply the policies in section 4.2.

Section 104 of the Resource Management Act sets out that when assessing an application for a resource consent, that a consent authority "must have regard to any relevant provisions of a regional policy statement". A consent authority therefore already has full discretion to determine whether a policy is 'relevant' or not. Such discretion is commonly applied to policies in the operative Regional Policy Statement. In the case of the proposed Regional Policy Statement, the number of policies to which this discretion is to be applied (for territorial consent authorities) has been reduced from 103 policies to 24. Similarly, over the operative period of the current Regional Policy Statement, when preparing or changing a district plan, territorial authorities were required to determine that a change to

a plan was not inconsistent with the operative Regional Policy Statement. The same 103 policies were relevant. The proposed Regional Policy Statement however now sets out 22 policies to be directly addressed through policies, rules and/or methods in a district plan and another 24 policies to be given particular regard.

Staff do not consider a threshold is required, however, to provide further clarification that the policies in section 4.2 are to be applied where relevant it is recommended that the introduction to section 4.2 and method 4 be amended to include the words “where relevant”. See recommended changes below, and changes to method 4.

#### *‘Continuous’ application of policies*

In terms of Porirua City Council’s question as to whether the policies in section 4.2 should continue to be considered over the life of the Policy Statement and Wellington City Council’s concern about the ‘blanket’ approach, it is important to recognise what is required when implementing the policies in section 4.2. These policies are to be given ‘particular regard’ when processing a resource consent, a notice of requirement or when changing, varying or reviewing a plan. They do not require specific matters to be included in a plan as policies in section 4.1 do. In the case of a resource consent they will be considered for a specific location. They may be applied to only part of a plan that is being changed, varied or reviewed. After having particular regard to the matters, content in a plan may, or may not change. It is therefore considered appropriate that the policies be considered in each instance.

Porirua City Council expressed particular concern that policies 34-36, 38(b), 39, 41, 43, 44, 47, 48, 50 (a-f, h, i), and 51 -60 did not cease to have effect once particular section 4.1 policies are implemented. Appendix 2 to this Report outlines that these policies are not interim matters to be considered prior to policies in section 4.1 being considered. They provide additional direction on matters to be given regard when making resource management decisions. As outlined above it is therefore considered appropriate that they have continuous effect.

#### *Application of policies in section 4.2 to non-regulatory/ non Resource Management Act processes*

Wellington City Council expressed a concern that the policies in section 4.2 were only to be implemented through Resource Management processes. As noted above, where matters are addressed through policies in section 4.2 an assessment has been undertaken and a determination made that the most effective and efficient way to achieve an objective in the Policy Statement was to seek that certain matters be considered when making a resource management decisions. However, it should be noted that after having particular regard a Council then has full discretion to decide what they will do. For a

district plan, this may mean specifying non-regulatory methods in a plan, or outlining (potentially in a section 32 assessment) other non-regulatory actions that will occur. Staff, therefore, do not consider it necessary to amend the policies in section 4.2 and alter how they apply to non-regulatory/ non Resource Management Act processes.

**Transpower New Zealand Limited** requested an additional policy to accommodate future transmission corridors and ensure proposed new land uses and developments would not prevent future corridors from being able to be used. The proposed policy is not considered appropriate. Greater Wellington staff agree with the intent, but consider that this is addressed by policy 57. It is, however, recommended that an addition be made to the explanation to ensure the application of this policy to the national electricity network is clear. See recommended changes to policy 57.

(b) Recommended decision

Submitter	Submission	Recommendation
Meridian Energy Limited	82/30	Accept in part
Porirua City Council	100/30	Accept in part
Transpower NZ Limited	123/24	Accept in part
Wellington City Council	131/21	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend the introduction to section 4.2 as follows:

**4.2 Regulatory policies – matters to be considered**

This section contains the policies that need to be given particular regard, where relevant, when assessing and deciding on resource consents, notices of requirement, or when changing, varying or replacing city, district or regional plans. Within this section, policies are presented in numeric order, although the summary table below lists the policy titles by topic headings.

**2.109 Policy 34: Preserving the natural character of the coastal environment – consideration**

Submitter	Submission	Summary
Anders Crofoot	25/20	Sought a new clause to read: '(h) protecting the right to farm, which contributes significantly to the character of the coast.
F23/64	Federated	Support

Submitter	Submission	Summary
	Farmers of New Zealand	
Department of Conservation	31/28	<p>Stated that the phrase "special values" introduces ambiguity into the policy and would otherwise need to be defined. Given that the preservation of the coastal environment is identified as a matter of national importance I consider that the phrase "special values" is redundant, as well as creating a level of unnecessary ambiguity.</p> <p>Sought the following decision from the Council: That clause (b) be reworded:  "protecting estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them, so that healthy ecosystems are maintained."</p>
F1/13	Winstone Aggregates	Oppose
F10/11	Wellington Fish and Game Council	Support
F24/16	Masterton District Council	Oppose
Federated Farmers of New Zealand	35/48	<p>Sought policy 34 be amended to include the following consideration:  (h) Recognition of existing land uses within the coastal environment.</p>
F19/47	Horticulture New Zealand	Support
F22/85	Anders Crofoot	Support
Lower Hutt Forest and Bird Protection Society	66/8	Supported
Meridian Energy Limited	82/31	<p>Sought amendments so read:  '...(b) protecting the special values of estuaries and bays, beaches and dune systems (including the unique physical processes that occur within and between them) from inappropriate subdivision, use and development so that healthy ecosystems are maintained;</p>



Submitter	Submission	Summary
		...(g) protecting geological and scientific features from inappropriate subdivision, use and development' and consequential amendments to the explanation.
F1/59	Winstone Aggregates	Support
F26/18	Mighty River Power	Support
Porirua City Council	100/31	Supported. In particular 34(b) which is of significance to Porirua Harbour. Sought retention of the policy.
F12/31	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
TrustPower Limited	124/32	Sought that the policy be amended to read: '...(b) protecting as far as practicable the special values of estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them, so that healthy ecosystems are maintained; (c) maintaining or enhancing an appropriate level of amenity – such as, open space and scenic values – and opportunities for recreation and the enjoyment of the coast by the public; (d) avoiding, remedying, or mitigating any significant adverse effects from use and enjoyment of the coast by the public; ... (g) protecting as far as practicable scientific and geological features; and (h) restricting coastal development to those activities with recognised regional benefits.'
F13/39	Wellington International Airport Limited	Support
F26/43	Mighty River Power	Support
Wellington City Council	131/95	Supported policy 34.

(a) Discussion

**Anders Crofoot** requested that a new clause be inserted that protects the right to farm, as farming contributes significantly to the character of the coast. Federated Farmers of New Zealand supported this submission. Greater Wellington staff acknowledge that farming retains natural processes and that pastoral landscapes are valued in the coastal environment, and a further sentence in the introduction to section 3.2 reinforces that farming is a valid use of the coastal environment. However, the addition of a new clause in the policy is not recommended, as the policy is centred on preservation of the components which make up natural character, not activities or land uses.

The **Department of Conservation** recommended that the phrase “special values” be deleted from clause (b) of policy 34. Greater Wellington staff recommend that this submission point is accepted but that the wording differ from that which is suggested by the Department of Conservation. Greater Wellington staff suggested that this change be made as “special values” are not listed in the Regional Policy Statement and this could lead to confusion when assessing environmental effects. The suggested wording of ‘values associated with’ is consistent with wording used in the policy for historic heritage. Winstone Aggregates and Masterton District Council opposed the Department’s submission and Wellington Fish and Game Council supported it.

**Federated Farmers of New Zealand** sought that policy 34 be amended to include the consideration “(h) recognition of existing land uses within the coastal environment”. Anders Crofoot and Horticulture New Zealand supported this submission. Greater Wellington staff recommend that this point be rejected for the reasons as given for Mr Crofoot’s submission but note that the revised introduction recognises existing uses and the continuum of natural character in the coastal environment.

**Meridian Energy Limited** sought amendments to policy 34 specifically preventing “inappropriate subdivision, use and development” in relation to (b) and (g). Winstone Aggregates and Mighty River Power supported this submission. Greater Wellington staff recommend that this point is rejected as the duty to preserve natural character under this policy is still subordinate to the purpose of the Act and the balancing with other matters of national importance in section 6 and 7.

**TrustPower Limited** sought that policy 34 be amended to read ‘(b) protecting as far as practicable the special values of estuaries and bays, beaches and dune systems, including the unique physical processes that occur within the between them, so that healthy ecosystems are maintained; (c) maintaining or enhancing an appropriate level of amenity – such as, open space and scenic values –

and opportunities for recreation and the enjoyment of the coast by the public; (d) avoiding, remedying, or mitigating any significant adverse effects from use and enjoyment of the coast by the public; (g) protecting as far as practicable scientific and geological features; and (h) restricting coastal development to those activities with recognised regional benefits'. Wellington International Airport Ltd and Mighty River Power supported these requests.

Greater Wellington staff recommend that this submission point be rejected as points (b)(c)(d) and (g) are all matters under either section 6 or 7 of the Resource Management Act 1991. Assessment under this policy is still subordinate to the purpose of the Act and the balancing with other matters of national importance in section 6 and 7.

Point (h) is rejected on the basis that it is not the intention of the Regional Policy Statement to restrict all coastal development apart from those with recognised regional benefits.

**Porirua City Council, Lower Hutt Forest and Bird Society and Wellington City Council** support and/or sought the retention of policy 34 and Kiwi Income Property Trust, Kiwi Income Properties Ltd and Kiwi Properties Management Ltd further submitted in support of Porirua. This should be noted by the committee. Staff note some amendments have been recommended in response to other submissions.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/20	Reject
Department of Conservation	31/28	Accept in part
Federated Farmers of New Zealand	35/48	Reject
Lower Hutt Forest and Bird Protection Society	66/8	Accept in part
Meridian Energy Limited	82/31	Reject
Porirua City Council	100/31	Accept in part
TrustPower Limited	124/32	Reject
Wellington City Council	131/95	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 34 as follows:

**Policy 34: Preserving the natural character of the coastal environment – consideration**

When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a district or regional plan, particular regard shall be given to preserving the natural character of the coastal environment, by:

- (a) minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded;
- (b) protecting the ~~special~~ values of associated with estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them, so that healthy ecosystems are maintained;
- (c) maintaining or enhancing amenity – such as, open space and scenic values – and opportunities for recreation and the enjoyment of the coast by the public;
- (d) minimising any significant adverse effects from use and enjoyment of the coast by the public;
- (e) safeguarding the life supporting capacity of coastal and marine ecosystems;
- (f) maintaining or enhancing biodiversity and the functioning of ecosystems; and
- (g) protecting scientific and geological features.

**2.110 Policy 35: Discouraging development in areas of high natural character in the coastal environment – consideration**

Submitter	Submission	Summary
Anders Crofoot	25/21	Sought a new clause to read: '(d) Economic values: the place, site or area produces income for people which should not be adversely affected.
Department of Conservation	31/29	Stated that the Resource Management Act 1991, in the identification of matters of national importance, does not use the qualifying adjective "high" at s6(a). This is unlike the clauses relating to indigenous vegetation and habitats, or natural features, which use the adjectives 'significant' and 'outstanding'. Stated that it is a requirement, under both the Resource Management Act 1991 and the New Zealand Coastal Policy Statement, to preserve the natural character of the coastal environment, being a matter of national importance. Including resource

Submitter	Submission	Summary
		<p>consents in this policy will ensure that this requirement is met, and will also ensure that the policy is consistent with other policies within the Regional Policy Statement.</p> <p>Sought the following decision from the Council: The policy be reworded: "When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to discouraging new subdivision and development, and inappropriate use, on land in the coastal environment to preserve the natural character", and that "high" be removed from the explanation.</p>
F1/14	Winstone Aggregates	Oppose
F6/3	Hutt City Council	Oppose
F10/12	Wellington Fish and Game Council	Support
F17/50	Meridian Energy Limited	Oppose
F24/17	Masterton District Council	Oppose
Federated Farmers of New Zealand	35/49	<p>Sought policy 35 be amended as follows: Discouraging inappropriate development in areas of high natural character in the coastal environment – consideration And the inclusion of the following consideration Recognition of existing land uses within the coastal environment.</p>
F1/33	Winstone Aggregates	Support
F13/40	Wellington International Airport Limited	Support in part
F19/48	Horticulture New Zealand	Support

Submitter	Submission	Summary
F22/86	Anders Crofoot	Support
Kapiti Coast District Council	56/30	<p>Stated that policy was not strong enough to prevent developments in currently rural areas along the Kapiti Coast. Requested that as a minimum the words "high natural character" be modified to "high natural character or amenity value" in policies 3 and 35 to cover a wider range of land. Were concerned that 'high' natural character is very subjective. It could be argued that an area used for agriculture, this is not entirely 'natural', does not have high natural character. Stated that policy 3 seems to read that we would enable new subdivision, use and developments in areas that are not identified as having "high natural character".</p> <p>Stated that policy 35 goes into some detail to assist planners in determining what 'high natural character' means. But the criterion in policy 35 does not indicate any tipping point for when natural character is no longer 'high'. Stated that greater guidance on coastal subdivision would be useful due to the continuing demand for coastal subdivision.</p>
F17/51	Meridian Energy Limited	Oppose
Meridian Energy Limited	82/32	<p>Sought that be amended to read:            'When considering a notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to discouraging new subdivision and inappropriate use or development on land in the coastal environment with high natural character...'</p> <p>Also sought deletion of sub-clause (c) and consequential amendments to the explanation.</p>
Mighty River Power	83/32	<p>Sought that be amended to read:            'When considering a notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to discouraging inappropriate subdivision, use and development in areas of high natural character in the coastal environment ...'</p>
F1/74	Winstone Aggregates	Support
F16/23	Genesis Energy	Support

Submitter	Submission	Summary
F24/92	Masterton District Council	Support
Tararua Tramping Club	114/15	Sought that "to discouraging new subdivision and development, and inappropriate use, on land ..." be changed to "to discouraging new subdivision and development, and preventing inappropriate use, on land ....".
F17/52	Meridian Energy Limited	Oppose
TrustPower Limited	124/33	Sought policy 35 be amended to read: "Policy 36: Discouraging inappropriate development in areas of high natural character in the coastal environment – consideration When considering a notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to discouraging inappropriate subdivision, development, and use, on land in the coastal environment with outstanding natural character...' Also sought changes to the explanation so read: 'Discouraging inappropriate subdivision, development, and inappropriate use in places, sites or areas with outstanding natural character in the coastal environment is also a matter of regional importance.'
F4/8	Transpower New Zealand Limited	Support
F7/8	Oil Companies	Support
F23/65	Federated Farmers of New Zealand	Support
F24/116	Masterton District Council	Support
Wellington City Council	131/22	Sought that the explanations to policy 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation, with examples, of how the policies overlap and function together. It must clearly explain the concept of human-made and human-maintained landscapes, and explain that human-made

Submitter	Submission	Summary
		landscapes can be as highly valued as natural landscapes.

(a) Discussion

*Intent of policy*

**The Department of Conservation** requested that the word ‘high’ be deleted from policy 35 as the Resource Management Act in the matters of national importance does not use the qualifying adjective ‘high’ in section 6(a). Greater Wellington staff consider that this policy should be directed to managing effects on natural character as this will compliment the change in policy 3 which addresses the protection of ‘high’ natural character and provides guidance as to how to achieve this. It is appropriate that this policy, as with the preceding policy 34, addresses the full range of natural character, as expressed in section 6(a), when considering the appropriateness of subdivision, use and development in the coastal environment.

Wellington Fish and Game further submitted in support of this submission and Winstone Aggregates, Hutt City Council, Meridian Energy Limited and Masterton District Council further submitted in opposition.

**Kapiti Coast District Council** were concerned that ‘high’ natural character is subjective and even though there is guidance given to help determine natural character, there is none for when natural character is considered ‘high’. This submission is recommended to be rejected, as the recommended changes to policy 3 include the matters to be considered in the assessment of natural character, but do not include a threshold for ‘high’. However, policy 35 now addresses managing effects on all natural character, by requiring an assessment of the natural character of the area potentially affected by the proposal and by providing guidance on the assessment of ‘appropriateness’ in the coastal environment.

**Kapiti Coast District Council** also submitted that the protection of ‘high’ natural character would not be adequate to protect against development in rural coastal areas and wanted the policy to incorporate both ‘high natural character and amenity value’ to cover a wider range of land. Greater Wellington staff note this concern and the policy now addresses the full continuum of natural character. They also comment that the Regional Policy Statement is an integrated document and that a number of other policies addressing specific values will need to be considered when assessing the appropriateness of an activity in the coastal environment. Policy 34 (c) & (d) addresses amenity values and policy 49 specifically addresses significant amenity landscapes and these policies need to be read in conjunction



with one another. Meridian Energy Limited had further submitted in opposition to Kapiti Coast District Council's submissions.

*Assessment matters*

Submitters are asked to note that these assessment matters now lie in policy 3.

**Anders Crofoot** sought a new clause be added to the matters to assess natural character to recognise '(d) economic values: the place, site or area produces income for people which should not be adversely affected'. Greater Wellington staff recommend that the amendment as requested by the submitter be rejected as economic value is not a component of natural character.

**Federated Farmers of New Zealand** asked that a consideration is included which allows for 'recognition of existing land uses within the coastal environment'. Winstone Aggregates and Horticulture New Zealand supported this submission and Wellington International Airport Limited further submitted in partial support. Greater Wellington staff recommend that the amendment as requested by the submitter be rejected as existing land uses are recognised in the second set of matters addressing modification as a component of natural character. Wellington International Airport Limited contended that existing uses must be included because of the permitted baseline test. Greater Wellington staff understand that it is common practice and a requirement of the Act to consider existing uses and the permitted baseline and is not necessary in this policy.

**Meridian Energy Limited** asked that the subclause (c) of matters to use when assessing natural character is deleted as social value is not part of the assessment of natural character. Greater Wellington staff acknowledge that natural character is considered to exist regardless of the numbers of people experiencing a place (*Browning vs Marlborough District Council W20/97, 1997*) and therefore the value which a community places on the natural character of an area is not part of the assessment of the degree of natural character present. As far as possible, practitioners have attempted to describe natural character in objective bio-physical terms, without perceptive values. The submission point is accepted.

However, staff consider that the views and perceptions of the public are relevant when evaluating the appropriateness on an activity and its effects on natural character. As such, it is recommended that the recognition and association of a community for the natural character of an area is included in the matters to determine the appropriateness of an activity in policy 35.

**TrustPower Limited** wanted the qualifier 'high' to be replaced with 'outstanding'. Since the inception of the Resource Management Act, natural character has been described as 'high' in commentary and case

law, whereas the word ‘outstanding’ has been used for natural features and landscapes as per section 6(b). The distinction between landscape and natural character is already a source of confusion for some members of the public and indeed some practitioners and using the same term for both could add to this confusion. It is therefore not recommended to replace ‘high’ with ‘outstanding’ as requested by the submitter.

*Inappropriate or new*

**Federated Farmers of New Zealand** requested the emphasis in this policy to be on ‘discouraging inappropriate development in areas of high natural character in the coastal environment’. Greater Wellington staff consider that the changes to policy 3 will meet this concern. The matters in this policy now provide guidance as to gauging ‘inappropriateness’ to manage effects on natural character.

**Meridian Energy Limited, Mighty River Power and TrustPower Limited** sought various amendments to the title of policy 35 and/or changes to the policy around the words ‘new and/or inappropriate subdivision, use and development’ as in policy 3. Winstone Aggregates, Genesis Energy and Masterton District Council had further submitted in support of Mighty River Power. Transpower New Zealand Limited, Oil Companies, Federated Farmers of New Zealand and Masterton District Council submitted in support of TrustPower Limited.

The submitters had the same concerns as in policy 3, about the need to discourage ‘inappropriate’ activities as compared to ‘any’ or ‘new’ activities. They requested the use of the word ‘inappropriate’ before terms such as ‘development’, ‘subdivision’ and/or ‘use’. Greater Wellington staff consider that the changes in policy 3 and 35 regarding the use of the wording ‘inappropriate’ before all activities and the guidance provided in these policies meets the submitters concerns. In particular, policy 35 provides applicants and councils with matters to consider when assessing whether an activity is inappropriate. This is not an exhaustive list, but, as with other consideration policies, identifies the ‘matters be given particular regard to’. The general duty under Part II of the Act and consideration of all section 6 and section 7 matters are still relevant.

*Other matters*

**Kapiti Coast District Council** sought more guidance on coastal subdivision. Greater Wellington staff consider that the amendments to policy 35, including matters that shall be given particular regard to, will provide clearer guidance when determining whether an activity is inappropriate for the natural character of the area or site.

**Tararua Tramping Club** accepts the intent of the Resource Management Act but considered that the policy should ‘prevent’

inappropriate use rather than discourage. Meridian Energy Limited opposed this submission. Greater Wellington staff consider that the strength of the test for preventing use is outside the scope of the protection envisaged in the Resource Management Act, and that this policy on managing effects on natural character will give guidance on inappropriate use. Accordingly, it is not recommended to amend as requested by the submitter.

**Wellington City Council** sought an explanation of the concept that human-made and human-maintained landscapes can be highly valued as natural landscapes. They also sought a “plain-English” explanation of how policies 3, 24, 25, 26 and 27 were to be interpreted in relation to each other, specifically whether characteristics which are valued under one policy can also be valued under another. Masterton District Council supported this submission. The submitter’s concern is noted, however, these concerns have been addressed under policy 3.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/21	Reject
Department of Conservation	31/29	Accept in part
Federated Farmers of New Zealand	35/49	Accept in part
Kapiti Coast District Council	56/30	Accept in part
Meridian Energy Limited	82/32	Accept
Mighty River Power	83/32	Accept in part
Tararua Tramping Club	114/15	Reject
TrustPower Limited	124/33	Accept in part
Wellington City Council	131/22	Accept in part Also see recommended changes to policy 3

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 35 as follows:

**Policy 35: ~~Discouraging development in areas of high~~  
Determining whether an activity is inappropriate in the coastal environment – consideration**

When considering an application for a resource consent, a notice of requirement or a change, variation or replacement to a district or regional plan, ~~particular regard shall be given to discouraging new subdivision and development, and inappropriate use, on land in the coastal environment with high natural character. All of the following factors shall be used in determining the degree of natural character:~~ a determination shall be made as to whether an activity is inappropriate to the context and natural character of the site and surrounding area, having particular regard to:

~~(a) The extent to which natural elements, patterns and processes occur, including:~~

~~(i) natural elements: the products of natural processes — such as landforms, water forms, vegetation and land cover;~~

~~(ii) natural processes: the ecological, climatic and geophysical processes that underlie the expression and character of the place, site or area;~~

~~(iii) natural patterns: the visual expression or spatial distribution of natural elements which are, or which appear to be, a product of natural processes; and/or~~

~~(iv) surroundings: the setting or context, such that the place, site or area contributes to an understanding of the natural history of the wider area.~~

~~(b) The nature and extent of modifications to the place, site or area, including, but not limited to:~~

~~(i) physical alterations by people to the landscape, its landforms, waterforms, vegetation, land cover and to the natural patterns associated with these elements;~~

~~(ii) the presence, location, scale and density of buildings and structures, including infrastructure, whether appearing to be interconnected or isolated, and the degree of intrusiveness of these structures on the natural character of the place;~~

~~(iii) the temporal character of the modification — such as, whether it is fleeting or temporary, transitory, transitional or a permanent alteration to the character of the place, site or area; and/or~~

~~(iv) any existing influences or pressures on the dynamic ecological and geophysical processes contributing to the presence and patterns of natural elements, such that these may change and the natural elements and/or patterns may become threatened over time.~~

~~(c) Social values: the place, site or area has meaning for a particular community or communities, including:~~

(i) sentimental: the natural character of a place, site or area has a strong or special association with a particular community; and/or

(ii) recognition: the place, site or area is held in high public esteem for its natural character value, or its contribution to the sense of identity of a particular community.

- (a) the nature and intensity of the proposed activity including:
- (i) the functional need or operational requirement to locate within the coastal environment
- (b) the degree to which the natural character will be modified, damaged or destroyed including:
- (i) the magnitude or scale of any effect;
  - (ii) the duration and frequency of any effect;
  - (iii) the irreversibility of adverse effects on natural character values;
  - (iv) whether the activity will lead to cumulative adverse effects on the site's and area's natural character;
  - (v) the resilience of the place or area to accommodate change.
- (c) The effects of the proposed activity on values that a particular community or communities hold for the natural character of the site or area, such values including:
- (i) the strong or special association that a particular community has with the natural character of a site or area;
  - (ii) the contribution to the sense of identify of a particular community;
  - (iii) the degree to which the site or area is held in high public esteem for its natural character value.
- (d) the opportunities to mitigate adverse effects of the activity; and
- (e) the opportunities to enhance and/or restore the natural character of the site and/or area.

#### Explanation

Policy 35 gives effect to a requirement, under the Resource Management Act and the *New Zealand Coastal Policy Statement*,

to preserve the natural character of the coastal environment, which is a matter of national importance.

~~Discouraging new subdivision and development, and inappropriate use in places, sites or areas with high natural character in the coastal environment is also a matter of regional importance.~~

This policy will ensure that subdivision, use and development is appropriate for the characteristics of the area or site and will not adversely affect the natural character of the coastal environment, as a matter of regional importance.

Case law<sup>2</sup> has established that natural character does not necessarily mean pristine or completely unmodified character. Natural character occurs on a continuum, from pristine to completely modified. Most of the *coastal environment* has some element of unmodified natural character and, conversely, some degree or element of modification.

~~Policy 35 (a) contains factors which contribute 'natural' attributes to an area, while the factors within clause (b) are about people's influence in or upon the area, which can compromise, modify or otherwise diminish the natural character of the area. Clause (c) encourages consideration of how people value a particular place. In determining the degree of natural character, the factors within clauses (a) and (b) must be contrasted against each other, and considered alongside the matters contained in clause (c).~~

~~Generally, an area of high natural character is likely to be dominated by natural elements rather than by the influence of human activities, and/or the natural elements will be out of the ordinary or otherwise regarded as important in terms of one or more of the factors outlined within policy 35(a) and (c). Alternatively, an area of high natural character may be regarded as having qualities which are relatively uncompromised by human activities and influence, as specified within 35(b).~~

The appropriateness or otherwise of any subdivision, use or development will depend both on the character of the particular coastal environment and on the nature of the activity proposed. In order to manage effects on natural character, an assessment is required as to where the particular area lies on that continuum from pristine to highly modified. The factors in policy 3 can be used for that assessment. Integral to this assessment is an appreciation of the robustness of the environment to retain the integrity of the natural processes and forms.

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<sup>2</sup> Harrison v Tasman District Council 1994 W42/93

The determination as to whether a proposed activity is appropriate, given that context, is then assessed using the factors in this policy. These address the characteristics of the proposal and the potential effects on the physical environment and on the community's perception of the area's natural character which could arise from it. Integral to the assessment of this policy is an appreciation of the robustness of the environment to retain the integrity of the natural processes and forms.

Policy 35 applies to subdivision, use and development in the coastal environment, the landward extent of which is required to be defined or given particular regard by policies 5 and 37.

~~Policy 35 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the natural character values in the coastal environment, identified in policy 35, as assessed using the matters in Policy 3.~~

Policy 34 requires consideration to be given to the preservation of natural character in the coastal environment and policy 3 requires protection to be given to areas of high natural character. Policy 35 is intended to provide guidance about change within these coastal environments. It is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the natural character values in the coastal environment.

Policies 45, 46, 47, 48, 49, 50, 52, 53, 54, 55 and 57 will need to be considered alongside policy 35, when determining the appropriateness of activities in the coastal environment, ~~changing, varying or replacing a district or regional plan,~~ as these also assist with assessments of what might be considered 'appropriate' use and development or conversely, 'inappropriate' use and development.

**2.111 Policy 36: Safeguarding life-supporting capacity of coastal ecosystems – consideration**

Submitter	Submission	Summary
Department of Conservation	31/30	<p>Stated that the New Zealand Coastal Policy uses the term "significant" in policy 1.1.2. This covers concepts of important and vulnerable.</p> <p>Sought the following decisions from the Council: That the title be reworded:            "Policy 36: Safeguarding life-supporting capacity of coastal and marine ecosystems – consideration"            And that clause (c) the policy be reworded:            "habitats in the coastal environment that are important significant during the vulnerable life stages of indigenous species;"</p>

Submitter	Submission	Summary
F10/13	Wellington Fish and Game Council	Support
TrustPower Limited	124/34	Sought that it be amended to read: 'When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a district or regional plan, particular regard shall be given to safeguarding the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing as far as practicable.' And, a new sub-clause to read: '(g) the national or regional benefits of the proposed activity.' Also sought an amendment to the explanation by adding: 'Notwithstanding the above, this policy recognises that some disturbance to coastal ecosystems may be necessary and appropriate, such as regionally significant infrastructure designed that avoids, remedies or mitigates any significant adverse effects on the coastal environment.'
F4/9	Transpower New Zealand Limited	Support
F7/9	Oil Companies	Support
Wellington City Council	131/96	Supported policy 36.

(a) Discussion

The **Department of Conservation** wanted the insertion of the word 'marine' into the title of policy 36. Greater Wellington staff consider that the use of the term 'coastal' in the definitions in the Resource Management Act (such as 'coastal waters') clearly indicates that the term 'coastal' is inclusive of 'marine'. Greater Wellington comments that while the Council has jurisdiction out to 18 nautical miles, adverse effects on the life supporting capacity of marine ecosystems has not been identified as a regionally significant issue. Moreover, Greater Wellington has responsibilities and tools under other legislation to safeguard other aspects of marine ecosystems and adverse effects on them such as oil spill protocols. It is recommended that this submission is rejected.



Greater Wellington staff also recommend that the amendment to clause (c) requested by the Department of Conservation is also rejected as the wording in the policy covers the concept of ‘significance’ as outlined by the submitter. Wellington Fish and Game Council had submitted in support of the Department of Conservation.

**TrustPower Limited** asked that the phrase ‘as far as practicable’ was added to the policy and an amendment to the explanation. Greater Wellington staff consider that the proposed wording leads to ambiguity and dilutes the intent of the policy. When an application is assessed under the Act, a determination will be made as to whether the activity is appropriate or not and the balance with the intent of the Act and the other resource management provisions.

TrustPower Limited also asked for a new clause addressing the national or regional benefits of activities. Transpower New Zealand Limited and Oil Companies have further submitted in support of TrustPower Limited’s submissions. Greater Wellington staff consider that as the Regional Policy Statement is an integrated document, a new clause outlining that consideration is unnecessary in this policy. The regional benefits are addressed under other provisions in the Regional Policy Statement (including policies 6, 7 and 38) and an application will also be balanced with the requirements of other relevant Acts. The request for including “national” infrastructure has been addressed under policies 6, 7 and 38. Staff recommend these submission points be rejected.

**Wellington City Council** supported policy 36. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/30	Reject
TrustPower Limited	124/34	Reject
Wellington City Council	131/96	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to policy 36.

**2.112 Policy 37: Identifying the landward extent of the coastal environment – consideration**

Submitter	Submission	Summary
Anders Crofoot	25/22	Stated that it needs to be recognised that coastal terraces are part of the coastal landscape but are farmed and as such should not be subject to blanket

		restrictions as might be applicable to other parts of the coastal environment.
F23/66	Federated Farmers of New Zealand	Support
Department of Conservation	31/31	Sought that the policy be retained as proposed.
Federated Farmers of New Zealand	35/50	Stated that coastal terraces may be part of the coastal environment, but they are farmed, this needs to be recognised and they should not be subject to blanket restrictions as might be applicable to other parts of the coastal environment such as sand dunes. Sought that policy 37 be deleted
F22/87	Anders Crofoot	Support
Horticulture New Zealand	50/28	Sought that the criteria in policy 37 be amended to provide greater clarity and definition as to how the policy may be applied and ensure that the information required is relative to the scale of resource consent that may be sought.
F22/88	Anders Crofoot	Support
Wellington City Council	131/97	Supported policy 37.

(a) Discussion

**Anders Crofoot and Federated Farmers of New Zealand** asked that there be no unreasonable restrictions on the coastal terraces component of the coastal environment, as they are used for farming purposes and Federated Farmers of New Zealand wanted the policy deleted. Federated Farmers of New Zealand further submitted in supported of Anders Crofoot. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. Greater Wellington staff recommend that these submissions are rejected as coastal terraces are part of the coastal environment which will be identified in the policy. Policy 37 provides guidance on criteria which would be used to identify the extent of the coastal environment, while amendments to the introduction section clarify the role that farming activities have, or have had, on the coastal environment. As detailed in the discussion for policy 4, land use restrictions are the responsibility of the territorial authorities, not the regional council.

**Horticulture New Zealand** sought that the criteria in the policy be clarified as to the extent of information required. The submission was

supported by Anders Crofoot. Greater Wellington staff note that the criteria given are those commonly used to identify the coastal environment (Coastal Land Development Note, Ministry for the Environment) and hence give effect to section 6(a) of the Resource Management Act 1991.

**Wellington City Council** and the **Department of Conservation** supported policy 37. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/22	Reject
Department of Conservation	31/31	Accept
Federated Farmers of New Zealand	35/50	Reject
Horticulture New Zealand	50/28	Reject
Wellington City Council	131/97	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to policy 37.

**2.113 Policy 38: Recognising the benefits from regionally significant infrastructure and renewable energy - consideration**

Submitter	Submission	Summary
Airways Corporation of New Zealand Ltd	4/6	Sought that the policy be retained in current form without modification as they give protection to the Wellington International Airport and essential radio communication facilities.
F11/7	Paraparaumu Airport Limited	Support
CentrePort Wellington	23/10	Sought that policy 38(a) continue to have effect after policy 6 is given effect.
Department of Conservation	31/32	Neutral submission, but noted that renewable energy sites (wind, tidal, wave and ocean current) may also have other significant or important values, but that district and regional councils are required by other policies within the Regional Policy Statement to identify and protect those values.

Submitter	Submission	Summary
Genesis Energy	40/11	Sought policy 38 be amended by adding a new clause to read: '(c) protecting sites of nationally significant wind renewable energy resource within the region from incompatible or inappropriate land uses alongside.'
F8/28	TrustPower Limited	Support
F17/53	Meridian Energy Limited	Oppose
F26/6	Mighty River Power	Support
Linda Hoyle	51/3	Sought for policy 38 to be rewritten to take into account the government's energy policy, which centres on security of supply and affordable power generation. Submitter felt that statements regarding renewable energy's (i.e. wind generation) ability to meet these policies are incorrect and misleading to the general public and believed that Transpower New Zealand Limited should have been consulted to obtain more correct information.
F17/54	Meridian Energy Limited	Oppose
Makara Guardians Incorporated	68/2	Stated that policy 6 defines renewable energy as energy produced from various sources including solar and this was supported. However, concerned when the policy becomes more specific, such as in paragraph 38(b), renewable energy that is to be considered is limited to only wind and marine. The term 'nationally significant' is used to describe the level of these renewable energy resources and there is also a reference to the need to place these sorts of generation facilities near to where these resources exist. Stated that the term 'national significance' is inappropriate and that the term should not be used in this context as it is a term particularly associated with resource consent 'weighting' considerations. Sought that the words "the nationally significant..." be deleted and (b) begin with the words "wind, marine and solar renewable energy resources ...".
F17/55	Meridian Energy Limited	Oppose

Submitter	Submission	Summary
Makara Ohariu Community Board	69/3	<p>Stated that while policy 6 defines renewable energy as energy produced from various sources including solar, 38(b) limits the consideration to wind and marine, using the term 'nationally significant' and the need to place these generation facilities near to where the resources exist. Submitted that this also applies to solar, both in terms of its national significance (the Wellington Region receives more sunlight hours on average than any other area in New Zealand on an annual basis) and in terms of its technological development (domestic and industrial solar arrays are becoming more affordable). Submitted that the term 'national significance' should not be used in this context as it is a term particularly associated with resource consent 'weighting' considerations and should not be confused as a consideration. Suggested (b) begin with the words "wind, marine and solar renewable energy resources ...".</p>
F17/56	Meridian Energy Limited	Oppose
Masterton District Council	74/15	Sought that the Masterton Hood Aerodrome be recognised as regionally significant.
F11/15	Paraparaumu Airport Limited	Support
Meridian Energy Limited	82/33	<p>Sought addition of a new sub-clause to read: '(c) the need to protect regionally significant infrastructure and renewable energy generation facilities from potentially adverse effects of reverse sensitivity arising from the establishment of incompatible subdivision, use and development nearby.'</p> <p>And consequential amendments to the explanation. Also sought amendments to the 4th and 5th bullet points of the explanation regarding regionally significant infrastructure to read: the electricity transmission network, as defined by the National Policy Statement on Electricity Transmission 2008; facilities for the generation and transmission of electricity where it that electricity is supplied to the electricity transmission network, as defined by the National Policy Statement on Electricity Transmission.'</p>

Submitter	Submission	Summary
		Also sought clarification as to how the interim effect of policy 37 can be achieved by way of an 'explanation'.
F13/41	Wellington International Airport Limited	Support in part
F25/23	New Zealand Defence Force	Support
F26/19	Mighty River Power	Support
Mighty River Power	83/33	Generally supported the direction and intent of policy 38. Sought that policy 38 be amended to read as follows: "Policy 38 – Recognising the benefits from nationally and regionally significant infrastructure and renewable energy – consideration When considering an application for resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to: (a) the social, economic, cultural and environmental benefits of nationally and regionally significant infrastructure and / or energy generated from renewable energy resources; and (b) the nationally and regionally significant renewable energy resources within the region and the need for electricity generation facilities to locate where these resources exist."
F13/42	Wellington International Airport Limited	Support
F25/24	New Zealand Defence Force	Support
New Zealand Defence Force	86/10	Supported intent of policy 38. However sought addition of 'New Zealand Defence Force infrastructure' to the list of regionally significant infrastructure as identified in the explanation.
NZ Transport Agency	91/14	Supported, in particular policy 38(a). Requested first bullet point of explanation be amended read 'People and freight can efficiently and safely move around the region...'

Submitter	Submission	Summary
		Requested amendment of explanation to note explicitly the economic growth and productivity benefits of maintaining and improving SH1 and explicitly link policy 38(a) and the Wellington Regional Land Transport Strategy.
F13/43	Wellington International Airport Limited	Support
NZ Transport Agency	91/15	Sought deletion of 'policy 38(a) shall cease to have effect once policy 6 is given effect in a relevant district or regional plan.'
F8/29	TrustPower Limited	Support
F13/44	Wellington International Airport Limited	Support
Oil Companies	92/14	<p>Sought that policy 38 be amended to address the broader range of issues that have been, or that need to be, identified when assessing and deciding on resource consents, notices of requirement, or when changing, varying or replacing city, district or regional plans, including the effects of and on regionally significant infrastructure. Noted that this could be achieved by making amendments with the following effect:</p> <p>Policy 38: Recognising the benefits from regionally significant infrastructure and renewable energy – consideration</p> <p>When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to:</p> <ul style="list-style-type: none"> <li>(a) the social, economic, cultural and environmental benefits of regionally significant infrastructure and/or energy generated from renewable energy resources;</li> <li>(b) the protection of regionally significant infrastructure from incompatible new land uses or activities under, over, or adjacent;</li> <li>(c) the recognition and provision for a reasonable envelope of effects in which to facilitate the ongoing operation, maintenance and upgrading of regionally significant infrastructure</li> <li>(d) the nationally significant wind and marine</li> </ul>

Submitter	Submission	Summary
		<p>renewable energy resources within the region and the need for electricity generation facilities to locate where these resources exist.</p> <p>Explanation When considering the effects on and of regionally significant infrastructure, the benefits of regionally significant infrastructure must be taken into account. The benefits of energy generated from renewable energy resources include:</p> <ul style="list-style-type: none"> <li>• security of and the diversification of our energy sources</li> <li>• reducing our dependency on imported energy resources – such as oil, natural gas and coal</li> <li>• reducing greenhouse gas emissions.</li> </ul> <p>The benefits are not only generated by large scale renewable energy projects but also smaller scale, distributed generation projects.</p>
F3/4	Vector	Support
F13/45	Wellington International Airport Limited	Support in part
Oil Companies	92/15	Sought deletion of the following text from the Explanation of policy 38: Policy 38(a) shall cease to have effect once policy 6 is given effect in a relevant district or regional plan.
F8/30	TrustPower Limited	Support
F13/46	Wellington International Airport Limited	Support
Oil Companies	92/16	Sought deletion of the full text of the definition of regionally significant infrastructure from the explanations to policy 6, 7 and 38. Stated if necessary simply cross-reference to the definitions section of the Regional Policy Statement.
Preserve Pauatahanui Incorporated	101/4	Requested all sections of policy 38 that refer to renewable energy generation be deleted.
F8/31	TrustPower Limited	Oppose
F17/57	Meridian Energy	Oppose



Submitter	Submission	Summary
	Limited	
The Energy Efficiency and Conservation Authority	117/16	<p>Sought that policy 38 and amend as follows:            “When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to:</p> <ul style="list-style-type: none"> <li>(a) the social, economic, cultural and environmental benefits of nationally and regionally significant infrastructure and/or energy generated from renewable energy resources; and</li> <li>(b) the nationally significant wind and marine renewable energy resources within the region and the need for electricity generation facilities to locate where these resources exist.</li> </ul> <p>Explanation            The benefits of energy generated from renewable energy resources include:</p> <ul style="list-style-type: none"> <li>• security of and the diversification of our energy sources</li> <li>• reducing our dependency on imported and/or non-renewable energy resources – such as oil, natural gas and coal</li> <li>• reducing greenhouse gas emissions</li> <li>• reducing dependency on the national grid and reducing transmission losses.</li> </ul> <p>The benefits are not only generated by large scale renewable energy projects but also smaller scale, distributed generation projects.            The benefits of nationally and regionally significant infrastructure include...”</p> <p>“Energy generation from renewable energy and nationally and regionally significant infrastructure can provide benefits both within and outside the region. Regionally and nationally significant infrastructure includes:</p> <ul style="list-style-type: none"> <li>• facilities for the generation and transmission of electricity where it is supplied to the local distribution network or the national electricity grid...”</li> </ul> <p>“When considering the benefits from renewable energy generation, the contribution towards national goals in the New Zealand Energy Strategy (2007) and the National Energy Efficiency and Conservation Strategy (2007) including the 90% renewable electricity target by 2025 and the Proposed National Policy Statement on Renewable Electricity will also need to be given regard.            The national significance of the Wellington region’s</p>

Submitter	Submission	Summary
		<p>marine and wind resources is identified in two reports. These reports are 'Marine Energy – Development of Marine Energy in New Zealand with particular reference to the Greater Wellington Region Case Study by Power Projects Ltd, June 2008' and, 'Wind Energy – Estimation of Wind Speed in the Greater Wellington Region, NIWA, January 2008'. The Renewable Energy Assessment for the Wellington Region, August 2006 identifies the first order magnitude potential for renewable energy development in the region."</p> <p>Note: includes deletion of last sentence in proposed explanation to policy 38</p>
F25/25	New Zealand Defence Force	Support
Transpower New Zealand Limited	123/18	Sought policy 38 be amended to remove the full definition of regionally significant infrastructure from the explanation text. Stated that if necessary, include an appropriate cross-reference to the definition.
F5/18	PowerCo Limited	Support
Transpower New Zealand Limited	123/25	<p>Sought:</p> <p>A. Amend policy 38 to address the broader range of issues that have been, or that need to be, identified. This could be achieved by making amendments to the following effect:</p> <p>Policy 38: Recognising the benefits from regionally significant infrastructure and renewable energy – consideration</p> <p>When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to:</p> <ul style="list-style-type: none"> <li>(a) the social, economic, cultural and environmental benefits of regionally significant infrastructure and/or energy generated from renewable energy resources; and</li> <li>(b) the protection of regionally significant infrastructure from incompatible new land uses or activities under, over or adjacent;</li> <li>(c) the recognition and provision for a reasonable envelope of effects in which to facilitate the ongoing operation, maintenance and upgrading of the National Grid;</li> <li>(d) the extent to which any adverse effects of new</li> </ul>

Submitter	Submission	Summary
		<p>transmission activities have been avoided, remedied or mitigated by appropriate site, route and method selection; and</p> <p>(e) the nationally significant wind and marine renewable energy resources within the region and the need for electricity generation facilities to locate where these resources exist.</p> <p>Explanation When considering the effects on and of regionally significant infrastructure, the benefits of regionally significant infrastructure must be taken into account. The benefits of energy generated from renewable energy resources include: B. Delete the following text from the Explanation of policy 38: Policy 38(a) shall cease to have effect once policy 6 is given effect in a relevant district or regional plan.</p>
TrustPower Limited	124/35	<p>Sought a new sub-clause to read: 'the need to appropriately balance the national benefits of regionally significant infrastructure and/or energy generated from renewable energy resources alongside local adverse effects.' Amendments to the explanation to read 'The benefits of energy generated from renewable energy resources include: security of supply and diversification of our energy sources; reducing dependency on imported energy resources and the national grid; reducing greenhouse gas emissions; efficient use of natural resources; reduction in transmission losses; reliability; development benefits; and contribution to the renewable energy target.</p> <p>Also sought amendments to the explanation by deleting the last paragraph.</p>
F5/26	PowerCo Limited	Support
F17/58	Meridian Energy Limited	Oppose
Wellington City Council	131/98	Supported policy 38.

(a) Discussion

**Airways Corporation of New Zealand Limited** sought that policy 38 be retained without modification. **Paraparaumu Airport Limited** supported the submission. **Greater Wellington** staff have

recommended that policy 38 be retained with modifications in response to other submissions.

**CentrePort Wellington** sought that policy 38(a) continue to have effect after policy 6 is given effect. Greater Wellington staff note that policy 38(a) is an interim policy and will not be needed once policy 6 is given effect, as the matter will be addressed in the district and regional plans. It is therefore recommended that the statement saying the policy will cease to have effect at this point be retained.

The **Department of Conservation** noted that renewable energy sites may have other important values that district and regional councils are required to protect. Greater Wellington staff note the comment.

**Genesis Energy** sought a new clause be added to policy 38 to read ‘(c) protecting sites of nationally significant wind renewable energy resource within the region from incompatible or inappropriate land uses alongside’. TrustPower Limited and Mighty River Power supported the submission. Meridian Energy Limited opposed the submission. Greater Wellington staff note that policy 7 provides for protection of regionally significant infrastructure, but agree that the matter needs to be addressed in the interim. It is therefore recommended that this be added to policy 7 and a note added to the explanation regarding the interim nature of the sub-clause.

**Linda Hoyle** sought that policy 38 be rewritten to take into account the government’s energy policy, and felt the statements regarding renewable energy’s ability to meet these policies are incorrect. Meridian Energy Limited opposed the submission. Greater Wellington staff consider that the current wording is consistent with the Act’s requirements and with the government’s energy policy, and is appropriate for the purpose.

**Makara Guardians Incorporated** and **Makara Ohariu Community Board** were concerned with policy 38(b) limiting renewable energy to wind and marine, and felt that the term ‘nationally significant’ was inappropriate and sought that it be deleted. Meridian Energy Limited opposed the submission. Greater Wellington staff note that regionally significant infrastructure and other renewable energy is addressed in policy 38(a) in the interim and then by policy 6. The second half of policy 38(b) relates to all renewable electricity generation structures. It is appropriate to separate these matters to make the intent clearer and changes are recommended to this clause. The nationally significant wind and marine resources relate to the reports discussed in the explanation, as these are the only identified nationally significant energy resources.

**Masterton District Council** sought that Masterton Hood Aerodrome be recognised as regionally significant infrastructure. Paraparaumu Airport Limited supported the submission. Greater Wellington staff agree. The Masterton Hood Aerodrome benefits the region as a whole

by way of being a destination on the Air New Zealand domestic flight schedule. As with the Wellington International Airport, visitors to the region can arrive at the airport and access the rest of the region via other travel methods. It is therefore recommended that it be added to the definition of regionally significant infrastructure. Staff note the recommended deletion of the definition from the explanation of policy 38. See the report on definitions for recommended changes.

**Meridian Energy Limited** sought an addition to policy 38 to read ‘(c) the need to protect regionally significant infrastructure and renewable energy generation facilities from potential adverse effects of reverse sensitivity arising from the establishment of incompatible subdivision, use and development nearby.’ The submitter also sought amendment of the 4<sup>th</sup> and 5<sup>th</sup> bullet points in the definition of regionally significant infrastructure to read ‘...the national electricity grid, as defined by the National Policy Statement on Electricity Transmission 2008 ~~Electricity Governance Rules 2003~~...facilities for the generation and transmission of electricity where that electricity ~~it~~ is supplied to the ~~national~~ electricity transmission network, as defined by the National Policy Statement on Electricity Transmission ~~grid~~’, and requested clarification on how the interim effect of policy 37 can be achieved by way of an ‘explanation’. Wellington International Airport Limited supported the requested addition of paragraph (c). The New Zealand Defence Force and Mighty River Power supported the submission. Greater Wellington staff note that policy 7 provides for protection of regionally significant infrastructure, however staff agree that the matter needs addressing in the interim. The explanation for policy 37 already explains what direction policy 37 provides and what policy 37 identifies. Staff recommend amending ‘national electricity grid’ to ‘electricity transmission network’ as defined in the Electricity Governance Rules 2003 where referring to facilities related to electricity generation and transmission, as this includes facilities for local networks and the national grid. Staff recommend retaining the definitions from the Electricity Governance Rules 2003.

**Mighty River Power** generally supported the direction and intent of policy 38, but sought that it be amended to read ‘Recognising the benefits from nationally and regionally significant infrastructure and renewable energy – consideration...(a) the social, economic, cultural and environmental benefits of nationally and regionally significant infrastructure and/or energy generated from renewable energy resources; and (b) the nationally and regionally significant ~~wind and marine~~ renewable energy resources within the region and the need for electricity generation facilities to locate where these resources exist.’ Wellington International Airport Limited and the New Zealand Defence Force supported the submission. Greater Wellington staff note the support. The current wording refers to nationally significant resources as identified by the reports listed in the explanation. There is no finalised list of identified nationally significant infrastructure to refer to, and staff consider the council is responsible for regional resources and issues so referring to regional infrastructure is

appropriate. It is therefore recommended that these changes not be made.

**The New Zealand Defence Force** supported the intent of policy 38 but requested the addition of New Zealand Defence Force infrastructure to the definition of regionally significant infrastructure. Greater Wellington staff agree that Defence Force infrastructure provides essential social services and social benefits to the whole region, and is therefore regionally significant infrastructure. Staff note that the definition is to be removed from the explanation to policy 38 but retained in the definitions. See the report on definitions for the suggested changes to the definition.

The **NZ Transport Agency** supported policy 38 and in particular 38(a). The submitter requested that the first bullet point of the explanation be amended to read ‘people and freight can efficiently and safely move around the region...’, and sought amendment to the explanation to recognise the economic growth and productivity benefits of maintaining and improving State Highway 1, and the linkage between policy 38(a) and the Wellington Regional Land Transport Strategy. Wellington International Airport Limited supported the submission. Greater Wellington staff agree with the amendment to the explanation to refer to moving freight but have recommended the term ‘goods’ to be consistent with the recommended change to policy 6 in response to CentrePort Wellington’s submission. General statements relating to all regionally significant infrastructure are more appropriate than specific reference to State Highway 1, so the requested change is not considered necessary.

The **NZ Transport Agency** sought that policy 38(a) continue to have effect after policy 6 is given effect. TrustPower Limited and Wellington International Airport Limited supported the submission. Greater Wellington staff note that policy 38(a) is an interim policy and will not be needed once policy 6 is given effect, as the issue will be addressed in the district and regional plans.

The **Oil Companies** sought that policy 38 be amended to read ‘...(b) the protection of regionally significant infrastructure from incompatible new land uses or activities under, over, or adjacent;

(c) the recognition and provision for a reasonable envelope of effects in which to facilitate the ongoing operation, maintenance and upgrading of regionally significant infrastructure;

~~(b)~~ (d) ...

## Explanation

When considering the effects on and of regionally significant infrastructure, the benefits of regionally significant infrastructure must be taken into account.'

Vector supported the submission. Wellington International Airport Limited supported the inclusion of paragraphs (c) and (d). Greater Wellington staff note that the protection of regionally significant infrastructure is addressed by policy 7, however agree that the matter needs addressing in the interim. It is therefore recommended an addition to the policy be made, with a consequential addition to the explanation noting the interim nature of the sub-clause. When considering effects of activities the benefits, costs and any effects on other activities that may be impacted all have to be considered.

The Oil Companies and Transpower New Zealand Limited sought that policy 38(a) continue to have effect after policy 6 is given effect. TrustPower Limited and Wellington International Airport Limited supported the submission. Greater Wellington staff note that policy 38(a) is an interim policy and will not be needed once policy 6 is given effect, as the issue will be addressed in the district and regional plans. It is therefore recommended that the statement saying the policy will cease to have effect at this time be retained.

The Oil Companies and Transpower New Zealand Limited sought deletion of the full text of the definition for regionally significant infrastructure. PowerCo Limited supported Transpower New Zealand Limited's submission. Greater Wellington staff consider this appropriate.

**Preserve Pauatahanui Incorporated** requested all references to renewable energy be deleted from policy 38. TrustPower Limited and Meridian Energy Limited opposed the submission. Greater Wellington staff consider that renewable energy will have regional impacts and it is therefore appropriate to include in the Regional Policy Statement.

**The Energy Efficiency and Conservation Authority** requested changes to policy 38 to refer to nationally significant infrastructure, reducing dependency on non-renewable energy resources, reducing dependency on the national grid and reducing transmission losses, supplying to the local distribution network, and the *Renewable Energy Assessment for the Wellington Region* August 2006. The New Zealand Defence Force supported the submission. Greater Wellington staff note that there is no finalised list of nationally significant infrastructure available to refer to, and consider the council is concerned with regional matters and addresses regional issues so referring to regionally significant infrastructure is appropriate. No change is considered necessary. The benefits of reducing dependency on the national grid and reducing transmission losses are recognised in

policy 6(b)(i). Staff agree with the need to amend the paragraph relating to imported energy resources. Relevant considerations in the National Policy Statement required to be given effect to will be included as required by the National Policy Statement. The list of reports in the explanation relate to the source of nationally significant wind and marine resources discussed in the policy.

**Transpower New Zealand Limited** requested that policy 38(a) be amended to read:

(b) the protection of regionally significant infrastructure from incompatible new land uses or activities under, over, or adjacent;

(c) the recognition and provision for a reasonable envelope of effects in which to facilitate the ongoing operation, maintenance and upgrading of the National Grid;

(d) the extent to which any adverse effects of new transmission activities have been avoided, remedied or mitigated by appropriate site, route and method selection; and

~~(b)~~ (e) ...

Explanation

When considering the effects on and of regionally significant infrastructure, the benefits of regionally significant infrastructure must be taken into account.'

Greater Wellington staff note that the protection of regionally significant infrastructure is addressed by policy 7, however agree that the matter needs addressing in the interim. It is therefore recommended an addition to the policy be made, with a consequential addition to the explanation noting the interim nature of the sub-clause. Staff consider Part II of the Act requires the benefits, costs, and any effects on other activities that may be impacted to be considered. When considering applications, it is the effects of the proposed activity that need to be considered and judged appropriate or not, not the effects of the activity compared to other, less appropriate options that were rejected by the organisation.

**TrustPower Limited** sought an addition to policy 38 to read '(c) the need to appropriately balance the national benefits of regionally significant infrastructure and/or energy generated from renewable energy resources alongside local adverse effects'. The submitter sought amendments to the second bullet point in the explanation to read 'Reducing our dependency on imported energy resources and the national grid —such as oil, natural gas, and coal' and additional bullet points to read 'efficient use of natural resources; reduction in transmission losses; development benefits; and contribution to the renewable energy target.' The submitter also requested that policy



38(a) continue to have effect after policy 6 is given effect. PowerCo Limited supported the submission and Meridian Energy Limited opposed the submission. Greater Wellington notes the requirement in Part II of the Act to balance all competing considerations, including benefits and adverse effects. The benefits of reducing dependency on the national grid and reducing transmission losses are recognised in policy 6(b)(i). Efficient use of natural resources and development benefits may be benefits from individual renewable energy generation projects but are not general benefits. The contribution to the renewable energy target is a benefit. Policy 38(a) is an interim policy and will not be needed once policy 6 is given effect, as the issue will be addressed in the district and regional plans.

**Wellington City Council** supported policy 38. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
Airways Corporation of New Zealand Ltd	4/6	Accept in part
CentrePort Wellington	23/10	Reject
Department of Conservation	31/32	Noted
Genesis Energy	40/11	Accept in part
Linda Hoyle	51/3	Reject
Makara Guardians Incorporated	68/2	Accept in part
Makara Ohariu Community Board	69/3	Accept in part
Masterton District Council	74/15	Accept
Meridian Energy Limited	82/33	Accept in part
Mighty River Power	83/33	Accept in part
New Zealand Defence Force	86/10	Accept
NZ Transport Agency	91/14	Accept in part
NZ Transport Agency	91/15	Reject
Oil Companies	92/14	Accept in part
Oil Companies	92/15	Reject
Oil Companies	92/16	Accept

Submitter	Submission	Recommendation
Preserve Pauatahanui Incorporated	101/4	Reject
The Energy Efficiency and Conservation Authority	117/16	Accept in part
Transpower New Zealand Limited	123/18	Accept
Transpower New Zealand Limited	123/25	Accept in part
TrustPower Limited	124/35	Accept in part
Wellington City Council	131/98	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 38 heading as a consequence of Porirua City Council's submission on policy 6 to read:

**Policy 38: Recognising the benefits from regionally significant infrastructure and renewable energy and regionally significant infrastructure – consideration**

Amend policy 38 to read:

When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to:

- (a) the social, economic, cultural and environmental benefits of regionally significant infrastructure and/or energy generated from renewable energy resources; and
- (b) protecting regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and
- (c) ~~the nationally significant wind and marine renewable energy resources within the region and the need for~~ renewable electricity generation facilities to locate where these renewable energy resources exist; and
- (d) the nationally significant wind and marine renewable energy resources within the region.

## Explanation

The benefits of energy generated from *renewable energy* resources include:

- security of and the diversification of our energy sources
- reducing our dependency on imported energy resources – such as oil, natural gas and coal
- reducing greenhouse gas emissions
- contribution to the national renewable energy target.

The benefits are not only generated by large scale renewable energy projects but also smaller scale, distributed generation projects.

The benefits of regionally significant infrastructure include:

- people and goods can efficiently move around the region, and to and from
- public health and safety is maintained through the provision of essential services – such as potable water and the collection and transfer of sewage or stormwater
- people have access to energy to meet their needs
- people have access to telecommunication services.

Energy generation from renewable energy and *regionally significant infrastructure* (as defined in Appendix 3) can provide benefits both within and outside the region.

*Regionally significant infrastructure* includes:

- ~~pipelines for the distribution or transmission of natural or manufactured gas or petroleum~~
- ~~strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001~~
- ~~strategic radio communications facilities, as defined in section 2(1) of the Radio Communications Act 1989~~
- ~~the national electricity grid, as defined by the Electricity Governance Rules 2003~~
- ~~facilities for the generation and transmission of electricity where it is supplied to the national electricity grid~~

- ~~the local authority water supply network and water treatment plants~~
- ~~the local authority wastewater and stormwater networks, systems and wastewater treatment plants~~
- ~~the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2007-2016~~
- ~~Wellington city bus terminal and Wellington Railway Station terminus~~
- ~~Wellington International Airport~~
- ~~Commercial Port Areas within Wellington Harbour (including Miramar, Burnham and Seaview wharves) and adjoining land and storage tanks for bulk liquids. ...~~

Policy 38(a) shall cease to have effect once policy 6 is given effect in a relevant district or regional plan.

Policy 38(b) shall cease to have effect once policy 7 is given effect in a relevant district or regional plan.

#### 2.114 Policy 39: Maintaining and enhancing aquatic ecosystem health – consideration

Submitter	Submission	Summary
Department of Conservation	31/33	Stated that policy 39 should be consistent with policy 34 (Preserving the natural character of the coastal environment – consideration), which has as one of its clauses the requirement for: “minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded.” Sought the following decisions from the Council: An additional clause be added to this policy as follows: “minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded.”
F1/15	Winstone Aggregates	Oppose
F10/14	Wellington Fish and Game Council	Support
F16/4	Genesis Energy	Oppose

Submitter	Submission	Summary
F24/18	Masterton District Council	Oppose
Horticulture New Zealand	50/29	Sought be amended to add after 'city and district councils' "within the extent of interface with territorial authority land use functions"
F22/89	Anders Crofoot	Support
Lower Hutt Forest and Bird Protection Society	66/9	Supported
Meridian Energy Limited	82/34	Sought that the policy be amended to read: '...(a) requiring, as a minimum, that water quality, flows and water levels and aquatic habitat are sufficient to maintain the life supporting capacity of the aquatic ecosystem' And consequential amendments to the explanation, to make policies 11, 12, and 39 consistent with each other and section 5 of the Resource Management Act 1991.
F24/88	Masterton District Council	Support
Mighty River Power	83/34	Sought amendments to provide the ability to remedy and/or mitigate the adverse effects of water for purposes not identified in the policy, and provide for environmental compensation in some circumstances.
F1/75	Winstone Aggregates	Support
F17/59	Meridian Energy Limited	Support in part
F24/94	Masterton District Council	Support
Wellington City Council	131/23	Sought that, in relation to the implementation of policy 39, a new method be included in the Regional Policy Statement that requires a Regional Stormwater Strategy to be developed that will include guidance on the standards to be attained for water quality and receiving environments to minimise the adverse environmental effects of stormwater discharges.

Submitter	Submission	Summary
F24/120	Masterton District Council	Oppose

(a) Discussion

**Department of Conservation** sought an additional clause be added to this policy: “minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded”. The submission was supported by Wellington Fish and Game Council and opposed by Winstone Aggregates, Genesis Energy and Masterton District Council. Greater Wellington staff note that clause (a) of the policy is to require, as a minimum, that water bodies are managed for aquatic ecosystem health. The explanation to policy 11 indicates that regional plans will include limits on receiving waters for water bodies associated with aquatic ecosystem health. The clause suggested by the submitter of minimising adverse effects takes a different approach to the policy and is not recommended.

**Horticulture New Zealand** sought policy 39 be amended to add after ‘city and district councils’ “within the extent of interface with territorial authority land use functions”. The submission was supported by Anders Crofoot. Greater Wellington staff consider the wording suggested won’t add anything beyond what the Resource Management Act and policies 61, 62 and 63 have to say about territorial authority land use functions.

**Lower Hutt Forest and Bird Protection Society** supported policy 39. The support is noted.

**Meridian Energy** sought that the policy be amended to replace “aquatic ecosystem health” with “life supporting capacity of aquatic ecosystems”. They also asked for consequential amendments to the explanation, to make policies 11, 12, and 39 consistent with each other and section 5 of the Resource Management Act 1991. The submission was supported by Masterton District Council. Greater Wellington staff comment that the use of water management purposes and establishment of water classes is sanctioned by section 69(1) and the Third Schedule of the Resource Management Act. It is an approach currently used in the Regional Freshwater Plan, which identifies that water quality of all surface water in the region is to be managed for aquatic ecosystem purposes. It is acknowledged that aquatic ecosystem health is different terminology than life supporting capacity of aquatic ecosystems but this does not make it inconsistent with section 5 of the Resource Management Act. Nor are there inconsistencies between policies 11, 12 and 39.

**Mighty River Power** sought the same relief for policy 39 as they sought for policy 11. The submission was supported by Winstone

Aggregates, Meridian Energy and Masterton District Council. Both policies are about maintaining and enhancing aquatic ecosystem health through managing water for the purpose of aquatic ecosystem health and other management purposes. Greater Wellington staff recommend that the same response as to the submission on policy 11 is appropriate.

**Wellington City Council** sought that, in relation to the implementation of policy 39, a new method be included in the Regional Policy Statement that requires a Regional Stormwater Strategy to be developed that will include guidance on the standards to be attained for water quality and receiving environments to minimise the adverse environmental effects of stormwater discharges. The submission was opposed by Masterton District Council. Greater Wellington staff note that limits on water quality standards will be established in the regional plan as a consequence of giving effect to policy 11 of the Regional Policy Statement. Method 34 is to prepare a regional stormwater action plan. The action plan is underway and is a document that is prepared and agreed by Greater Wellington and all the territorial authorities in the region. Any standards included in the regional plan could be adopted by local authorities through the action plan, although they would then already apply to stormwater discharges through the regional plan.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/33	Reject
Horticulture New Zealand	50/29	Reject
Lower Hutt Forest and Bird Protection Society	66/9	Accept
Meridian Energy Limited	82/34	Reject
Mighty River Power	83/34	Reject
Wellington City Council	131/23	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

In response to submissions on policies 5 and 11, and the submission by Wellington City Council on section 4.1, change policy 39 and its explanation as follows:

**Policy 39: Maintaining and enhancing aquatic ecosystem health - consideration**

When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a regional or district plan, particular regard shall be given to:

- (a) requiring, as a minimum, that water quality, flows and water levels of surface water bodies are managed for the purpose of maintaining or enhancing aquatic ecosystem health;
- (b) requiring, as a minimum, ~~that~~ water quality in the coastal marine area to be managed for the purpose of is maintained or enhanced so that it sustains healthy aquatic ecosystems health; and
- (c) managing water bodies and the water quality of coastal water for other purposes

identified in regional plans.

**Explanation**

Clause (a) identifies aquatic ecosystem health as a water management purpose for surface water bodies and clause (b) identifies water quality in the coastal marine area to be managed for te purpose of aquatic ecosystem health. Other water management purposes for *water bodies* and *coastal waters* in clause (c) are to be established in regional plans as required by policies 5 and 11.

Application for a resource consent refers to all types of resource consent. Policy 39 shall cease being considered for resource consents processed by the Regional Council once policy 5 and 11 are given effect to in a regional plan. Policy 39 shall continue to be considered by city and district councils when processing resource consents, notices of requirement and making changes, variations or reviewing district plans.

**2.115 Policy 40: Minimising the effects of earthworks and vegetation disturbance – consideration**

Submitter	Submission	Summary
Anders Crofoot	25/23	Stated that the policy should address the effects – erosion and siltation – not the activities themselves.
Department of Conservation	31/34	Sought that the policy be retained as proposed



Submitter	Submission	Summary
East Harbour Environmental Association Incorporated	33/16	Supported.
Federated Farmers of New Zealand	35/51	<p>Opposed the activity based focus of the policy. Stated that there are a number of generic issues for landowners in relation to earthworks which must be given consideration before any policies, rules and methods are introduced to control these activities. These are:</p> <ol style="list-style-type: none"> <li>1. Earthworks are undertaken on farming properties as a legitimate part of operating a farm business</li> <li>2. Ancillary earthworks that might be captured by rules in an urban situation (such as earthworks required for a wintering pad) are important to the efficient and effective running of a farming operation – these should remain as permitted activities wherever possible with appropriate site standards</li> <li>3. Key maintenance activities that ensure the efficient running of farming operations should be permitted such as maintenance of existing tracks and fence lines, yards and service areas</li> <li>4. Careful consideration should be given to the management of earthworks in landscape areas – landowners should not be penalised by the public's want to impose landscape management controls on their properties – routine farming activities should continue to be permitted where the effects can be managed in a way that restrict their impact to what would normally be expected in a rural zone – any compliance restrictions through the consent process required over and above those in the rural zone should be at no cost to the landowner as they are required by Council on behalf of the public not necessarily to manage the actual environmental effects – Federated Farmers of New Zealand considers that such requirements can be managed through a permissive regime and appropriate site standards</li> <li>5. Earthworks provisions should not be duplicated through district and regional rules – for example where a consent would be required to manage the effects of earthworks on water through a regional rule, the district plan should be an adjunct to that rule not a replacement for it or an</li> </ol>

Submitter	Submission	Summary
		<p>additional requirement – one consent for each activity – where earthworks provisions are covered by regional rules then the district plan should be explicit in stating that a consent may be required from the Wellington Regional Council for earthworks to ensure that any effects can be assessed and managed appropriately</p> <p>6. Definitions must be appropriate to the activity and ensure that no anomalies are created that capture other activities where the effects of the activity would be no more than minor.</p> <p>Sought amendment to include consideration of those above points</p> <p>And</p> <p>Sought consequential amendments as to detail or substance throughout the Policy Statement, in particular the methods section, to give effect to this Submission</p>
F19/49	Horticulture New Zealand	Support
F22/90	Anders Crofoot	Support
Horticulture New Zealand	50/30	Sought inclusions of a definition for earthworks and vegetation disturbance.
F22/91	Anders Crofoot	Support
F23/67	Federated Farmers of New Zealand	Support
Mighty River Power	83/35	Sought be amended to read: '...controlling earthworks and vegetation disturbance in order to avoid, remedy or mitigate the adverse effects of...'
F16/24	Genesis Energy	Support
F17/60	Meridian Energy Limited	Support
Wellington City Council	131/99	Supported policy 40.

(a) Discussion

**Anders Crofoot and Federated Farmers of New Zealand** sought that the policy address effects – erosion and siltation – and not the activities of earthworks and vegetation clearance. Greater Wellington staff note that the Resource Management Act is silent on whether policies and other methods should address activities or the effects of activities. Section 68(2) of the Resource Management Act provides the basis for consideration of the effects of activities on the environment when making rules in regional plans. Greater Wellington staff agree that the effects of activities should be a primary concern. However, sections 68(4), (5), & (9) clearly anticipate that rules are about activities. Sections 9, 12, 13, 14 and 15 refer to rules in the context of various uses and activities. Indeed the categories for rules – permitted activities, controlled activities, etc. - suggest that rules should consider activities as well as the effects of activities. It is recommended that the current wording be retained because earthworks and vegetation clearance are known to cause erosion and silt and sediment runoff in the region.

Federated Farmers also identified a number of generic issues for landowners in relation to earthworks which must be given consideration before any policies, rules and methods are introduced to control these activities. The submission was supported by Horticulture New Zealand and Anders Crofoot. Greater Wellington staff note these concerns and comment that they matters to be considered when regional and district plans are prepared.

**Department of Conservation** sought that the policy be retained as proposed. Staff note minor changes to the explanation have been recommended as a consequence of other submissions.

**East Harbour Environmental Association** supported policy 40. The support is noted.

**Horticulture New Zealand** sought inclusion of a definition for earthworks and vegetation disturbance and that the roles of the district councils and regional councils be clarified through the Regional Policy Statement process. The submission was supported by Anders Crofoot and Federated Farmers of New Zealand. Greater Wellington staff note that definitions of the terms earthworks and vegetation clearance are currently provided in the operative Regional Soil Plan. It is not necessary to include a definition in the Regional Policy Statement because anything beyond the normal dictionary meanings are not needed. At the time when regional plans and district plans are prepared and specific provisions are made, including rules, definitions will be needed. It is also noted that the roles of the district councils and regional councils will be clarified through the implementation of method 30 of the Regional Policy Statement.

**Mighty River Power** sought to add “ ... order to avoid, remedy or mitigate the adverse effects .. ” to policy 14. The submission was supported by Genesis Energy and Meridian Energy. Greater Wellington staff comment that the direction to avoid, remedy or mitigate adverse effects on the environment is set out in section 5 of the Resource Management Act and it is unnecessary to repeat it in the Regional Policy Statement.

**Wellington City Council** supported policy 40. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/23	Reject
Department of Conservation	31/34	Accept
East Harbour Environmental Association Incorporated	33/16	Accept
Federated Farmers of New Zealand	35/51	Reject
Horticulture New Zealand	50/30	Reject
Mighty River Power	83/35	Reject
Wellington City Council	131/99	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Change policy 40 and the second paragraph of the explanation as a consequence of the submission by Wellington City Council on section 4.1 as follows:

**Policy 40: Minimising the effects of earthworks and vegetation disturbance – consideration**

When considering an application for a resource consent, notice of requirement, or a change, ~~or~~ variation ~~or~~ replacement to a regional or district plan, particular regard shall be given to controlling earthworks and vegetation disturbance to minimise:”

Explanation

This policy provides for consideration of earthworks and vegetation disturbance to minimise erosion and sediment runoff

prior to plan controls being adopted by regional and district plans in accordance with policy 14. This policy shall cease to have effect once method 30 is implemented and policy 14 is implemented given effect to in regional and district plans.

**2.116 Policy 41: Minimising contamination in stormwater from development – consideration**

Submitter	Submission	Summary
Department of Conservation	31/35	Stated that research has shown that the provision of information about the adverse effects of stormwater run-off on ecological values, and the mechanisms for achieving those reduced impacts can have a significant positive impact on the effectiveness of the mechanisms implemented. Public educational signs are effective ways of providing appropriate information. Sought the following decisions from the Council: An additional clause be added to the policy requiring: "provision of educational signs on the values being protected and the mechanisms being used."
F24/19	Masterton District Council	Oppose
East Harbour Environmental Association Incorporated	33/17	Supported.
Friends of Owhiro Stream	38/4	Particularly supported policy 41 with the aim of hydraulic neutrality. However, stated that this should specifically incorporated in as criteria for policy 41. e.g. "Limiting the total amount and intensity of stormwater runoff in the stormwater catchment"
Horticulture New Zealand	50/31	Sought clarification that policy 41 will not apply to normal rural production activities.
F22/92	Anders Crofoot	Support
F23/68	Federated Farmers of New Zealand	Support
Kapiti Coast District Council	56/31	Supported the intent of policy 41 but had concerns that the specific wording of the policy may enable unwilling developers to continue to send stormwater through kerbs and pipes only. In particular there were concerns that the wording of (e) could result in

Submitter	Submission	Summary
		an argument that Council cannot ensure that adverse effects on groundwater will not occur as a result of a development using soakpits (e.g. for runoff from carparks or industry) due to the lack of research and monitoring of potential effects on groundwater. Concerned at the potential for debate over which alternative roof materials should be recommended to result in less pollution (policy 41 (c)). Stated that there is insufficient research into contaminants from other roof materials at this time.
F15/27	Porirua City Council	Support
F24/64	Masterton District Council	Support
Lower Hutt Forest and Bird Protection Society	66/10	Supported
Porirua City Council	100/32	Noted that there would be difficulty in implementing this policy. Stated that there is no guidance available on how much limitation would be acceptable. Similarly, implementing policies 41(e), (f) and (g) is technically challenging in Porirua due to its topography and soil profile. Requested the addition of a new method to part 4.5.2 of the Regional Policy Statement 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.
F12/32	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/100	Supported policy 41.

(a) Discussion

**Department of Conservation** sought an additional clause be added to the policy requiring “provision of educational signs on the values being protected and the mechanisms being used”. The submission was opposed by Masterton District Council. Greater Wellington staff note that policy 41 is a regulatory policy and provision of educational signs in a catchment is not something that could be “required” in a resource consent.

**East Harbour Environmental Association** supported policy 41. The support is noted.

**Friends of Owhiro Stream** particularly supported policy 41 with the aim of hydraulic neutrality. However, they stated that this should specifically incorporated as criteria for policy 41 e.g. “Limiting the total amount and intensity of stormwater runoff in the stormwater catchment”. Greater Wellington staff comment that several of the clauses in policy 41 are aimed at reducing the amount and intensity of stormwater discharges. Clause (i) refers to reducing the “velocity and quantity” of stormwater discharges, which includes “amount and intensity”.

**Horticulture New Zealand** sought clarification that policy 41 will not apply to normal rural production activities. The submission was supported by Anders Crofoot and Federated Farmers of New Zealand. Greater Wellington staff comment that policy 41 applies to subdivision and development and would only be relevant when a resource consent application is required from a city or district council.

**Kapiti Coast District Council** supported the intent of policy 41 but had concerns that the specific wording of the policy may enable unwilling developers to continue to send stormwater through kerbs and pipes only. In particular there were concerns that the wording of (e) could result in an argument that Council cannot ensure that adverse effects on groundwater will not occur as a result of a development using soakpits (e.g. for runoff from carparks or industry) due to the lack of research and monitoring of potential effects on groundwater. The submission was supported by Porirua City Council and Masterton District Council. Greater Wellington staff note that the potential outcome raised by the submitter is not the intended outcome of the policy and it is not necessary to include the qualifiers mentioned in clause (e). These qualifiers can be deleted as soil type and potential contaminants are matters that would be considered in the normal course of implementing the policy.

**Lower Hutt Forest and Bird Protection Society** supported policy 41. The support is noted.

**Porirua City Council** requested the addition of a new method to part 4.5.2 of the Regional Policy Statement 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. Greater Wellington staff note that limits on stormwater discharges can be included in regional plans through implementing policy 11 and minimising contaminants in stormwater falls under policy 13. Policy 41 targets the land use management that will mitigate adverse effects of stormwater. Implementing policy 41 lies primarily with city and district councils. Method 34 is for a stormwater action plan to be developed and agreed by local authorities in the region. This is the appropriate forum for the development of information and guidelines that will assist.

**Wellington City Council** supported policy 41. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/35	Reject
East Harbour Environmental Association Incorporated	33/17	Accept
Friends of Owhiro Stream	38/4	Accept in part
Horticulture New Zealand	50/31	Reject
Kapiti Coast District Council	56/31	Accept
Lower Hutt Forest and Bird Protection Society	66/10	Accept
Porirua City Council	100/32	Reject
Wellington City Council	131/100	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Change policy 41 follows:

**Policy 41: Minimising contamination in stormwater from development – consideration**

When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a district



plan, the adverse effects of stormwater run-off from subdivision and development shall be reduced by having particular regard to:

- a) limiting the area of new impervious surfaces in the stormwater catchment;
- b) using water permeable surfaces to reduce the volume of stormwater leaving a site;
- c) restricting zinc or copper roofing materials, or requiring their effects to be mitigated;
- d) collecting water from roofs for domestic or garden use while protecting public health;
- e) using soakpits for the disposal of stormwater, where the soil type is suitable for this purpose, and groundwater will not be adversely affected;
- f) using roadside swales, filter strips and rain gardens;
- g) using constructed wetland treatment areas;
- h) using in situ treatment devices; and
- i) using stormwater attenuation techniques that reduce the velocity and quantity of
- j) stormwater discharges.

**2.117 Policy 42: Protecting aquatic ecological function of water bodies – consideration**

Submitter	Submission	Summary
Anders Crofoot	25/24	Stated that policy 42(d) should refer to Appendix 1 Table 15, and 42(e) to Appendix 1 Table 16, for clarity.
Department of Conservation	31/36	Stated that "Rivers and lakes" should be replaced with "water bodies", as the latter includes rivers, lakes, streams and wetlands. Sought the following decisions from the Council: That clause (e) be modified with this or wording to similar effect: "protecting indigenous species and the significant indigenous ecosystems of rivers and lakes water bodies, including those identified in Appendix 1".
F1/16	Winstone Aggregates	Oppose

Submitter	Submission	Summary
F10/15	Wellington Fish and Game Council	Support
F24/20	Masterton District Council	Oppose
Horticulture New Zealand	50/32	Sought deletion of reference to Appendix 1 in the policy
F22/93	Anders Crofoot	Support
Lower Hutt Forest and Bird Protection Society	66/11	Supported
Meridian Energy Limited	82/35	Sought an amendment to clause (d) to read: 'maintaining or enhancing the significant amenity and recreational values of rivers and lakes...' and clause (f) to clarify if the intent of the Regional Council is to maintain a flow regime in water bodies without abstraction.
F24/89	Masterton District Council	Support
Mighty River Power	83/36	Sought clauses (d), (e), and (h) be amended by inserting the qualifying phrase 'from inappropriate subdivision, use and development' at the end of each clause.
F1/76	Winstone Aggregates	Support
F17/61	Meridian Energy Limited	Support in part
F24/95	Masterton District Council	Support
The Hutt Valley Angling Club	118/2	Sought control of vehicle access to the bed of rivers, streams and lakes.
Wellington City Council	131/101	Supported policy 42.

(a) Discussion

**Anders Crofoot** stated that policy 42(d) should refer to Appendix 1 Table 15, and 42(e) to Appendix 1 Table 16, for clarity. Greater Wellington staff recommend that this point of clarity be provided.

**Department of Conservation** sought that clause (e) be modified to include wetlands by using the term “water bodies”. The submission is supported by Wellington Fish and Game Council and opposed by Winstone Aggregates and Masterton District Council. The original submitter also made this request in relation to Table 16 and the response from Greater Wellington staff is the same as for that submission.

**Horticulture New Zealand** sought deletion of Appendix 1 but no reasons were given. The submission was supported by Anders Crofoot. Greater Wellington staff note that Appendix 1 was also opposed in relation to policy 17 and Appendix 1, itself, and reasons were given in those submissions. The same recommendation is made as in the response to submissions on policy 17 and Appendix 1 applies.

**Lower Hutt Forest and Bird Society** supported policy 42. The support is noted.

**Meridian Energy** sought an amendment to clause (d) that replaces “protecting” with “maintaining or enhancing”. The submission is supported by Masterton District Council. Greater Wellington staff comment that this change is appropriate so that effect is given to section 7(c) of the Resource Management Act. The submitter also sought an amendment to clause (f) to clarify if the intent of the Regional Council is to maintain a flow regime in water bodies without abstraction. Greater Wellington staff note that the intent of policy 42 is that particular regard shall be given to retaining natural flow regimes. Each situation would have to be addressed on a case by case basis.

**Mighty River Power** sought an amendment to (d), (e) and (h) that adds “from inappropriate use and development”. The submission is supported by Winstone Aggregates, Meridian Energy (in part) and Masterton District Council. Greater Wellington staff note the values identified in (d) and (e) of policy 42 give effect to sections 7(c) and 6(c) of the Resource Management Act which do not mention “inappropriate use and development”. Nor is it necessary to include the term in clause (h).

**The Hutt Valley Angling Club Inc** sought control of vehicle access to the bed of rivers, streams and lakes. Greater Wellington staff have responded to this request in response to the same submission on policy 16.

**Wellington City Council** supported policy 42. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/24	Accept
Department of Conservation	31/36	See report on Table 16
Horticulture New Zealand	50/32	See reports on policy 17 and Appendix 1
Lower Hutt Forest and Bird Protection Society	66/11	Accept
Meridian Energy Limited	82/35	Accept in part
Mighty River Power	83/36	Reject
The Hutt Valley Angling Club	118/2	See report on policy 16
Wellington City Council	131/101	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 42 as follows:

**Policy 42: Protecting aquatic ecological function of water bodies – consideration**

When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a district or regional plan, particular regard shall be given to:

- a) maintaining or enhancing the functioning of ecosystems in the water body;
- b) maintaining or enhancing the ecological functions of riparian margins;
- c) minimising the effect of the proposal on groundwater recharge areas that are connected to surface water bodies;
- d) ~~protecting~~ maintaining or enhancing the significant amenity and recreational values of rivers and lakes, including those significant amenity and recreational values of rivers and lakes listed in Table 15 of Appendix 1;

- e) protecting the significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including rivers and lakes listed in Table 16 of Appendix 1.”
- f) retaining natural flow regimes;
- g) maintaining fish passage;
- h) protecting and reinstating riparian habitat, in particular riparian habitat that is
- i) important for fish spawning;
- j) preventing stock access to rivers lakes and wetlands; and
- k) preventing the removal or destruction of indigenous wetland plants in wetlands.

As a consequence of the submission by Wellington City Council on section 4.1, amend the third paragraph of the explanation as follows:

Application for a resource consent refers to all types of resource consent. Policy 42 shall cease to be considered for resource consents processed by the Regional Council once policies 16 and 17 are given effect to in a regional plan. Policy 42 shall continue to be considered by city and district councils when processing resource consents, notices of requirement and making changes, variations or reviewing district plans. Policy 42 provides for consideration of ecosystem functions prior to regional plan policies, rules and/or methods being adopted in accordance with policies 16 and 17. Policy 42 shall cease to have effect once the regional plan is operative in accordance with policies 16 and 17. However, it will continue to be relevant to matters controlled by district and city councils as policy 16 only applies to regional plans.

**2.118 Policy 43: Managing water takes to ensure efficient use – consideration**

Submitter	Submission	Summary
Department of Conservation	31/37	Stated that an applicant should be required to demonstrate that they have considered alternative supplies of water; such has harvesting water during wet periods and storing “off-line”. Sought the following decisions from the Council: That an additional clause be added to this policy with this wording: “whether the applicant has demonstrated that they have considered alternative supplies of water.” Reference should be made in the explanation to harvesting water during wet periods and storing

Submitter	Submission	Summary
		"off-line".
F10/16	Wellington Fish and Game Council	Support
F17/62	Meridian Energy Limited	Oppose
F19/51	Horticulture New Zealand	Oppose in part
Fonterra Co-operative Group Ltd	36/7	Supported the general tenor of the policy however noted that the extent to which consent holders are required to measure and report water take, and the detail of any water demand and conservation measures should be proportional to the scale and potential for adverse environmental effects of the water take, and the ability of the regulator to make use of this information.
F19/50	Horticulture New Zealand	Support in part
Horticulture New Zealand	50/33	Sought clarification as to how Greater Wellington will implement policy 43 a) in terms of assessing soil and crop type when water is taken for irrigation use and ensure that there is provision for flexibility in terms of horticultural crops.
F1/45	Winstone Aggregates	Support in part and Oppose in part
F22/94	Anders Crofoot	Support
TrustPower Limited	124/36	Sought retention as stated.
Wairarapa Regional Irrigation Trust	127/8	The principle of ensuring that water takes are not beyond whatever is required for any particular landuse was supported. However, stated that the limits set must be based on local conditions and science rather than the application of standards from other regions or national guidelines. Stated that the requirement to measure and report water takes implies that the Council will actively analyse this data to assist in managing the resource. Given that the consent holder is undertaking much of the work at their cost, stated that the fees for consents

Submitter	Submission	Summary
		should reflect this.
F19/52	Horticulture New Zealand	Support in part
F26/34	Mighty River Power	Support
Wellington City Council	131/102	Supported policy 43.

(a) Discussion

**Department of Conservation** sought an additional clause be added to this policy with this wording: “whether the applicant has demonstrated that they have considered alternative supplies of water”. Reference should be made in the explanation to harvesting water during wet periods and storing “off-line”. The submission was supported by Wellington Fish and Game Council and opposed by Meridian Energy and Horticulture New Zealand. Greater Wellington staff note that the Fourth Schedule of the Act identifies that alternatives should be looked at. Policy 18 of the Regional Policy Statement is that regional plans will include policies, rules and/or methods relating to water storage, which is where it will be appropriate to identify when and where water is available.

**Fonterra Co-operative Group Ltd** noted that the extent to which consent holders are required to measure and report water take, and the detail of any water demand and conservation measures should be proportional to the scale and potential for adverse environmental effects of the water take, and the ability of the regulator to make use of this information. The submission was supported by Horticulture New Zealand. Greater Wellington staff note these comments and generally support them. However, rather than make any further comment in the Regional Policy Statement, it is considered that the regional plan is a better place to provide additional detail on monitoring of water takes.

**Horticulture New Zealand** sought clarification as to how Greater Wellington will implement policy 43 (a), in terms of assessing soil and crop type when water is taken for irrigation use and ensure that there is provision for flexibility in terms of horticultural crops. The submission is supported by Winstone Aggregates and Anders Crofoot. Greater Wellington staff comment that policy 43 (a) will be implemented through methods 4 and 11.

**TrustPower Limited** sought retention of the policy as stated. Staff recommend retaining the policy as proposed.

**Wairarapa Regional Irrigation Trust** supported the principle of ensuring that water takes are not beyond whatever is required for any particular landuse. They stated that the limits set must be based on local conditions and science rather than the application of standards from other regions or national guideline. The submitter stated that the requirement to measure and report water takes implies that the Council will actively analyse this data to assist in managing the resource. Given that the consent holder is undertaking much of the work at their cost, stated that the fees for consents should reflect this. The submission is supported by Horticulture New Zealand and Mighty River Power. Greater Wellington staff have noted these comments.

**Wellington City Council** supported policy 43. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/37	Reject
Fonterra Co-operative Group Ltd	36/7	Note
Horticulture New Zealand	50/33	Reject
TrustPower Limited	124/36	Accept
Wairarapa Regional Irrigation Trust	127/8	Note
Wellington City Council	131/102	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

No changes to policy 43 are recommended.

**2.119 Policy 44: Using water efficiently – consideration**

Submitter	Submission	Summary
Craig Brown	17/2	Stated that the reuse of non-kitchen greywater sources is safe for toilet flushing in a single domestic dwelling and that the current wording that 'recycled water...can be used for toilet flushing' must remain as a bare minimum to allow this practice to continue to occur (as is permitted by the Building Act/Code). Also sought addition of greywater to the above wording for clarity.



Submitter	Submission	Summary
Department of Conservation	31/38	Sought that the policy be retained as proposed.
F10/17	Wellington Fish and Game Council	Support
Horticulture New Zealand	50/34	Stated that supports efficient use of water. However considered that water harvesting should not be restricted to off line dams in that on line dams may be possible if appropriate mitigation techniques are used. Sought a definition be included for efficiency that includes economic, technical and allocative efficiency.
F22/95	Anders Crofoot	Support
Kapiti Coast District Council	56/32	Supported policy
F24/65	Masterton District Council	Oppose
Porirua City Council	100/33	Requested that Greater Wellington clarify its intention for the policy. They did not believe that Greater Wellington intended that the policy should be considered within every resource consent application. Noted that if the policy was intended to broadly apply, there were concerns that the section.32 cost/benefit analysis of the policy did 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. Sought that the application of this policy be reviewed, and that it only generally apply to consents for the use, take, and discharge of water.
F12/33	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

Submitter	Submission	Summary
TrustPower Limited	124/37	Sought retention of policy as stated.
Wellington City Council	131/103	Supported policy 44.

(a) Discussion

**Craig Brown** sought addition of greywater to the wording for clarity. Greater Wellington staff note that greywater is mentioned in the explanation to the policy.

**Department of Conservation** sought that the policy be retained as proposed. The submission was supported by Wellington Fish and Game Council. Staff recommend retaining the policy as proposed.

**Horticulture New Zealand** considered that water harvesting should not be restricted to off-line dams. The submitter sought that the policy include on line dams with appropriate mitigation techniques. Greater Wellington staff note that the Regional Policy Statement does not restrict water harvesting to off-line dams. The intent of policy 44 is to guide city and district councils on water efficiency matters when they are considering resource consents and plan changes. The submitter also sought a definition be included for efficiency that includes economic, technical and allocative efficiency. Greater Wellington staff have commented on the same submission in response to policy 18 and make the same recommendation in response to this submission. The submission of Horticulture New Zealand was supported by Anders Crofoot.

**Kapiti Coast District Council** supported policy 44. The submission is opposed by Masterton District Council. The support is noted.

**Porirua City Council** sought that the application of this policy be reviewed, and that it only generally apply to consents for the use, take, and discharge of water. Greater Wellington staff comment that the policy is intended to apply to city and district councils so that they can make decisions relating to district plans and subdivision and land use resource consents that will lead to more efficient use of water. It is recognised that the policy will not always be 'relevant' in accordance with section 104(1)(b)(ii), but when it is, particular regard should be had to it.

**Wellington City Council** supported policy 44. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Craig Brown	17/2	Reject
Department of Conservation	31/38	Accept
Horticulture New Zealand	50/34	Reject See also the report on policy 18
Kapiti Coast District Council	56/32	Accept
Porirua City Council	100/33	Reject
TrustPower Limited	124/37	Accept
Wellington City Council	131/103	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

No changes to policy 44 are recommended.

**2.120 Policy 45: Managing effects on historic heritage values – consideration**

Submitter	Submission	Summary
Winstone Aggregates	15/28	Sought a new clause (j) to policy 45 as below: (j) Positive effects of the proposal including positive work undertaken previously or proposed to be undertaken in relation to heritage values on the site or in the vicinity of the site.
Department of Conservation	31/39	Sought that the policy be retained as proposed.
New Zealand Defence Force	86/11	Sought retention of intent of policy and sought that it be retained - subject to submissions on regionally significant infrastructure. Also sought cross referencing to new infrastructure consideration policy sought under submissions.
New Zealand Historic Places Trust	87/25	Sought that the Council amend policy 45 by including criteria which address principles 2,4 and 5 of the New Zealand Historic Places Trust's Sustainable Management of Historic Heritage Guidance Series (2007) - Information Sheet 1 and amend policy 45 so that the policy does not expire when policies 20 and

Submitter	Submission	Summary
		21 are in an operative district or regional plan.
F1/79	Winstone Aggregates	Oppose in part
Porirua City Council	100/34	Supported the use of a consideration policy for historic heritage (policy 45) and supported the policy ceasing when policies 20 and 21 are given effect.
F12/34	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/104	Supported policy 45.

(a) Discussion

**Winstone Aggregates** sought that positive effects are recognised in policy 45, including any positive work done previously or “not destroying/modifying an area even when it may have been permitted and could have been undertaken”. The proposed matters to be given regard to in policy 45 already recognise that some effects could be positive. Any work done previously would not be assessed as part of a proposed activity, therefore Greater Wellington staff do not consider it appropriate to include recognition of previously completed positive works in policy 45.

The **Department of Conservation** sought that policy 45 be retained as proposed. The support is noted.

The **New Zealand Defence Force** supports the intent of policy 45, and also its cross referencing with policy 38. They have requested an additional policy for infrastructure, and if granted, request that it be linked with policy 45 as well. This additional requested policy is being addressed elsewhere in the officer’s report.

The **New Zealand Historic Places Trust** strongly supported policy 45, but has sought the inclusion of three additional matters for consideration. These three matters are:

- ***Diversity and Community Resources***

*Recognising the diverse cultures of New Zealand and the diverse social and physical environments and communities. There is a*

*need to work with communities and take into account the needs, abilities and resources of particular communities, including owners of historic heritage and other **stakeholders**.*

- **Maori heritage**

*Recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga following the spirit and intent of the Treaty of Waitangi (Te Tiriti o Waitangi).*

- **Research and documentation**

*Ensuring interventions are informed by sufficient research, documentation and recording, where culturally appropriate. All changes should be fully documented in drawings and photographs.*

Winstone Aggregates opposed this submission in part, as they felt the “Diversity and Community Resources” and “Research and documentation” principles were unnecessary and would be likely to cause confusion. The scope of policy 45 is limited to consideration of those matters that assist in determining whether or not a proposed activity is appropriate with regard to historic heritage values. With regard to diversity and community resources, staff support this principle, however it doesn’t assist with determining the appropriateness of an activity’s effects on historic heritage values. The overall ability of communities to meet their social, economic and cultural wellbeing and the consideration of balancing competing effects is required by section 5 of the Act and it is unnecessary to duplicate this in policy 45 of the Regional Policy Statement.

The submitters concerns regarding Maori heritage have already been specifically addressed via policies 47 and 48, and any tangata whenua values associated with a place, site or area would be identified through policy 20 when implemented.

Sufficient evidence would be expected to be provided for any proposed activity affecting historic heritage to enable the activity to be assessed against the criteria in policy 45 and to determine whether or not the activity is appropriate. Documenting any approved changes is important, but does not provide assistance for determining what activities are appropriate. Greater Wellington staff do not consider an additional research and documentation criterion is warranted for policy 45.

The New Zealand Historic Places Trust has also requested that policy 45 remain in effect even after policies 20 and 21 have been fully implemented. Greater Wellington staff do not see that this would add much value to the consenting process, as the assessment of inappropriateness would be included in the district and regional plans

through policy 21. Retention of policy 45 indefinitely would be inefficient and could result in the same matters being considered twice, therefore it is not recommended to make an amendment as requested by the submitter.

**Porirua City Council** supported policy 45 along with its ceasing when policies 20 and 21 are implemented. Kiwi Income Property Trust, Kiwi Income Properties Limited and Kiwi Properties Management Limited supported Porirua City Council’s submission. The support for policy 45 is noted.

**Wellington City Council** supported policy 45. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/28	Reject
Department of Conservation	31/39	Accept
New Zealand Defence Force	86/11	Accept
New Zealand Historic Places Trust	87/25	Accept in part
Porirua City Council	100/34	Accept
Wellington City Council	131/104	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no changes recommended to policy 45.

**2.121 Policy 46: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values - consideration**

Submitter	Submission	Summary
Winstone Aggregates	15/29	Sought that policy 46 be amended by giving explicit recognition to positive effects of a proposal and methods of mitigation and remediation proposed as follows: Policy 46: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration When considering an application for a resource

Submitter	Submission	Summary
		<p>consent, notice of requirement, or a change, variation or replacement to a district or regional plan, a determination shall be made as to whether an activity may affect indigenous ecosystems, habitats or areas with significant indigenous biodiversity values, and in determining whether the proposed activity is inappropriate particular regard shall be given to:</p> <ul style="list-style-type: none"> <li>(a) maintaining connections within, or corridors between, habitats of indigenous flora and fauna, and/or enhancing the connectivity between fragmented indigenous habitats;</li> <li>(b) providing adequate buffering around areas of significant indigenous ecosystems and habitats from other land uses;</li> <li>(c) maintaining water bodies in their natural state;</li> <li>(d) avoiding the incremental loss of indigenous ecosystems and habitats;</li> <li>(e) providing seasonal or core habitat for specific indigenous species;</li> <li>(f) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats</li> <li>(g) protecting the life supporting capacity of indigenous ecosystems and habitats;</li> <li>(h) remedying or mitigating adverse effects on the indigenous biodiversity values where avoiding adverse effects is not practicably achievable; and</li> <li>(i) the need for a precautionary approach when assessing the potential for adverse effects on indigenous ecosystems and habitats.</li> <li>j) the remediation and/or mitigation methods proposed including (but not limited to): <ul style="list-style-type: none"> <li>• Areas of enhancement planting, including areas of riparian enhancement planting, proposed;</li> <li>• The translocation of any native plant and animal species;</li> <li>• The opportunity to establish ecological linkages with existing vegetation and/or habitats;</li> <li>• The legal protection of the balance of any indigenous vegetation</li> <li>• Ongoing programmes of weed and pest control proposed: and</li> <li>• Fencing and stock removal.</li> </ul> </li> <li>(k) the positive environmental benefits created by any activities that may have been undertaken by</li> </ul>

Submitter	Submission	Summary
		<p>the applicant with the intent and effect of remedying or mitigating the adverse effects of vegetation removal including:</p> <ul style="list-style-type: none"> <li>• any planting and/or translocation of native plant and animal species that has been undertaken ahead of vegetation removal;</li> <li>• weed and pest management action undertaken (including action undertaken in other natural areas locally prior to the removal of vegetation); and</li> <li>• fencing and stock removal in other native vegetation and riparian areas locally;</li> </ul> <p>(l) the positive effects of the proposal.</p>
Department of Conservation	31/40	<p>Stated that the purpose of policy 22 was to identify significant indigenous biodiversity values. While the significance of some indigenous biodiversity values of some areas may be known, for other areas until it is assessed its significance cannot, by definition, be known. The Quality Planning web site notes that where a term like "significant" has not been defined that it should not be used (<a href="http://www.qualityplanning.org.nz/plan-development/writing-provisions-plans/ideas-providing-certainty-plan-rules.php">http://www.qualityplanning.org.nz/plan-development/writing-provisions-plans/ideas-providing-certainty-plan-rules.php</a>). For the avoidance of doubt the word "significant" should be removed from policy 46. Noted that policy 45 (historic heritage values) did not include the word "significant", whereas related policy 21 does. Stated that for internal consistency the same approach should be taken with both sets of policies.</p> <p>Clause (e) reads: "providing seasonal or core habitat for specific indigenous species". States that either the specific species intended need to be listed somewhere, or the word removed in order to avoid ambiguity.</p> <p>Sought the following decisions from the Council: That the word "significant" be removed from all places in this policy, and that clause (e) be reworded: "providing seasonal or core habitat for specific indigenous species"</p>
F1/17	Winstone Aggregates	Oppose
F17/63	Meridian Energy Limited	Oppose



Submitter	Submission	Summary
F24/21	Masterton District Council	Oppose
Kapiti Coast District Council	56/11	Stated support for policy 46 which provides a standard minimum framework with which to assess the indigenous biodiversity values of indigenous ecosystems, identification of significant ecosystems and protection of these. Stated that the inclusion of these policies in the Proposed Regional Policy Statement will assist in retaining protection for these areas as part of the District Plan review.
Lower Hutt Forest and Bird Protection Society	66/12	Supported
Meridian Energy Limited	82/36	Sought an amendment to clarify more precisely which ecosystems and habitats are to be protected and for what reason, and to include in the consideration of 'inappropriateness' the other valid matters in Part II of the Resource Management Act 1991 and the functional or operational constraints affecting location of regionally significant infrastructure.
F1/60	Winstone Aggregates	Support
F26/20	Mighty River Power	Support
Mighty River Power	83/37	Sought an amendment to include provision for the offsetting of adverse effects on indigenous ecosystems and habitats within clause (h) of policy 46 to achieve a 'no net loss' outcome.
F1/69	Winstone Aggregates	Support in part
F17/64	Meridian Energy Limited	Oppose
Porirua City Council	100/36	Supported the use of a consideration policy for indigenous ecosystems (policy 46) and supported the policy ceasing when policies 22 and 23 are given effect. Sought that Greater Wellington clarify what 'specific indigenous species' are in clause (e).

Submitter	Submission	Summary
F12/36	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
TrustPower Limited	124/38	Sought amendment so policy read: '..., a determination shall be made as to whether an activity may adversely affect indigenous ecosystems... And deletion of sub-clauses (c) and (f), and any consequential changes.
F24/117	Masterton District Council	Support
Wellington Botanical Society	130/7	Requested Greater Wellington try to reach agreement with city and district councils on incorporating the criteria from policy 46 into policy 23
Wellington City Council	131/105	Supported policy 46.

(a) Discussion

**Winstone Aggregates** in their submission on section 3.6 requested the statement “Mitigation and remediation for the loss or degradation of an indigenous ecosystem can be achieved through undertaking works elsewhere on the subject site or off site.” Greater Wellington staff considered this was a matter to be addressed in a policy context rather than in the background and introductory material about indigenous ecosystems in the region provided in section 3.6. Hence it is considered here in response to Winstones’s submission on policy 46, which seeks specific remediation and mitigation methods.

In several decisions to date, the courts have recognised environmental compensation as an appropriate tool that can be used in the context of avoiding, remedying or mitigating adverse environmental effects through section 5(2)(c) of the Resource Management Act. In the Wellington region this approach has been applied in resource consent applications such as for wind farm proposals to offset adverse effects that cannot otherwise be avoided remedied or mitigated.

Greater Wellington staff recognise that statutory policies on environmental compensation are appropriate. The issue to be resolved here is whether such policies are appropriate in the Regional Policy

Statement or the regional plan (and district plans). The region's city and district councils have not indicated that policies on environmental compensation are needed in the Regional Policy Statement to assist them. However, city and district councils can include policies on environmental compensation in their district plans that are tailored to their areas of jurisdiction. Environmental compensation is site and development specific, and has to be addressed on a case by case basis through the resource consent process. The specific matters for remediation or mitigation suggested by Winstones Aggregates in policy 46 are resource consent considerations rather than matters to be decided on when preparing regional or district plans, which policy 46 is also directed at. Therefore, staff consider that environmental compensation provisions for resource consent decision making can be provided most effectively through regional and district plans. This is consistent with Greater Wellington's current approach of supporting the use of environmental compensation through the Regional Freshwater Plan, namely policies 4.2.5 and 4.2.6.

**Department of Conservation** noted that the purpose of policy 22 was to identify significant indigenous biodiversity values. While the significance of some indigenous biodiversity values of some areas may be known, for other areas until it is assessed its significance cannot, by definition, be known. The Quality Planning web site notes that where a term like "significant" has not been defined that it should not be used (<http://www.qualityplanning.org.nz/plan-development/writing-provisions-plans/ideas-providing-certainty-plan-rules.php>). For the avoidance of doubt the word "significant" should be removed from policy 46. The Department noted that policy 45 (historic heritage values) did not include the word "significant", whereas related policy 21 did. Greater Wellington staff note that policy 46 is intended to be an interim assessment framework using the criteria in policy 22. As noted, the purpose of policy 22 was to identify significant indigenous biodiversity values, therefore it is appropriate that policy 46 considers significant biodiversity values. The use of significant is also consistent with section 6(c) of the Resource Management Act and it's noted that the Quality Planning website does not discuss the word "significant" in the context of situations where this word is used in the Resource Management Act. Winstone Aggregates, Meridian Energy Limited and Masterton District Council opposed the Department of Conservation's submission, noting that "significant" was consistent with the Resource Management Act.

The Department also sought that clause (e) be changed by removing the word *specific* arguing that if it is to be retained then these species will need to be identified and listed in the Regional Policy Statement. Porirua City Council held a similar view. Greater Wellington staff agree with this suggested amendment.

**Kapiti Coast District Council** supported policy 46. The support is noted.

The **Lower Hutt Forest and Bird Protection Society** supported policy 46. The support is noted.

**Meridian Energy Limited** sought an amendment to clarify more precisely which ecosystems and habitats are to be protected and for what reason. Winstone Aggregates and Mighty River Power supported the submission. Greater Wellington staff note that policy 46 provides an interim assessment framework prior to the identification of ecosystems and habitats with significant indigenous biodiversity values in accordance with policy 22 using the criteria for significance in policy 22. Staff consider, therefore, that sufficient clarity exists about which ecosystems and habitats are to be protected and for what reason. Meridian Energy Limited also sought that the policy be amended to include in the consideration of ‘inappropriateness’ the other valid matters in Part II of the Resource Management Act 1991 and the functional or operational constraints affecting location of regionally significant infrastructure. Staff note Part II of the Act are relevant matters that the Resource Management Act requires to be considered when regional and district plans are prepared and when resource consents are considered. Functional or operational constraints are also relevant matters that are able to be considered, and it is not necessary to refer in the Regional Policy Statement to the expected and normal obligations of decision makers.

**Mighty River Power** sought an amendment to include provision for the offsetting of adverse effects on indigenous ecosystems and habitats within clause (h) of policy 46 to achieve a ‘no net loss’ outcome. The submission was supported by Winstone Aggregates in part. Meridian Energy opposed the submission noting that the “no net loss” approach was not “an appropriate approach in the context of the Regional Policy Statement”. Greater Wellington staff consider that “offsetting” or environmental compensation is a relevant matter for consideration. Environmental compensation is a developing concept in New Zealand environmental law and in several decisions to date the courts have recognised it as an appropriate tool. In the Wellington region it has been applied in resource consent applications, such as for wind farm proposals to offset adverse effects that cannot otherwise be avoided remedied or mitigated. Greater Wellington staff recognise that statutory policies on environmental compensation are appropriate. The issue to be resolved here is whether such policies are appropriate in the Regional Policy Statement or the regional plan (and district plans). The region’s city and district councils have not indicated that policies on environmental compensation are needed in the Regional Policy Statement to assist them. However, city and district councils can include policies on environmental compensation in their district plans that are tailored to their areas of jurisdiction. Environmental compensation is site and development specific, and has to be addressed on a case by case basis through the resource consent process. Therefore, staff consider that environmental compensation can be provided most effectively through regional and district plans.

**Porirua City Council** supported policy 46 but sought clarification on what constituted “specific indigenous species” in clause (e) of the policy. Staff note the support and refer the submitter to the discussion of clause (e) in the response to the Department of Conservation’s submission above. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd and Kiwi Properties Management Ltd.

**TrustPower Limited** sought amendment to policy so it reads:

‘... , a determination shall be made as to whether an activity may *adversely* affect indigenous ecosystems...’. Greater Wellington staff agree that the inclusion of the word “adversely” provides additional clarity as to what policy 46 is intended to achieve. In relation to the matters to be given regard to. TrustPower Limited sought to delete clause (c) of policy 46 - *maintaining water bodies in their natural state* - because of the duplication with Table 16 (Appendix 1). Greater Wellington staff note that the rivers and lakes in Table 16 will rely a lot on policy 17 for their management. Table 16, which identifies rivers and lakes with significant indigenous ecosystems, is not synonymous with the natural state of rivers and lakes. However, there will certainly be a lot of overlap between rivers and lakes in Table 16 and rivers and lakes that are in their natural state in the region. Therefore, clause (c) could be deleted from policy 46. However, Table 16 only identifies rivers and lakes, not wetlands, and deleting the clause would leave wetlands unaccounted for. Hence, it will be appropriate for an element of clause (c) relating to wetlands to remain in policy 46. It is recommended that clause (c) refers to managing wetlands for aquatic ecosystem health.

TrustPower Limited also sought deletion of clause (f) because (d) and (f) unnecessarily duplicate each other. Greater Wellington staff agree with this point.

**Wellington Botanical Society** requested Greater Wellington try to reach agreement with city and district councils on incorporating the criteria from policy 46 into policy 23. Staff note that it is anticipated that, when territorial authorities are implementing policy 23 by developing policies, rules and methods to protect indigenous ecosystems and habitats with significant biodiversity values from inappropriate subdivision, use and development, the criteria from policy 46 will be incorporated.

**Wellington City Council** supported policy 46. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/29	Reject
Department of Conservation	31/40	Accept in part
Kapiti Coast District Council	56/11	Accept
Lower Hutt Forest and Bird Protection Society	66/12	Accept
Meridian Energy Limited	82/36	Reject
Mighty River Power	83/37	Reject
Porirua City Council	100/36	Accept in part
Trustpower Limited	124/38	Accept in part
Wellington Botanical Society	130/7	Reject
Wellington City Council	131/105	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 46 as follows:

**Policy 46: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values - consideration**

When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a district or regional plan, a determination shall be made as to whether an activity may affect indigenous ecosystems; and habitats ~~or areas~~ with significant indigenous biodiversity values, and in determining whether the proposed activity is inappropriate particular regard shall be given to:

- (a) maintaining connections within, or corridors between, habitats of indigenous flora and fauna, and/or enhancing the connectivity between fragmented indigenous habitats;
- (b) providing adequate buffering around areas of significant indigenous ecosystems and habitats from other land uses;

- (c) ~~maintaining water bodies in their natural state~~ managing wetlands for the purpose of aquatic ecosystem health;
- (d) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats;
- (e) providing seasonal or core habitat for ~~specific~~ indigenous species;
- ~~(f) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats;~~
- ~~(g)~~ (f) protecting the life supporting capacity of indigenous ecosystems and habitats
- ~~(h)~~ (g) remedying or mitigating adverse effects on the indigenous biodiversity values where avoiding adverse effects is not practicably achievable; and
- ~~(i)~~ (h) the need for a precautionary approach when assessing the potential for adverse effects on indigenous ecosystems and habitats.

#### Explanation

Policy 46 provides an interim assessment framework for councils, resource consent applicants and other interested parties, prior to the identification of *ecosystems and habitats* ~~and areas~~ with significant *indigenous biodiversity* values in accordance with policy 22, and the adoption of plan provisions for protection in accordance with policy 23.

In determining whether an activity may affect significant indigenous biodiversity values, the criteria in policy 22 should be used.

This policy shall cease to have an effect once policies 22 and 23 are in place in an operative district or regional plan.

#### 2.122 Policy 47: Principles of the Treaty of Waitangi – consideration

Submitter	Submission	Summary
Department of Conservation	31/41	Sought that the policy be retained as proposed.
New Zealand Historic Places Trust	87/26	Sought retention of policy 47.
Wellington City Council	131/106	Supported policy 47.

(a) Discussion

**Department of Conservation** and **New Zealand Historic Places Trust** sought the retention of policy 47. **Wellington City Council** supported policy 47. The submissions are noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/41	Accept
New Zealand Historic Places Trust	87/26	Accept
Wellington City Council	131/106	Accept

(c) Recommended changes

No changes to policy 47 are recommended.

**2.123 Policy 48: Avoiding adverse effects on matters of significance to tangata whenua – consideration**

Submitter	Submission	Summary
Department of Conservation	31/42	Sought that the policy be retained as proposed.
Federated Farmers of New Zealand	35/52	Opposed use of the term mauri in the proposed Regional Policy Statement. Stated that this term has spiritual origins. Stated that it is impossible to define in practical terms and equally impossible to determine how it would be applied. States that its use will lead to uncertainty on the part of resource users, resource consent holders and resource consent applicants. In a regulatory context, it would be more appropriate to express the term using measurable parameters. Sought deletion of value (b) from policy 48 And Sought consequential amendments as to detail or substance throughout the Policy Statement, in particular the policy and methods section, to give effect to this Submission
F22/96	Anders Crofoot	Support



Submitter	Submission	Summary
Meridian Energy Limited	82/37	Sought that the policy be amended to read: 'When considering...particular regard shall be given to avoiding, remedying or mitigating adverse effects on...'
F16/12	Genesis Energy	Support
Mighty River Power	83/38	Sought that be amended to read: '...particular regard shall be given to avoiding, remedying or mitigating adverse effects on...'
Wellington City Council	131/107	Supported policy 48.

(a) Discussion

The **Department of Conservation** sought that the policy be retained as proposed. It is recommended that this submission be accepted in part, as changes have been made in response to the submission by Federated Farmers of New Zealand.

**Federated Farmers of New Zealand** opposed use of the term 'mauri' in the proposed Regional Policy Statement. They stated that the term has spiritual origins and that it was impossible to define in practical terms and, therefore, equally impossible to determine how it would be applied. They also expressed a concern that this would lead to uncertainty on the part of resource users, resource consent holders and resource consent applicants. They, therefore, sought deletion of value (b) from policy 48. It is noted that the determination as to how to avoid adverse effects on mauri for resource consent applicants and notices of requirements would be difficult. In addition section 36A of the Resource Management Act states that in applying for a resource consent (or a notice of requirement) that an applicant does not have any duty to consult with any person about an application. Policy 48 is by default requiring that such consultation be undertaken in order to determine how to apply policy 48. It is therefore recommended that, for the whole policy, that the reference to "an application for a resource consent, notice of requirement" be deleted from policy 48. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot.

It is however considered appropriate that the policy apply to district or regional plans. Schedule 1 requires that a local authority consult with tangata whenua, through iwi authorities, when changing a plan. It is therefore appropriate that any changes to a district or regional plan be undertaken in consultation with iwi authority representatives, having particular regard to avoiding adverse effects on mauri.

**Meridian Energy Limited** and **Mighty River Power** sought that the policy be amended to read ‘When considering...particular regard shall be given to avoiding, remedying or mitigating adverse effects on...’ The submission from Meridian Energy was supported by Genesis Energy. This policy provides specific direction that when making a resource management decision (in accordance with Part II of the Act) that ‘particular regard’ be given to avoiding adverse effects. Such regard will however need to be considered alongside other relevant policies (in the Regional Policy Statement and relevant plan(s)) and a decision made as to whether the decision promotes ‘sustainable management’. It is therefore considered appropriate to retain reference to avoiding adverse effects.

**Wellington City Council** supported policy 48. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/42	Accept in part
Federated Farmers of New Zealand	35/52	Accept in part
Meridian Energy Limited	82/37	Reject
Mighty River Power	83/38	Reject
Wellington City Council	131/107	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 48 as follows:

**Policy 48: Avoiding adverse effects on matters of significance to tangata whenua – consideration**

When considering ~~an application for a resource consent, notice of requirement, or a change, variation or replacement to a district or regional plan,~~ particular regard shall be given to avoiding adverse effects on:

- (a) the exercise of kaitiakitanga;
- (b) mauri, particularly in relation to fresh and coastal waters;
- (c) mahinga kai and areas of natural resources used for customary purposes; and

(d) places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua.

**2.124 Policy 49: Managing effects on outstanding natural features and landscapes, and significant amenity landscapes - consideration**

Submitter	Submission	Summary
Anders Crofoot	25/25	Stated that it needs to be explicitly recognised and acknowledged that 'natural' includes farmland so that regulation developed from this policy can ensure that farmland does not get treated as a public park.
Department of Conservation	31/43	Stated that the current wording of the policy and explanation reads as though the outstanding or significant landscape features have already been formally identified. This is not the case. To avoid potential ambiguity the policy and explanation needs rewording. Sought the following decisions from the Council: The policy be reworded: "When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, a determination, using the criteria in policies 24 or 26, shall be made as to whether possible outstanding natural feature or landscape, or possible significant amenity landscape may be affected by an activity, and in determining whether an activity is inappropriate particular regard shall be given to:" Stated the that the explanation also needed rewording to this effect: "In determining whether possible outstanding natural feature or landscape may be affected by an activity the criteria in policy 24 should be used. In determining whether possible significant amenity landscape may be affected by an activity the criteria in policy 26 should be used."
F10/18	Wellington Fish and Game Council	Support
F17/65	Meridian Energy Limited	Oppose
F24/22	Masterton District Council	Oppose
Federated Farmers of New Zealand	35/53	Sought policy 49 be amended as follows: Managing effects on outstanding natural features and landscapes – consideration And following consideration be added:

Submitter	Submission	Summary
		(f) the past, present and future use of the land in question. And Sought consequential amendments as to detail or substance throughout the Policy Statement, in particular the methods section, to give effect to this Submission
F22/97	Anders Crofoot	Support
F24/51	Masterton District Council	Support
Masterton District Council	75/19	Sought that the words "amenity landscape" be deleted from policy 49.
Meridian Energy Limited	82/38	Sought that the policy be amended to read: '...a determination shall be made as to whether an activity may adversely affect an outstanding natural feature...' And, the addition of clauses (f) and (g) to read: '(f) the ability to avoid, remedy or mitigate adverse effects; (g) functional or operational constraints that determine the need to locate on a particular site.' Also sought amendments to the last paragraph of the explanation to read: '... the context and the potential of a proposed activity to irrevocably change its character.'
F1/61	Winstone Aggregates	Support
F16/13	Genesis Energy	Support
F23/69	Federated Farmers of New Zealand	Support in part
Mighty River Power	83/39	Sought that the policy be deleted or amended to consider the benefits as well as adverse effects.
F17/66	Meridian Energy Limited	Support in part
Transpower New Zealand Limited	123/26	Sought that policy 49 be amended as a consequence of deleting policy 26 and 27 - as per submission.

Submitter	Submission	Summary
F24/106	Masterton District Council	Support
Wellington City Council	131/24	Sought that the explanations to policy 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation, with examples, of how the policies overlap and function together. Stated that it must clearly explain the concept of human-made and human-maintained landscapes, and explain that human-made landscapes can be as highly valued as natural landscapes.
F24/126	Masterton District Council	Support in part

(a) Discussion

**Anders Crofoot** stated that it needs to be explicitly recognised and acknowledged that the term ‘natural’ includes farmland, so that regulation developed from this policy can ensure that farmland does not get treated as a public park. Greater Wellington staff acknowledge that farmland is a working landscape and is modified as a consequence. The scope of policy 49 is limited to consideration of those matters that assist in determining whether or not a proposed activity is appropriate with regard to the landscape values present. This policy provides an interim assessment framework for councils and resource consent applicants prior to the identification and adoption of plan provisions required by policies 24 to 27. This policy will not in itself result in the development of regulation, this will occur at the time district and regional plans give effect to policies 25 and 27. It is explicitly stated within the explanation for both policies 25 and 27 that these policies are not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the landscape values present. It is therefore not recommended to amend this policy as requested by the submitter.

The **Department of Conservation** generally supported this policy but sought that the policy be reworded to make it clear that outstanding and significant landscapes may not have been formally identified, and reword the explanation accordingly. Wellington Fish and Game Council supported this submission, and Meridian Energy Limited and Masterton District Council opposed this submission. Greater Wellington staff agree with the submitter that it is not explicitly clear that this policy is to be used where there is a potential outstanding natural feature or landscape or significant amenity landscape. Greater Wellington staff have recommended changes to the policy and explanation.

**Federated Farmers of New Zealand** sought the following consideration be included:

*(f) the past, present and future use of the land in question.*

Masterton District Council supported this submission. Meridian Energy Limited sought the following considerations be included:

*(f) the ability to avoid, remedy or mitigate adverse effects;*

*(g) functional or operational constraints that determine the need to locate on a particular site.*

Winstone Aggregates, Anders Crofoot and Genesis Energy supported this submission, and Federated Farmers of New Zealand supported in part this submission.

Policy 49 is a means for determining whether or not a proposed activity is appropriate with regard to landscape. It is not recommended to include the past, present and future use of the land or the functional or operational constraints as matters to consider as they do not have any bearing on the appropriateness of a given activity in relation to the landscape values identified. Greater Wellington staff comment that the direction “avoid, remedy or mitigate adverse effects” is set out in section 5 of the Act and it is unnecessary to repeat it in the Regional Policy Statement. Therefore, it is not considered necessary to add these matters to this policy.

**Meridian Energy Limited** sought that the policy be amended to read:

*‘...a determination shall be made as to whether an activity may adversely affect an outstanding natural feature...’*

Winstone Aggregates and Genesis Energy supported this submission, and Federated Farmers of New Zealand supported in part this submission.

The first part of this policy is a determination of whether an activity affects an outstanding natural feature or landscape or significant amenity landscape. Whether or not it adversely affects the landscape is covered in the second part of the policy, where a determination of the activity’s appropriateness is undertaken using the specified matters. The way in which this policy reads may be confusing and staff consider it appropriate to amend the policy to make it explicit that there are two determinations to be made. It is therefore recommended to amend this policy.

Meridian Energy Limited also sought amendments to the third paragraph of the explanation to read:

*‘... the context and the potential of a proposed activity to irrevocably change its character.’*

Winstone Aggregates and Genesis Energy supported this submission, and Federated Farmers of New Zealand supported in part this submission.

It is considered that the explanation already covers the submitter's concerns. In particular, it explains that the duration and frequency includes short-term, long-term or recurring effects. It is therefore recommended to retain the current wording.

**Mighty River Power** sought that the policy be deleted or amended to consider the benefits as well as the adverse effects. Meridian Energy Limited supported in part this submission. In order to address the regionally significant issue for landscape it is necessary to have this policy, as it provides an interim assessment framework for councils and resource consent applicants prior to the identification and adoption of plan provisions required by policies 24 to 27. In regard to the submitters request that the benefits are also considered, Greater Wellington staff would like to point out that policies 6 and 38 cover the submitter's concerns regarding the benefits of significant infrastructure and renewable energy. Therefore, it is not recommended to make any changes as requested by the submitter.

**Transpower New Zealand Limited** sought that policy 49 be amended as a consequence of deleting policies 26 and 27 as requested. Masterton District Council supported this submission. **Masterton District Council** sought that the words "amenity landscape" be deleted from policy 49. Staff have not recommended that policies 26 and 27 be deleted. For the reasons discussed in policy 26, it is not considered appropriate to remove significant amenity landscapes from the landscape provisions in the Regional Policy Statement. It is subsequently not considered appropriate to amend this policy as requested by the submitters.

**Wellington City Council** sought that the explanations to policies 3, 24, 25, 26 and 27 (and 35 and 49) include a plain-English explanation with examples of how the policies overlap and function together. Masterton District Council supported in part this submission. The submitter's concern is noted, however, these concerns have been addressed under policy 3 in this report.

Wellington City Council also sought that the explanation clearly explains the concept of human-made and human-maintained landscapes, as human-made landscapes can be as highly valued as natural landscapes. Masterton District Council supported in part this submission. This submission point has already been addressed in the discussion of policy 24 above.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/25	Reject
Department of Conservation	31/43	Accept in part
Federated Farmers of New Zealand	35/53	Reject
Masteron District Council	75/19	Reject
Meridian Energy Limited	82/38	Accept in part
Mighty River Power	83/39	Reject
Transpower New Zealand Limited	123/26	Reject
Wellington City Council	131/24	Accept in part Also see recommended changes to policy 3

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 49 as sought by the submitters above and in response to the submission by South Wairarapa District Council on policy 26 as follows:

**Policy 49: Managing effects on outstanding natural features and landscapes, and significant amenity landscapes – consideration**

When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, a determination shall be made as to firstly, whether an activity may affect an outstanding natural feature and/or landscape, or significant amenity landscape, and ~~or~~ secondly, ~~determining~~ whether or not an activity is inappropriate, having particular regard ~~shall be given~~ to the following:

- (a) the degree to which the natural feature or landscape values will be modified, damaged or destroyed including:
  - (i) the duration and frequency of any effect, and/or
  - (ii) the magnitude or scale of any effect;



- (b) the irreversibility of adverse effects on landscape values;
- (c) the resilience of the natural feature place or area to change;
- (d) the opportunities to remedy or mitigate previous damage to natural feature or landscape values; and
- (e) whether the activity will lead to cumulative adverse effects on the natural feature or landscape values.

Amend the first two paragraphs of the explanation as follows:

Policy 49 provides an interim assessment framework for councils and resource consent applicants prior to the identification of outstanding *natural features* and *landscapes*, and *significant amenity landscapes*, in accordance with policies 24 and 26, and the adoption of plan provisions for protection in accordance with policies 25 and 27. This policy is to be used where an outstanding natural feature or landscape or a significant amenity landscape has already been identified in a district or regional plan prior to policies 24 and 26 being given effect to, or where an assessment has not yet been undertaken, but such a landscape or natural feature is present. Policy 49 shall cease to have effect once policies 24, 25, 26 and 27 are in place in the relevant district or regional plan.

In determining whether an activity may affect an outstanding natural feature or landscape, the ~~criteria~~ factors in policy 24 should be used. In determining whether an activity may affect a significant amenity landscape, the ~~criteria~~ factors in policy 26 should be used.

**2.125 Policy 50: Minimising the risks and consequences of natural hazards – consideration**

Submitter	Submission	Summary
Department of Conservation	31/44	Sought that the policy as proposed be retained.
GNS Science	42/3	Sought inclusion of ground displacement as an earthquake hazard (p 116)
GNS Science	42/4	Sought a list of guidance documents (similar to those on p 96) for assistance with policy 50.
Kapiti Coast District Council	56/33	Supported intent of policy 50

Korokoro Environment Group	65/6	Sought retention as is.
Lower Hutt Forest and Bird Protection Society	66/13	Supported
Wellington City Council	131/25	Sought that Greater Wellington clarify its role in investigating, collecting data and researching Porirua City Council year flood levels within Wellington City and its stormwater utility network.

(a) Discussion

**Porirua City Council** queried whether policy 28 (which refers to subdivision and development) and policy 50 (g) (which refers to development) should be consistent. Staff note that the word ‘development’ is used in its generic sense in policy 50. This policy applies to resource consent applications, and as such, covers off all those activities (subdivision, use and development) for which a consent would be required as per section 87 of the Resource Management Act.

**GNS Science** sought the inclusion of ground displacement (*i.e.* fault rupture) in the list in the explanation to the policy. Staff agree with this request and recommend an amendment accordingly. GNS Science also requested a list of guiding documents (like those provided in the explanation to policy 28) to be included in the explanation. The list in the explanation to policy 28 are specific guidance documents developed for the purpose of designating and managing high hazard areas in regional and district plans. Policy 50 is a consideration policy for resource consents. It is expected that staff and applicants will have sufficient knowledge (or access to such) or the ability to call on people who do, in order to deal with the huge range of issues that arise during a consenting process.

**Wellington City Council** sought clarification of the role of Greater Wellington in data collection and hazard research, in particular to stormwater and Porirua Stream flood levels within the Wellington City Council boundary. Staff note that the roles and responsibilities of who manages and collects information on stormwater, streams and natural hazards is dictated by a number of legal instruments including the Resource Management Act, the Local Government Act and the Soil Conservation and Rivers Control Act. The comments here relate to jurisdiction under the Resource Management Act. With regard to stormwater, infrastructure and stormwater in pipes are city and district council responsibilities. Discharges to streams; taking or diverting

stream water and uses of stream beds are Greater Wellington's responsibilities.

The boundaries between stormwater systems and streams are frequently blurred in urban environments. Flooding issues in most urban environments are addressed through memoranda of understanding between Greater Wellington and city and district councils. In the case of Porirua Stream, there is a watercourse agreement stipulating that Greater Wellington takes the lead in managing flood hazard in this stream. Greater Wellington collects information and conducts/commissions research on natural hazards, but every city and district has a responsibility for this work. Staff consider that this activity is best shared between councils. Cooperative agreements that share resources, knowledge and time are best for effective hazards management and developing working partnerships between authorities. Greater Wellington works hard to build collaborative relationships between other councils and will continue to do so. Staff note that methods 14, 22 and 23 that relate to policies 28, 50 and 51 outline the need for city, district and regional councils to conduct research and disseminate information on natural hazards.

**Department of Conservation, Kapiti Coast District Council, Korokoro Environment Group and Lower Hutt Forest and Bird Protection Society** supported policy 50. The submitters support is noted. Staff note some amendments are recommended in response to other submissions.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/44	Accept in part
GNS Science	42/3	Accept
GNS Science	42/4	Reject
Kapiti Coast District Council	56/33	
Korokoro Environment Group	65/6	Accept in part
Lower Hutt Forest and Bird Protection Society	66/13	Accept
Wellington City Council	131/25	Accept in part

(c) Recommended changes

Include an additional clause stating that the policy be used when deciding whether or not a development is inappropriate in high hazard areas, as required by policy 28.

Add ‘ground displacement’ be the list of earthquake hazards in the explanation to the policy.

**Policy 50: Minimising the risks and consequences of natural hazards – consideration**

When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a district or regional plan, the risk and consequences of natural hazards on people, communities, their property and infrastructure shall be minimised, and/or in determining whether an activity is inappropriate ~~having~~ particular regard shall be given to:

- (g) avoiding inappropriate development in areas at high risk from natural hazards;

**Explanation**

Typical natural hazards in the region include, but are not limited to:

- flooding and inundation (river, stormwater, coastal)
- earthquake (groundshaking, amplification, liquefaction, ground displacement)
- coastal hazards (erosion, storm surge, tsunami)
- mass movement (landslip, rockfall).

**2.126 Policy 51: Minimising adverse effects of hazard mitigation measures – consideration**

Submitter	Submission	Summary
Department of Conservation	31/45	<p>Stated that the Resource Management Act 1991 and New Zealand Coastal Policy Statement requires that a number of options be assessed when considering proposals. One option that should always be considered is “do nothing”. With regards to hazard mitigation measures a closely related concept is that of “managed retreat”. Both of these options need to be given particular regard when considering hazard mitigation measures. The phrase “unacceptable risk” does not allow for clear measurable tests or thresholds and will result in difficulties in assessing the necessity to protect existing development or property.</p> <p>Sought the following decisions from the Council: An additional clause is added to this policy: setting out “whether managed retreat or do nothing is a more appropriate option”. That a definition of “unacceptable risk” be provided.</p>

F10/19	Wellington Fish and Game Council	Support
Lower Hutt Forest and Bird Protection Society	66/14	Supported
Wellington City Council	131/108	Supported policy 51.

(a) Discussion

**Department of Conservation** requested that ‘do nothing’ and ‘managed retreat’ be included as hazard mitigation options in the policy and that a definition be provided for ‘unacceptable risk’. This submission point was supported by Wellington Fish and Game Council. Staff note that Policy 51(b) requires a consideration of whether non-structural methods would be more appropriate. By default, non-structural methods allow the decision to ‘do nothing’, (which in reality involves a conscious decision to take a passive approach) or apply a managed retreat approach. Staff also note that a managed retreat approach is able to be applied using policy 28. Staff recommend the explanation to the policy be amended to clarify this by providing a short list of examples of non-structural hazard mitigation measures. Unacceptable risk is defined by policy 50. It is also recommended that this be clarified in the explanation to the policy.

**Lower Hutt Forest and Bird Protection Society** and **Wellington City Council** supported policy 51. The supported is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/45	Accept in part
Lower Hutt Forest and Bird Protection Society	66/14	Accept
Wellington City Council	131/108	Accept in part

The further submission from Wellington Fish and Game Council is accepted in part accordingly.

(c) Recommended changes

Include supporting text in the explanation to clarify and guide the application of policy 51.

## Explanation

Objective 18 seeks to reduce the *risks* and *consequences* from *natural hazards*, while objective 19 aims to ensure activities, including hazard mitigation measures, do not increase the risk and consequences from natural hazards. Policy 51 promotes these objectives.

Having established there is a need for protection works, non-structural and *soft engineering* methods should be the first option for hazard mitigation. Soft engineering methods may include, for example; hazard avoidance or controlled activity zones; setback or buffer distances; managed retreat or land retirement; a ‘do nothing’ policy; restoration projects for wetlands, dunes or hillslopes prone to flooding, slipping or erosion.

Structural measures or *hard engineering* methods can have significant environmental effects and should be considered as the least desirable option for natural hazard control. Where there is an unacceptable risk to development or property, there may be a place for structural measures or hard engineering methods, if they are part of a long-term hazard management strategy that includes other measures. Policy 50 will need to be considered alongside policy 51(c) when deciding whether a development faces an unacceptable risk or not.

### 2.127 Policy 52: Public access to and along the coastal marine area, lakes and rivers – consideration

Submitter	Submission	Summary
Anders Crofoot	25/26	Sought addition of clauses to read: '(k) integrity and security of adjacent farmland; (l) the cost/benefit of access and who will pay for the creation and ongoing maintenance.'
Department of Conservation	31/46	Noted that Council acknowledges in the Introduction to Section 2.2 that there is a lack of strategic planning for public access, and the submitter considers that unless policy 52 could be adequately amended, a new policy should be added to address this matter. The policy should seek to achieve an integrated network of public access, as opposed to individual and unconnected accesses to potentially isolated areas of high value. The policy should promote a strategic approach to public access where linkages and connectedness have value. It was noted that the Proposed New Zealand Coastal Policy Statement has as a national priority "identifying opportunities to enhance or restore public walking access" (policy 39 (e)).

Submitter	Submission	Summary
		<p>Sought the following decision from the Council: The policy be retained with the proposed wording, and that a new policy along the following lines be inserted:</p> <p>Policy 52A: Creating public access networks and links to and along the coast, lakes and rivers</p> <p>When considering an application for a resource consent, notice of requirement, or a change or variation to a district plan, city and district councils shall have particular regard to enhancing public access to, and along, areas of the coast, and lakes and rivers by taking a strategic approach and seeking to create links between existing access ways and developing networks of public access that will meet community needs and aspirations and maximize the opportunity for walking to and between areas along the coast, lakes and rivers with significant values.</p>
F1/18	Winstone Aggregates	Oppose
F10/20	Wellington Fish and Game Council	Support
F14/6	East Harbour Environmental Association Incorporated	Support
F23/70	Federated Farmers of New Zealand	Support in part
East Harbour Environmental Association Incorporated	33/18	Considered much stronger than the version in the draft Regional Policy Statement. Requested that the policy be more than a 'consideration'.
Federated Farmers of New Zealand	35/54	<p>Submitted that landowners should not be impacted or controlled in their farming activities simply because they neighbour a coastal marine area, lake or river access to or across their property.</p> <p>Sought that Policy 52 be deleted</p> <p>Or that it be amended to include a new exception linked to the consideration of protecting private property as follows:</p> <p>(k) the rights and wishes of private property owners</p>
F22/98	Anders Crofoot	Support

Submitter	Submission	Summary
Great Harbour Way Coalition	45/2	Sought that in the context of policy 52 (and method 50), the addition of "the coastal access along the Great Harbour Way". In policy 52, existing (j) means that the Port should continue to operate on Port Land but that may need to be made more specific than "the integrity and security of regionally significant infrastructure". This could be defined by adding your map from the Regional Cycling Plan as an Appendix or receiving a more detailed map from the submitter
Korokoro Environment Group	65/7	Sought retention as is.
Lower Hutt Forest and Bird Protection Society	66/15	Supported.
John and Julie Martin	73/4	Objected to the policy enhancing public access to and along 'all waterways', believing that reserve strips along only lakes and rivers is commonly understood.
Mighty River Power	83/40	Sought retention of policy in its entirety.
New Zealand Historic Places Trust	87/27	Sought retention of policy 52.
New Zealand Historic Places Trust	87/28	Sought retention of policy 52 but sought that it be amended to recognise and support the role of crown agencies such as New Zealand Historic Places Trust, in facilitating and managing public access to historic places located in the coastal environment.
Porirua City Council	100/37	Stated policy 52(g) could be clearer. Suggested changing the wording from 'sensitive indigenous habitats of species' to 'habitats of sensitive indigenous species' or 'sensitive habitats and/or indigenous species'.



Submitter	Submission	Summary
F12/37	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Tararua Tramping Club	114/16	<p>Stated that this policy was not strong enough in support of the matter of national importance. The importance of enhancing public access is not simply conditional on the values of the accessed location, nor is that importance necessarily subservient to the importance of other matters which may also be important or significant under the Act.</p> <p>Sought the following changes:</p> <p>(1) replace "with:" by "with additional importance given for:"</p> <p>(2) replace "except where there is a need to protect:" by "and be provided in a manner compatible with any necessary protection of:".</p> <p>Stated that although the explanation notes the proposed wording does not "limit other efforts to enhance access, or the range of values to which access could be enhanced", the currently proposed wording is inadequate for addressing such a matter of national importance.</p>
F1/88	Winstone Aggregates	Oppose
F13/47	Wellington International Airport Limited	Oppose
The Energy Efficiency and Conservation Authority	117/17	Supported and sought retention of policy 52.
Wellington City Council	131/109	Supported policy 52.

(a) Discussion

**Anders Crofoot** sought addition of clauses to read: '(k) integrity and security of adjacent farmland; (l) the cost/benefit of access and who

will pay for the creation and ongoing maintenance'. Greater Wellington staff comment that policy 52 identifies the circumstances where particular regard should be given to enhancing public access to, and along, the coastal marine area, and lakes and rivers. The policy will apply, in particular, to the provision of esplanade reserves and strips when application is made for resource consents to subdivide land. The issue of security and who pays are matters to be considered when provisions are included in district plans or resource consent applications are made. Staff however recommend making the policy more specific by including specific reference to subdivisions and rezoning, land use consents and coastal permits on public land, removing reference to designations and adding to the explanation recognition of private landowners' rights in relation to public access where no esplanade strip or reserve exists.

**Department of Conservation** considered that unless policy 52 is adequately amended, a new policy should be added to address matter raised in the discussion on public access in section 3.2. Greater Wellington staff note that issue 4, which policy 52 addresses, relates to inconsistent approaches to the taking of esplanade reserves and strips in the region. Policy 52 is a regulatory policy that requires particular regard be given to enhancing public access when statutory decisions are made on resource consents, applications and district plan changes relating, in particular, to esplanade reserves and access strips. The policy suggested by the submitter will not assist in these circumstances because it is not the role of resource consent applicants for subdivision to "take a strategic approach and seeking to create links between existing access ways and developing networks of public access that will meet community needs and aspirations and maximize the opportunity for walking to and between areas along the coast, lakes and rivers with significant values". It is also noted that there is insufficient information in the region on access to the coast and rivers and lakes to move forward with the approach suggested by the submitter at the present time. What is needed first is to identify areas where access should be improved so that local authorities can consider such a strategic approach. This is why method 50 is included in the Regional Policy Statement. The submission of the Department of Conservation was opposed by Winstone Aggregates and supported by Wellington Fish and Game Council, East Harbour Environmental Association and Federated Farmers of New Zealand (in part).

The submitter noted that the proposed New Zealand Coastal Policy Statement has as a national priority "identifying opportunities to enhance or restore public walking access" (policy 39 (e)). However, until it is gazetted, the proposed New Zealand Coastal Policy Statement can not be given effect to.

**East Harbour Environmental Association** requested that policy 52 be more than a 'consideration'. Greater Wellington staff comment that "consideration" is appropriate because any requirement to take esplanade reserves or provide for access as part of any plan change

should be based on currently available information about access and be assessed on a case by case basis.

**Federated Farmers of New Zealand** sought that policy 52 be deleted or that it be amended to include a new exception linked to the consideration of protecting the rights and wishes of private property owners. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. Greater Wellington staff comment that policy 52 identifies the circumstances where particular regard should be given to enhancing public access to, and along, the coastal marine area, and lakes and rivers, particularly through the provision of esplanade reserves and strips. Staff recommend making the application of the policy more specific, and adding to the explanation recognition of private landowners' rights in relation to public access where no esplanade strip or reserve exists.

**Great Harbour Way Coalition** sought the addition of "the coastal access along the Great Harbour Way" in policy 52 and method 50. Greater Wellington staff do not consider it appropriate to use any particular location in a policy or method for the whole region. The submitter also considered that existing (j) means that the Port should continue to operate on Port Land but that may need to be made more specific than "the integrity and security of regionally significant infrastructure". Greater Wellington staff consider that any additional detail needed can be decided when plan changes occur or resource consent applications are made.

**Korokoro Environment Group** sought retention of the policy as is. Greater Wellington staff have recommended retaining the policy with some amendments in response to other submissions.

**Lower Hutt Forest and Bird Protection Society** supported policy 52. The support is noted.

**John and Julie Martin** objected to the policy of enhancing public access to and along 'all waterways', believing that reserve strips along only lakes and rivers is commonly understood. Greater Wellington staff note that the maintenance and enhancement of public access to and along the coastal marine areas, lakes and rivers is an obligation set out in the Resource Management Act.

**Mighty River Power** sought retention of the policy in its entirety. Greater Wellington staff have recommended retaining the policy with some amendments in response to other submissions.

**New Zealand Historic Places Trust** sought retention of policy 52, but that it be amended to recognise and support the role of crown agencies, such as New Zealand Historic Places Trust, in facilitating and managing public access to historic places located in the coastal environment. Greater Wellington staff comment that a Regional Policy Statement policy that is to be considered when making

regulatory resource management decisions is not the appropriate place to provide such information.

**Porirua City Council** stated policy 52(g) could be clearer and suggested changing the wording from 'sensitive indigenous habitats of species' to 'habitats of sensitive indigenous species' or 'sensitive habitats and/or indigenous species'. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd. Greater Wellington staff note that it is appropriate for the wording in this policy to be consistent with the wording in policies policy 22, 23 and 46 relating to indigenous ecosystems and biodiversity and is therefore appropriate as proposed.

**The Tararua Tramping Club** sought that "with:" be replaced by "with additional importance given for:". Greater Wellington staff note that the policy requires that particular regard shall be given to enhancing public access in places with identified qualities. These identified qualities are in addition to what is already provided in the Act and it is unnecessary to state this in the policy. The submitter also sought to replace "except where there is a need to protect:" with "and be provided in a manner compatible with any necessary protection of". Greater Wellington staff comment that the intent of both statements appear to be the same and recommend that the version on the proposed Regional Policy Statement remain because it is stated more simply. The submission by Tararua Tramping Club was opposed by Winstone Aggregates and Wellington International Airport.

**The Energy Efficiency and Conservation Authority** supported and sought retention of policy 52. Greater Wellington staff have recommended retaining the policy with amendments in response to other submissions.

**Wellington City Council** supported policy 1. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/26	Accept in part
Department of Conservation	31/46	Reject
East Harbour Environmental Association Incorporated	33/18	Reject
Federated Farmers of New Zealand	35/54	Accept in part
Great Harbour Way Coalition	45/2	Reject

Submitter	Submission	Recommendation
Korokoro Environment Group	65/7	Accept in part
Lower Hutt Forest and Bird Protection Society	66/15	Accept
John and Julie Martin	73/4	Note
Mighty River Power	83/40	Accept in part
New Zealand Historic Places Trust	87/27	Accept
New Zealand Historic Places Trust	87/28	Accept in part
Porirua City Council	100/37	Reject
Tararua Tramping Club	114/16	Reject
The Energy Efficiency and Conservation Authority	117/17	Accept in part
Wellington City Council	131/109	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 52 as follows:

**Policy 52: Public access to and along the coastal marine area, lakes and rivers – consideration**

When considering an application for a ~~resource~~subdivision consent, or a coastal or land use consents on public land, ~~notice of requirement, or,~~ a change, variation or replacement to a district plan to address subdivision or rezoning, particular regard shall be given to enhancing public access to, and along, areas of the coastal marine area, and lakes and rivers with:

- (a) places, sites and areas with significant historic heritage values identified in accordance with policy 20;
- (b) areas of indigenous ecosystems and habitats, and areas with significant indigenous biodiversity values identified in accordance with policy 22;
- (c) outstanding natural features and landscapes identified in accordance with policy 24;
- (d) significant amenity landscapes identified in accordance with policy 26;

- (e) places, sites and areas with high natural character identified in accordance with policy 35; and
- (f) the rivers and lakes identified in table 15 of Appendix 1, except where there is a need to protect:
  - (f) sensitive indigenous habitats of species;
  - (g) the health or safety of people;
  - (h) sensitive cultural and historic heritage values; and/or
  - (i) the integrity and security of regionally significant infrastructure.

Change the last paragraph of the explanation of policy 52 as follows:

Policy 52 outlines that when implementing the policy, there may be circumstances where public access to the coastal marine area, lakes and rivers is not desirable – such as to provide security for regionally significant infrastructure or to prevent harm to the public. It is recognised that public access to private land that does not contain an esplanade strip or reserve is at the discretion and with the permission of the landowner.

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

Submitter	Submission	Summary
Foodstuffs (Wellington) Co operative Society Ltd	37/4	Requested amendment to the explanation to include statements that urban design principles are to be implemented to ensure the functionality of development is provided for and flexible design standards are adopted in Regional and District Plans.
New Zealand Historic Places Trust	87/29	Sought retention of policy 53.
NZ Transport Agency	91/16	Requested that the cross referencing alongside the policy also refer to policy 7.
Porirua City Council	100/38	Supported using consideration policies to achieve objective 21. However, opposed the application of policy 53 to resource consent decision making. Stated that 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

Submitter	Submission	Summary
		resource consent decision makers.
F12/38	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Porirua City Council	100/39	Noted that cross references to objective 27, but should be objective 21.
F12/39	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/32	Supported policy 53

(a) Discussion

**Foodstuffs (Wellington) Co operative Society Ltd** requested an amendment to the explanation of the policy to ensure the functionality of development was provided for and flexible design standards were adopted in regional and district plans. Policy 53 is to be given ‘particular regard’. It will be considered alongside other policies in the Regional Policy Statement (where relevant) and other policies in a relevant district or regional plan. This will mean that there will be inherent flexibility in its application. No amendments are therefore required.

**New Zealand Historic Places Trust** sought retention of policy 53. **Wellington City Council** also supported policy 53. The submissions are noted. Staff note a minor change is recommended in response to other submissions.

**NZ Transport Agency** requested that the cross referencing alongside the policy also refer to policy 7. The cross referencing in section 4.2 is made to policies that also need to be considered when making resource management decisions (I.e. policies in section 4.2). Policy 7 is in section 4.1 and is only relevant when a council reviews its plan. When implementing policy 7, councils will, however, need to consider

policy 53. Policy 53 is referenced alongside policy 7. It is therefore recommended that the cross referencing, as requested, not be made.

**Porirua City Council** supported using consideration policies to achieve objective 21. They however, opposed the application of policy 53 to resource consent decision making. They stated that the design principles listed by the policy (and detailed in 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. Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd supported this submission. It is recommended that the reference to resource consent be deleted in response to the submission. It is considered appropriate that the policy only apply to district and regional plans and notices of requirement for the reasons set out by the submitter.

Porirua City Council also noted that cross referencing referred to objective 27 instead of objectives 21. It is recommended that the error be corrected.

(b) Recommended decision

Submitter	Submission	Recommendation
Foodstuffs (Wellington) Co operative Society Ltd	37/4	Accept in part
New Zealand Historic Places Trust	87/29	Accept in part
NZ Transport Agency	91/16	Reject
Porirua City Council	100/38	Accept
Porirua City Council	100/39	Accept
Wellington City Council	131/32	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 53 as follows:

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

When considering an application for a ~~resource consent~~, notice of requirement, or a change, variation or replacement to a district or regional plan, for development, particular regard shall be given to achieving the region’s urban design principles in Appendix 2.



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

Submitter	Submission	Summary
Agenda Development Planning	2/7	Requested insertion of new sub-paragraph: '(c) the proposed development incorporates provision for public transport at sufficiently frequent levels of service and non-motorised transport occupants and others using the development will be able to access it by means other than private motorised transport; and' with consequent renumbering. Requested amendment of sub-paragraph (c) renumbered as (d) to read: '(d) a structure plan that is up-to-date with, or has been updated to reflect, the Regional Policy Statement.'
F20/3	Westfield New Zealand Ltd	Oppose
Aggregate and Quarry Association of New Zealand	3/8	Sought amendments to the explanation so that it more explicitly recognises the need to consider reverse sensitivity effects as part of structure planning and insert a cross reference to policy 60 in policy 54.
F1/5	Winstone Aggregates	Support
Winstone Aggregates	15/30	Sought that policy 54 (explanation) be amended as follows: The content and detail of structure plans will vary depending on the scale of development. Notwithstanding this, structure plans, as a minimum, should address: <ul style="list-style-type: none"> <li>• provision of an appropriate mix of land uses and land use densities</li> <li>• how environmental constraints (for example, areas at high risk from natural hazards) and areas of value (for example, indigenous ecosystems, rivers, streams and ephemeral watercourses, wetlands, areas or places with historic heritage, outstanding landscapes, or significant amenity landscapes) are to be managed</li> <li>• integration with existing and proposed infrastructure services, such as, connections to existing and proposed transportation systems and provision of public and active transport linkages</li> </ul>

Submitter	Submission	Summary
		<ul style="list-style-type: none"> <li>the integration of the development with adjoining land use activities including measures to avoid or mitigate reverse sensitivity effects</li> </ul>
Coastland Shopping Limited	24/8	Supported policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development.
F20/11	Westfield New Zealand Ltd	Support in part
F20/16	Westfield New Zealand Ltd	Oppose in part
Department of Conservation	31/47	Sought that the policy be retained as proposed.
Department of Corrections	32/7	Sought that policy 54 be retained, in part, but amended to include: (c) a structure plan has been prepared that incorporates social infrastructure and essential social services as necessary.
Pamela Joy Meekings-Stewart	81/4	Sought that in relation to policy 54: <ol style="list-style-type: none"> <li>To require all regional, local and administrative bodies to incorporate into their plans new rules for a new future - one in which the land, our communities, our buildings, ourselves and our children participate in commitment to a healthy, sustainable future.</li> <li>That sustainable eco communities be designated as appropriate subdivision and supported in the Regional Policy Statement.</li> <li>That the document developed under the Ministry for the Environment's Sustainable Management Fund, for Standards New Zealand, "New Zealand Handbook, Subdivisions for people and Environment, SNZ HB 44:2001" which addresses all aspects of the "built environment" in great breadth and depth be included as an important document for all policy relating to policies 54, 55 and 67.</li> </ol>
Mighty River Power	83/41	Sought amendments to the explanation so it more explicitly recognises the need to consider reverse sensitivity effects as part of maintaining a compact, well designed and sustainable regional form.

Submitter	Submission	Summary
New Zealand Historic Places Trust	87/30	Sought retention of policy 54.
NZ Transport Agency	91/17	Supported, particularly (a)-(c). Requested amendment of the sixth bullet point in the explanation to read: '...provision of public and active transport linkages by undertaking an integrated transport assessment'.
NZ Transport Agency	91/18	Requested that the cross referencing alongside the policy also refer to policy 7
Porirua City Council	100/40	Supported, however, noted that the explanation listed the current development frameworks within the region, but did not list Porirua City Council's Porirua Development Framework. Sought that the explanation also refers to this document.
F12/40	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Porirua City Council	100/41	Noted that cross references to objective 27, but should be objective 21.
F12/41	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/33	Supported policy 54
Wellington Police	135/5	Sought policy 54(c) be amended to read: (c) a structure plan has been prepared that incorporates social infrastructure and essential social services, including emergency services, as necessary. [See submission for bold added text para 5.15]

Submitter	Submission	Summary
Westfield New Zealand Ltd	138/10	Sought that: (i) policy 54(a) be amended by adding the words 'for the region' to the end. (ii) Policy 54(b) be amended by deleting the reference to 'or' at the end of the sentence. (iii) The explanation to policy 54 be amended in the fifth paragraph starting 'policies 53 and 55...' to add the following words at the end of the last sentence: '...on natural and physical resources'.
F12/63	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

(a) Discussion

**Agenda Development Planning** requested a new clause (c) to require proposed development to incorporate provision for public transport (at sufficiently frequent levels of service) and non-motorised transport occupants, and others using the development, so they will be able to access it by means other than private motorised transport. In addition, they requested that clause (c) be renumbered as (d) and for it to be amended to state 'a structure plan that is up-to-date with, or has been updated to reflect, the Regional Policy Statement'. Westfield New Zealand Ltd opposed new clause (c). The new clause is not required as the elements outlined in the clause are already covered by policy 56 in an appropriate way. The change requested to the last clause, to ensure that a structure plan is consistent with the Regional Policy Statement, is also not required. Clause (a) needs to be met when implementing the policy. This clause ensures that development is assessed against the regional form, design and function objective (objective 21). Other policies in section 4.2 (e.g. landscape, indigenous biodiversity, freshwater), where relevant, will also need to be considered alongside policy 54.

**Mighty River Power, Aggregate and Quarry Association of New Zealand and Winstone Aggregates** sought amendments to the explanation so it more explicitly recognised the need to consider reverse sensitivity effects as part of maintaining a compact, well designed and sustainable regional form. The submission by Aggregate and Quarry Association of New Zealand was supported by Winstone Aggregates. This request is appropriate and it is recommended that the proposed change to bullet point 4, outlining as a minimum what structure plans should address, by Winstone Aggregates, be made.

Aggregate and Quarry Association of New Zealand also sought a cross reference to policy 60 in policy 54. This change is also considered appropriate.

**Coastland Shopping Limited** supported the policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development. Westfield New Zealand Limited supported the submitters support for the policy, but opposed the request to review the policy to ensure flexibility. No changes are required to policy 54. There is flexibility in the policy. Policy 54 is to be given particular regard when making decisions about urban development beyond the region's current urban areas. Other policies and the effects of a development will also need to be considered then an overall judgement made in accordance with Part 2 of the Act as to whether the proposed development (whether by consent, designation or through a plan) will promote sustainable management.

**Department of Conservation** and **New Zealand Historic Places Trust** sought that the policy be retained as proposed. **Wellington City Council** supported the policy. The submissions are noted. Staff note there are recommended changes to the explanation.

**Department of Corrections** and **Wellington Police** sought that policy 54 be retained, but sought that clause (c) be amended to state 'a structure plan has been prepared that incorporates social infrastructure and essential social services as necessary'. It is recommended that this submission be accepted, in part, and that the change proposed be outlined in the bullet points under what structure plans (as a minimum) should contain, in the explanation, rather than the policy.

**Pamela Joy Meekings-Stewart** sought three things. The first was a requirement for the regional council, local bodies and other administrative bodies to incorporate new rules for a new future where the land, communities, buildings, ourselves and children participate in commitment to a healthy, sustainable future. The submitter's second outcome was for 'eco communities' to be designated as appropriate subdivision and supported in the Regional Policy Statement. The submitter's desires should be acknowledged. It is, however, unclear what policies she is seeking for inclusion in the Regional Policy Statement to achieve these outcomes. The submitter's last request was for "New Zealand Handbook, Subdivisions for people and Environment, SNZ HB 44:2001" to be referenced in policy 54. The Handbook is a useful reference, however, over the period of the lifetime of the proposed Regional Policy Statement it is subject to updates and changes and is therefore not considered appropriate to include it in the policy.

**NZ Transport Agency** supported policy 54, particularly (a)-(c). They requested an amendment to the third bullet point on structure plans in the explanation so that it read '...provision of public and

active transport linkages by undertaking an integrated transport assessment'. This change is considered appropriate.

NZ Transport Agency also requested that the cross referencing alongside the policy refer to policy 7. The cross referencing in section 4.2 is linked to policies that also need to be considered when making resource management decisions (I.e. policies in section 4.2). Policy 7 is in section 4.1 and is only relevant when a council reviews its plan (or a provision in its plan). When implementing policy 7, councils will however need to consider policy 54. Policy 54 is referenced alongside policy 7. It is therefore recommended that the cross referencing, as requested by the submitter, not be made.

**Porirua City Council** supported the policy, however, noted that the explanation did not list Porirua City Council's Porirua Development Framework as a current development frameworks within the region. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd. It is recommended that the Porirua City Council Development Framework be added to the list.

Porirua City Council also noted that cross referencing referred to objective 27 instead of objectives 21. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd. It is recommended that the cross referencing be corrected.

**Westfield New Zealand Ltd** sought that policy 54(a) be amended by adding the words 'for the region' to the end, that policy 54(b) be amended by deleting the reference to 'or' at the end of the clause, and that the explanation to policy 54 be amended in the fifth paragraph starting 'policies 53 and 55...' so as to add the following words at the end of the last sentence: '...on natural and physical resources'. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd. The addition of the words at the end of clause (a) are not considered necessary as objective 21 clearly states that is about "region's form". In addition, it is not considered appropriate to remove the word "or" at the end of clause (b). The "or" means that where a relevant growth strategy or framework has not be prepared then a structure plan should have been prepared. It is, however, recommended that the submitters request to add "physical" to the sentence in the explanation be accepted.

(b) Recommended decision

Submitter	Submission	Recommendation
Agenda Development Planning	2/7	Reject
Aggregate and Quarry Association of New Zealand	3/8	Accept
Winstone Aggregates	15/30	Accept
Coastland Shopping Limited	24/8	Accept
Department of Conservation	31/47	Accept
Department of Corrections	32/7	Accept in part
Pamela Joy Meekings-Stewart	81/4	Reject
Mighty River Power	83/41	Accept
New Zealand Historic Places Trust	87/30	Accept
NZ Transport Agency	91/17	Accept
NZ Transport Agency	91/18	Reject
Porirua City Council	100/40	Accept
Porirua City Council	100/41	Accept
Wellington City Council	131/33	Accept
Wellington Police	135/5	Accept in part
Westfield New Zealand Ltd	138/10	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend paragraphs 4, 5 and 7 in the explanation of policy 54 as follows:

Examples of growth and/or development frameworks or strategies in the region are:

- the Upper Hutt City Council Growth Strategy
- Wellington City Northern Growth Management Framework

- Porirua City Development Framework
- Kapiti Coast: Choosing Futures Development Management Strategy and local outcome statements contained in the Kapiti Coast Long Term Council Community Plan.

Policies 53 and 55 also need to be considered in conjunction with policy 54. In addition, there are also a range of ‘related policies’ in the Regional Policy Statement that set out matters to be considered in order to manage effects on natural and physical resources.

The content and detail of structure plans will vary depending on the scale of development. Notwithstanding this, structure plans, as a minimum, should address:

- provision of an appropriate mix of land uses and land use densities
- how environmental constraints (for example, areas at high risk from natural hazards) and areas of value (for example, indigenous ecosystems, rivers, streams and ephemeral watercourses, wetlands, areas or places with historic heritage, outstanding landscapes, or significant amenity landscapes) are to be managed
- integration with existing and proposed infrastructure services, such as, connections to existing and proposed transportation systems and provision of public and active transport linkages by undertaking an integrated transport assessment
- the integration of the development with adjoining land use activities including measures to avoid, remedy or mitigate reverse sensitivity effects
- integration of social infrastructure and essential social services as necessary
- development staging or sequencing
- how the region’s urban design principles will be implemented.



## 2.130 Policy 55: Managing development in rural areas – consideration

Submitter	Submission	Summary
Winstone Aggregates	15/31	<p>Sought policy 55 be amended as follows:            Policy 55: Managing development in rural areas – consideration</p> <p>When considering an application for a resource consent or a change, variation or replacement to a district plan, in rural areas (as at March 2009), particular regard shall be given to whether the proposal will result in a loss of productivity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production including extraction and distribution of aggregate resources</p>
Department of Conservation	31/48	<p>Stated that the proposals that result in increases in residential density of rural areas will result in increased demand for water supplies. Such use has priority, and this may have adverse cumulative impacts on other users and aquatic ecosystems. Sought the following decisions from the Council: An additional clause be added to this policy with this wording:            “that the proposal will result in an increased demand for water”.</p>
F10/21	Wellington Fish and Game Council	Support
Department of Corrections	32/8	<p>Sought that policy 55 be retained in part but amended as follows:            When considering an application for a resource consent or a change, variation or replacement to a district plan, in rural areas (as at March 2009), particular regard shall be given to whether:</p> <ul style="list-style-type: none"> <li>(a) the proposal will result in a loss of productivity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production;</li> <li>b) the proposal will reduce aesthetic and open space values in rural areas between and around settlements;</li> <li>(c) the proposals location, design or density will minimise demand for non-renewable energy resources;</li> <li>(d) the proposal is for social infrastructure or essential social services that will benefit the Greater Wellington community; and</li> <li>(e) the proposal is consistent with the relevant city or</li> </ul>

Submitter	Submission	Summary
		<p>district council growth and/or development framework or strategy that addresses future rural development; or</p> <p>(f) in the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.</p>
Federated Farmers of New Zealand	35/55	<p>Sought that policy 55 be deleted</p> <p>And</p> <p>Sought consequential amendments as to detail or substance throughout the Policy Statement, in particular the methods section, to give effect to this Submission</p>
F22/99	Anders Crofoot	Support
Horticulture New Zealand	50/35	Sought to add to policy 55 an additional criteria: "the extent that all necessary factors for a rural production system exist."
F22/100	Anders Crofoot	Support
Kapiti Coast District Council	56/34	Supported policy 55 as included consideration of productivity as well amenity considerations. Was pleased to see that the policy recognises that councils may have development frameworks which also need to be taken into account.
Makara Guardians Incorporated	68/3	<p>Policy 55(c): Stated that while the intent of this clause is stated as to be encouragement for the location of residential settlements in the rural area close to existing services, with use of energy efficient design and renewable energy systems, Submitted that it provides for a higher level of weighting towards renewable energy industrial-scale generation plants in the rural area and that this is unjustified and unfair in this context.</p> <p>Policy 55(b): Stated that with respect to the above comment on 55(c), the word 'settlements' excludes consideration of any individual residential location within the rural area and the Submitter strenuously disagrees with the use of this word on it's own. Sought that the clause should read "settlements and individual dwellings".</p>
F17/67	Meridian Energy Limited	Oppose

Submitter	Submission	Summary
Makara Ohariu Community Board	69/4	<p>Policy 55(c): Stated that while the intent of this clause is stated as to be encouragement for the location of residential settlements in the rural area close to existing services, with use of energy efficient design and renewable energy systems, Submitted that it provides for a higher level of weighting towards renewable energy industrial-scale generation plants in the rural area and that this is unjustified and unfair in this context.</p> <p>Policy 55(b): Stated that with respect to the above comment on 55(c), the word 'settlements' excludes consideration of any individual residential location within the rural area and Submitter strenuously disagrees with the use of this word on it's own. Sought that the clause should read "settlements and individual dwellings".</p>
F17/68	Meridian Energy Limited	Oppose
Pamela Joy Meekings-Stewart	81/5	<p>Sought that in relation to policy 55:</p> <ol style="list-style-type: none"> <li>1. To require all regional, local and administrative bodies to incorporate into their plans new rules for a new future - one in which the land, our communities, our buildings, ourselves and our children participate in commitment to a healthy, sustainable future.</li> <li>2. That sustainable eco communities be designated as appropriate subdivision and supported in the Regional Policy Statement.</li> <li>3. That the document developed under the Ministry for the Environment's Sustainable Management Fund, for Standards New Zealand, "New Zealand Handbook, Subdivisions for people and Environment, SNZ HB 44:2001" which addresses all aspects of the "built environment" in great breadth and depth be included as an important document for all policy relating to policies 54, 55 and 67.</li> </ol>
Meridian Energy Limited	82/39	Sought amendments to make it clear that the policy applies only to built urban residential development and not to other non-residential or non-urban forms of development that require location in a rural area.
F1/62	Winstone Aggregates	Support
F16/14	Genesis Energy	Support

Submitter	Submission	Summary
F26/21	Mighty River Power	Support
NZ Transport Agency	91/19	Sought a new assessment matter be added to read: '(e) the proposal effects, including cumulative impacts, on the efficient and safe use of the existing transport network'.
NZ Transport Agency	91/20	Requested that the cross referencing alongside the policy also refer to policy 7
The Energy Efficiency and Conservation Authority	117/18	Supported and sought retention of policy 55
Wellington City Council	131/34	Supported policy 55
Wellington Police	135/6	Sought amendment of policy 55 by inserting a new sub-paragraph (d) to read: 'the proposal is for social infrastructure or essential social services, including emergency services, that will benefit the Greater Wellington community; and' and consequent renumbering of following sub-paragraphs

(a) Discussion

**Winstone Aggregates** sought that policy 55 be amended to include the following additional words at the end of the clause (a) 'including extraction and distribution of aggregate resources'. Policy 60, where relevant, will need to be considered alongside policy 55. It is therefore unnecessary to add to the policy as requested by the submitter.

**Department of Conservation** sought an additional clause be added to the policy "that the proposal will result in an increased demand for water". Wellington Fish and Game Council supported the submission. Policies 43 and 44, where relevant, will need to be considered alongside policy 55 and it is therefore unnecessary to add to the additional clause as requested by the submitter. In addition, clause (e) already addresses increased pressure for public services and infrastructure beyond existing infrastructure capacity.

**Department of Corrections** and **Wellington Police** sought that policy 55 be retained but amended by adding a new clause 'the proposal is for social infrastructure or essential social services that will benefit the Greater Wellington community'. The proposed addition is not considered appropriate. The other clauses in policy 55 outline effects that need to be considered when processing a resource consent, or when changing, varying or replacing a district plan. The

benefit of any proposal which includes social infrastructure, is addressed through policy 38 “Recognising the benefits from regionally significant infrastructure” as the definition of regionally significant infrastructures now includes social infrastructure. See changes recommended to the definition for Appendix 3 “Definitions”.

**Federated Farmers of New Zealand** sought that policy 55 be deleted. They stated that there was a considerable body of law to support the view that the Act does not place versatile soils in a situation of primacy and that decisions relating to soil must be balanced against other resource considerations. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. The submitter’s points are not disputed. However, policy 55 does not place versatile soils in a situation of primacy. The policy seeks that particular regard be given to the ‘loss of productivity of rural land and cumulative impacts that would reduce the potential for food and other primary production’. When making a decision on development in a rural area these matters are to be considered alongside other policies, and the effects of an activity and then a decision made as to whether the development will promote sustainable management in accordance with Part 2 of the Act.

**Horticulture New Zealand** sought an additional criterion stating ‘the extent that all necessary factors for a rural production system exist’. The submission of Horticulture New Zealand was supported by Anders Crofoot. It is recommended that this submission be rejected as the clause is unclear and would be difficult to apply to a resource consent application, designation or change, variation or replacement to a plan. It is not appropriate for the proposed Regional Policy Statement to require that all production factors be assessed. These could be wide ranging from natural and physical resources (i.e., soils, and water) to other factors such as labour supply, capital expenditure, maintenance costs, and any other factors that would be required for an ongoing primary production concern.

**Kapiti Coast District Council** supported policy 55 as it includes consideration of productivity as well amenity. **Wellington City Council** also supported the policy. The submitters support is noted.

**Makara Guardians Incorporated** and **Makara Ohariu Community Board** stated that while the intent of policy 55(c) is to encourage residential settlements in the rural area, close to existing services, with use of energy efficient design and renewable energy systems, they submitted that it provides for a higher level of weighting towards industrial-scale renewable energy generation plants in the rural area. They considered this unjustified and unfair. The submissions were opposed by Meridian Energy. The proposed clause seeks that when granting a resource consent, or changing, varying or replacing a district plan, an assessment is made as to whether the proposal’s location, design or density will minimise the demand for non-renewable energy resources. The explanation to the policy explains

that the demand for non renewable energy resources can be minimised by locating residential development close to public transport services, through energy efficient design and/or on-site use of renewable energy resources. It is not considered to provide a higher weighting towards industrial-scale renewable energy generation plants.

Makara Guardians Incorporated and Makara Ohariu Community Board also stated that the word ‘settlements’ in 55(b) excluded consideration of any individual residences within the rural areas. They strenuously disagreed with the use of this word on its own. They sought that the clause read “settlements and individual dwellings”. The submissions were opposed by Meridian Energy. It is not considered appropriate to include ‘individual dwellings’. The Regional Policy Statement contains policies to respond to issues of regional significance. The matters the submitter is seeking to address are individual and localised and are therefore not appropriate for inclusion.

**Pamela Joy Meekings-Stewart** sought three things. The first was a requirement for the regional council, local bodies and other administrative bodies to incorporate new rules for a new future where the land, communities, buildings, ourselves and children participate in commitment to a healthy, sustainable future. The submitter’s second outcome was for ‘eco communities’ to be designated as appropriate subdivision and supported in the Regional Policy Statement. The submitter’s desires should be acknowledged. It is however, unclear what specific policies she is seeking for inclusion in the Regional Policy Statement to achieve these outcomes. Policies such as 10, 13, 41 and 44 are considered to support activities in ‘eco communities’. The submitter’s last request was for "New Zealand Handbook, Subdivisions for people and Environment, SNZ HB 44:2001" to be referenced in policy 55. The Handbook is a useful reference, however over the period of lifetime of the proposed Regional Policy Statement it is subject to updates and changes and it is therefore not considered appropriate to include it in the policy.

**Meridian Energy Limited** sought amendments to make it clear that the policy applies only to built urban residential development and not to other non-residential or non-urban forms of development that require location in a rural area. The submission was supported by Winstone Aggregates, Genesis Energy and Might River Power. The policy is intended to apply to all forms of development in rural areas. The loss of productive land, impacts on open space values and pressure on public services are all matters that are considered appropriate to assess for all rural development. It is therefore recommended the proposed amendment not be made.

**NZ Transport Agency** sought a new clause ‘the proposal effects, including cumulative impacts, on the efficient and safe use of the existing transport network’. It is recommended that this submission be

rejected as policy 56 will also need to be considered alongside policy 55.

NZ Transport Agency also requested that the cross referencing alongside the policy refer to policy 7. The cross referencing in section 4.2 is linked to policies that also need to be considered when making resource management decisions (I.e. policies in section 4.2). Policy 7 is in section 4.1 and is only relevant when a council reviews its plan (or a provision in its plan). When implementing policy 7, councils will however need to consider policy 55. Policy 55 is referenced alongside policy 7. It is therefore recommended that the proposed cross referencing not be included.

**The Energy Efficiency and Conservation Authority** supported and sought retention of policy 55. The submission should be accepted in part as changes are recommended to policy 55.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/31	Reject
Department of Conservation	31/48	Reject
Department of Corrections	32/8	Reject
Federated Farmers of New Zealand	35/55	Reject
Horticulture New Zealand	50/35	Reject
Kapiti Coast District Council	56/34	Accept
Makara Guardians Incorporated	68/3	Reject
Makara Ohariu Community Board	69/4	Reject
Pamela Joy Meekings-Stewart	81/5	Reject
Meridian Energy Limited	82/39	Reject
NZ Transport Agency	91/19	Reject
NZ Transport Agency	91/20	Reject
The Energy Efficiency and Conservation Authority	117/18	Accept

Submitter	Submission	Recommendation
Wellington City Council	131/34	Accept
Wellington Police	135/6	Reject

All further submissions are accepted or rejected accordingly.

(c) **Recommended changes**

Amend policy 55 clause (a) in response to the submission from New Zealand Wine Growers in section 2.1 'Overall' as follows:

**Policy 55: Managing development in rural areas – consideration**

When considering an application for a resource consent or a change, variation or replacement alteration to a district plan, in rural areas (as at March 2009), particular regard shall be given to whether:

- (a) the proposal will result in a loss of productivity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities;
- (b) the proposal will reduce aesthetic and open space values in rural areas between and around settlements;
- (c) the proposal's location, design or density will minimise demand for non-renewable energy resources; and
- (d) the proposal is consistent with the relevant city or district council growth and/or development framework or strategy that addresses future rural development; or
- (e) in the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.

**2.131 Policy 56: Integrating land use and transportation – consideration**

Submitter	Submission	Summary
Agenda Development Planning	2/8	Requested addition to sub-paragraph (e) to read: '...except where provision has been made through identified and confirmed sources of funding, including developer contributions, to pay for such increases in demand and / or upgrades.'
Coastland Shopping Limited	24/9	Supported policy in principle, but asked that the policy be reviewed to ensure a flexible approach when



Submitter	Submission	Summary
		applying the policies to new development.
F20/12	Westfield New Zealand Ltd	Support in part
F20/17	Westfield New Zealand Ltd	Oppose in part
Department of Conservation	31/49	Sought that the policy be retained as proposed.
Department of Corrections	32/9	Sought that policy 56 be retained in current form without modification as they will potentially benefit corrections by promoting the integration of landuse and infrastructure.
Genesis Energy	40/12	Sought retention but an amendment to clause (e) to read: 'whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.'
NZ Transport Agency	91/21	Requested that the cross referencing alongside the policy also refer to policy 7
Wellington City Council	131/35	Supported policy 56
Westfield New Zealand Ltd	138/11	Sought that policy 56(b) should be amended to read: '(b) connectivity with, or provision of access to, public services or activities, key centres of employment or retail activity, open spaces, or recreational areas'.
F12/64	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

(a) Discussion

**Agenda Development Planning** requested that clause (e) be amended to read '...except where provision has been made through identified and confirmed sources of funding, including developer contributions, to pay for such increases in demand and/or upgrades'. Genesis Energy sought retention, but an amendment to clause (e) to read 'whether new, or upgrades to existing, transport network infrastructure have

been appropriately recognised and provided for.’. It is recommended that the proposed change suggested by Genesis Energy be accepted as the more appropriate change to address both submitters concerns. The change will enable an assessment as to whether demand has been appropriately recognised and provided for.

**Coastland Shopping Limited** supported the policy, in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development. **Westfield New Zealand Limited** supported the submitters support for the policy, but opposed the request to review the policy to ensure flexibility. No changes are required to policy 56. There is flexibility in the policy. Policy 56 is to be given particular regard when making decisions. Other policies and the effects of a development will also need to be considered then an overall judgement made in accordance with Part 2 of the Act as to whether the proposed development (whether by consent, designation or through a plan) will promote sustainable management.

**Department of Conservation** sought that the policy be retained as proposed. **Department of Corrections** also sought that policy 56 be retained in current form. **Wellington City Council** also supported policy 56. It is recommended that these submissions be accepted in part, as changes have been made to the policy in response to submissions.

**NZ Transport Agency** requested that the cross referencing alongside the policy refer to policy 7. The cross referencing in section 4.2 is linked to policies that also need to be considered when making resource management decisions (I.e. policies in section 4.2). Policy 7 is in section 4.1 and is only relevant when a council reviews its plan (or a provision in its plan). When implementing policy 7, councils will, however, need to consider policy 56. Policy 56 is referenced alongside policy 7. It is therefore recommended that the proposed cross referencing not be included.

**Westfield New Zealand Ltd** sought that policy 56(b) be amended to read ‘(b) connectivity with, or provision of access to, public services or activities, key centres of employment or retail activity, open spaces, or recreational areas’. **Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd** supported the submission. The proposed change is considered to clarify the matters that should be assessed. It is therefore recommended that the change be made.

(b) Recommended decision

Submitter	Submission	Recommendation
Agenda Development Planning	2/8	Accept in part
Coastland Shopping Limited	24/9	Reject
Department of Conservation	31/49	Accept in part
Department of Corrections	32/9	Accept in part
Genesis Energy	40/12	Accept
NZ Transport Agency	91/21	Reject
Wellington City Council	131/35	Accept in part
Westfield New Zealand Ltd	138/11	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 56 as follows:

**Policy 56: Integrating land use and transportation – consideration**

When considering an application for a resource consent, notice of requirement, or a change, variation or replacement to a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy:

- (a) whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network;
- (b) connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas;
- (c) whether there is good access to the strategic public transport network;
- (d) provision of safe and attractive environments for walking and cycling; and

- (e) minimising the demands for new, or upgrades to existing, transport network infrastructure whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.

**2.132 Policy 57: Co-ordinating land use with development and operation of infrastructure – consideration**

Submitter	Submission	Summary
Coastland Shopping Limited	24/10	Supported policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development.
F20/13	Westfield New Zealand Ltd	Support in part
F20/18	Westfield New Zealand Ltd	Oppose in part
Department of Conservation	31/50	Sought that the policy be retained as proposed.
F5/28	PowerCo Limited	Support
Department of Corrections	32/10	Sought that policy 57 be retained in current form without modification as it would potentially benefit corrections by promoting the integration of landuse and infrastructure.
NZ Transport Agency	91/22	Sought amendment of policy 57(a) to read: 'make efficient and safe use of existing infrastructure capacity'. Sought amendment of the explanation to make explicit that the cumulative effects of the development on infrastructure needs to be assessed when considering giving effect to policy 57.
NZ Transport Agency	91/23	Requested that the cross referencing alongside the policy also refer to policy 7
Wellington City Council	131/36	Supported policy 57
Westfield New Zealand Ltd	138/12	Stated that the first sentence of the explanation to policy 57 should read: '... decisions have a direct bearing upon...'

Submitter	Submission	Summary
F12/65	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

(a) Discussion

**Coastland Shopping Limited** supported the policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development. **Westfield New Zealand Limited** supported the submitters support for the policy, but opposed the request to review the policy to ensure flexibility. No changes are required to policy 57. There is flexibility in the policy. Policy 57 is to be given particular regard when making decisions. Other policies, and the effects of a development, will also need to be considered then an overall judgement made in accordance with Part 2 of the Act as to whether the proposed development (whether by consent, designation or through a plan) will promote sustainable management.

**Wellington City Council** supported policy 57. **Department of Conservation** sought that the policy be retained as proposed. The submission was supported by **PowerCo Limited**. **The Department of Corrections** also sought that policy 57 be retained in current form without modification. These submissions are noted, some changes have however been recommended to policy 57.

**NZ Transport Agency** sought an amendment to policy 57(a) to read ‘make efficient and safe use of existing infrastructure capacity’. They also sought amendments to the explanation to make it explicit that the cumulative effects of the development on infrastructure need to be assessed when giving effect to policy 57. It is recommended that the submitters proposed addition of the words “safe” be added to clause (a). This is consistent with objective 21. It is not considered necessary to include in the explanation the need to consider cumulative effects. Policy 56, and in particular clause (a) will need to be considered alongside policy 57.

NZ Transport Agency also requested that the cross referencing alongside the policy refer to policy 7. The cross referencing in section 4.2 is linked to policies that also need to be considered when making resource management decisions (I.e. policies in section 4.2). Policy 7 is in section 4.1 and is only relevant when a council reviews its plan (or a provision in its plan). When implementing policy 7, councils will, however, need to consider policy 57. Policy 57 is referenced

alongside policy 7. It is therefore recommended that the proposed cross referencing not be included.

**Westfield New Zealand Ltd** stated that the first sentence of the explanation to policy 57 should read ‘... decisions have a direct bearing upon...’. Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd supported the submission. It is recommended that the correction be made.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastland Shopping Limited	24/10	Accept
Department of Conservation	31/50	Accept in part
Department of Corrections	32/10	Accept in part
NZ Transport Agency	91/22	Accept in part
NZ Transport Agency	91/23	Reject
Wellington City Council	131/36	Accept
Westfield New Zealand Ltd	138/12	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend policy 57 and its explanation in response to submissions above, in response to the submission by Transpower New Zealand Limited on section 4.2 of the Regional Policy Statement, as follows:

**Policy 57: Co-ordinating land use with development and operation of infrastructure – consideration**

When considering an application for a resource consent, notice of requirement, or a plan change, variation or replacement to a district plan for subdivision, use or development, particular regard shall be given to whether the proposed subdivision, use or development is located and sequenced to:

- (a) make efficient and safe use of existing infrastructure capacity; and/or
- (b) coordinate with the development and operation of new infrastructure.

## Explanation

Subdivision, use and development, (including infrastructure) decisions have a direct bearing upon or relationship to the sequencing and development of new infrastructure, including new infrastructure for the electricity transmission network and the region's strategic transport network. The region's strategic transport network is described in the Wellington Regional Land Transport Strategy 2007-2016.

### 2.133 Policy 58: Managing the Regional Focus Areas – consideration

Submitter	Submission	Summary
Coastland Shopping Limited	24/11	Supported the inclusion of Paraparaumu to Paraparaumu Beach and its intensification intent. However, considered that there was a lack of clarity regarding goals of the focus area which means the implications of the policy are unclear. Sought further clarification.
F20/20	Westfield New Zealand Ltd	Support
Department of Conservation	31/51	Neutral submission but noted that one of the Regional Development Areas is Pauatahanui and that the Pauatahanui Inlet is particularly sensitive to urban development and emphasis needs to be placed on protecting the ecological values of this area. Noted that district and regional councils are required by other policies within the Regional Policy Statement to identify and protect those values.
Foodstuffs (Wellington) Co operative Society Ltd	37/5	Requested deletion of the goals or in the alternative amend the goals to provide clear guidance on how the focus areas should be managed
F20/24	Westfield New Zealand Ltd	Support
NZ Transport Agency	91/24	Requested that the cross referencing alongside the policy also refer to policy 7
Porirua City Council	100/42	Stated that policy 58 refers to 'management goals' within the Wellington Regional Strategy. Noted that the Wellington Regional Strategy does not clearly identify 'management goals' but does list a range of actions. Suggested that the explanation of this policy be refined to clearly state which part of the Wellington Regional Strategy the policy is referring to.

Submitter	Submission	Summary
F12/42	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
F20/37	Westfield New Zealand Ltd	Support
Wellington City Council	131/37	Supported policy 58
Westfield New Zealand Ltd	138/13	Stated that policy 58 should be deleted.
F12/66	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

(a) Discussion

**Coastland Shopping Limited** supported the inclusion of Paraparaumu to Paraparaumu Beach and the intent to intensify. However, they considered that there was a lack of clarity regarding the goals of the focus areas which meant that the implications of the policy were unclear. They sought further clarification. **Foodstuffs (Wellington) Co operative Society Ltd** requested deletion of the goals or, as an alternative, suggested amending the goals to provide clear guidance. **Westfield New Zealand Ltd** supported the submissions. They also sought that policy 58 be deleted. Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd supported their request to delete policy 58.

It is recommended that policy 58 be deleted as the submitters are correct. The policy lacks clarity and its implications are unclear. This is not appropriate in a policy that is to be given regard in resource management decision making (on resource consents, designations and plan changes). It is also not possible to provide the clarity required without undertaking further work as identified in method 45. The



Regional Focus Areas were identified by the region’s local authorities and other key stakeholders during the development of the Wellington Regional Strategy as areas that are predicted to either come under significant development pressure or provide significant development opportunities. It is therefore appropriate that these areas and their pressures and opportunities be identified in the Regional Policy Statement. Consequentially, it is recommended that a new clause about the Focus Areas be added to non-regulatory policy 67 “maintaining and enhancing a compact, well designed and sustainable regional form”, and that a new clause also be added to objective 21. See recommended changes to both objective 21 and policy 67.

**Porirua City Council** noted that policy 58 referred to 'management goals', but that the Wellington Regional Strategy did not clearly identify 'management goals' but lists a range of actions. They suggested that the explanation of this policy be refined to clearly state which part of the Wellington Regional Strategy the policy was referred to. Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd and Westfield New Zealand Ltd supported the submission. It is recommended that these submissions be accepted, in part, and the clause recommended for inclusion in policy 67 above be modified to refer to the ‘actions’ in the Wellington Regional Strategy and the explanation be amended accordingly.

The **Department of Conservation** made a neutral submission but noted that one of the Regional Development Areas is Pauatahanui and that the Pauatahanui Inlet is particularly sensitive to urban development and emphasis needs to be placed on protecting the ecological values of this area. They, however, noted that district and regional councils are required by other policies within the Regional Policy Statement to identify and protect those values.

**NZ Transport Agency** requested that the cross referencing alongside the policy also refer to policy 7. As it is recommended that this policy be deleted, the proposed changes sought to the cross referencing are no longer required.

**Wellington City Council** supported policy 58. The proposed policy is however recommended to be deleted.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastland Shopping Limited	24/11	Accept
Department of Conservation	31/51	Accept

Submitter	Submission	Recommendation
Foodstuffs (Wellington) Co operative Society Ltd	37/5	Accept
NZ Transport Agency	91/24	Reject
Porirua City Council	100/42	Accept in part
Wellington City Council	131/37	Accept in part
Westfield New Zealand Ltd	138/13	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Delete policy 58.

**2.134 Policy 59: Retaining highly productive agricultural land (Class I and II land) – consideration**

Submitter	Submission	Summary
Agenda Development Planning	2/9	Requested addition to read: 'Plans shall prohibit subdivision for urban development purposes on Class I and II soils, other than where such subdivision relates to provision of essential linear infrastructure (transport routes, power transmission lines, utilities) and that it can be demonstrated that no other possible routes exist that would result in the smaller losses of Class I and II soils.'
F19/53	Horticulture New Zealand	Oppose
East Harbour Environmental Association Incorporated	33/19	Supported improvements made and reference to 'retaining' high value soils instead of 'loss of' high value soils.
Federated Farmers of New Zealand	35/56	Sought deletion of policy 59 And Sought consequential amendments as to detail or substance throughout the Policy Statement, in particular the methods section, to give effect to this Submission
F22/101	Anders Crofoot	Support

Submitter	Submission	Summary
Fonterra Co-operative Group Ltd	36/8	Supported the consideration of action that can be taken to retain highly productive agricultural land.
F19/54	Horticulture New Zealand	Oppose in part
Horticulture New Zealand	50/36	Stated that objective 29 applies to all soils in the region – not just some. Yet policy 59 protects Class I and II soils. Stated that trying to protect Class 1 and II land from development was not supported as was inconsistent with the Resource Management Act 1991. Stated that the statement of the issue of soil health is a concern in that it implies that the use of certain practices leads to the loss of the life supporting capacity. A reduction of soil health does not necessarily equate to a total loss of the life supporting capacity. Also stated that the issue refers to 'intensive farming' but there is no definition to determine what is meant by the use of this term. Intensive farming usually refers to pig and poultry type operations but that does not seem to be the use of the term implied on pg 58. Sought that policy 59 be deleted.
F22/1102	Anders Crofoot	Support
F23/71	Federated Farmers of New Zealand	Support
Kapiti Coast District Council	56/35	Stated that was pleased to see policy 59 which specifically addressed highly productive soils. Stated preference that this policy to be broader to address a wider range of productive potential but accepted that this is covered in policy 55.
F19/55	Horticulture New Zealand	Support in part
New Zealand Winegrowers	89/2	Supported the proposed Regional Policy Statement' acknowledgment that rural land is under threat from residential development, But opposed the limitation of protection within policy 59 to Class I and II soils. Recommended that the wording of policy 59 be amended to extend also to soils suitable for winegrowing and state: "When considering an application for a resource consent, notice of requirement, or a change,

Submitter	Submission	Summary
		variation or replacement to a district plan, particular regard shall be given to retaining the productive capability for agriculture of Class I, II and suitable winegrowing land."
F1/80	Winstone Aggregates	Oppose
Wellington City Council	131/110	Supported policy 59.

(a) Discussion

**Agenda Development Planning** sought a change to policy 59 so that district plans prohibit subdivisions on class I and II land except where it is deemed essential. The submission was opposed by Horticulture New Zealand. Officers note that policy 59 directs that when changing, varying or replacing district plans that city and district councils consider retaining class I and II, not to prohibit any activities taking place on this land. Officers consider that prohibition of use of the land is not appropriate. If particular districts wish to restrict activities on this land, then this would be achieved as part of their planning processes.

**East Harbour Environmental Association** commented on the change in wording from 'loss' to retaining high quality soils. The submitter stated that 'retain' is a better term for policy 59. Officers note the policy uses the word 'retain'.

**Federated Farmers of New Zealand** sought the deletion of policy 59 based on a considerable body of case law and that decisions on resource allocation must be balanced against other resource considerations. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. Officers consider that class I and II soils in the region are relatively scarce. When making a decision on development in a rural area, policy 59 will need to be considered alongside other policies, and the effects of any activity. A decision should be made on plan changes or resource consents as to whether the development will promote sustainable management in accordance with Part II of the Act.

**Fonterra Co-operative Group Ltd** sought the retention of policy 59. The submitters support is noted. The submission was opposed in part by Horticulture New Zealand.

**Horticulture New Zealand** sought the deletion of policy 59 or a modification of the policy to take account of the factors of production that would go alongside protecting high quality soils. The submission was supported by Anders Crofoot and Federated Farmers of New Zealand. Officers do not consider that resource management decision

should have to take into account other production factors for decisions regarding class I and II land. Production factors would be a matter for landowners to consider.

**Kapiti Coast District Council** supported policy 59, however, would prefer it broadened to cover matters addressed by policy 55. The submission was supported in part by Horticulture New Zealand. Officers consider that there are similarities between the two policies, however, policy 59 directs consideration for a specific resource that is scarce in the region, not all productive land.

**New Zealand Winegrowers** sought that policy 59 be amended to include soils suitable for wine growing. The submission was opposed by Winstone Aggregates. Officers do not consider that policy 59 should specifically cater for a particular sector with regard to soils. Policy 59 is only concerned with class I and II land through scarcity and not because these soils are preferred for one crop over another.

**Wellington City Council** supported policy 59. Their support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Agenda Development Planning	2/9	Reject
East Harbour Environmental Association Incorporated	33/19	Accept
Federated Farmers of New Zealand	35/56	Reject
Fonterra Co-operative Group Ltd	36/8	Accept
Horticulture New Zealand	50/36	Reject
Kapiti Coast District Council	56/35	Accept
New Zealand Winegrowers	89/2	Reject
Wellington City Council	131/110	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to policy 59.

## 2.135 Policy 60: Utilising the region's mineral resources – consideration

Submitter	Submission	Summary
Aggregate and Quarry Association of New Zealand	3/9	Sought clause (b) be amended to read: 'Protecting significant mineral resources and their extraction and processing from incompatible or inappropriate land uses alongside.'
Winstone Aggregates	15/32	<p>Sought the following new policies and associated explanations:</p> <p>Policy 60A: Significant mineral resources District and regional plans shall include provisions that recognise and provide for the utilisation of the region's significant mineral resources.</p> <p>Explanation Policy 60A recognises the importance of the region's significant mineral resources. The term significant mineral resource includes deposits of minerals, the extraction of which is of prime importance in order to meet the current and future mineral needs of the region (an example of this is the region's aggregate resources). Implementation of this policy is supported by the compilation of information on the location and significance of mineral resources in the region.</p> <p>Policy 60B: Significant mineral resources - considerations When considering resource consent applications, notice of requirements and changes to and reviews of district and regional plans, local authorities shall:</p> <ul style="list-style-type: none"> <li>• Protect existing mineral extraction sites and access routes to these sites from reverse sensitivity effects; and</li> <li>• Promote recognition of areas which have the potential to provide significant mineral resources and protect access to such areas</li> </ul> <p>Explanation: Policy 60B seeks to ensure that the development and use of land in the region is done in such a way that existing mineral extraction sites and significant deposits are protected as are access routes to these sites. This policy recognises that it is beneficial - both economically and environmentally - that significant mineral resources be extracted in reasonable proximity to growing communities. Implementation of this policy is supported by the compilation of information on the location and significance of the significant mineral resources in the region.</p>

Submitter	Submission	Summary
Crown Minerals (Ministry of Economic Development)	26/3	Opposed. Sought the following addition to policy 60 "Significant mineral resources are ... the region or nation." Existing commercial mineral quarries in the region may be considered significant mineral resources. Method 51, when implemented, will identify further locations of significant mineral resources within the region." Also sought removal from the explanation of the following sentence: "Examples of methods to protect significant mineral resources include the use of buffer areas in which sensitive areas may be restricted, and the use of noise reduction methods and visual screening."
Higgins Group Holdings Ltd	48/8	Sought amendment to subsection (b) so refers to protecting not only mineral resources but also aggregate extraction and processing activities from incompatible activities occurring in their vicinity.
Ravensdown Fertiliser Co-operative Limited	104/6	Sought retention.
Wellington City Council	131/111	Supported policy 60.

(a) Discussion

**Aggregate and Quarry Association of New Zealand** supported policy 60 in part, however, they sought a change to part (b) to take account of the extraction and processing of quarries and not just the mineral deposit. Officers consider the extraction and processing of quarries is a matter for individual applicants when applying for resource consent to develop mineral deposits, and would be dealt with on a case by case basis. District and regional plans may also include policies and/or rules concerning extraction and processing for mineral deposits/quarries to address local or resource specific issues. This is not a regionally significant issue for the proposed Regional Policy Statement to address.

**Winstone Aggregates** sought that policy 60 be replaced by two new policies to provide for better guidance about mineral resources and their use is provided for. Officers are unsure in policy 60A how district and regional plans would 'recognise and provide for' when implementing policy 60A. This policy does not provide any guidance or surety. Whereas policy 60, in the proposed Regional Policy Statement, requires resource consents, designations and plan changes to consider the social, economic and environmental benefits from

extracting mineral resources. The submitter's policy 60B part (a) requires that local authorities protect existing extraction sites and access routes from reverse sensitivity effects. Officers consider that proposed policy 60 more clearly outlines the matter to be considered to manage reverse sensitivity effects. It would also not be appropriate to protect the access to sites from reverse sensitivity effects. Access needs to be assessed on a case by case basis through individual resource consent applications. Part (b) of the submitter's policy 60B requires that areas with potential mineral resources be recognised and protected and that their access be protected. Proposed Policy 60 clause (b) can apply to both existing and future significant mineral resources where they are known. Officers therefore consider (b) in policy 60B unnecessary.

**Crown Minerals** sought changes to policy 60 and listed five reasons to support their changes.

Reason 1 was concerned with the words 'current' and 'future' in the definition of significant mineral resources outlined in the explanation. The submitter stated that, as the policy currently stands, the future was not included. Officers agree the 'and' conjunction could be read to preclude the future mineral deposits and should be changed to an 'or'.

Reason 2 was about the lack of recognition in policy 60 concerning national mineral deposits. Officers agree there may be future discoveries of mineral resources that could be of regional and/or national importance. Officers agree to the suggested wording by the submitter for the definition of significant mineral resources.

Reason 3 was concerned with the use of the word 'needs' in the definition of significant mineral deposits in the explanation. Officers consider the word appropriate for the context of this policy and the proposed Regional Policy Statement. Minerals in the Wellington region, for the most part, will be used for buildings and roads. This work is driven by the 'needs' of the community and the nation.

Reason 4 was concerned with the time requirement to implement method 51. Officers agree there could be a time lag between the operative Regional Policy Statement and finalising the report on mineral resources in the region. However, mineral resources are periodically updated by the Geological and Nuclear Sciences in their regular publications and there are other publications on the geology of the Wellington region that have references to appropriate rock types for potential mineral development. Officers suggest given the amount of time that is required to develop a new quarry and the speed of extraction of existing quarries there is sufficient time to develop method 51.

Reason 5 was concerned about the use of examples in the explanation. Officers do not agree that the use of examples in the explanation would place meeting the objective in jeopardy. The examples are a



guide only and serve a useful purpose in showing what district plans may consider in reverse sensitivity situations for mineral extraction sites. Officers recommend that the relief sought by the submitter of, changes to the definition of significant mineral resources, the addition to policy 60 and removal of explanation text to policy 60 be rejected.

**Higgins Group Holdings Ltd** sought an amendment to policy 60 to protect the extraction and processing activities from incompatible activities occurring alongside. Officers do not consider that extraction and processing activities should be protected in policy 60. District and regional plans may include additional policies and/or rules concerning extraction and processing for mineral deposits/quarries to address local or resource specific issues. This is not a regionally significant issue for the proposed Regional Policy Statement to address

**Ravensdown Fertiliser Co-operative Ltd** sought retention of policy 60. **Wellington City Council** supported policy 60. The submitters support is noted. Staff note some amendments are recommended in response to other submissions.

(b) Recommended decision

Submitter	Submission	Recommendation
Aggregate and Quarry Association of New Zealand	3/9	Accept in part
Winstone Aggregates	15/32	Reject
Crown Minerals (Ministry of Economic Development)	26/3	Accept in part
Higgins Group Holdings Ltd	48/8	Reject
Ravensdown Fertiliser Co-operative Limited	104/6	Accept in part
Wellington City Council	131/111	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend paragraph 2 in the explanation as follows:

*Significant mineral resources* are deposits of minerals, the extraction of which is of importance in order to meet the current ~~and~~ or future mineral needs of the region or nation.

## 2.136 Policy 61: Allocation of responsibilities for land use controls for indigenous biodiversity

Submitter	Submission	Summary
Winstone Aggregates	15/33	Sought similar amendments be made to policy 61 as requested for policy 23.
Department of Conservation	31/52	Sought that the policy be retained as proposed.
Mighty River Power	83/42	Sought retention in its entirety.
Wellington City Council	131/112	Supported policy 61.

### (a) Discussion

**Winstone Aggregates** sought that policy 61 be amended to recognise any existing consent, certificate of compliance or permitted activity rule in a relevant district plan. Policy 61 is intended to clarify the allocation of responsibilities for land use controls for indigenous biodiversity and the requested wording is unrelated to the purpose of the policy. It is therefore not recommended that the submission be adopted.

**Department of Conservation** sought that the policy be retained as proposed. **Mighty River Power** sought retention of the policy in its entirety. **Wellington City Council** supported policy 1. The submitters support is noted.

### (b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/33	Reject
Department of Conservation	31/52	Accept
Mighty River Power	83/42	Accept
Wellington City Council	131/112	Accept

### (c) Recommended changes

There are no recommended changes to Policy 61.

**2.137 Policy 62: Allocation of responsibilities for land use controls for natural hazards**

Submitter	Submission	Summary
Department of Conservation	31/53	Sought that the policy be retained as proposed.
Wellington City Council	131/113	Supported policy 62.

(a) Discussion

**Department of Conservation** and **Wellington City Council** supported policy 62. Their support is noted

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/53	Accept
Wellington City Council	131/113	Accept

(c) Recommended changes

There are no recommended changes to policy 62.

**2.138 Policy 63: Allocation of responsibilities for land use controls for hazardous substances**

Submitter	Submission	Summary
Horticulture New Zealand	50/37	Sought that the Council amend Table 12 to provide for Wellington Regional Council to take responsibilities for 'other land'. Stated that substances such as agrichemicals may be discharged to air, land and water and so the management of such substances needs to be with one regulator. Concerned that the proposed Regional Policy Statement would split that function between the regional council and the districts. Given the already complex Hazardous Substances and New Organisms regime additional multiple regulatory levels was not supported.
F22/103	Anders Crofoot	Support

Submitter	Submission	Summary
New Zealand Defence Force	86/12	Supported the intent to policy 63 and sought that it be retained.
Wellington City Council	131/114	Supported policy 63.

(a) Discussion

**Horticulture New Zealand** sought that policy 63 be amended so that the Wellington Regional Council took responsibilities for ‘other land’ in Table 13. All other land use activities in the Wellington region are predominantly undertaken by the region’s city and district councils. The submission was supported by Anders Crofoot. Officers consider it appropriate that the control of land use for the prevention or mitigation of any adverse effects from the storage use disposal or transportation of hazardous substances also be managed by city and district councils in an integrated manner alongside other land use controls.

**New Zealand Defence Force** supported the intent of policy 63 and sought that it be retained. **Wellington City Council** supported policy 1. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Horticulture New Zealand	50/37	Reject
New Zealand Defence Force	86/12	Accept
Wellington City Council	131/114	Accept

The further submission from Anders Crofoot is rejected accordingly.

(c) Recommended changes

There are no recommended changes to policy 63.

## 2.139 Section 4.4 Non-regulatory policies

Submitter	Submission	Summary
Fonterra Co-operative	36/9	Supported non-regulatory approaches to achieving objectives and believes that this approach is well established, and successful, within the dairy industry

Group Ltd		
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(a) Discussion

**Fonterra Co-operative Group Ltd** supported non-regulatory approaches to achieving the objectives and considered that the approach was well established, and successful, within the dairy industry. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Fonterra Co-operative Group Ltd	36/9	Accept

(c) Recommended changes

No changes to the introduction of section 4.4 are recommended.

**2.140 Policy 64: Supporting environmental enhancement initiatives - non-regulatory**

Submitter	Submission	Summary
Anders Crofoot	25/27	Stated that if 'natural character' is confined to indigenous species then the statement 'natural character of the coast has been degraded' may be acceptable, but if 'natural character' includes farmland, then in many instances the natural character has been enhanced. The need to live and be economically viable, and the impossibility of returning to the pre-human habitation environment, is not recognised by the statement 'Setting right historical activities'.
Department of Conservation	31/54	Sought that the policy be retained as proposed.
Friends of Owhiro Stream	38/5	Particularly supported policy 64 regarding a whole of catchment approach. However stated that the intent of policy 64 needed to be brought into policies relating to district and regional plans and consideration of resource consent application and other statutory processes.
F1/34	Winstone Aggregates	Oppose in part
Kapiti Coast District Council	56/12	Supported policy 64 as this policy also reinforces the approach the Council has taken with respect of indigenous ecosystems to date in that it places an

Submitter	Submission	Summary
		obligation on local authorities to encourage environmental restoration through non regulatory methods such as the provision of information and grants.
Korokoro Environment Group	65/8	Sought retention with a modification to support in particular those initiatives that involve community participation.
Porirua City Council	100/43	Supported along with method 52.
F12/43	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Porirua City Council	100/44	Noted that the policy is cross referenced to objective 3, but does not appear in table 2 under objective 3.
F12/44	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/114	Supported policy 64.

(a) Discussion

**Anders Crofoot** stated that if ‘natural character’ is confined to indigenous species then the statement ‘natural character of the coast has been degraded’ may be acceptable, but if ‘natural character’ includes farmland, then in many instances the natural character has been enhanced. The submitter also commented that the need to live and be economically viable, and the impossibility of returning to the pre-human habitation environment, is not recognised by the statement ‘setting right historical activities’.

Case law has established that ‘natural’ is defined as a product of nature and can include such things as pasture and exotic vegetation (Harrison vs. Tasman District Council W42/93). Natural character

occurs on a continuum, and it is generally accepted that modifications such as pasture and farming practices move the natural character of an area away from pristine. Farming still continues the processes of nature and generally retains the seascape and underlying landforms of the coastal environment and underlying ecological processes. An amendment to the introduction section has seen a new paragraph inserted which clarifies the continuum of natural character in the coastal environment and the influence of farming activities, as well as the economic benefits that can be derived.

The policy is a non-regulatory policy and thus implicitly recognises the submitter's viewpoint that a return to pre-human habitation environment is impossible. The policy is implemented by providing some support for community environmental enhancement initiatives and providing guidance on a catchment integrated approach. There is no landowner responsibility in this policy or requirement to consider these initiatives in resource management consents or provisions. Mr Crofoot's submission is therefore recommended to be accepted in part.

**The Department of Conservation, Kapiti Coast District Council, Korokoro Environment Group, the Friends of Owhiro Stream and Wellington City Council** all supported this policy. Kiwi Income Property Trust, Kiwi Income Properties Ltd and Kiwi Properties Management Ltd further submitted in support of Porirua City Council. The support is noted.

**Friends of Owhiro Stream** stated that the intent of policy 64 needed to be brought into policies relating to district and regional plans and consideration of resource consent application and other statutory processes. The submission is opposed in part by Winstone Aggregates. Greater Wellington staff note the point made in the explanation to policy 64: *A regulatory approach cannot restore aquatic ecosystems from the effects of many existing and historical activities. Resource consent holders cannot be obliged to remedy existing effects unless they are caused by their particular activity.* Policy 64 is directed at non-regulatory initiatives. However, it is recognised that regulatory activities can lead to enhancement of the environment and this element is intended to be part of many policies directed at regional and district plans, and resource consents e.g., policies 5, policy 11, 17, 27, 39, 42 and 52.

**Kapiti Coast District Council** supported policy 64. The support is noted.

**Korokoro Environmental Group** sought retention with a modification to support, in particular, those initiatives that involve community participation. Greater Wellington staff note that initiatives involving community participation are a key element of supporting environmental enhancement initiatives, and an amendment to the explanation to reinforce this is recommended.

**Porirua City Council** supported the policy. The submitter, however, noted that the policy is cross referenced to objective 3, but does not appear in table 2 under objective 3. Greater Wellington staff note that policy 64 is to achieve objective 5 in table 2 and a change is not recommended.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/27	Accept in part
Department of Conservation	31/54	Accept
Friends of Owhiro Stream	38/5	Accept
Kapiti Coast District Council	56/12	Accept
Korokoro Environment Group	65/8	Accept
Porirua City Council	100/43	Accept
Porirua City Council	100/44	Accept
Wellington City Council	131/114	Accept in part

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Add policy 64 to the provisions in table 2, objective 3

As a consequence of the submission of Lower Hutt Forest and Bird Protection Society on policy 16, amend the second paragraph of the explanation to policy 64 as follows:

A regulatory approach cannot restore aquatic ecosystems from the effects of many existing and historical activities. Resource consent holders cannot be obliged to remedy existing effects unless they are caused by their particular activity. Where historical activities have affected an aquatic ecosystem, restoration measures such as mitigating the effects of existing fish pass impediments, riparian planting or the removal of concrete linings or contaminated material can help restore the habitat.

Change the third paragraph of the explanation to policy 64 as follows:

Setting right the effects of historical activities that have reduced the extent and quality of indigenous ecosystems and habitats in the region can be facilitated by providing information about the importance of these ecosystems and habitats, and by providing



financial incentives to promote their maintenance, enhancement and restoration. Wellington Regional Council and district and city councils can, through their operations, play a role in the restoration and enhancement of indigenous ecosystems and habitats – such as, in reserve management plans, pest control, storm-water management, and roadside vegetation management. Providing assistance to community groups and promoting initiatives involving community participation are key elements that will help implement policy 64.

**2.141 Policy 65: Promoting efficient use and conservation of resources - non-regulatory**

Submitter	Submission	Summary
Craig Brown	17/3	Sought insertion: Greywater recycling reduces water use and wastewater production, which in turn reduces energy use (water services being a major consumer of energy). Greywater recycling systems should be encouraged in individual households by the provision of information and advice. A reduced (preferably zero) fee should be charged for building consent applications for greywater recycling systems to recognize this benefit, which is directly comparable to the policy adopted for solar hot water systems. Also sought a similar policy for rainwater tanks should be considered where consent application fees apply.
Department of Conservation	31/55	Sought that the policy be retained as proposed.
Horticulture New Zealand	50/38	Stated that while promotion is supported there is also a need for efficient use to be considered for all users of water in the regulatory context. Sought elsewhere in the submission that efficient use of water also be a requirement for community and public water supplies. Stated that the issue of water wastage should be elevated to a matter to which regional council should have particular regard to so that targets that are set have some degree of regulatory force behind them.
F22/104	Anders Crofoot	Support
Kapiti Coast District Council	56/36	Stated support for policy 65 aimed at reducing demand and wastage of water through non-regulatory means.
The Energy Efficiency and Conservation	117/19	Supported and sought retention of policy 65.

Submitter	Submission	Summary
Authority		
Wairarapa Regional Irrigation Trust	127/9	Stated that the submitter was pleased to see the recognition of the role that the Council has in information gathering and dissemination to assist people to use the resources efficiently and effectively. Also supported the investigation of transferable water permits of some form and would like to be involved in that investigation.
Wellington City Council	131/115	Supported policy 65.
Wellington Fish and Game Council	133/29	Opposed the specification of 'non-regulatory' as it applied to policy 65.
F24/130	Masterton District council	Oppose

(a) Discussion

**Craig Brown** outlined the benefits of greywater recycling and sought a similar policy for rainwater tanks that should be considered where consent application fees apply. Greater Wellington staff note the comments on greywater recycling. Greywater recycling and rainwater tanks can be mentioned in the explanation to policy 65. Policy 65 is a non regulatory policy and is not relevant to resource consents. Policy 44 is a regulatory policy that is relevant to resource consents and this submission is also considered in the context of policy 44.

**Department of Conservation** sought that the policy be retained as proposed. Staff note a change to the explanation is recommended.

**Horticulture New Zealand** stated that while promotion is supported there is also a need for efficient use to be considered for all users of water in the regulatory context. The submission of Horticulture New Zealand was supported by Anders Crofoot. Greater Wellington staff comment that regulatory policies 18, 43 and 44 are directed at efficient use of water.

**Kapiti Coast District Council** support policy 65 aimed at reducing demand and wastage of water through non-regulatory means. The support is noted.

**The Energy Efficiency and Conservation Authority** supported and sought retention of policy 65. **Wairarapa Regional Irrigation Trust** and **Wellington City Council** supported policy 1. The submitters support is noted.

**Wellington Fish and Game Council** opposed the specification of ‘non-regulatory’ as it applied to policy 65. The submission was opposed by Masterton District Council. Greater Wellington staff comment that policy 65 is a policy that supports environmental enhancement initiatives written for non-regulatory purposes.

(b) Recommended decision

Submitter	Submission	Recommendation
Craig Brown	17/3	Accept
Department of Conservation	31/55	Accept
Horticulture New Zealand	50/38	Accept
Kapiti Coast District Council	56/36	Accept
The Energy Efficiency and Conservation Authority	117/19	Accept
Wairarapa Regional Irrigation Trust	127/9	Accept
Wellington City Council	131/115	Accept in part
Wellington Fish and Game Council	133/29	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Change the second to last paragraph of the explanation to policy 65 as follows:

Water efficient household appliances and garden watering tied to garden needs, along with fixing dripping taps and planting locally appropriate plants, are some of the ways that people could make the water delivered to their house go further. Greywater recycling and the use of rainwater tanks are ways that households can make more efficient use of water.

**2.142 Policy 66: Enhancing involvement of tangata whenua in resource management decision-making - non-regulatory**

Submitter	Submission	Summary
Department of Conservation	31/56	Sought that the policy be retained as proposed.

Submitter	Submission	Summary
New Zealand Historic Places Trust	87/31	Sought retention of policy 66.
Wellington City Council	131/116	Supported policy 66.

(a) Discussion

**Department of Conservation, New Zealand Historic Places Trust and Wellington City Council** sought retention of policy 66. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/56	Accept
New Zealand Historic Places Trust	87/31	Accept
Wellington City Council	131/116	Accept

(c) Recommended changes

No changes to policy 66 are recommended.

**2.143 Policy 67: Maintaining and enhancing a compact, well designed and sustainable regional form - non-regulatory**

Submitter	Submission	Summary
Coastland Shopping Limited	24/12	Supported policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development.
F20/14	Westfield New Zealand Ltd	Support in part
F20/19	Westfield New Zealand Ltd	Oppose in part
Horticulture New Zealand	50/39	Stated that the focus of the policy was on urban areas and ignored the place of rural production activities as part of the region. Sought inclusion of rural production activities as a component of regional form.

Submitter	Submission	Summary
F22/105	Anders Crofoot	Support
Korokoro Environment Group	65/9	Sought retention
Pamela Joy Meekings-Stewart	81/6	Sought that in relation to policy 67: <ol style="list-style-type: none"> <li>1. To require all regional, local and administrative bodies to incorporate into their plans new rules for a new future - one in which the land, our communities, our buildings, ourselves and our children participate in commitment to a healthy, sustainable future.</li> <li>2. That sustainable eco communities be designated as appropriate subdivision and supported in the Regional Policy Statement.</li> <li>3. That the document developed under the Ministry for the Environment's Sustainable Management Fund, for Standards New Zealand, "New Zealand Handbook, Subdivisions for people and Environment, SNZ HB 44:2001" which addresses all aspects of the "built environment" in great breadth and depth be included as an important document for all policy relating to policies 54, 55 and 67.</li> </ol>
New Zealand Historic Places Trust	87/32	Sought retention of policy 67.
Wellington City Council	131/38	Supported policy 67

(a) Discussion

**Coastland Shopping Limited** supported the policy in principle, but asked that the policy be reviewed to ensure a flexible approach when applying the policies to new development. Westfield New Zealand Limited supported the submitters support for the policy, but opposed the request to review the policy to ensure flexibility. No changes are however required to policy 67, as the policy is non-regulatory and therefore is flexible in its implementation.

**Horticulture New Zealand** stated that the focus of the policy was on urban areas and ignored the place of rural production activities as part of the region. The submission of Horticulture New Zealand was supported by Anders Crofoot. They sought inclusion of rural production activities as a component of regional form. It is recommended that this submission be rejected. Clause (b) outlines the

need to promote best practice on the location and design of rural residential development. This clause will be implemented by method 11. The development of these principles is proposed so that the needs and effects on rural production activities are appropriately considered.

**Korokoro Environment Group** and **New Zealand Historic Places Trust** sought retention of policy 67. **Wellington City Council** supported policy 67. The submitters support is noted. Staff note an addition is recommended in response to other submissions.

**Pamela Joy Meekings-Stewart** sought three things. The first was a requirement for the regional council, local bodies and other administrative bodies to incorporate new rules for a new future where the land, communities, buildings, ourselves and children participate in commitment to a healthy, sustainable future. The submitter's second outcome was for 'eco communities' to be designated as appropriate subdivision and supported in the Regional Policy Statement. The submitter's desires should be acknowledged. It is however, unclear specific policies she is seeking for inclusion in the Regional Policy Statement to achieve these outcomes. The submitter's last request was for "New Zealand Handbook, Subdivisions for people and Environment, SNZ HB 44:2001" to be referenced. The Handbook is a useful reference, however over the period of lifetime of the proposed Regional Policy Statement it is subject to updates and changes and it is therefore not considered appropriate to include it in the policy.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastland Shopping Limited	24/12	Accept
Horticulture New Zealand	50/39	Reject
Korokoro Environment Group	65/9	Accept in part
Pamela Joy Meekings-Stewart	81/6	Reject
New Zealand Historic Places Trust	87/32	Accept in part
Wellington City Council	131/38	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Include a new clause (e) in policy 67, a new paragraph in the explanation and include method 45 in the cross referencing as follows, in response to submissions on policy 58.

**Policy 67: Maintaining and enhancing a compact, well designed and sustainable regional form – non-regulatory**

To maintain and enhance a compact, well designed and sustainable regional form by:

- (a) implementing the New Zealand Urban Design Protocol;
- (b) promoting best practice on the location and design of rural residential development;
- (c) recognising and enhancing the role of the region’s open space network; ~~and~~
- (d) encouraging a range of housing types and developments to meet the community’s social and economic needs, including affordable housing and improve the health, safety and well-being of the community; and
- (e) implementing the actions in the Wellington Regional Strategy for the Regional Focus Areas.

Explanation

The New Zealand Urban Design Protocol promotes a national cross-sector commitment to the principles of good urban design. It provides access to resources, training and a network of signatories with a range of urban design experience.

The New Zealand Urban Design Protocol plays an important role in improving the quality of urban design in the region.

Rural residential activities offer investment, development and growth opportunities, but present challenges in terms of rural productivity, provision of infrastructure and sustainable management.

Best practice guidance will look at how districts and cities can benefit from rural residential activities while:

- maintaining rural economies that are functioning and productive
- managing sensitive environmental and amenity values
- avoiding natural hazards
- considering infrastructure limitations and requirements
- managing urban development and protecting future urban development areas.

The region’s open space network has helped define the region’s existing urban form and is a fundamental element of quality of life for residents. The region’s open space is managed by a number of organisations, including Wellington Regional Council, the region’s district and city councils and the Department of Conservation. Policy 67 seeks to enhance the role of the region’s open space network in supporting the region’s compact form. This will require authorities to work together and identify gaps and opportunities.

The location of the Regional Focus Areas is shown in Figure 3 below. These are areas predicted to either come under significant development pressure (for example, the northern Waikanae edge and Pauatahanui Inlet) or provide significant development opportunities for a range of land use activities (for example, Porirua, Aotea and Linden, and Upper Hutt). They are areas of critical importance to the achievement of a compact and well designed regional form. The development of growth and/or development frameworks or strategies, as identified in the Wellington Regional Strategy, for each of the Focus Areas is therefore an important action to be carried out by the relevant district and city councils.

[Insert Figure 3]

**2.144 Policy 68: Minimising soil erosion - non-regulatory**

Submitter	Submission	Summary
Anders Crofoot	25/28	Supported
Federated Farmers of New Zealand	35/57	Sought that policy 68 be retained as proposed.
F22/106	Anders Crofoot	Support
Wellington City Council	131/117	Supported policy 68.

(a) Discussion

**Anders Crofoot** and **Wellington City Council** supported policy 68. **Federated Farmers of New Zealand** sought that policy 68 be retained as proposed. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot. The submitters support is noted.



(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/28	Accept
Federated Farmers of New Zealand	35/57	Accept
Wellington City Council	131/117	Accept

The further submission from Anders Crofoot is accepted accordingly.

(c) Recommended changes

There are no recommended changes to policy 68.

**2.145 Policy 69: Preventing long-term soil deterioration - non-regulatory**

Submitter	Submission	Summary
Anders Crofoot	25/29	Supported
Federated Farmers of New Zealand	35/58	Sought policy 69 be amended as follows (or words to this effect): To retain healthy soil ecosystem functioning by promoting and encouraging sustainable agricultural practices that minimise soil contamination, compaction or loss of minerals or nutrients
F19/56	Horticulture New Zealand	Support
F22/107	Anders Crofoot	Support
Horticulture New Zealand	50/40	Sought retention of policy 69 as non regulatory
F22/108	Anders Crofoot	Support
Wellington City Council	131/118	Supported policy 69.

(a) Discussion

**Anders Crofoot** and **Wellington City Council** supported policy 69. **Horticulture New Zealand** sought retention of policy 69 as non-regulatory. The submission of Horticulture New Zealand was supported by Anders Crofoot. The submitters support for policy 69 is noted.

**Federated Farmers of New Zealand** sought a change to policy 69 to remove the words ‘do not cause’ with ‘minimise’. The submission was supported by Horticulture New Zealand and Anders Crofoot. Officers do not agree with the proposed change. Soils, once contaminated, are very difficult to remedy. Costs can be high, and in some cases the soil never recovers to any useful state. Policy 69 deliberately sets a high standard for all people working on the land to not cause soil contamination.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/29	Accept
Federated Farmers of New Zealand	35/58	Reject
Horticulture New Zealand	50/40	Accept
Wellington City Council	131/118	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to policy 69.

**2.146 Section 4.5 Methods to implement policies**

Submitter	Submission	Summary
Winstone Aggregates	15/34	Sought additional or amended methods to give full effect to Issues, objectives and policy changes sought by submitter. Particularly for policies 60A and 60B proposed by the submitter.
Federated Farmers of New Zealand	35/59	Sought the retention of the use of non regulatory methods and investigate ways to make wider use of the approach
F22/109	Anders Crofoot	Support
Horticulture New Zealand	50/41	Sought retention of the use of standards and codes of practice in the Proposed Regional Policy Statement.
F22/110	Anders Crofoot	Support
Horticulture New Zealand	50/42	Sought that where protocols are proposed to be developed between Greater Wellington and district councils outside the plan that all relevant stakeholders are identified and included in such process.

Submitter	Submission	Summary
F22/111	Anders Crofoot	Support
F23/72	Federated Farmers	Support
Transpower New Zealand Limited	123/27	<p>Sought:</p> <ul style="list-style-type: none"> <li>A. Amendments to methods 1 and 2 to insert reference to policy 4 and to new policy X Accommodating Future Transmission Corridors.</li> <li>B. Amendments to method 4 to insert reference to policies 6 and 7 and to new policy X Accommodating Future Transmission Corridors.</li> <li>C. Amendments to methods 1, 2 and 4 to identify Transpower as an affected party where new land uses are proposed under, over or adjacent existing or known future National Grid infrastructure corridors by inserting the following text to methods 1, 2 and 4:</li> </ul> <p>Also sought for policies 6, 7, 38 and X [Accommodating Future Transmission Corridors], Transpower New Zealand Limited be identified as an affected party for land use and development proposals located under, over, or adjacent existing or future high voltage transmission lines.</p>
Upper Hutt City Council	125/8	<p>Stated that had serious concerns at the approach of the Regional Council in implementing the Regional Policy Statement. In this respect, sought that Greater Wellington prepare an implementation plan in consultation with territorial authorities to provide certainty and clarity in the implementation of the Regional Policy Statement. In particular, Council urges the implementation plan to commit the Regional Council to implement the Regional Policy Statement in a collaborative manner with the Territorial Authorities.</p>
Wellington Conservation Board	132/6	<p>Stated that action planning is the proper method to prioritise work in every key topic area, action plans should be revised periodically and should be shared with key organisations such as Department of Conservation.</p> <p>Stated that in the methods sections of the Regional Policy Statement the Council is more proactive so that where it intends to provide information, this is presented as guidelines and/or best practice.</p>

(a) Discussion

**Winstone Aggregates** sought an amendment or additional methods to give effect to their changes and proposed new policies 60A and 60B. Officers have not recommended accepting the submitters proposed new policies. Therefore, the resultant changes to the methods are not applicable.

**Federated Farmers of New Zealand** sought the retention of the use of non regulatory methods. Horticulture New Zealand sought retention of the use of standards and codes of practice in the methods. The submitters support is noted.

Federated Farmers of New Zealand also sought an investigation into ways to make wider use of the non regulatory methods. It is noted that the section 32 report prepared for the Regional Policy Statement contains the assessment undertaken by Greater Wellington into the effectiveness and efficiency of different types of polices and methods. A further investigation is therefore not required. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot.

**Horticulture New Zealand** sought that where protocols are proposed to be developed between Greater Wellington and city and district councils that all relevant stakeholders be identified and included in such processes. This submission was supported by Anders Crofoot and Federated Farmers of New Zealand. It is recommended that an amendment be made to paragraph 3 to highlight this intent.

**Wellington Conservation Board** stated that action planning was the proper method to prioritise work and that the action plan should be revised periodically and shared with key organisations such as the Department of Conservation. **Upper Hutt City Council** sought that Greater Wellington prepare an implementation plan in consultation with territorial authorities to provide certainty and clarity around the implementation of the Regional Policy Statement. In particular, they urged that this be undertaken in a collaborative manner with the territorial authorities. The intent is to develop an implementation plan that will be periodically reviewed, in collaboration, with the region's city and district councils and in consultation with other agencies. It is therefore appropriate that a sentence to this effect be added at the beginning of section 4.5.

**Transpower New Zealand Limited** sought that policy 4 and their proposed new policy X 'Accommodating Future Transmission Corridors' be inserted into methods 1 and 2. Policy 4 is referred to in method 1, as it is to be implemented by district councils in district plans, as opposed to a regional plan, as it relates to land use. Proposed policy X has been rejected, changes were however made to the explanation in policy 57. It is therefore not appropriate to add the new policy to methods 1 or 2.

**Transpower New Zealand Limited** also sought that policy 6 and 7 and their proposed new policy X ‘Accommodating Future Transmission Corridors’ be inserted in method 4. Method 4 outlines the implementation of the policies in section 4.2 that are to be given ‘particular regard’ in decision making. Policies 6 and 7 are in section 4.1 and are to be implemented by district and/or regional councils in their district and/or regional plans in accordance with section 79 of the Act. Policy 38 is the interim policy (to policy 6 and 7) that is to be implemented when ‘considering’ a resource consent, notice of requirement or change, variation or replacement to a district or regional plan, prior to implementing policy 67. It is therefore not appropriate to add policy 6 and 7 to method 4.

Transpower New Zealand Limited also sought amendments to methods 1, 2 and 4 to identify Transpower New Zealand as an affected party where new land uses are proposed under, over or adjacent to existing or known future National Grid infrastructure corridors. It is recommended that this submission be rejected. In accordance with section 94B of the Act, it is a relevant consent authority’s responsibility to form an opinion as to who may be adversely affected by an activity. When changing, varying or reviewing plans consultation will be undertaken, in accordance with the First Schedule of the Act.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/34	Reject
Federated Farmers of New Zealand	35/59	Accept
Horticulture New Zealand	50/41	Accept
Horticulture New Zealand	50/42	Accept
Transpower New Zealand Limited	123/27	Reject
Upper Hutt City Council	125/8	Accept
Wellington Conservation Board	132/6	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend the introduction of section 4.5 as follows:

## 4.5 Methods to implement policies

This section contains the methods for implementing the policies set out in sections 4.1 to 4.4. It is divided into two main groups of methods: regulatory methods that implement the policies in sections 4.1, 4.2 and 4.3; and non-regulatory methods that implement the policies in section 4.4 or support the delivery of the other policies.

The non-regulatory methods are subdivided into four types:

- information and/or guidance
- integrating management
- identification and investigation
- providing support.

Under each non-regulatory method the key organisations who may implement the methods are indicated. An asterisk \* indicates the lead authority responsible for implementation, if this is designated. Stakeholders will also be involved as methods are developed and implemented.

The delivery and timing of methods is subject to long term council community planning and annual plan schedules. Prioritisation and implementation of methods, over the ten year period of the Regional Policy Statement, will be outlined in an Implementation Plan. The Plan will be prepared by Greater Wellington, with the region's city and district councils, and in consultation with stakeholders. The Implementation Plan will be reviewed after the preparation of each State of the Environment Report (see Chapter 5).

Within section 4.5 the methods are presented in numerical order, although in the summary table below, methods are listed under key topics.

### 2.147 Method 1: District plan implementation

Submitter	Submission	Summary
Lucy Adams	1/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/61	Lucy Adams	Support

Submitter	Submission	Summary
John and Margaret Ankcorn	5/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/62	Lucy Adams	Support
Dana Arcus	6/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/63	Lucy Adams	Support
Peter Laurence Arcus	7/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/64	Lucy Adams	Support
Maree Atkinson	8/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/65	Lucy Adams	Support
Maggie Bannatyne	9/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/66	Lucy Adams	Support
Catherine Barron	10/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity.

Submitter	Submission	Summary
		The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/67	Lucy Adams	Support
Regan Bentley	11/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/68	Lucy Adams	Support
David Charles Billmore	12/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/69	Lucy Adams	Support
James Alexander Blair	13/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/70	Lucy Adams	Support
Colleena June Blair	14/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/71	Lucy Adams	Support
Helen Blundell	16/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained



Submitter	Submission	Summary
F27/72	Lucy Adams	Support
Rozalie Anita Brown	18/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/73	Lucy Adams	Support
Edward Francis Butters	19/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/74	Lucy Adams	Support
George Butters	20/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/75	Lucy Adams	Support
Angela Calkin Goeres	21/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/76	Lucy Adams	Support
Cardno TCB	22/1	Stated that there could be delays for applicants in the way the Regional Policy Statement relates to future changes in city and district plans. Noted that these potential delays make it difficult to comment on any likely outcomes.
Reginald Allan Davies	28/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is

Submitter	Submission	Summary
		a minimum requirement and must be retained
F27/77	Lucy Adams	Support
Liam Davies	29/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/78	Lucy Adams	Support
Patricia Kathleen Davies	30/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/79	Lucy Adams	Support
Liz Gibbs	41/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/80	Lucy Adams	Support
Steffen Goeres	43/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/81	Lucy Adams	Support
Kristina Anne Hefford	47/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/82	Lucy Adams	Support

Submitter	Submission	Summary
Horticulture New Zealand	50/43	Sought that the Council undertake an assessment as to the extent and scope of the implementation through district plans to ensure that there is no duplication of function.
F22/112	Anders Crofoot	Support
Walter Jack Hutchings	52/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/83	Lucy Adams	Support
Joan Elizabeth Hutson	53/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/84	Lucy Adams	Support
Michele Karen Johnston	54/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/85	Lucy Adams	Support
Neville William Kean	57/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/86	Lucy Adams	Support
Marilyn Sally Kean	58/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is

Submitter	Submission	Summary
		a minimum requirement and must be retained
F27/87	Lucy Adams	Support
Kevin Kirk	59/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/88	Lucy Adams	Support
Beryl Kirk	60/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/89	Lucy Adams	Support
Sean Knight	63/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/90	Lucy Adams	Support
Sara Knight	64/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/91	Lucy Adams	Support
Michael John Marfell-Jones	70/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/92	Lucy Adams	Support

Submitter	Submission	Summary
Adrienne Marfell-Jones	71/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/92	Lucy Adams	Support
Sam McLean	76/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/93	Lucy Adams	Support
Isaac Hamiora McLean	77/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/94	Lucy Adams	Support
Ranea McLean	78/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/95	Lucy Adams	Support
Robert John McLellan	79/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/96	Lucy Adams	Support
Lynne McLellan	80/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity.

Submitter	Submission	Summary
		The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/97	Lucy Adams	Support
Richard John Moore	84/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/98	Lucy Adams	Support
David Murray	85/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/99	Lucy Adams	Support
New Zealand Historic Places Trust	87/33	Sought that method 1 be retained.
Kevin Nicol	90/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/100	Lucy Adams	Support
Robert Orriss	93/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/101	Lucy Adams	Support
Joan Margaret Perry	96/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity.

Submitter	Submission	Summary
		The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/102	Lucy Adams	Support
Robert Edward	97/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/103	Lucy Adams	Support
Keith James Pittams	99/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/104	Lucy Adams	Support
Preserve Pauatahanui Incorporated	101/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/105	Lucy Adams	Support
June Ralston	102/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/106	Lucy Adams	Support
Sarah Ratana	103/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained

Submitter	Submission	Summary
F27/107	Lucy Adams	Support
Mary Teresa Roberts	106/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/108	Lucy Adams	Support
Scott Rose	107/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/109	Lucy Adams	Support
Jacqui Roy	108/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/110	Lucy Adams	Support
Mary Helen Sheppard	110/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/111	Lucy Adams	Support
Robyn Smith	111/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/112	Lucy Adams	Support
Robert Wilfred Teal	115/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their



Submitter	Submission	Summary
		respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/113	Lucy Adams	Support
Theresa Tetteroo	116/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/114	Lucy Adams	Support
The Hutt Valley Angling Club Inc	119/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/115	Lucy Adams	Support
Keith Martyn Thompson	120/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/116	Lucy Adams	Support
Carolina Thompson	121/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/117	Lucy Adams	Support
Thompson Family Trust	122/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained

Submitter	Submission	Summary
F27/118	Lucy Adams	Support
Transpower New Zealand Limited	123/28	Sought that method 1 be amended to either include an explanation as to why the stated policies should not apply to the Tararua District Council or apply the stated policies to the Tararua District Council.
Ian Peter and Anne Marie Wood	139/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained
F27/119	Lucy Adams	Support
Xia Zhang	140/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained.
F27/120	Lucy Adams	Support
Julie Martin	143/2	Sought that all Councils, including the Upper Hutt City Council, should be required to incorporate the provisions of the Regional Policy Statement into their respective District Plans at the earliest opportunity. The requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a District Plan is a minimum requirement and must be retained.
F27/121	Lucy Adams	Support

(a) Discussion

**Cardno TCB** noted that there could be delays for applicants in the way the Regional Policy Statement relates to future changes in city and district plans and that the delays make it difficult to comment on the likely outcomes. The submitter appears to be concerned about how the policies will be implemented in district plans and therefore whether the implementation would affect their interests. The submitter's concern is noted. The policies in section 4.1 have been drafted to provide as much certainty as possible as to what is to be given effect to and how. The submitter will also be able to participate in any consequential changes to the region's district plans in accordance with the First Schedule of the Act.

**Horticulture New Zealand** sought that the Council undertake an assessment as to the extent and scope of the implementation through district plans to ensure that there is no duplication of functions. This assessment was undertaken during the process of developing the proposed Regional Policy Statement. Where duplication has been identified then there are methods proposed (e.g. method 30) to make sure that unnecessary duplication in provisions in plans does not occur. No further assessment is required. The submission of Horticulture New Zealand was supported by Anders Crofoot.

**New Zealand Historic Places Trust** sought that method 1 be retained. The submitters support is noted. Staff note changes to the method have been made as a result of changes to section 79 of the Resource Management Act.

**Transpower New Zealand Limited** sought that method 1 be amended to include an explanation as to why the stated policies should not apply to the Tararua District Council. It is recommended that this submission be accepted and an explanation is included.

The rest of the submitters sought that all councils, including the Upper Hutt City Council, be required to incorporate the provisions of the Regional Policy Statement into their respective district plans at the earliest opportunity. They stated that the requirement to incorporate specific policies as part of any "rolling review" of any part(s) of a district plan is a minimum requirement and must be retained. These submissions were supported by Lucy Adams. Method 1 seeks that councils commence the review of their district plans to implement the policies in section 4.1 at the time of the review of their plans or provisions in accordance with section 79 of the Act. Where interim or more general guidance is provided on matters to be given particular regard, then policies are included in section 4.2. As a result of other submissions and changes to the Resource Management Act, the statement about rolling reviews is recommended to be deleted. It is therefore recommended that the submissions be rejected and that the implementation of policies in sections 4.1 and 4.2 be implemented in accordance with revised methods 1, 2, 3 and 4.

(b) Recommended decision

Submitter	Submission	Recommendation
Lucy Adams	1/2	Reject
John and Margaret Ankcorn	5/2	Reject
Dana Arcus	6/2	Reject
Peter Laurence Arcus	7/2	Reject
Maree Atkinson	8/2	Reject
Maggie Bannatyne	9/2	Reject

Submitter	Submission	Recommendation
Catherine Barron	10/2	Reject
Regan Bentley	11/2	Reject
David Charles Billmore	12/2	Reject
James Alexander Blair	13/2	Reject
Colleena June Blair	14/2	Reject
Helen Blundell	16/2	Reject
Rozalie Anita Brown	18/2	Reject
Edward Francis Butters	19/2	Reject
George Butters	20/2	Reject
Angela Calkin Goeres	21/2	Reject
Cardno TCB	22/1	Accept
Reginald Allan Davies	28/2	Reject
Liam Davies	29/2	Reject
Patricia Kathleen Davies	30/2	Reject
Liz Gibbs	41/2	Reject
Steffen Goeres	43/2	Reject
Kristina Anne Hefford	47/2	Reject
Horticulture New Zealand	50/43	Accept in part
Walter Jack Hutchings	52/2	Reject
Joan Elizabeth Hutson	53/2	Reject
Michele Karen Johnston	54/2	Reject
Neville William Kean	57/2	Reject
Marilyn Sally Kean	58/2	Reject
Kevin Kirk	59/2	Reject
Beryl Kirk	60/2	Reject
Sean Knight	63/2	Reject
Sara Knight	64/2	Reject
Michael John Marfell- Jones	70/2	Reject
Adrienne Marfell-Jones	71/2	Reject
Sam McLean	76/2	Reject

Submitter	Submission	Recommendation
Isaac Hamiora McLean	77/2	Reject
Ranea McLean	78/2	Reject
Robert John McLellan	79/2	Reject
Lynne McLellan	80/2	Reject
Richard John Moore	84/2	Reject
David Murray	85/2	Reject
New Zealand Historic Places Trust	87/33	Accept
Kevin Nicol	90/2	Reject
Robert Orriss	93/2	Reject
Joan Margaret Perry	96/2	Reject
Robert Edward	97/2	Reject
Keith James Pittams	99/2	Reject
Preserve Pauatahanui Incorporated	101/2	Reject
June Ralston	102/2	Reject
Sarah Ratana	103/2	Reject
Mary Teresa Roberts	106/2	Reject
Scott Rose	107/2	Reject
Jacqui Roy	108/2	Reject
Mary Helen Sheppard	110/2	Reject
Robyn Smith	111/2	Reject
Robert Wilfred Teal	115/2	Reject
Theresa Tetteroo	116/2	Reject
The Hutt Valley Angling Club Inc	119/2	Reject
Keith Martyn Thompson	120/2	Reject
Carolina Thompson	121/2	Reject
Thompson Family Trust	122/2	Reject
Transpower New Zealand Limited	123/28	Accept
Ian Peter and Anne Marie Wood	139/2	Reject

Submitter	Submission	Recommendation
Xia Zhangji	140/2	Reject
Julie Martin	143/2	Reject

All further submissions from Lucy Adams are rejected accordingly.

(c) **Recommended changes**

Amend method 1 in response to the submissions above and in response to the submissions from Wellington City Council on section 4.1 and 4.2 of the proposed Regional Policy Statement, as follows:

**Method 1: District plan implementation**

The process to amend district plans to implement policies 1, 3, 4, 6, 7, 10, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 33 will commence on, or before, the date on which the relevant council commences the ten year review of its district plan, or a provision in a district plan, pursuant to section 79 of the Resource Management Act 1991.

~~District and city councils may implement these policies earlier by plan change, and in the case of a ‘rolling review’ the policies must be implemented at the time of commencing the review of the relevant part(s) of the plan.~~

District and city councils that will implement method 1 are:

- Wellington City Council
- Porirua City Council
- Kapiti Coast District Council
- Hutt City Council
- Upper Hutt City Council
- South Wairarapa District Council
- Carterton District Council
- Masterton District Council
- Tararua District Council for land within the Wellington region.

Policies 3 and 4 with respect to the coastal environment do not apply to Upper Hutt City Council.

Only a small portion of rural land in the Tararua District is within the Wellington region. The rest of the district is within the Manawatu-Wanganui region. Policies 1, 3, 4, 6, 7, 10, 14, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31 and 33 do not apply to Tararua District Council so as not to create conflict with the policy direction in the One Plan for the Manawatu-Wanganui region.

**2.148 Method 2: Regional plan implementation**

Submitter	Submission	Summary
New Zealand Historic Places Trust	87/34	Sought retention of method 2.

(a) Discussion

**New Zealand Historic Places Trust** sought retention of method 2. It is recommended that this submission be accepted, the method has however been modified as a result of changes to section 79 of the Resource Management Act.

(b) Recommended decision

Submitter	Submission	Recommendation
New Zealand Historic Places Trust	87/34	Accept

(c) Recommended changes

Amend method 2 in response to the submissions from Wellington City Council on section 4.1 of the proposed Regional Policy Statement, as follows:

**Method 2: Regional plan implementation**

The process to amend regional plans to implement policies 2, 3, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 will commence on, or before, the date on which Wellington Regional Council commences the ten year review of its regional plans, or provisions in a regional plan, pursuant to section 79 of the Resource Management Act 1991.

## 2.149 Method 3: Wellington Regional Land Transport Strategy implementation

Submitter	Submission	Summary
NZ Transport Agency	91/25	Requested amendment to read: '...commences the review pursuant to section 73 of the Land Transport Management Act 2003.'

### (a) Discussion

**NZ Transport Agency** sought amendments to method 3 to read '...commences the review pursuant to section 73 of the Land Transport Management Act 2003.' It is noted that section 74 of the Land Transport Management Amendment Act 2008 is the section which now sets out the responsibilities for preparing and approving regional land transport strategies. It is therefore recommended that the method be changed to refer to section 74 of the Land Transport Management Amendment Act 2008.

### (b) Recommended decision

Submitter	Submission	Recommendation
NZ Transport Agency	91/25	Accept in part

### (c) Recommended changes

Amend method 3 as follows:

#### **Method 3: Wellington Regional Land Transport Strategy implementation**

The process to amend the Wellington Regional Land Transport Strategy to implement policies 8, 9 and 32 will commence on, or before, the date on which Wellington Regional Council commences the review pursuant to section ~~176 of the Land Transport Act 1998~~ 74 of the Land Transport Management Amendment Act 2008.

## 2.150 Method 4: Resource consents, notices of requirement and when changing, varying or replacing plans

Submitter	Submission	Summary
Crown Minerals (Ministry of Economic Development)	26/4	Opposed. Sought amendments to method 4 to include the implementation of policy 1 as follows: "Policies 1 and 34 to 60 will be implemented when considering a resource consent, notice of requirement, or when changing, varying or replacing a district or regional plan."



F1/7	Winstone Aggregates	Support
New Zealand Historic Places Trust	87/35	Sought retention of method 4.

(a) Discussion

**Crown Minerals** sought a change to method 4 to include policy 1. The submitter sought that it is vital policy 1 be implemented as soon as possible. Officers do not agree that policy 1 should be implemented by method 4. Policy 1 – reverse sensitivity is implemented by method 1. This method will allow district plans sufficient time to develop policies and rules to implement policy 1.

**The Historic Places Trust of New Zealand** sought retention of method 4. Staff recommend retaining method 4 as proposed.

(b) Recommended decision

Submitter	Submission	Recommendation
Crown Minerals (Ministry of Economic Development)	26/4	Reject
New Zealand Historic Places Trust	87/35	Accept

The further submission from Winstone Aggregates is rejected accordingly.

(c) Recommended changes

Amend method 4 as follows in response to submissions raised by Porirua City Council and Wellington City Council as discussion on section 4.1 and 4.2 to the proposed Regional Policy Statement.

**Method 4: Resource consents, notices of requirement and when changing, varying or replacing plans**

Policies 34 to 60 will be implemented, where relevant, when considering a resource consent, notice of requirement, or when changing, varying or reviewing ~~replacing~~ a district or regional plan.

**2.151 Method 6: Information about reducing air pollution**

Submitter	Submission	Summary
Horticulture	50/44	Sought that method 6 be amended by adding "Work

Submitter	Submission	Summary
New Zealand		with industry groups and stakeholders to prepare and disseminate...." and that agricultural spray drift be included in method 6.
F22/113	Anders Crofoot	Support
The Energy Efficiency and Conservation Authority	117/20	Sought the following addition and amendment to method 6: "(b) best practice techniques to reduce fine particulate matter through the use of renewable energy resources;" "(d) homeowners adopting cleaner, renewable forms of heating and insulation for their houses."
Wellington City Council	131/119	Supported method 6

(a) Discussion

**Horticulture New Zealand** sought a change to method 6 to add 'working with industry and other stakeholders'. The submission was supported by Anders Crofoot. Officers note there are a number of stakeholders interested in the implementation of this, and other methods, and it would not be appropriate or practical to list them all in the proposed Regional Policy Statement. Rather than change this method, officers recommend that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented.

**The Energy Efficiency and Conservation Authority** sought two changes to method 6. They sought a new clause part (b) concerning best practice techniques to reduce fine particulate matter. Officers suggest that parts (b) and (c) will promote best practice techniques to reduce fine particulate matter as they are developed through regional council providing information to the community. The submitter also sought a change to clause (c) to include the word 'renewable' in terms of forms of heating. The method is primarily about cleaner forms of heating, which may include the use of renewable forms of fuel or energy, however this is not the focus of this method. It is however envisaged that the implementation of this method will occur alongside method 32 to achieve the outcomes sought by the submitter.

**Wellington City Council** supported method 6. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Horticulture New Zealand	50/44	Accept in part
The Energy Efficiency and Conservation Authority	117/20	Reject
Wellington City Council	131/119	Accept

The further submission from Anders Crofoot is rejected accordingly.

(c) Recommended changes

There are no recommended changes to method 6.

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

Submitter	Submission	Summary
Porirua City Council	100/45	Requested that Greater Wellington complete method 7 as soon as possible to help with implementation of policy 3.
F12/45	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/120	Supported method 7

(a) Discussion

**Porirua City Council** requested that Greater Wellington implement method 7 as a matter of priority to aid councils with the requirements under policy 3. Kiwi Income Property Trust, Kiwi Income Properties Ltd and Kiwi Properties Management Ltd further submitted in support of Porirua City Council. Officers note the submission, and it will be considered in the implementation strategy for the Regional Policy Statement.

**Wellington City Council** supported method 7. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Porirua City Council	100/45	Accept
Wellington City Council	131/120	Accept

The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted accordingly.

(c) Recommended changes

There are no recommended changes to method 7.

**2.153 Method 10: Information and guidance on energy efficient subdivision, design and building development**

Submitter	Submission	Summary
Korokoro Environment Group	65/10	Sought retention with modification to provide information about some of the most forward thinking concepts such as regenerative design.
The Energy Efficiency and Conservation Authority	117/21	Supported and sought retention of method 10
Wellington City Council	131/121	Supported method 10

(a) Discussion

**Korokoro Environment Group** sought amendments to method 10 to provide information about some of the most forward thinking concepts such as regenerative design. Greater Wellington staff note that the purpose of the method is for the councils to prepare and disseminate the information, and consider that part of the preparation is to decide what options are most appropriate for the area.

**The Energy Efficiency and Conservation Authority** supported and sought retention of method 10. The submitters support is noted.

**Wellington City Council** supported method 10. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Korokoro Environment Group	65/10	Reject
The Energy Efficiency and Conservation Authority	117/21	Accept
Wellington City Council	131/121	Accept

(c) Recommended changes

No changes to method 10 are recommended

**2.154 Method 11: Information about water conservation and efficient use**

Submitter	Submission	Summary
Craig Brown	17/4	Sought method 11 be amended to read: "Prepare and disseminate information about water conservation, greywater recycling, rainwater harvesting and the efficient use of water"
Horticulture New Zealand	50/45	Sought that method 11 be amended by adding "Work with industry groups and stakeholders to prepare and disseminate...."
F22/114	Anders Crofoot	Support
Porirua City Council	100/58	Supported method 11
Wellington City Council	131/122	Supported method 11

(a) Discussion

**Craig Brown** sought an amendment to method 11 that adds greywater recycling. Greater Wellington staff note that method 11 already includes greywater recycling since it is a way of conserving water and using water more efficiently.

**Horticulture New Zealand** sought that method 11 is amended by adding "Work with industry groups and stakeholders to prepare and disseminate...." The submission was supported by Anders Crofoot. Greater Wellington staff comment that there are a number of stakeholders interested in the implementation of this and other methods, and it would not be appropriate or practical to list them all in the Regional Policy Statement. Rather than change this method, Greater Wellington staff recommend that a sentence be added in the

introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented.

**Porirua City Council and Wellington City Council** supported method 11. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Craig Brown	17/4	Reject
Horticulture New Zealand	50/45	Accept in part
Porirua City Council	100/58	Accept
Wellington City Council	131/122	Accept

The further submission from Anders Crofoot is accepted in part accordingly.

(c) Recommended changes

No changes are recommended to method 11.

**2.155 Method 13: Information about best practice for earthworks to protect Maori archaeological sites, other significant site and koiwi**

Submitter	Submission	Summary
New Zealand Historic Places Trust	87/36	Sought retention of method 13.
Wellington City Council	131/123	Supported method 13

(a) Discussion

**New Zealand Historic Places Trust** sought retention of method 13. **Wellington City Council** supported method 13. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
New Zealand Historic Places Trust	87/36	Accept
Wellington City Council	131/123	Accept

(c) Recommended changes

No changes to method 13 are recommended.

**2.156 Method 15: Information about sustainable land management practices**

Submitter	Submission	Summary
Horticulture New Zealand	50/46	Sought method 15 be amended by adding "Work with industry groups and stakeholders to prepare and disseminate...."
F22/156	Anders Crofoot	Support
Wellington City Council	131/124	Supported method 15

(a) Discussion

**Horticulture New Zealand** sought a change to method 15 to include stakeholders and industry groups. The submission was supported by Anders Crofoot. Officers note there are a number of stakeholders interested in the implementation of this and other methods, and it would not be appropriate or practical to list them all in the proposed Regional Policy Statement. Rather than change this method, officers recommend that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented.

**Wellington City Council** supported method 15. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Horticulture New Zealand	50/46	Accept in part
Wellington City Council	131/124	Accept

The further submission from Anders Crofoot is accepted in part accordingly.

(c) Recommended changes

There are no recommended changes to method 15.

## 2.157 Method 18: Regional structure planning guide

Submitter	Submission	Summary
Mighty River Power	83/43	Sought that the method be amended to recognise the need for the consideration of reverse sensitivity effects and the need to protect and enable future development of the region's renewable energy resource when preparing the structure planning guide.
F1/77	Winstone Aggregates	Support in part
Transpower New Zealand Limited	123/29	Sought retention of method 18.
Wellington City Council	131/39	Supported method 18

### (a) Discussion

**Mighty River Power** sought that method 18 be amended to recognise reverse sensitivity effects and the need to protect and enable future development of the region's renewable energy resource when preparing the structure planning guide. The submission was supported by **Winstone Aggregates**. Officers note that under policy 54 the description of what a structure plan should contain now includes reference to reverse sensitivity effects. In addition, at the start of section 4.4 it is noted that the development and implementation of all methods will be undertaken with key stakeholders. It is therefore not considered necessary to amend method 18. Officers recommended that the submission be rejected.

**Transpower New Zealand Limited** sought retention of method 18. **Wellington City Council** supported method 18. The submitters support is noted.

### (b) Recommended decision

Submitter	Submission	Recommendation
Mighty River Power	83/43	Reject
Transpower New Zealand Limited	123/29	Accept
Wellington City Council	131/39	Accept

The further submission from **Winstone Aggregates** is rejected accordingly.



(c) Recommended changes

No changes to method 18 are recommended.

**2.158 Method 20: Information to assist with the identification of places, sites and areas with significant historic heritage values**

Submitter	Submission	Summary
New Zealand Historic Places Trust	87/37	Sought retention of method 20.
New Zealand Historic Places Trust	87/38	Sought that the Council take into account the New Zealand Historic Places Trust's "Sustainable Management of Historic Guidance Series: Discussion Paper No. 2, Assessing Effects on Historic Heritage, 2007" as a basis for developing the proposed information.
Wellington City Council	131/125	Supported method 20.

(a) Discussion

**The New Zealand Historic Places Trust** supported this method and asked that any information prepared to implement this method be based on their "Sustainable Management of Historic Guidance Series: Discussion Paper No. 2, Assessing Effects on Historic Heritage, 2007." Greater Wellington staff note that this paper is about assessing effects of proposed changes to historic heritage, while method 20 specifically relates to the identification of historic heritage and interpretation of matters for consideration in policy 20. The support for this method is noted, however the discussion paper is not considered relevant to method 20.

**Wellington City Council** supported method 20. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
New Zealand Historic Places Trust	87/37	Accept
New Zealand Historic Places Trust	87/38	Reject
Wellington City Council	131/125	Accept

(c) Recommended changes

There are no recommended changes to method 20.

**2.159 Method 24: Database of sites at risk of contamination**

Submitter	Submission	Summary
Horticulture New Zealand	50/54	Considered that the database should be of known contaminated sites. Given the present approach to use of the Ministry for the Environment Hazardous Activity and Industry list the 'at risk sites' could be extensive. A database should be more focused than such a global approach. Sought method 24 be amended to 'Database on known contaminated sites'
F22/116	Anders Crofoot	Support
Oil Companies	92/18	Sought retention of method 24 without modification.
Oil Companies	92/21	Method 24 was supported.
Wellington City Council	131/126	Supported method 24.

(a) Discussion

**Horticulture New Zealand** sought a change to method 24 to include only known contaminated sites in the database. The submission was supported by Anders Crofoot. Officers note the database is arranged into categories or status levels that describe sites with a verified history of hazardous activities and industries (so potentially contaminated), and sites where contamination has been confirmed to be present, or not. The database is used by councils and others wishing to interrogate it for land use change. For the database to include only 'known sites', could place some landowners and land uses at risk until further work is done on a particular site. To achieve policy 33 method 24 should include all sites.

**Oil Companies** sought retention and support of method 24. The submitters support is noted.

**Wellington City Council** supported method 24.

(b) Recommended decision

Submitter	Submission	Recommendation
Horticulture New Zealand	50/54	Reject
Oil Companies	92/18	Accept
Oil Companies	92/21	Accept
Wellington City Council	131/126	Accept

The further submission from Anders Crofoot is rejected accordingly.

(c) Recommended changes

There are no recommended changes to method 24.

**2.160 Method 25: Information about the provision of walking, cycling and public transport for development**

Submitter	Submission	Summary
Great Harbour Way Coalition	45/3	The submitter supported method 25 and stated that they hoped that Greater Wellington intended to include the great Harbour Way in information and help the different authorities provide appropriate signage for the route itself and for linkages to others such as the Hutt River Trail.
Wellington City Council	131/127	Supported method 25.

(a) Discussion

**Great Harbour Way Coalition** supported method 25 and stated that they hoped that Greater Wellington intended to include the Great Harbour Way in information, help the different authorities provide appropriate signage for the route itself, and provide linkages to other areas, such as the Hutt River Trail. The proposed method is intended to assist with the implementation of policy 56 and in particular clause (d). It is therefore recommended that the submission be accepted to the extent to which the matters raised relate to the intended purpose of the information.

**Wellington City Council** supported method 25. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Great Harbour Way Coalition	45/3	Accept in part
Wellington City Council	131/127	Accept

(c) Recommended changes

No changes to method 25 are recommended.

**2.161 Method 29: Take a whole catchment approach to works, operations and services**

Submitter	Submission	Summary
East Harbour Environmental Association Incorporated	33/20	Supported the whole of catchment approach and control of the area of hard surfaces v runoff.
F1/25	Winstone Aggregates	Oppose
Federated Farmers of New Zealand	35/60	Sought retention of method 29
F22/117	Anders Crofoot	Support
Wellington City Council	131/128	Supported method 29.

(a) Discussion

**East Harbour Environmental Association** supported method 29. **Federated Farmers of New Zealand** sought retention of method 29. Their submission was supported by Anders Crofoot. **Wellington City Council** supported method 29. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
East Harbour Environmental Association Incorporated	33/20	Accept
Federated Farmers of New Zealand	35/60	Accept
Wellington City Council	131/128	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to method 29.

**2.162 Method 30: Protocol for management of earthworks and air quality between local authorities**

Submitter	Submission	Summary
Anders Crofoot	25/30	Stated that the method should address siltation and erosion rather than the earthworks activity itself.
Federated Farmers of New Zealand	35/61	Sought method 30 be amended as follows: Prepare protocols in consultation with stakeholder groups to guide changes to district and regional plans to avoid gaps and unnecessary overlaps in the regulation of ...
F22/118	Anders Crofoot	Support
Higgins Group Holdings Ltd	48/9	Sought retention of method
Horticulture New Zealand	50/47	Sought deletion of method 30 and direction in the Regional Policy Statement through better clarification of the issues. Also alternatively sought method 30 to include other stakeholders in the development of protocols.
F15/28	Porirua City Council	Oppose
F22/119	Anders Crofoot	Support
F23/73	Federated Farmers	Support in part
Masterton District Council	75/22	Sought that the protocols be agreed at the time the Air Quality and Soil Plans for the Wellington region are reviewed, in consultation with territorial authorities.
Mighty River Power	83/44	Sought retention in its entirety.
Porirua City Council	100/46	Sought that method 30 be retained and implemented as soon as possible.

Submitter	Submission	Summary
F12/46	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/129	Supported method 30.

(a) Discussion

**Anders Crofoot** sought a change to method 30 to address siltation and erosion rather than ‘earthworks’. Officers consider that the word ‘earthworks’ is well understood as it is the resultant effects from some earthworks operations – erosion and sedimentation of rivers and streams. Officers do not agree the word ‘earthworks’ requires changing to reflect only the effects.

**Federated Farmers of New Zealand and Horticulture New Zealand** sought a change to method 30 to include a reference to preparing protocols with stakeholder groups to guide implementation of district and regional plans. The submissions of Federated Farmers of New Zealand and Horticulture New Zealand were supported by Anders Crofoot. Officers note there are a number of stakeholders interested in the implementation of this and other methods, and it would not be appropriate or practical to list them all in the proposed Regional Policy Statement. Rather than change this method, it is recommended that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented

**Masterton District Council** sought that the protocols be agreed at the time the regional air quality management plan and regional soil plans for the Wellington region are reviewed, in consultation with territorial authorities. Greater Wellington staff support such an approach and will be working with city and district councils on completing the protocols prior to notifying the reviewed regional plans. However, completion of the protocols will also be dependant of the progress made with each city or district council.

**Higgins Group Holdings Ltd, Mighty River Power and Porirua City Council** sought retention of method 30. Porirua City Council also sought that method 30 be implemented as soon as possible. **Wellington City Council** supported method 30. Porirua City

Council's submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd. The submitters support is noted as is the request to implement this policy as soon as possible.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/30	Reject
Federated Farmers of New Zealand	35/61	Accept in part
Higgins Group Holdings Ltd	48/9	Accept
Horticulture New Zealand	50/47	Accept in part
Masterton District Council	75/22	Accept in part
Mighty River Power	83/44	Accept
Porirua City Council	100/46	Accept
Wellington City Council	131/129	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to method 30.

**2.163 Method 31: Engagement with tangata whenua and the community in identifying and protecting significant values**

Submitter	Submission	Summary
Anders Crofoot	25/31	Stated that landowners should also be explicitly included, as without their buy-in success is likely to be limited.
F23/74	Federated Farmers	Support
Federated Farmers of New Zealand	35/62	Sought that method 31 be amended as follows: Engage tangata whenua, landowners, and the community in identifying and protecting significant values.  Also sought that clause (d) be deleted.
F22/120	Anders Crofoot	Support

Submitter	Submission	Summary
F24/52	Masterton District Council	Support
Kapiti Coast District Council	56/37	Applauded the intention to have tangata whenua involvement (method 31) but had concerns about resource cost to smaller Iwi and Hapu. Stated that there needs to be a method that makes links to the Greater Wellington Long-term Council Community Plan process to implement these policies and provide resources to support them. In particular to ensure that there is adequate resources for re-accreditation of Iwi commissioners and resources to develop Iwi management plans.
New Zealand Historic Places Trust	87/39	Sought retention of method 31.
Wellington City Council	131/130	Supported method 31.

(a) Discussion

**Anders Crofoot** and **Federated Farmers of New Zealand** both sought that landowners be specifically included as parties to engage with when identifying and protecting significant values. Federated Farmers supported the submission of Anders Crofoot, and Masterton District Council Anders Crofoot supported the submission of Federated Farmers. There are a number of stakeholders interested in the implementation of this and other methods, and it would not be appropriate or practical to list them all in the Regional Policy Statement. Rather than change this method, Greater Wellington staff recommend that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented.

Federated Farmers of New Zealand also sought deletion of clause (d) from method 31, which is *protection of the values associated with the rivers and lakes identified in Appendix 1*. **Masterton District Council** supported the submission. Federated Farmers of New Zealand also submitted on Appendix 1 and associated policy 17. Responses to these submissions are included in the responses to these provisions. Tangata whenua and the community have an important role to play in the management of these rivers and it is appropriate that clause (d) of method 31 remains. The rivers and lakes in Appendix 1 are defined by reference to the waters in them. These resources are not owned by any



person but are commonly held resources that are to be managed for everybody in the community, including landowners.

**Kapiti Coast District Council** commented on iwi management plans, which are not specifically mentioned in method 31, but are addressed in method 37. The council's concern is that iwi will not have sufficient resources to implement these methods. Greater Wellington staff agree that iwi will require support to prepare iwi management plans, and are committed to assisting them where possible. However, financial resourcing for developing iwi management plans is a matter for the long term community council planning process, not the Regional Policy Statement.

The **New Zealand Historic Places Trust** and **Wellington City Council** supported method 31, and the support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/31	Accept, in part
Federated Farmers of New Zealand	35/62	Accept, in part
Kapiti Coast District Council	56/37	Reject
New Zealand Historic Places Trust	87/39	Accept
Wellington City Council	131/130	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to method 31.

**2.164 Method 32: Identify sustainable energy programmes**

Submitter	Submission	Summary
Linda Hoyle	51/4	Sought for method 32 to be rewritten to take into account the government's energy policy, which centres on security of supply and affordable power generation. Submitter felt that statements regarding renewable energy's (i.e. wind generation) ability to meet these policies are incorrect and misleading to the general public and believed that Transpower should have been consulted to obtain more correct information.

Submitter	Submission	Summary
F17/69	Meridian Energy Limited	Oppose
Mighty River Power	83/45	Sought retention in its entirety.
Preserve Pauatahanui Incorporated	101/5	Stated the method needs to be a clearer, more comprehensive statement of priorities and criteria. Suggested security of supply be placed before reduction in carbon dioxide emissions. Criteria relating to reducing the region's vulnerability to shortages and disruption imply small-scale generation such as self-generation by individual properties which is economically unrealistic.
The Energy Efficiency and Conservation Authority	117/22	Supported but sought the following amendments: "Identify sustainable energy programmes, to improve energy efficiency and conservation, increase the proportion of energy generated from renewable resources, reduce emissions of carbon dioxide and minimise the region's vulnerability to energy supply disruptions or shortages."
F26/18	Mighty River Power	Support
Wellington City Council	131/131	Supported method 32.

(a) Discussion

**Linda Hoyle** sought that method 32 be rewritten to take into account central government's energy policy. **Meridian Energy Limited** opposed the submission. Greater Wellington staff consider the content to be consistent with the requirements of the Resource Management Act and the content of central government's energy policy.

**Mighty River Power** sought retention of method 32 in its entirety. The method is recommended to be retained in its entirety.

**Preserve Pauatahanui Incorporated** stated method 32 needs to be a clearer, more comprehensive statement of priorities and criteria, suggested that security of supply should be placed before reduction in carbon dioxide emissions, and criteria relating to reducing the region's vulnerability to shortages and disruption imply small-scale generation such as self-generation by individual properties which is economically unrealistic. Greater Wellington staff note that there is no prioritisation within the method, as priorities and criteria are more appropriately identified, if necessary, at the implementation stage. Reducing the

region’s vulnerability to energy supply shortages and disruption recognises the potential of small-scale generation and supplying to the local energy distribution network. It is not recommended that any changes be made.

**The Energy Efficiency and Conservation Authority** supported method 32 but sought amendments to read ‘Identify sustainable energy programmes, to improve energy efficiency and conservation, increase the proportion of energy generated from renewable resources, reduce emissions of carbon dioxide and minimise the region’s vulnerability to energy supply disruptions or shortages. Mighty River Power supported the submission. Greater Wellington staff consider this addition to be an inappropriate non-regulatory goal for councils. Method 32 focuses on additional programmes Greater Wellington can put in place to add value to the regulatory policies in sections 4.1 and 4.2 of the Policy Statement and the actions of other agencies. Greater Wellington is targeting a number of sustainable energy actions specific to Wellington’s circumstances and natural strengths (such as wind, solar, and marine), and is producing an energy publication containing information for councils, schools, and the community. Officers recommend there are no changes to method 32.

**Wellington City Council** supported method 32. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Linda Hoyle	51/4	Reject
Mighty River Power	83/45	Accept
Preserve Pauatahanui Incorporated	101/5	Reject
The Energy Efficiency and Conservation Authority	117/22	Reject
Wellington City Council	131/131	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

No changes are recommended to method 32.

**2.165 Method 33: Prepare a regional water strategy**

Submitter	Submission	Summary
Craig Brown	17/5	Sought that a new clause be included as follows: (d) greywater reuse and rainwater harvesting. Also sought that he be consulted during the

Submitter	Submission	Summary
		development of the method
Fonterra Co-operative Group Ltd	36/10	Supported the development of a regional water strategy. Stated that the strategy should include consideration of the economic and social objectives of the region that will also be impacted upon by water resource management decisions, rather than focus solely on the achievement of aquatic environment outcomes.
Horticulture New Zealand	50/48	Sought that method 33 be amended to include other stakeholders in the development of a regional water strategy.
F22/121	Anders Crofoot	Support
Kapiti Coast District Council	56/38	Supported the intent of method 33 but noted that the Kapiti Coast and Wairarapa differ from the rest of the region in that they have separate water supplies and therefore may have different objectives than the more urban parts of the region.
F24/66	Masterton District Council	Support
Porirua City Council	100/47	Supported. Stressed the importance for the outcomes and approach of any regional strategy to be integrated with the region's Long-term Council Community Plan.
F12/47	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/132	Supported method 33.

(a) Discussion

**Craig Brown** sought the addition of a new clause *(d) greywater reuse and rainwater harvesting*. The submitter also sought that he be consulted during the development of this method. Greater Wellington Staff note that greywater use and rainwater harvesting fall within the matters addressed by clause *(a) sustainable water use* and it is not necessary to include a specific clause. It is intended that consultation

on the implementation of all methods will occur with the community and a statement has been added into the introductory material for section 4.5 that *Stakeholders will also be involved as methods are developed and implemented* (see report 2.146). Officers recommend no changes to method 33.

**Fonterra Co-operative Group Ltd** supported the development of a regional water strategy. The support is noted.

**Horticulture New Zealand** sought that method 33 be amended to include other stakeholders in the development of a regional water strategy. The submission was supported by Anders Crofoot. Greater Wellington staff comment that there are a number of stakeholders interested in the implementation of this and other methods, and it would not be appropriate or practical to list them all in the Regional Policy Statement. Rather than change this method, Greater Wellington staff recommend that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented.

**Kapiti Coast District Council** supported the intent of method 33 but noted that the Kapiti Coast and Wairarapa differ from the rest of the region in that they have separate water supplies and therefore may have different objectives than the urban parts of the region. Greater Wellington staff note these comments. The submission by Kapiti Coast District Council is supported by **Masterton District Council**.

**Porirua City Council** supported the policy and highlighted the need for integration with the Long Term Council Community Plan. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd. **Wellington City Council** also supported policy 33. The submitters support is noted, as is the request by Porirua City Council that the strategy be integrated with the Long Term Council Community Plan.

(b) Recommended decision

Submitter	Submission	Recommendation
Craig Brown	17/5	Reject
Fonterra Co-operative Group Ltd	36/10	Accept in part
Horticulture New Zealand	50/48	Accept in part
Kapiti Coast District Council	56/38	Accept
Porirua City Council	100/47	Accept
Wellington City Council	131/132	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

No change is recommended.

**2.166 Method 34: Prepare a regional stormwater action plan**

Submitter	Submission	Summary
Wellington City Council	131/26	Sought that Greater Wellington clarify how the voluntary, non-statutory stormwater action plan will guide stormwater management in the region.

(a) Discussion

**Wellington City Council** sought that Greater Wellington clarify how the voluntary, non-statutory stormwater action plan will guide stormwater management in the region. Greater Wellington staff note that the stormwater action plan is prepared by Greater Wellington and all city and district councils in the region. It receives sign-off from all local authorities in the region and it is up to this grouping, not the Regional Policy Statement, to decide how it will guide stormwater management.

(b) Recommended decision

Submitter	Submission	Recommendation
Wellington City Council	131/26	Reject

(c) Recommended changes

No change is recommended.

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

Submitter	Submission	Summary
Fonterra Co-operative Group Ltd	36/11	Supported the use of industry led environmental accords and codes of practice (method 35) in the achievement of environmental objectives relating to water quality and water allocation, and in other areas where this approach reduces barriers (consent costs etc) to the uptake of good or best practice. Sought that method 35 be considered as an appropriate way to achieve objective 14 (Water use efficiency).
Horticulture New Zealand	50/49	Stated that method 35 seeks to support the use of industry led accords and codes of practice. Sought that the method should be to 'promote' or 'encourage' the use of such codes as they encapsulate industry

Submitter	Submission	Summary
		best practice.
F22/122	Anders Crofoot	Support
Oil Companies	92/17	<p>Sought retention of method 35 insofar as it records the Council's support for industry-led Codes of Practice. Sought specific recognition of the relevant Oil Industry Guidelines. Noted that this could be achieved by making amendments to the following effect:</p> <p>Method 35: Support industry-led environmental accords and codes of practice.</p> <p>Support industry-led environmental accords and codes of practice – where these would lead to the achievement of objectives in the Regional Policy Statement. Such codes represent industry best practice and include the Dairying and Clean Streams Accord, the New Zealand Environmental Code of Practice for Plantation Forestry, and the following Oil Industry Codes of Practice:</p> <ul style="list-style-type: none"> <li>•“Guidelines for Assessing &amp; Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (MfE 1999)”;</li> <li>•“Above-Ground Bulk Tank Containment Systems - Environmental Guidelines for the Petroleum Marketing Oil Companies (MfE 1995)”;</li> <li>and</li> <li>•“Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand (MfE 1998)”.</li> </ul>
Porirua City Council	100/48	Supported.
F12/48	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Ravensdown Fertiliser Co-operative Limited	104/7	Sought retention.

Submitter	Submission	Summary
Transpower New Zealand Limited	123/30	Sought retention of method 35 insofar as it records the Council's support for industry-led Codes of Practice.
F5/29	PowerCo Limited	Support
Wellington City Council	131/133	Supported method 35.

(a) Discussion

**Fonterra Co-operative Group Ltd** supported method 35, however, they sought that method 35 be used to achieve objective 14. Officers agree that method 35 should be linked to achieving objective 14.

**Horticulture New Zealand** supported method 35, however, they requested the method should also promote and encourage industry codes where they encapsulate industry best practice. The submission was supported by Anders Crofoot. Officers note that method 35 is about supporting industry led codes of practice and accords and not about promotion of these documents on behalf of industry. The aim of the method is to work with industry on relevant codes and be supportive of these codes where they will lead to the achievement of objectives in the proposed Regional Policy Statement.

**Oil Companies** supported method 35, however, they sought an addition to the method listing oil company codes of practice. Officers agree that the codes of practice relevant to oil companies should be referenced to the appropriate policy – policy 33 (Avoiding activities on contaminated land). Officers do not consider that it is necessary to list all the codes the submitter has listed in their submission, rather a reference to the relevant policy is sufficient.

**Porirua City Council** supported method 35. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd. **Ravensdown Fertiliser Co-operative Ltd** sought retention of method 35. **Wellington City Council** supported method 35. The submitters support is noted.

**Transpower New Zealand Ltd** sought retention of method 35 in so far as it records the council's support for industry led codes. The submission was supported by **PowerCo Ltd**. Officers note codes will be supported if they add to the achievements of proposed Regional Policy Statement stated objectives.



(b) Recommended decision

Submitter	Submission	Recommendation
Fonterra Co-operative Group Ltd	36/11	Accept
Horticulture New Zealand	50/49	Accept in part
Oil Companies	92/17	Accept in part
Porirua City Council	100/48	Accept
Ravensdown Fertiliser Co-operative Limited	104/7	Accept
Transpower New Zealand Limited	123/30	Accept in part
Wellington City Council	131/133	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Add method 35 to Table 4 and link to policies 18 and 44.

Add method 35 to Table 11 and link to policy 33.

**2.168 Method 36: Involve tangata whenua in resource management decision making**

Submitter	Submission	Summary
New Zealand Historic Places Trust	87/40	Sought retention of method 36.
Wellington City Council	131/134	Supported method 36.

(a) Discussion

**New Zealand Historic Places Trust and Wellington City Council** sought retention of method 36. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
New Zealand Historic Places Trust	87/40	Accept
Wellington City Council	131/134	Accept

(c) Recommended changes

No changes to method 36 are recommended.

**2.169 Method 40: Integrate public open space**

Submitter	Submission	Summary
Porirua City Council	100/49	Supported, but consideration was sought as to whether the method should be to: 'improve integration and use of public open space', as the use of public open space requires integrated management.
F12/49	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/40	Supported method 40

(a) Discussion

**Porirua City Council** supported the method, but sought consideration as to whether the method should be to: 'improve integration and use of public open space'. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd. It is recommended that the proposed change be made as the use of public open space requires integrated management.

**Wellington City Council** supported method 40. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Porirua City Council	100/49	Accept
Wellington City Council	131/40	Accept

The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted accordingly.

(c) Recommended changes

Amend method 40 as follows:

**Method 40: Integrate public open space**

Identify gaps and opportunities to improve integration and use of public open space and develop a regionally agreed action plan.

**2.170 Method 41: Develop visions for the regionally significant centres**

Submitter	Submission	Summary
Coastlands Shopping Limited	24/13	Sought retention of the method, but asked that local authorities be encouraged to engage in consultation with key stakeholders when regionally significant centres create their visions and principles.
Foodstuffs (Wellington) Co operative Society Ltd	37/6	Requested involvement in the development of the vision and retail principles in methods 41 and 42
Wellington City Council	131/41	Supported method 41
Westfield New Zealand Limited	138/22	Supported method 41

(a) Discussion

**Coastlands Shopping Limited** sought retention of method 41, but requested that local authorities be encouraged to engage with key stakeholders when visions for the regionally significant centres are created. **Foodstuffs (Wellington) Co operative Society Ltd** also requested involvement in the development of the vision. The submitters are directed to the recommended change at the start of section 4.5 where the need for stakeholder involvement in the development of methods is noted.

**Wellington City Council and Westfield New Zealand Limited** supported method 41. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastlands Shopping Limited	24/13	Accept
Foodstuffs (Wellington) Co operative Society Ltd	37/6	Accept
Wellington City Council	131/41	Accept
Westfield New Zealand Limited	138/22	Accept

(c) Recommended changes

No changes to method 41 are recommended.

**2.171 Method 42: Develop principles for retail activities**

Submitter	Submission	Summary
Coastlands Shopping Limited	24/14	Sought retention of the method, but asked that local authorities be encouraged to engage in consultation with key stakeholders when regionally significant centres create their visions and principles.
Kiwi Property Holdings Ltd	62/7	Supported the reference to the need to develop principles for retail activities. However sought that the principles be located in the Regional Policy Statement rather than a non-statutory document.
F20/31	Westfield NZ Ltd	Support
Wellington City Council	131/42	Supported method 42
Westfield New Zealand Limited	138/23	Supported method 42

(a) Discussion

**Coastlands Shopping Limited** sought retention of method 42, but asked that local authorities be encouraged to engage with key stakeholders when creating the principles. The submitter is directed to the recommended change at the start of section 4.5 where the need for stakeholder involvement in the development of methods is noted.

**Kiwi Property Holdings Ltd** supported the reference for the need to develop principles for retail activities. They however sought that the principles be located in the Regional Policy Statement rather than a non-statutory document. The submission was supported by Westfield New Zealand Limited. The principles have yet to be developed so are unable to be included in the proposed Regional Policy Statement. Once the principles are prepared the Greater Wellington Regional Council can then consider whether they should be included in the Regional Policy Statement and a plan change initiated at that point.

**Wellington City Council** and **Westfield New Zealand Limited** supported method 42. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastland Shopping Limited	24/14	Accept
Kiwi Property Holdings Ltd	62/7	Accept in part
Wellington City Council	131/42	Accept
Westfield New Zealand Limited	138/22	Accept

The further submission from Westfield NZ Ltd is accepted in part accordingly.

(c) Recommended changes

No changes to method 42 are recommended.

**2.172 Method 44: Develop principles for rural-residential use and development**

Submitter	Submission	Summary
Horticulture New Zealand	50/50	Sought that method 44 be amended to include other stakeholders in rural development.
F22/123	Anders Crofoot	Support
Masterton District Council	75/23	Sought consideration be given to the need for method 44, and if remains then clarification as to the process for the development. Stated that there should be more structure input from the Wairarapa local authorities with some meetings held in the Wairarapa.
Wellington City Council	131/43	Supported method 44

(a) Discussion

**Horticulture New Zealand** sought that method 44 be amended to include other stakeholders in rural development. The submission was supported by Anders Crofoot. Officers note, the submitter is directed to the recommended changes to section 4.5 where the need for stakeholder involvement in the development of methods is outlined.

**Masterton District Council** sought consideration be given to the need for method 44, and if remains then clarification as to the process for the development. The submitter requested there should be more structured input from the Wairarapa local authorities with meetings held in the Wairarapa.

The intent of method 44 is to reflect the 'Rural Residential Development' actions outlined on page 41 of the Wellington Regional Strategy. The actions outline the development of a regional information base, the development of regional principles to guide the release of sustainable rural residential development opportunities and tools to facilitate and guide rural residential development. The reasons for these actions are outlined on page 36 of the Wellington Regional Strategy. The reasons identified include the benefits from making lifestyle options available in certain areas to attract investment in the region, make better use of poor productive areas and strengthen smaller communities while also managing the threats, which can include taking quality soils out of rural production and threatening sensitive ecosystems or landscapes. The development of the principles will be facilitated through the Senior Officers Resource Team as part of the Wellington Regional Strategy and reported to the Wellington Regional Strategy Committee. The Wairarapa local authorities are involved in the Senior Officers Resource Team and represented on the Committee so the desired structured input will occur along with opportunities for Wairarapa meetings.

**Wellington City Council** supported method 44. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Horticulture New Zealand	50/50	Accept in part
Masterton District Council	75/23	Accept in part
Wellington City Council	131/43	Accept

The further submission from Anders Crofoot is accepted in part accordingly.

(c) Recommended changes

No changes to method 44 are recommended.

**2.173 Method 45: Develop planning for each Regional Focus Area**

Submitter	Submission	Summary
Coastlands Shopping Limited	24/15	Supported the inclusion of Paraparaumu to Paraparaumu Beach and its intensification intent as a focus area. Sought a review of method 45 to consider consultation during the development of planning frameworks.
Foodstuffs (Wellington) Co operative Society Ltd	37/7	Requested involvement in the formation of planning frameworks for each Regional Focus Area
Masterton District Council	75/24	Sought consideration be given to the need for method 45, and if remains then clarification as to the process for the development. Stated that there should be more structure input from the Wairarapa local authorities with some meetings held in the Wairarapa.
Porirua City Council	100/50	Stated that reads: 'Develop planning for each Regional Focus Area', but could be clearer, i.e. 'develop plans...' or 'develop planning guidelines...'. F12/50
	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/44	Supported method 45

(a) Discussion

**Coastlands Shopping Limited** supported the inclusion of Paraparaumu to Paraparaumu Beach and its intensification intent as a Focus Area. They sought review of method 45 to consider consultation during the development of planning frameworks. **Foodstuffs (Wellington) Co operative Society Ltd** also requested involvement in the formation of planning frameworks for each Regional Focus Area. The submitters are directed to the recommended change to section 4.5 where the need for stakeholder involvement in

the development of methods is outlined. Officers recommend the method does require amendment.

**Masterton District Council** sought consideration be given to the need for method 45, and if remains then clarification as to the process for the development. The submitter stated there should be more structured input from the Wairarapa local authorities with some meetings held in the Wairarapa.

The intent of method 45 is to reflect the ‘Regional Focus Areas’ actions outlined on page 44 of the Wellington Regional Strategy. For the Wairarapa the action is to complete the ongoing planning process for the Waingawa area. The reasons for these actions are outlined on page 37 of the Wellington Regional Strategy. The Waingawa area is identified as a strategically important employment site for the Wairarapa and has potential as an inland port/cargo hub, especially in relation to forestry, food and beverage. The ongoing planning process is noted in the Strategy as to be carried out by the Wairarapa councils and peer reviewed regionally. The peer review will be facilitated through the Senior Officers Resource Team as part of the Wellington Regional Strategy and reported to the Wellington Regional Strategy Committee. The Wairarapa local authorities are involved in the Senior Officers Resource Team and represented on the Committee so the desired structured input will occur along with opportunities for Wairarapa meetings.

**Porirua City Council** stated that the method could be clearer. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd. The concerns raised appear to be with the title of the policy which does not fully reflect the method itself. It is recommended that the title be amended to refer to ‘development strategies and frameworks’ for each Regional Focus Area.

**Wellington City Council** supported method 45. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Coastlands Shopping Limited	24/15	Accept in part
Foodstuffs (Wellington) Co operative Society Ltd	37/7	Accept
Masterton District Council	75/24	Accept in part
Porirua City Council	100/50	Accept in part
Wellington City Council	131/44	Accept in part



The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted in part accordingly.

(c) Recommended changes

Amend method 45 as follows:

**Method 45: Develop strategies or development frameworks planning for each Regional Focus Area**

Develop growth and/or development frameworks or strategies for each Regional Focus Area.

**2.174 Method 47: Investigate the use of transferable water permits**

Submitter	Submission	Summary
Horticulture New Zealand	50/51	Sought retention of method 47 but with the addition of other stakeholders with an interest in transferable water permits.
F22/124	Anders Crofoot	Support
Wellington City Council	131/135	Supported method 47.

(a) Discussion

**Horticulture New Zealand** sought retention of method 47 but with the addition of other stakeholders with an interest in transferable water permits. The submission was supported by Anders Crofoot. Greater Wellington staff comment that there are a number of stakeholders interested in the implementation of this and other methods, and it would not be appropriate or practical to list them all in the Regional Policy Statement. Rather than change this method, Greater Wellington staff recommend that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented.

(b) Recommended decision

Submitter	Submission	Recommendation
Horticulture New Zealand	50/51	Accept in part
Wellington City Council	131/135	Accept

The further submission from Anders Crofoot is accepted in part accordingly.

(c) Recommended changes

No changes to method 47 are recommended.

**2.175 Method 49: Prepare a regional landscape character description**

Submitter	Submission	Summary
Anders Crofoot	25/32	Support but noted that it needs to be recognised that farmland is considered 'natural' so farmland may need to be specifically excluded from some definitions.
Federated Farmers of New Zealand	35/63	Sought method 49 be amended as follows: Prepare a regional landscape character description in consultation with stakeholder groups
F22/125	Anders Crofoot	Support
Mighty River Power	83/46	Sought retention in its entirety.
Porirua City Council	100/54	Noted that at present there was 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. Requested that this issue be addressed by method 49, and that the method be implemented as soon as practicable.
Ravensdown Fertiliser Co-operative Limited	104/8	Sought retention.
TrustPower Limited	124/39	Sought that be amended to read: 'Method 49: Prepare a regional landscape character description and identify the extent of the coastal environment Develop and disseminate a regional landscape character description that describes and categorises the region's landscapes to assist with identifying outstanding natural features and landscapes, and significant amenity landscapes, including the identification of the extent of the coastal environment on District Plan Maps as well as a Map in the Regional Policy Statement...'
Wellington City Council	131/136	Supported method 49.

(a) Discussion

**Anders Crofoot, Mighty River Power Ravensdown Fertiliser Co-operative Limited** and **Wellington City Council** supported the method. The support is noted.

**Anders Crofoot** noted that it needs to be recognised that farmland is considered natural so farmland may need to be specifically excluded from some definitions. The Environment Court stated in the *Wakatipu Environmental Society Inc v Queenstown Lakes District Council*, 1999 (C180/99) where it referred to the *Harrison v Tasman District* decision (W042/93), that the term natural does not necessarily equate to pristine and it would be wrong to equate “natural” with “endemic.” The Court then considered that the criteria of naturalness under the Resource Management Act include the physical landform and relief, the landscape being uncluttered by structures and/or “obvious” human influence, the presence of water (lakes, rivers, sea), and the vegetation (especially native vegetation) and other ecological patterns. Therefore, it is not recommended to make amendments to this method arising from this submission point.

**Federated Farmers of New Zealand** sought that method 49 be amended to reflect the need to be implemented in consultation with stakeholder groups. The submission was supported by Anders Crofoot. There are a number of stakeholders interested in the implementation of this and other methods, and it would not be appropriate or practical to list them all in the Regional Policy Statement. Rather than change this method, Greater Wellington staff recommend that a sentence be added in the introduction to the methods (section 4.5) clarifying that stakeholders will be involved when methods are implemented.

**Porirua City Council** noted there was no guidance addressing how territorial authorities are meant to give effect to these policies or address cross-boundary issues and suggest that this could be dealt with through method 49. Greater Wellington staff considered that this has adequately been dealt with in the proposed Regional Policy Statement. Section 2.5 specifically addresses cross boundary issues, whilst the landscape policies and methods will provide consistency in identifying, protecting and managing the effects on landscape values across the region. Additionally, method 49 will provide a consistent description and categorisation of the region’s landscapes that will assist with the consistent identification of outstanding natural features and landscapes and significant amenity landscapes across the region.

**TrustPower Limited** sought that method be amended to include the identification of the extent of the coastal environment. Method 49 is to prepare a regional landscape character description. The character description is the initial stage when undertaking a landscape assessment and provides character types/areas prior to evaluating landscapes. District plans shall identify the landward extent of the

coastal environment, using a specified set of criteria, when giving effect to policy 4. It is therefore not recommended to amend this method as requested by the submitter.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/32	Accept in part
Federated Farmers of New Zealand	35/63	Accept in part
Mighty River Power	83/46	Accept
Porirua City Council	100/54	Accept in part
Ravensdown Fertiliser Co-operative Limited	104/8	Accept
TrustPower Limited	124/39	Reject
Wellington City Council	131/136	Accept

The further submission from Anders Crofoot is accepted in part accordingly.

(c) Recommended changes

There are no recommended changes to method 49.

**2.176 Method 50: Identify areas for improved public access**

Submitter	Submission	Summary
Anders Crofoot	25/33	Stated that criteria should include significant public demand and cost/benefit should be kept firmly in mind.
Federated Farmers of New Zealand	35/64	Stated that there is no legal requirement for public access to areas of value on privately owned land. Access must be negotiated with the landowner without the presumption of a right to public access. Sought method 50 be amended as follows: Identify public areas for improved public access
F19/57	Horticulture NZ	Support
F22/126	Anders Crofoot	Support
Great Harbour Way Coalition	45/4	Noted that the Greater Harbour Way has already been identified and needed the protection of the Regional Policy Statement.
Porirua	100/51	Sought that this method be expanded to also identify

Submitter	Submission	Summary
City Council		areas of the coast where public access should be controlled, as required by the Proposed New Zealand Coastal Policy Statement.
F12/51	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support
Wellington City Council	131/137	Supported method 50.

(a) Discussion

**Anders Crofoot** stated that criteria should include significant public demand and cost/benefit should be kept firmly in mind. Greater Wellington staff note the submitter's comment.

**Federated Farmers of New Zealand** sought method 50 be amended as follows: "Identify public areas for improved public access". The submission was supported by **Horticulture New Zealand** and Anders Crofoot. Greater Wellington staff agree that there is no legal requirement for public access to areas of value on privately owned land and access must be negotiated with the landowner without the presumption of a right to public access. It is recommended that this be recognised in sections 3.2 and 3.4 and in the explanation to policy 52. However, public access can sometimes be negotiated on private land, and it is appropriate to retain the current wording for this reason.

**Great Harbour Way Coalition** noted that the Great Harbour Way has already been identified and needed the protection of the Regional Policy Statement. Greater Wellington staff consider that the protection of particular public access examples is the responsibility of the district and city councils and it is not appropriate to refer to specific examples in the Regional Policy Statement. It is therefore considered that no change is necessary.

**Porirua City Council** sought that this method be expanded to also identify areas of the coast where public access should be controlled, as required by the proposed New Zealand Coastal Policy Statement. Their submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd. Greater Wellington staff note that areas where public access is to be controlled is outlined in policy 52. The focus of method 50 is on identifying, in a

non-regulatory way, areas where improvement should be made. It is also noted that the proposed New Zealand Coastal Policy Statement has no statutory status at the time of preparing this report.

**Wellington City Council** supported method 50. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/33	Accept
Federated Farmers of New Zealand	35/64	Reject
Great Harbour Way Coalition	45/4	Reject
Porirua City Council	100/51	Reject
Wellington City Council	131/137	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

No changes are recommended.

**2.177 Method 51: Identify the region's significant mineral resources**

Submitter	Submission	Summary
Aggregate and Quarry Association of New Zealand	3/10	Sought that the Regional Policy Statement stipulate how method 51 will be achieved, the process of identifying the significant mineral resources, how this will be shown and the timeframe within which to achieve it. Requested that Greater Wellington also agree to engage and consult with the Aggregate and Quarry Association in identifying the locations of significant mineral resources within the region.
Crown Minerals (Ministry of Economic Development)	26/5	Opposed method 51. Sought creation of a new method providing for the construction of a regional aggregates strategy for the Greater Wellington Region as follows: "Method 51(A): Develop a Regional Aggregates Strategy for the Greater Wellington Region. Implementation: Wellington Regional Council."
Higgins Group Holdings Ltd	48/10	Sought retention of method 51 but requested further detail as to how and when the identification of the region's mineral resources would occur.
Ravensdown	104/9	Sought retention and involvement in the process of

Submitter	Submission	Summary
Fertiliser Co-operative Limited		identifying the region's significant mineral resources under this method.
Wellington City Council	131/138	Supported method 51.

(a) Discussion

**Aggregate and Quarry Association of New Zealand and Higgins Group Holdings Ltd** sought further information about method 51 and how it would be implemented. Officers note, the method will build on earlier work prepared by the Wellington Regional Council in the late 1970's and include up-to-date information on minerals in the region. The work will begin once the proposed Regional Policy Statement has been made operative. Officers will engage with all mineral industry groups as part of the study. It is not considered necessary to further describe how the method is to be addressed.

**Crown Minerals** sought a new additional method for a 'Regional Aggregates Strategy for the Wellington Region'. Officers note, that work on method 51 is yet to commence and would require time and resources to complete. Method 51 would have various industry benefits and the need for an aggregate strategy may not be required.

**Ravensdown Fertiliser Co-operative Ltd** sought retention and involvement with the implementation of the method. Officers note, that when work begins on implementation of this method there will be engagement with all interested industry groups.

**Wellington City Council** supported method 51. The submitters support is noted.

(b) Recommended decision

Submitter	Submission	Recommendation
Aggregate and Quarry Association of New Zealand	3/10	Noted
Crown Minerals (Ministry of Economic Development)	26/5	Reject
Higgins Group Holdings Ltd	48/10	Accept in part
Ravensdown Fertiliser Co-operative Limited	104/9	Accept in part
Wellington City Council	131/138	Accept

(c) Recommended changes

There are no recommended changes for method 51.

**2.178 Method 55: Assist the community to reduce waste, and use water and energy efficiently**

Submitter	Submission	Summary
Craig Brown	17/6	Sought that a new clause be included as follows: (d) recycle water on-site
Korokoro Environment Group	65/11	Sought retention with modification (or a new method) to add Wellington Regional Council and city and district councils to act as waste reduction exemplars in the community.
The Energy Efficiency and Conservation Authority	117/23	Supported.
Wellington City Council	131/139	Supported method 55.

(a) Discussion

**Craig Brown** sought that a new clause be included (d) *recycle water on-site*. Greater Wellington staff comment that recycling water on-site falls within clause (c) *conserve water and energy* of the method. Listing all the relevant ways of conserving water and energy is not realistic to include in the Regional Policy Statement, so the specific clause suggested by Craig Brown is not recommended.

**Korokoro Environment Group** sought retention of the method with a modification that the city and district councils and the regional council act as exemplars by demonstrating best practice through their own waste minimisation activities. Officers note the intention of the submission, however, the method is about implementing practices for the community to adopt, not councils at this stage. Individual councils apply many of the waste reduction strategies in their operations and work and these are well publicised.

**The Energy Efficiency and Conservation Authority** and **Wellington City Council** supported method 55. Greater Wellington staff note the support.

**Wellington City Council** supported method 55. The submitters support is noted.



(b) Recommended decision

Submitter	Submission	Recommendation
Craig Brown	17/6	Reject
Korokoro Environment Group	65/11	Accept in part
The Energy Efficiency and Conservation Authority	117/23	Accept
Wellington City Council	131/139	Accept

(c) Recommended changes

There are no recommended changes to method 55.

**2.179 Chapter 5 Monitoring the Regional Policy Statement and the anticipated environmental results**

Submitter	Submission	Summary
Transpower New Zealand Limited	123/31	Sought insertion of environmental outcomes that will be achieved by giving effect to policies 6, 7 and 38 and amendments sought by the submitter. Noted that this could be achieved by making amendments to the following effect: <ul style="list-style-type: none"><li>• The adverse effects of the ongoing operation, maintenance, upgrading and development of existing infrastructure are avoided, remedied or mitigated to the extent practicable.</li><li>• Risks to the health and safety of the community are minimised.</li><li>• Ongoing protection and provision of regionally significant infrastructure.</li><li>• Facilitate the security of electricity supply.</li><li>• A consistent cross-boundary jurisdictional approach is adopted to addressing the adverse effects of and on lineal infrastructure corridors.</li></ul>
F5/30	PowerCo Limited	Support
Wellington Botanical Society	130/8	Supported the intention to review the Regional Monitoring Strategy in collaboration with local authorities. Suggested that Greater Wellington also include other biodiversity agencies in the review; publish the revised Monitoring Strategy on the Greater Wellington website; publish the baseline data separately if it is not included in the Strategy; and consider the need for an additional policy in the Regional Policy Statement requiring city and district councils to carry out any

Submitter	Submission	Summary
		responsibilities arising from the revised Strategy. Stated that the AER text should be amended to include where the responsibility for the monitoring lies. Supported the monitoring responsibility resting with Greater Wellington and requested liaison with Department of Conservation.
Wellington Conservation Board	132/7	In the case of freshwater and terrestrial ecosystems, sought a reporting mechanism to deal with restoration of those sites considered the worst examples of environmental degradation in the Wellington region.

(a) Discussion

**Transpower New Zealand Limited** sought insertion of environmental outcomes to give effect to policies 6, 7, and 38, to read:

- The adverse effects of the ongoing operation, maintenance, upgrading and development of existing infrastructure are avoided, remedied or mitigated to the extent practicable;
- Risks to the health and safety of the community are minimised;
- Ongoing protection and provision of regionally significant infrastructure;
- Facilitate the security of electricity supply; and
- A consistent cross-boundary jurisdictional approach is adopted to addressing the adverse effects of and on lineal infrastructure corridors"

Greater Wellington staff note that the ongoing protection of regionally significant infrastructure and facilitation of the security of electricity supply are already addressed by anticipated environmental results for objectives 10 and 9 respectively. Those that are not already addressed in anticipated environmental results are not related to any objectives, which is where the anticipated environmental results are derived from. Adverse effects and health and safety are addressed in policies and in the Resource Management Act. Cross-boundary jurisdiction is addressed in section 2.5 of the proposed Regional Policy Statement. It is therefore considered no change is necessary.

**The Wellington Botanical Society** supported the intention to review the Regional Monitoring Strategy in collaboration with local authorities. The submitter suggested that Greater Wellington also include other biodiversity agencies in the review; publish the revised Monitoring Strategy on the Greater Wellington website; publish the baseline data separately if it is not included in the Strategy; and consider the need for an additional policy in the Regional Policy Statement requiring city and district councils to carry out any responsibilities arising from the revised Strategy. Greater Wellington staff note the matters raised by the submitter, including other

biodiversity agencies in the review, publishing on the website and publishing baseline data separately, - are all practices Greater Wellington currently applies and will continue with. An additional policy requiring city and district councils to carry out responsibilities arising from the revised strategy will not be included because the Regional Policy Statement cannot include policy in relation to a document that is not yet prepared. The submitter also stated that the anticipated environment result text should be amended to include where the responsibility for monitoring lies. The responsibilities for monitoring are set out in section 35 of the Resource Management Act.

**The Wellington Conservation Board** sought a reporting mechanism to deal with restoration of those sites considered the worst examples of environmental degradation in the Wellington region. Greater Wellington staff comment that a separate reporting mechanism other than the six yearly state of the environment report, annual report cards and annual technical reports is not required since degraded sites can continue to be addressed in these documents.

(b) Recommended decision

Submitter	Submission	Recommendation
Transpower New Zealand Limited	123/31	Reject
Wellington Botanical Society	130/8	Accept in part
Wellington Conservation Board	132/7	Reject

The further submission from PowerCo Limited is rejected accordingly.

(c) Recommended changes

No change is recommended.

**2.180 Objective 1 AER 1 to 3**

Submitter	Submission	Summary
Regional Public Health	105/3	Sought the following change to AER 1 (ref to reasons under policy 1): District plans include policies and/or rules that discourage: (a) New sensitive activities from locating near land uses or activities that emit odour, smoke, dust or other contaminants that adversely affect the health of people. (b) New land use activities that emit odour, smoke, dust or other contaminants that adversely affect the health of people from locating near sensitive

		activities.
F24/99	Masterton District Council	Oppose

(a) Discussion

**Regional Public Health** sought a change to anticipated environmental result 1 that is related to objective 1. The submitter has requested that ‘other contaminants’ be added to the list of discharges affecting people’s amenity values and wellbeing. Officers note that ‘other contaminants’ is not the outcome sought by objective 1 and is not the focus of the policies to achieve the objective. It is therefore recommended that no changes to the anticipated environmental result be made as these appropriately reflect the outcomes than can be expected to be achieved by implementing the Regional Policy Statement.

(b) Recommended decision

Submitter	Submission	Recommendation
Regional Public Health	105/3	Reject

The further submission from Masterton District Council is accepted.

(c) Recommended changes

There are no recommended changes to the anticipated environmental result for objective one.

**2.181 Objective 3 AER 1 & 2**

Submitter	Submission	Summary
Anders Crofoot	25/34	Stated that as identified for Appendix 1 Table 16 the areas are overstated and regulation will potentially be applied to areas where it is not required.
Department of Conservation	31/57	Stated that condition (or quality) is equally as important as the area for these habitats and that it would also make it consistent with the AER for objective 13. Sought the following decision from the Council: That the AER be reworded: "There is no reduction in the condition (or quality) and extent of the area of wetlands, estuaries, salt marshes and active sand dunes in the coastal environment, as a result of human activities."

F1/19	Winstone Aggregates	Oppose
F10/22	Wellington Fish and Game Council	Support
F17/70	Meridian Energy Limited	Oppose
F24/23	Masterton District Council	Oppose
F26/47	Mighty River Power	Oppose

(a) Discussion

**Anders Crofoot** submitted that as identified for Appendix 1, Table 16, larger areas will apply than is required. Officers note anticipated environmental results 1 and 2 relate to the coastal environment, not the freshwater rivers and lakes as in Table 16. These anticipated environmental results are intended to provide a measure of the success in reaching objective 3. It is recommended that the submission be rejected.

The submission point from the **Department of Conservation** is accepted to be more consistent with other related anticipated environmental results such as anticipated environmental result 2, under objective 4. This was supported by **Wellington Fish and Game Council** and opposed by **Winstone Aggregates, Meridian Energy Limited, Masterton District Council** and **Mighty River Power**.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/34	Reject
Department of Conservation	31/57	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend anticipated environmental result one, to objective 3, as follows:

There is no reduction in the condition (or quality) and extent of the area of wetlands, estuaries, salt marshes and active sand dunes in the coastal environment, as a result of human activities.

## 2.182 Objective 4 AER 1 & 2

Submitter	Submission	Summary
Anders Crofoot	25/35	Stated that natural character was not defined well enough, which may result in inappropriate regulation.
Department of Conservation	31/58	Stated that the Resource Management Act 1991 (s6(a)) and New Zealand Coastal Policy Statement do not use "high" in association with natural character. Sought the following decision from the Council: The AER be reworded: Regional and district plans contain policies that protect the natural character of the coastal environment. There is no reduction in the extent or quality of places, sites or areas with natural character in the coastal environment.
F1/20	Winstone Aggregates	Oppose
F10/23	Wellington Fish and Game Council	Support
F17/71	Meridian Energy Limited	Oppose
F24/24	Masterton District Council	Oppose
F26/48	Mighty River Power	Oppose
Meridian Energy Limited	82/40	Sought amendments to accommodate change resulting from development authorised by plan provisions and resource consents.

### (a) Discussion

**Anders Crofoot** stated that natural character was not well defined and the **Department of Conservation** sought the removal of the word 'high' from the result. In terms of a definition of natural character, clarification of this has been provided in the introduction section with a new paragraph explaining the continuum of natural character in the coastal environment and the matters for assessment in policy 3. The discussion in policy 3 provides the reasons for the use of the qualifier

'high' and recommends that that word remain and it is therefore appropriate that the anticipated environmental results reflect that recommendation. The submission points from the Department of Conservation and Anders Crofoot are therefore rejected. The submission from the Department of Conservation was opposed by **Winstone Aggregates, Meridian Energy Limited, Masterton District Council and Mighty River Power** and supported by **Wellington Fish and Game Council**.

**Meridian Energy Limited** sought recognition in the anticipated environmental results for change resulting from development through approved plan provisions or resource consents. Greater Wellington staff comment that the anticipated environmental results are a goal or a target to provide some measure as to whether the objective is being met. It is understood that change will occur as resource consents applications and plan changes will ultimately be measured against the purpose and principles of the Resource Management Act and all other relevant planning documents, objectives and policies and assessed for appropriateness accordingly. It is recommended that the comment from Meridian Energy Limited is rejected.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/35	Reject
Department of Conservation	31/58	Reject
Meridian Energy Limited	82/40	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes to the anticipated environmental results for objective 4.

**2.183 Objective 6 AER 1 to 5**

Submitter	Submission	Summary
Department of Conservation	31/59	Stated that the perception of the state of the environment is not necessarily directly related to the actual state of the environment. Measuring whether people value the need to protect the environment will give a more meaningful result. Sought the following decision from the Council: That the AER be reworded: "Eighty per cent of residents value the need to protect the quality of coastal waters."

Submitter	Submission	Summary
F24/26	Masterton District Council	Oppose
Greater Wellington Regional Council	46/2	Stated that the anticipated environmental results are results that can be expected to be achieved from implementing the policies and methods in the policy statement. Anticipated environmental results 4 alongside objective 6 and AER 1, 2 and 3 alongside objective 12 are outcomes from the implementation of proposed policies 5, 11 and 39. These policies require that the regional plan not only manage water bodies for aquatic ecosystem health and water quality in the coastal marine area to sustain healthy aquatic ecosystems, but also manage for other purposes identified in the regional plan. The later purposes for management were not recognised in the anticipated environmental results. Therefore sought addition of: "or other purposes identified in the regional plan" to the end of anticipate environmental result four alongside objective 6.
F10/26	Wellington Fish and Game Council	Support

(a) Discussion

The **Department of Conservation** sought that anticipated environmental result 5 under objective 6 is reworded to state "eighty percent of residents value the need to protect the quality of coastal waters". The submission was opposed by **Masterton District Council**. Greater Wellington staff comment that anticipated environmental result 5 under objective 6 is based on existing public perception surveys carried out in the Wellington region, therefore this submission point is rejected.

**Greater Wellington Regional Council** sought the addition of "or other purposes identified in the regional plan" to the end of anticipated environmental results 1, 2 and 3 alongside objective 12. The submission was supported by **Wellington Fish and Game Council**. Greater Wellington staff recommend that it is appropriate to make this change so that monitoring and reporting on water bodies for all purposes identified in the regional plans will be carried out.



(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/59	Reject
Greater Wellington Regional Council	46/2	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

As a consequence of Greater Wellingtons submission on the anticipated environmental results for objective 12, amend anticipated environmental result 4 for objective 6 as follows:

Water quality in the coastal marine area is supporting healthy functioning aquatic ecosystems or any other management purposes identified in regional plans..

**2.184 Objective 8 AER 1 & 2**

Submitter	Submission	Summary
Anders Crofoot	25/36	Stated that public access needs to be within reason, where there is significant public demand, adjacent landowners will not suffer significant adverse effects, and there is a demonstrated cost/benefit.
Department of Conservation	31/60	Stated that S6(a) of the Resource Management Act 1991 does not use the qualifying word "significant" when it refers to natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins being a matter of national significance. Sought the following decision from the Council: That the word "significant" is removed from the AERs
F1/21	Winstone Aggregates	Oppose
F10/24	Wellington Fish and Game Council	Support
F24/25	Masterton district Council	Oppose

(a) Discussion

**Anders Crofoot** stated that; public access needs to be within reason, where there is significant public demand, adjacent landowners will not suffer significant adverse effects, and there is a demonstrated cost/benefit. Greater Wellington staff has noted the comments from the submitter.

**Department of Conservation** sought the word “significant” be removed from the anticipated environment result. The submission was opposed by **Winstone Aggregates** and **Masterton District Council** and supported by **Wellington Fish and Game Council**. Greater Wellington staff note that the anticipated environment result measures implementation of method 50, which does not use the word “significant”. Officers recommend the word should be deleted.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/36	Noted
Department of Conservation	31/60	Accept

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Delete “significant” from the first anticipated environment result for objective 8.

**2.185 Objective 9 AER 1 to 8**

Submitter	Submission	Summary
The Energy Efficiency and Conservation Authority	117/24	Supported and sought retention of AER's for objective 9.

(a) Discussion

**The Energy Efficiency and Conservation Authority** supported and sought retention of anticipated environmental results 1 to 8 for objective 9. It is recommended the anticipated environmental result be retained as proposed.

(b) Recommended decision

Submitter	Submission	Recommendation
The Energy Efficiency and Conservation Authority	117/24	Accept

(c) Recommended changes

No changes to the anticipated environmental results for objective 9 are recommended.

**2.186 Objective 10 AER 1**

Submitter	Submission	Summary
Meridian Energy Limited	82/41	Sought addition of an AER to read: 'District and regional plans will contain policies to recognise and protect lawfully established regionally significant infrastructure and renewable energy generation facilities from the potentially adverse effects of incompatible subdivision, use and development nearby.'
F13/48	Wellington International Airport Limited	Support
F25/26	New Zealand Defence Force	Support
The Energy Efficiency and Conservation Authority	117/25	Supported and sought retention of the AER for objective 10.
Transpower New Zealand Limited	123/32	Sought deletion of the AER associated with objective 10.
F17/72	Meridian Energy Limited	Oppose

(a) Discussion

**Meridian Energy Limited** sought an additional anticipated environmental result for objective 10 to read 'District and regional plans will contain policies to recognise and protect lawfully established regionally significant infrastructure and renewable energy

generation facilities from the potentially adverse effects of incompatible subdivision, use and development nearby.’ **Wellington International Airport Limited** and the **New Zealand Defence Force** supported the submission. Greater Wellington staff note that the objective and anticipated environmental results relate to regionally significant infrastructure, which may include renewable energy generation facilities. The protection of regionally significant infrastructure from incompatible land uses is addressed in part (b) of the anticipated environmental result. The requested change is therefore not considered necessary.

**The Energy Efficiency and Conservation Authority** supported and sought retention of the anticipated environmental result for objective 10. Greater Wellington staff recommend the anticipated environmental result be retained as proposed.

**Transpower New Zealand Limited** sought deletion of the anticipated environmental result for objective 10. **Meridian Energy Limited** opposed the submission. Greater Wellington staff consider the anticipated environmental result appropriate to include, as it relates to the issues, objectives, and policies.

(b) Recommended decision

Submitter	Submission	Recommendation
Meridian Energy Limited	82/41	Reject
The Energy Efficiency and Conservation Authority	117/25	Accept
Transpower New Zealand Limited	123/32	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

No change to the anticipated environmental result for objective 10 is recommended.

**2.187 Objective 12 AER's 1 to 11**

Submitter	Submission	Summary
Department of Conservation	31/61	Sought the following decisions from the Council: 1. That (a) and (b) be reversed. 2. That the 1st AER be reworded as: “Water quality in lakes, rivers and aquifers is supporting healthy functioning aquatic ecosystems and meets relevant standards.” 3. That AER 6 be reworded: “Eighty per cent of residents value the need to

Submitter	Submission	Summary
		protect the quality and quantity of water bodies.”
F24/27	Masterton District Council	Oppose
Greater Wellington Regional Council	46/3	Stated that the anticipated environmental results are results that can be expected to be achieved from implementing the policies and methods in the Policy Statement. Anticipated environmental results 4 alongside objective 6 and AER 1, 2 and 3 alongside objective 12 are outcomes from the implementation of proposed policies 5, 11 and 39. These policies require that the regional plan not only manage water bodies for aquatic ecosystem health and water quality in the coastal marine area to sustain healthy aquatic ecosystems, but also for other purposes identified in the regional plan. The later purposes for management were not recognised in the anticipated environmental results. Therefore sought addition of: “or other purposes identified in the regional plan” to the end of anticipate environmental results 1, 2 and 3 alongside objective 12.
F10/27	Wellington Fish and Game Council	Support
Tararua Tramping Club	114/17	Concerned that inadequate treatment can result in the denial of recreational access from water catchments (e.g. the comparison between access to the Hutt catchment and that to the Orongorongo catchment) in achieving such an objective. To avoid that sought that “without the exclusion of free public access” be appended to “The water catchments for public water supply are protected so that public health is safeguarded.”
Wellington Conservation Board	132/8	Sought inclusion of an anticipated result that says water quality will be maintained in highly valued water bodies and improved in degraded ones.
Wellington Fish and Game Council	133/24	Opposed. Stated that the Policy Statement should allow for numerical standards to be set for water quality to protect ecosystems, including DRP, SIN, DO, periphyton, and macroinvertebrate indices etc. Stated that the inclusion of an AER which specifies that “eighty percent of residents perceive that water pollution is not a problem” was not sufficient to ensure that freshwater resources were not degrading. Stated that a numerical target standard should also be set

Submitter	Submission	Summary
		i.e. water bodies shall be maintained or enhanced, which shall be established through state of the environment reporting.
F24/131	Masterton District Council	Oppose

(a) Discussion

**Department of Conservation** sought that (a) and (b) be reversed. Greater Wellington staff comment that such a change is not necessary. The submitter also requested that anticipated environmental result 1 be reworded as: “Water quality in lakes, rivers and aquifers is supporting healthy functioning aquatic ecosystems and meets relevant standards.” Greater Wellington staff note that anticipated environment results should reflect an outcome (objective) or policy intent of the Regional Policy Statement and standards are not mentioned. The seventh anticipated environment result does require the purposes that water bodies are managed for in regional plans to be met. The Department of Conservation also sought that anticipated environment result six is reworded: “Eighty per cent of residents value the need to protect the quality and quantity of water bodies.” Greater Wellington staff note that the wording is based on existing public perception surveys carried out in the Wellington region and no change is recommended. The submission of the Department of Conservation was opposed by **Masterton District Council**.

**Greater Wellington** sought addition of: “or other purposes identified in the regional plan” to the end of anticipate environmental results 1, 2 and 3 alongside objective 12. The submission was supported by **Wellington Fish and Game Council**. Greater Wellington staff comment that it is appropriate to make this change so that monitoring and reporting on water bodies for all purposes identified in regional plans will be carried out.

**Tararua Tramping Club** sought that "without the exclusion of free public access" be appended to "The water catchments for public water supply are protected so that public health is safeguarded." Greater Wellington staff comment that objective 8, not objective 12, relates to public access. It's not appropriate to make the change suggested by the submitter to an anticipated environment result for objective 12.

**Wellington Conservation Board** sought inclusion of an anticipated result that says water quality will be maintained in highly valued water bodies and improved in degraded ones. Greater Wellington staff note that anticipated environment results should reflect an outcome (objective) or policy intent of the Regional Policy Statement. The seventh anticipated environment result identifies that regional plans

will manage water bodies for identified purposes. These purposes can include high value water bodies (e.g. as identified in Appendix 1) and enhancement of degraded water bodies. However, it is not helpful to introduce terminology in the anticipated environment results that is not used in the Regional Policy Statement.

**Wellington Fish and Game Council** stated that the Policy Statement should allow for numerical standards to be set for water quality to protect ecosystems, including DRP, SIN, DO, periphyton, and macroinvertebrate indices etc. Greater Wellington staff comment that the Regional Policy Statement does for allow numerical standards. As occurs at present and will continue in the future, numerical data will be used to measure anticipated environment results. However, it is not necessary to list what these will be in the Regional Policy Statement. Numerical standards can be included in the regional plans and the ones already used regularly in state of the environment reporting can be specified in the Regional Monitoring Strategy, which will be developed in consultation with stakeholders. The submitter stated that the inclusion of an anticipated environment result which specifies that “eighty percent of residents perceive that water pollution is not a problem” was not sufficient to ensure that freshwater resources were not degrading. Greater Wellington staff comment that this anticipated environment result is included to take advantage of existing public perception surveys so that comparisons can be made in the future. The submitter stated a numerical target standard should also be set, which shall be established through state of the environment reporting. Greater Wellington staff comment that state of the environment reporting will continue to report on numerical data. The submission of Wellington Fish and Game Council was opposed by **Masterton District Council**.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/61	Reject
Greater Wellington Regional Council	46/3	Accept
Tararua Tramping Club	114/17	Reject
Wellington Conservation Board	132/8	Reject
Wellington Fish and Game Council	133/24	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Amend anticipated environmental result 1 for objective 12 as follows:

Water quality in lakes, rivers and aquifers is supporting healthy functioning aquatic ecosystems or any other management purposes identified in regional plans.

Amend anticipated environmental result 2 for objective 12 as follows:

River flows and lake levels support healthy functioning aquatic ecosystems or any other management purposes identified in regional plans.

Amend anticipated environmental result 3 for objective 12 as follows:

Groundwater is managed levels—to support healthy functioning aquatic ecosystems or any other purpose for managing water bodies identified in regional plans.

**2.188 Objective 13 AER's 1 to 8**

Submitter	Submission	Summary
Anders Crofoot	25/37	Stated that some of the references are too broad and should be specific to Table 15 and/or 16 and clear as to what the expected outcomes would be.
Department of Conservation	31/62	Sought the following decisions from the Council: 1. That AER 2 be reworded: “Flow regimes and discharges into rivers and lakes are not resulting in algal cover and/or biomass that is adversely affecting aquatic ecosystems.” 2. That the 3rd AER be reworded: “There are no new barriers (including low flows or pollution) to fish passage and the number of existing impediments is reduced.”
F1/22	Winstone Aggregates	Oppose in part
F10/25	Wellington Fish and Game Council	Support
F24/28	Masterton District Council	Oppose
Meridian Energy Limited	82/42	Sought that AER 4 be amended to accommodate structures that incorporate fish passage and AER 5 be amended to accommodate change to the environment authorised by plan provisions and resource consents.



Submitter	Submission	Summary
Wellington Fish and Game Council	133/25	Opposed. Stated that the Policy Statement should allow for numerical standards to be set for water quality to protect ecosystems, including DRP, SIN, DO, periphyton, and macroinvertebrate indices etc. Stated that the inclusion of an AER which specifies that "eighty percent of residents perceive that water pollution is not a problem" was not sufficient to ensure that freshwater resources were not degrading. Stated that a numerical target standard should also be set. I.e. water bodies shall be maintained or enhanced, which shall be established through state of the environment reporting.
F24/132	Masterton District Council	Oppose

(a) Discussion

**Anders Crofoot** stated that some of the references are too broad and should be specific to Table 15 and/or Table 16 as to what the expected outcomes would be. Greater Wellington staff consider that the anticipated environment results are sufficiently broad to provide a basis for monitoring and reporting on the objectives of the Regional Policy Statement. If the submitter has alternative more specific anticipated environment results to suggest, these could be considered.

**Department of Conservation** sought the following decision from the Council: 1. that anticipated environment result 2 be reworded: "Flow regimes and discharges into rivers and lakes are not resulting in algal cover and/or biomass that is adversely affecting aquatic ecosystems." Greater Wellington staff consider that it is appropriate to consider discharges as well as flow regimes and the change is recommended. The submitter also sought that the third anticipated environment result be reworded: "There are no new barriers (including low flows or pollution) to fish passage and the number of existing impediments is reduced." Greater Wellington staff comment that all barriers should be considered in relation to fish passage and there are more potential barriers than low flows or pollution. Identifying some barriers and not others could compromise the ability to consider all potential barriers, and the change suggested by the submitter is not recommended. The submission of the Department of Conservation was opposed by **Winstone Aggregates** (in part) and **Masterton District Council** and supported by **Wellington Fish and Game Council**.

**Meridian Energy** sought that anticipated environment result 4 be amended to accommodate structures that incorporate fish passage and anticipated environment result 5 be amended to accommodate change to the environment authorised by plan provisions and resource

consents. Greater Wellington staff consider that, as worded, anticipated environment result 4 does accommodate structures that include suitable fish passage. The change to anticipated environment result five sought by the submitter is not recommended because it is not relevant to the objective.

**Wellington Fish and Game Council** made the same submission on anticipated environment results for objective 13 as for objective 12. Greater Wellington staff have addressed this submission in the report on anticipated environment results for objective 12. The submission by Wellington Fish and Game Council was opposed by **Masterton District Council**.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/37	Reject
Department of Conservation	31/62	Accept in part
Meridian Energy Limited	82/42	Reject
Wellington Fish and Game Council	133/25	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Change the second anticipated environmental result for objective 13 as follows:

Flow regimes in, and discharges to, rivers and lakes are not resulting in algal cover and/or biomass that is adversely affecting aquatic ecosystems.

**2.189 Objective 14 AER's 1 to 4**

Submitter	Submission	Summary
Wellington Fish and Game Council	133/26	Opposed. Stated that the Policy Statement should allow for numerical standards to be set for water quality to protect ecosystems, including DRP, SIN, DO, periphyton, and macroinvertebrate indices, etc. Stated that the inclusion of an AER which specifies that "eighty percent of residents perceive that water pollution is not a problem" was not sufficient to ensure that freshwater resources were not degrading. Stated that a numerical target standard should also be set. I.e. water bodies shall be maintained or enhanced, which shall be established through state of the environment reporting.

Submitter	Submission	Summary
F24/133	Masterton District Council	Oppose

(a) Discussion

**Wellington Fish and Game Council** made the same submission on anticipated environment results for objective 14 as for objective 12 and Greater Wellington staff have addressed this submission in the report on anticipated environment results for objective 12. The submission was opposed by **Masterton District Council**.

(b) Recommended decision

Submitter	Submission	Recommendation
Wellington Fish and Game Council	133/26	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

No change to the anticipated environmental results for objective 14 are recommended.

## 2.190 Objective 15 AER's 1 to 3

Submitter	Submission	Summary
Department of Conservation	31/63	Stated that S6(f) of the Resource Management Act 1991 does not use the qualifying word "significant" when it refers to historic heritage. Sought the following decision from the Council: That the word "significant" be removed from the AERs.
F18/1	CentrePort Limited	Oppose
F24/29	Masterton District Council	Oppose

(a) Discussion

The **Department of Conservation** sought removal of the word "significant" from the anticipated environmental result. The submitter's states there is no qualifier in section 6(f) of the Resource Management Act, hence there should be none in the Regional Policy Statement. **CentrePort Limited** and **Masterton District Council**

opposed this submission. As described in further detail in the discussion of policy 20 above, Greater Wellington staff consider the use of the word ‘significant’ is appropriate when referring to historic heritage values in the proposed Regional Policy Statement. Staff do not consider any changes to the anticipated environmental results as requested by the submitter.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/63	Reject

The further submissions are accepted accordingly.

(c) Recommended changes

There are no recommended changes to objective 15 anticipated environmental results 1 to 3.

**2.191 Objective 16 AER 1 to 4**

Submitter	Submission	Summary
Department of Conservation	31/64	Sought the following decision from the Council: That the AER be reworded as follows: "There is at least a 20 per cent increase in the area of indigenous ecosystems and habitats that are legally protected."
Meridian Energy Limited	82/43	Sought amendments to clarify that some (not nil) change to the environment is anticipated.
Wellington Botanical Society	130/9	Requested amendment of objective 16 AER 3 to read: 'Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state' and use of, or alignment with, the indicators for indigenous ecosystem quality used for the community outcomes in Greater Wellington's 10-year plan, especially ecosystem health. Supported objective 16 AER 4.
Wellington Conservation Board	132/9	Sought that the first and third AER for this objective be amended as follows: (i) ...have identified indigenous ecosystems with significant biodiversity and ecosystem services values; (iii) no loss of indigenous ecosystems and habitats with significant biodiversity and ecosystem services values..... Also sought an additional AER that anticipates that a

Submitter	Submission	Summary
		range of indigenous ecosystems are restored.
F17/73	Meridian Energy Limited	Oppose

(a) Discussion

**Department of Conservation** sought that the anticipated environmental result be reworded as follows: “There is at least a 20 per cent increase in the area of indigenous ecosystems and habitats that are legally protected” to indicate that this figure is the minimum to be achieved. Staff recommend this change be adopted.

**Meridian Energy Limited** sought amendments to clarify that some (not nil) change to the environment was anticipated. It is considered that the anticipated environmental outcomes for objective 16 will allow for change, so long as the identified indigenous ecosystem values are not lost or degraded. Therefore, it is not recommended to make amendments to the anticipated environmental outcomes for objective 16 arising from this submission point.

**Wellington Botanical Society** requested amendments to objective 16 - anticipated environmental result 3 to read: “Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state” and use of, or alignment with, the indicators for indigenous ecosystem quality used for the community outcomes in Greater Wellington’s 10-year plan, especially ecosystem health. Greater Wellington staff note that measuring the state of indigenous ecosystems and biodiversity has proven to be difficult with the tools and resources currently available. The society’s proposed measure of “maintained and restored to a healthy functioning state” would be difficult to measure whereas the current objective 16 anticipated environmental result 3 provides a relatively achievable measure. It is not recommended that the change be adopted.

**Wellington Conservation Board** sought that the first and third anticipated environmental result for this objective be amended as follows:

- (i) ...have identified indigenous ecosystems with significant biodiversity and *ecosystem services* values;
- (iii) no loss of indigenous ecosystems and habitats with significant biodiversity and *ecosystem services* values...

Greater Wellington staff do not agree with the inclusion of ecosystem services in this anticipated environmental result. To be meaningful, anticipated environmental results need to be readily measurable and while policy 22 provides criteria for assessing significance this does

not include the matter of ecosystem services. The science describing ecosystem services is still emerging, and robust criteria for identifying and/or quantifying in any meaningful way the values provided by ecosystem services does not exist at present. However, including provisions that require the identification and protection of indigenous ecosystems and habitats with significant biodiversity values, the ecosystem services that these areas provide will be protected.

**The Wellington Conservation Board** also sought an additional anticipated environmental result that anticipates that *a range of indigenous ecosystems are restored*. Greater Wellington staff note that the objective for indigenous ecosystems in the Regional Policy Statement (objective 16) is *Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state*. Policy 22 provides criteria for “significance”. “Range” is not one of the commonly accepted criteria for determining significance and, to a degree, it would act contrary to the intent of these criteria (representativeness, rarity, diversity, ecological context, tangata whenua values) by introducing a form of quota. Staff do not recommend that an anticipated environmental result relating to a range of indigenous ecosystems that are restored be added. **Meridian Energy Limited** opposed the submission.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/64	Accept
Meridian Energy Limited	82/43	Reject
Wellington Botanical Society	130/9	Reject
Wellington Conservation Board	132/9	Reject

The further submission from Meridian Energy Limited is accepted accordingly.

(c) Recommended changes

Amend the anticipated environmental results for objective 16, as follows:

District and regional plans have identified indigenous ecosystems and habitats with significant biodiversity values.

District and regional plans contain policies, rules and/or methods to protect indigenous ecosystems and habitats with significant biodiversity values from inappropriate subdivision, use and development.

There is no loss of indigenous ecosystems and habitats with significant biodiversity values identified in a district or regional plan.

There is at least a 20 per cent increase in the area of indigenous ecosystems and habitats that are legally protected.

**2.192 Objective 17 AER 1 to 6**

Submitter	Submission	Summary
Meridian Energy Limited	82/44	Sought amendments to clarify that some (not nil) change to the environment was anticipated.

(a) Discussion

**Meridian Energy Limited** sought amendments to clarify that some (not nil) change to the environment was anticipated. It is considered that the anticipated environmental results for objective 17 will allow for change within a landscape so long as the identified landscape values are not lost or degraded. Therefore, it is not recommended to make amendments to the anticipated environmental results for objective 17 arising from this submission point.

(b) Recommended decision

Submitter	Submission	Recommendation
Meridian Energy Limited	82/44	Reject

(c) Recommended changes

There are no recommended changes to the anticipated environmental results for objective 17.

**2.193 Objective 18 AER 1 & 2**

Submitter	Submission	Summary
Oil Companies	92/12	Sought the following changes to the objective 18 AER's 1 and 2: AER 1: (b) contain policies and rules to avoid subdivision and development in those areas, if unless the associated risk is acceptable. AER 2: No new subdivision and development creates unacceptable risks in areas at high risk from natural hazards.

Submitter	Submission	Summary
Transpower New Zealand Limited	123/34	Sought that the AER for objective 18 be amended by making the following changes: (b) contain policies and rules to avoid subdivision and development in those areas, if such activities would increase the associated risk. No new subdivision and development increases the risk in areas at high risk from natural hazards.

(a) Discussion

**Oil Companies and Transpower New Zealand Limited** both sought to amend the anticipated environmental results associated with objective 18, in line with their comments regarding policy 28. Officers note the suggested changes to policy 28 were accepted in part and these changes should be brought through into the anticipated environmental results. In particular, it was recommended that policy 28 be amended to avoid subdivision and *inappropriate* development, as measured against the provisions in policy 50. Staff do not consider that it is appropriate to allow subdivision in high hazard areas.

(b) Recommended decision

Submitter	Submission	Recommendation
Oil Companies	92/12	Accept in part
Transpower New Zealand Limited	123/34	Accept in part

(c) Recommended changes

Amend the anticipated environmental results to reflect the rewording changes in policy 28 as follows:

Regional and District plans:

- (a) identify areas at high risk from natural hazards; and
- (b) contain policies and rules to avoid subdivision and inappropriate development in those areas.

There is no new subdivision and inappropriate development in areas at high risk from natural hazards.

**2.194 Objective 21 AER 1 to 7**

Submitter	Submission	Summary
Kiwi Property Holdings Ltd	62/8	Sought that the maintenance of the viability and vibrancy of the regional central business district be a specific environmental result. Also sought that the results themselves be specified, as opposed to the means by



Submitter	Submission	Summary
		<p>which to achieve the results. The following changes were sought of AER 1:</p> <p>District plans:</p> <p>(a) the regional central business district is given prominence as the top of the hierarchy of regionally significant centres:</p> <p>(b) maintenance and enhancement of the viability and vibrancy of the regionally significant centres but not at the expense of the regional central business district; and</p> <p>(c) higher density and mixed use activities around locations with good access to the strategic public transport network.</p>

(a) Discussion

**Kiwi Property Holdings Ltd** sought that the maintenance of the viability and vibrancy of the regional central business district be a specific environmental result. They provided specific changes to the anticipated environmental results to achieve this. They also sought that the results themselves be specified, as opposed to the means by which to achieve the results.

It is recommended that the submission be rejected. The first anticipated environmental result alongside objective 21 outlines the result of district plans containing provisions that maintain and enhance the viability and vibrancy of all the regionally significant centres. These are the centres listed in policy 29. The fourth anticipated environmental result is intended to provide information as to the viability and vibrancy of these centres, through information about the sense of pride in Wellington city and other regionally significant centres in the region. The anticipated environmental results are targets towards achieving the objectives in the Regional Policy Statement. Some of these are written as environmental states, some as the course of action expected to be undertaken. Both types of targets or results are considered to be appropriate. The results will be reported against in Greater Wellington's six yearly state of the environment report. It is not considered appropriate to write the result as proposed by the submitter as these would be difficult to measure and go beyond the proposed actions (policies) in the proposed Regional Policy Statement.

(b) Recommended decision

Submitter	Submission	Recommendation
Kiwi Property Holdings Ltd	62/8	Reject

(c) Recommended changes

No changes to objective 21's anticipated environmental results are recommended.

**2.195 Objective 25 AER 1**

Submitter	Submission	Summary
Meridian Energy Limited	82/45	Sought that the AER be amended to more closely relate, in a measurable way, to the objective which is concerned with avoiding effects and that the AER reflected the range of approaches open to managing effects including avoidance, remediation, and mitigation.
Porirua City Council	100/52	State that 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, the submitter requested that a further anticipated environmental result be added to Section 5.2, objective 25 as: Iwi authorities consider that Porirua Harbour's mauri is being restored.
F12/52	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

(a) Discussion

**Meridian Energy Limited** sought that the anticipated environmental result be amended to more closely relate, in a measurable way, to the objective. It is recommended the result be amended to state "Iwi authorities consider that mauri of coastal and fresh water is being sustained." It is noted that this revised result is measurable and will be carried out by surveying representatives of the region's iwi authorities.

**Porirua City Council** requested that a further anticipated environmental result 'Iwi authorities consider that Porirua Harbour's mauri is being restored' be added to objective 25. The submission was supported by Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd. It is recommended that the new anticipated environmental result be included for objective 25.

This result will align with the new policy proposed by Porirua City Council for the Porirua Harbour.

(b) Recommended decision

Submitter	Submission	Recommendation
Meridian Energy Limited	82/45	Accept
Porirua City Council	100/52	Accept

The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted accordingly.

(c) Recommended changes

Amended the anticipated environmental result for objective 25 and add a new result as follows:

Iwi authorities consider that ~~no further degradation of mauri has occurred, particularly in relation to~~ of coastal and fresh waters is being sustained

Iwi authorities consider that Porirua Harbour's mauri is being restored

**2.196 Objective 30 AER 1**

Submitter	Submission	Summary
Winstone Aggregates	15/35	<p>Stated that the AER was far too simplistic and did not recognise the large size of the Wellington region and the key areas of demand located around the Wellington urban area. Sought that the AER be deleted and replaced with the following new AER:</p> <p>Demand for aggregate is met from resources located in close proximity to the areas of demand.</p> <p>Noted that the following additional AER would be required for the additional objective proposed by the submitter:</p> <p>The locations of the region's significant mineral resources are identified and their use provided for.</p> <p>In addition it was considered appropriate that a further AER be added to align with objective 30 and the new objective as follows:</p> <p>Reverse sensitivity effects on aggregate extraction, processing and transportation activities are minimised.</p>

(a) Discussion

**Winstone Aggregates** sought a new anticipated environmental result for objective 30. They sought that the new anticipated environmental result recognise the changes suggested for objective 30 and reflect that the demand for aggregate needs to be met from resources in close proximity to demand. Officers' note that objective 30 is not recommended to be changed therefore anticipated environmental result 1 stands - that the anticipated result is demand is met from within the region as much as possible.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/35	Reject

(c) Recommended changes

There are no recommended changes for the anticipated environmental result to objective 30.

## 2.197 Appendices

Submitter	Submission	Summary
Winstone Aggregates	15/36	Sought the inclusion of a map within the Regional Policy Statement identifying significant aggregate resources at Belmont, Dry Creek, Petone (Hutt River), Otaki River and Waikanae as being of Regional significance.
CentrePort Wellington	23/11	Supported the removal of the Coastal Marine Area sites.
East Harbour Environmental Association Incorporated	33/21	Queried the removal of the maps of areas of coastal significance. Requested the inclusion of maps showing a wider range of significant landscape features.
F1/26	Winstone Aggregates	Oppose
Pauatahanui Inlet Community Trust	95/2	Requested the inclusion of Appendix 1 from the draft Regional Policy Statement
F1/83	Winstone Aggregates	Oppose

(a) Discussion

**Winstone Aggregates** sought the inclusion of a map to show the significant mineral resources of the region. Officers do not consider such a map is necessary in the proposed Regional Policy Statement. Existing mineral extraction sites are well known to the industry and their location on a map would not provide any further useful information to the proposed Regional Policy Statement. Implementation of method 51 will describe and show the location significant mineral resources and this work would include a map or series of maps.

**CentrePort Wellington** supported the removal of the Coastal Marine Area sites from the proposed Regional Policy Statement, however the **East Harbour Environmental Association Incorporated** and **Pauatahanui Inlet Community Trust** both queried the removal of the maps and either requested their reinstatement and/or to extend their range. This was opposed by Winstone Aggregates on the basis that it would not achieve the purpose of the Resource Management Act 1991. Greater Wellington staff comment that the draft Regional Policy Statement included Table 16 'Sites of Regional Significance in the Coastal Environment'. This table was subsequently deleted from the proposed Regional Policy Statement due to concerns around the methodology used and the information available to identify the values and extent of the sites. Greater Wellington staff now consider that the appropriate course of action is policies which require the protection of specific values such as indigenous biodiversity and policies around the assessment and protection of natural character.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/36	Reject
CentrePort Wellington	23/11	Accept
East Harbour Environmental Association Incorporated	33/21	Reject
Pauatahanui Inlet Community Trust	95/2	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

There are no recommended changes.

## 2.198 Appendix 1 Rivers and lakes with values requiring protection

Submitter	Submission	Summary
Winstone Aggregates	15/37	Sought deletion of Appendix 1.
F23/75	Federated Farmers	Support
Anders Crofoot	25/38	Stated that the title of Appendix 1 was misleading as the tables within Appendix 1 contained streams and catchments as well as rivers and lakes.
East Harbour Environmental Association Incorporated	33/22	Requested the indigenous ecosystems in Appendix 1 be broadened from just rivers and lakes of regional significance. Stated that the change from the draft Appendix 1 was unclear.
Federated Farmers of New Zealand	35/65	Stated disappointment with the lack of affected landowner involvement in the development of the Appendix. Expected that where there is a change in policy to protect identified areas and values that those landowners affected be identified, contacted and informed of exactly what the proposed changes will mean to them prior to the notification of the plan change or in this case regional policy statement. Sought Appendix 1 be deleted Or, alternatively that it be renamed as "Rivers and lakes which the Regional Council are interested in monitoring and maintaining" And Sought consequential amendments as to detail or substance throughout the proposed Policy Statement, in particular the policies and methods section, to give effect to this Submission
F22/127	Anders Crofoot	Support
F24/53	Masterton District Council	Support
Friends of Owhiro Stream	38/6	Stated that some of the identified streams were insufficiently or wrongly identified. Stated that there is no map or reference for Owhiro Stream to be named as Owhiro Bay Stream. Also suspected that "Little Waitangi Stream" referred to a minor stream (unnamed on topo maps) in the Pauatahanui catchment, which the submitter know as the Waitangi Stream as one flowing under the Wellington Central Business District. Sought that all rivers and lakes identified in Appendix 1 (Tables 15 and 16) must be identified with a map

Submitter	Submission	Summary
		grid reference at their outflow point.
Horticulture New Zealand	50/52	Sought deletion of Appendix 1 or re-notification and that all affected landowners were advised of the identification. Concerned that Appendix 1 was extensive and includes many small tributaries which are now identified for protection. Also concerned that Table 15 was developed from a survey of recreational groups clearly with a vested interest and no responsibility to pay for the privilege of the stated protection. Stated that Table 16 is all encompassing covering small tributaries along with waterbodies more commonly understood as being potentially significant. The impacts of such identification when implemented through policies 17, 23 and 42 was considered significant.
F22/128	Anders Crofoot	Support
F23/76	Federated Farmers	Support
F24/61	Masterton District Council	Support

(a) Discussion

**Winstone Aggregates** sought deletion of Appendix 1 as it did not provide sufficient certainty and there had been inadequate consultation. The submission was supported by **Federated Farmers of New Zealand**. Greater Wellington staff note that Appendix 1 has received the same amount of consultation as all other provisions in the Regional Policy Statement. The operative Regional Policy Statement and the operative Regional Freshwater Plan both include policies linked to rivers and lakes that are identified for particular significant values, including recreation and amenity values, and ecosystems. Staff therefore do not recommend deleting Appendix 1.

The matters raised by submitter **Anders Crofoot** in relation to Appendix 1 are addressed with submissions on Table 16.

**East Harbour Environmental Association** requested the indigenous ecosystems in Appendix 1 be broadened from just rivers and lakes. The submitter stated that the change from the draft Appendix 1 was unclear. Greater Wellington staff comment that to date consultation on this Appendix has only occurred in relation to rivers and lakes. The identification of significant wetlands in regional and district plans will occur through the implementation of policy 23 of the Regional Policy Statement. Little change has occurred to the overall approach of

Appendix 1 since the draft. It was Appendix 2 in the most recent draft of the Regional Policy Statement in 2008.

**Federated Farmers of New Zealand and Horticulture New Zealand** were concerned with the lack of affected landowner consultation in the development of Appendix 1. Greater Wellington staff comment that Appendix 1 lists rivers and lakes that link to policy 17, which gives effect to sections 6(c) and 7(c) of the Resource Management Act. Rivers and lakes are defined in the Resource Management Act by reference to the water in them. These resources are not owned by any person but are commonly held resources that are to be managed for everybody in the community. Consultation with everybody in the community at the level suggested by Federated Farmers and Horticulture NZ is not feasible, nor is it sought by the Resource Management Act.

Federated Farmers of New Zealand and Horticulture New Zealand are also concerned that Table 15 was developed with vested interests. Greater Wellington staff note that Table 15 lists rivers and lakes with significant amenity and recreational values of rivers in the region. Rivers and lakes with significant amenity and recreational values are identified in the operative Regional Policy Statement and the operative Regional Freshwater Plan. Inclusion of rivers and lakes in these documents more than ten years ago followed consultation similar to the surveys done this time. When identifying significant amenity and recreational uses of rivers and lakes it's appropriate to consult with the people that have particular knowledge and interest in these matters. Once identified, Greater Wellington can make alterations by seeking public comment on draft provisions, which has already occurred, and through submissions on the proposed Regional Policy Statement.

The survey used this time has added the following rivers and lakes with significant amenity and recreation to those already in the operative Regional Policy Statement and the operative Regional Freshwater Plan: Kaiwharawhara Stream, Korokoro Stream, Upper Gollans Stream, the Orongorongo River, Kourarau Dam and Henley Lake. Federated Farmers of New Zealand and Horticulture New Zealand supported each others submissions and both submissions were supported by **Masterton District Council**. The submissions of Federated Farmers of New Zealand and Horticulture New Zealand were supported by **Anders Crofoot**.

**Friends of Owhiro Stream** commented that the Owhiro Bay Stream is misnamed and it should be the Owhiro Stream. This change is recommended. The submitter also pointed out that other stream names occur more than once in the region. The submitter asks that map grid references be given where the streams outflow to the coast. Officers note, the problem of stream name duplication can be overcome by making a note in the Appendix that rivers in the table are identified by their outflows to the coast going anti clock wise around the region



from the Waitohu Stream in the north-west of the region. For streams that are not named on NZMS maps, grid references are given. These changes are recommended in are recommended in section 2.201 on Table 16.

(b) Recommended decision

Submitter	Submission	Recommendation
Winstone Aggregates	15/37	Reject
Anders Crofoot	25/38	See recommendation on Table 16
East Harbour Environmental Association Incorporated	33/22	Reject
Federated Farmers of New Zealand	35/65	Reject
Friends of Owhiro Stream	38/6	Accept See recommendation on Table 16
Horticulture New Zealand	50/52	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Changes in response to submissions are made in section 2.201 on Table 16.

**2.199 Appendix 1: Table 15 Rivers and lakes with significant amenity and recreational values**

Submitter	Submission	Summary
Department of Conservation	31/65	Sought the addition of Tauherenikau River above the point where it enters the plains. There is a wide range of significant amenity and recreational values
Anthony Roy Edwards	34/7	Sought addition of walking, biking, horse riding & boating activities to the Waikanae River entry.
Genesis Energy	40/13	Sought removal of Kourarau Dam and Gladstone from the table as the primary purpose of the dam is energy generation and stated that this should take precedence.

Submitter	Submission	Summary
South Wairarapa District Council	112/28	Sought that the Tauherenikau River be included as recreationally significant. The upper area, accessed from Bucks Road, is used for swimming and rafting by a significant numbers of people in the summer.
The Hutt Valley Angling Club Inc.	118/3	Sought that Whakatikei River and Mangaroa River be added to Table 15.
Wellington Fish and Game Council	133/27	Opposed. Stated that not all significant (>100 days) recreational angling waterbodies were identified. E.g. the Ruamahanga River is the most highly visited river in the Wairarapa Region, and it was not included in Appendix 1. Attached to the submission was a spreadsheet listing the main trout fishery rivers in the region. The Submitter commented that this information may however change as feedback from anglers was currently being sought.
F24/135	Masterton District Council	Oppose

(a) Discussion

**Department of Conservation** sought the addition of the Tauherenikau River above the point where it enters the Wairarapa plains. Greater Wellington staff comment that the Tauherenikau River was left out of Table 15 in the proposed Regional Policy Statement in error. It is recorded in the report *Selection of rivers and lakes with significant amenity and recreational values* as being “included in the proposed Regional Policy Statement”. The users identified for the Tauherenikau River in the report are fishing, swimming, walking and picnicking.

**Anthony Edwards** sought the addition of walking, biking, horse riding & boating activities to the Waikanae River entry. Officers note that the application of the criteria used for selecting rivers and lakes with significant amenity and recreational values relies on support from more than one individual for any recreational uses that apply. Support from other people or a group of people are needed to include all the uses of the Waikanae River listed by the submitter.

**Genesis Energy** sought removal of Kourarau Dam, Gladstone from Table 15 as the primary purpose of the dam is energy generation and stated that this should take precedence. Greater Wellington staff recognise that energy generation is the primary purpose for managing the lake. It is a purpose for managing the lake that could be identified

in the regional plan through giving effect to policy 11 of the Regional Policy Statement. However, the primary purpose for managing the lake has also given rise to other uses that are now provided for through operating levels in resource consent conditions. It is recommended that the Kourarau Dam remain in Table 15.

**South Wairarapa District Council** sought that the Tauherenikau River be included as recreationally significant. The Tauherenikau River was left out of Table 15 in the proposed Regional Policy Statement in error. It is recorded in the report “Selection of rivers and lakes with significant amenity and recreational values” as being “included in the proposed Regional Policy Statement”. The users identified for the Tauherenikau River in the report are fishing, swimming, walking and picnicking. Rafting is also added.

**Hutt Valley Angling Club Inc.** sought that Whakatikei River and Mangaroa River be added to Table 15. Greater Wellington staff comment that no recreational or amenity reasons are given but neither of these rivers meet the 100 angler day threshold for trout fishing. Therefore the Whakatikei and Mangaroa Rivers are not recommended for inclusion in Table 15.

**Wellington Fish and Game Council** stated that not all significant (>100 days) recreational angling waterbodies were identified, and gave the Ruamahanga River as an example. Their submission was opposed by **Masterton District Council**. Greater Wellington staff note that the Ruamahanga River is listed in both Table 15 and Table 16, so no change is recommended.

(b) Recommended decision

Submitter	Submission	Recommendation
Department of Conservation	31/65	Accept
Anthony Roy Edwards	34/7	Reject
Genesis Energy	40/13	Reject
South Wairarapa District Council	112/28	Accept
The Hutt Valley Angling Club Inc.	118/3	Reject
Wellington Fish and Game Council	133/27	Accept in part

The further submissions from Masterton District Council is rejected accordingly.

(c) Recommended changes

Add the Tauherenikau River to Table 15 with the following recreational uses identified: fishing, swimming, walking and picnicking, rafting.

**2.200 Appendix 1: Table 16 Rivers and lakes with significant indigenous ecosystems**

Submitter	Submission	Summary
Anders Crofoot	25/39	Sought that the Castlepoint and Ngakauau catchments, and possibly other entities in Table 16, be assessed for actual threats and tabled according to whether regulation or education may be appropriate. Alternatively, sought that Castlepoint and Ngakauau catchments should be deleted.
Department of Conservation	31/66	<p>Stated that Whakatikei River – should have a bullet point under “Habitat for threatened indigenous fish species in the catchment”, as longfin eel, dwarf galaxias and koura have been recorded in this catchment by M. Joy in 2006. Sought the addition of this bullet point.</p> <p>Stated that wetlands with significant indigenous biodiversity values have been identified in the Landcare Research publication: “Wetland ecosystems of national importance for biodiversity: Criteria, methods and candidate list of nationally important inland wetlands.” At a minimum these identified wetlands should be included in the Table. However, given that all remaining wetlands are considered to be significant (given the reduction from their original extent) it could be argued that all wetlands should be listed in table 16.</p> <p>Sought the following decision from the Council: Addition of wetlands listed in “Wetland ecosystems of national importance for biodiversity: Criteria, methods and candidate list of nationally important inland wetlands” into Table 16.</p>
Genesis Energy	40/14	Sought that Appendix 1 be deleted.
Greater Wellington Regional Council	46/4	Noted corrections to Appendix 1 required as a result of reviewing application of the methodology outlined in the supporting document “Selection of Rivers and Lakes with significant indigenous ecosystems 2009 (see submission for full details) and sought the following changes and any consequential changes to Table 16 that arise as a result of the submission. The catchments referred to meet the criteria for “catchments with a high percentage of indigenous

Submitter	Submission	Summary
		<p>vegetation cover" and be added to the column "catchments with a high percentage of indigenous vegetation cover" :</p> <ul style="list-style-type: none"> <li>• Whakatikei River above the confluence with the Wainui Stream;</li> <li>• unnamed streams draining to the coast between Point Howard at easting 2670123, northing 5992774 and Eastbourne at easting 2668476, northing 5988040;</li> <li>• Battery Stream;</li> <li>• unnamed tributaries of Lake Wairarapa between easting 2692884, northing 5996151 and easting 2694063, northing 5996975;</li> <li>• Prince Stream;</li> <li>• Cross Creek;</li> <li>• unnamed tributaries on true left bank of Awhea River between easting 2720541, northing 5974877, and easting 2720409, northing 5967840;</li> <li>• unnamed tributary draining to the coast at easting 2736771, northing 5974877;</li> <li>• unnamed tributaries draining to the coast between easting 2784666, northing 6038022 and easting 2784952, northing 6039543.</li> </ul>
F19/58	Horticulture NZ	Oppose
Greater Wellington Regional Council	46/5	<p>Noted corrections to Appendix 1 were required as a result of reviewing application of the methodology outlined in the supporting document "Selection of Rivers and Lakes with significant indigenous ecosystems 2009 (see submission for full details) and sought the following changes and any consequential changes to Table 16 that arise as a result of the submission.</p> <p>In the first column "Wainuiomata River" be amended to read "Wainuiomata River excluding Black Stream". As the The Black Stream catchment did not meet the criteria for "catchments with a high percentage of indigenous vegetation cover".</p>
F19/59	Horticulture NZ	Oppose
Greater Wellington Regional Council	46/6	<p>Noted corrections to Appendix 1 were required as a result of reviewing application of the methodology outlined in the supporting document "Selection of Rivers and Lakes with significant indigenous ecosystems 2009 (see submission for full details) and</p>

Submitter	Submission	Summary
		<p>sought the following changes and any consequential changes to Table 16 that arise as a result of the submission.</p> <p>Addition of the following rivers to the column "habitat for threatened indigenous fish species in the catchment" as these rivers meet the criterion for "habitat for threatened indigenous fish species in the catchment" Speedy's stream; Moonshine Stream; Stokes Valley; Whangaehu Stream; an unnamed tributary on the true left bank of the Ruamahanga River at easting 2704500 and northing 5988700.</p>
F19/61	Horticulture NZ	Oppose
Greater Wellington Regional Council	46/7	<p>Noted corrections to Appendix 1 were required as a result of reviewing application of the methodology outlined in the supporting document "Selection of Rivers and Lakes with significant indigenous ecosystems 2009 (see submission for full details) and sought the following changes and any consequential changes to Table 16 that arise as a result of the submission.</p> <p>Addition of the following rivers to the column "habitat for six or more indigenous fish species in the catchment" as the rivers meet the criteria of "six or more migratory indigenous fish species in the catchment.": Speedy's stream; and Days Bay Stream</p>
F19/62	Horticulture NZ	Oppose
Greater Wellington Regional Council	46/8	<p>Noted corrections to Appendix 1 were required as a result of reviewing application of the methodology outlined in the supporting document "Selection of Rivers and Lakes with significant indigenous ecosystems 2009 (see submission for full details) and sought the following changes and any consequential changes to Table 16 that arise as a result of the submission.</p> <p>Insertion of the following text in the key to symbols used in Table 16:</p> <p>"*" means the rivers specified held the value identified.</p> <p>And</p> <p>Insert rows for the Hutt River and Ruamahanga River with the symbol "*" in the columns "Habitat for indigenous fish" and habitat for six or more native fish species".</p> <p>The new symbol "*" would apply to the Hutt River and the Ruamahanga River. The change was needed because the large size and heterogeneity of habitat in</p>

Submitter	Submission	Summary
		these rivers make it appropriate to apply the criteria for threatened species
F19/63	Horticulture NZ	Oppose
Mighty River Power	83/47	Sought deletion in its entirety, as policy 22 criteria should be used for identification
F24/96	Masterton District Council	Support
Pauatahanui Inlet Community Trust	95/3	Supported Appendix 1 Table 16
Wellington Fish and Game Council	133/28	Opposed. Stated that trout spawning values were not identified, and that the list did not identify all wetlands worthy of conservation, nor biodiversity values
F24/136	Masterton District Council	Oppose

(a) Discussion

**Anders Crofoot** sought that the Castlepoint and Ngakauau catchments, and possibly other entities in Table 16, be assessed for actual threats and tabled according to whether regulation or education may be appropriate. Alternatively, the submitter sought that Castlepoint and Ngakauau catchments should be deleted. The submitter comments that the terminology used and methods for identification lead to some serious disconnects. He requested the discrepancy and uncertainty addressed that arises by referring to both “catchment” and “rivers and lakes” in the Table. The intention of Appendix 1 is to identify significant elements of ecosystems in rivers and lakes. The word catchment was included in the proposed Regional Policy Statement to reinforce that it is rivers in the catchment that are referred to. It is however agreed that using the word catchment could create uncertainty about whether Appendix 1 refers to areas of land. This is not the intent and it is recommended that this be resolved by deleting the word catchment altogether and relying entirely on reference to rivers and lakes.

One of the criterion used in the Table is “catchments with a high degree of indigenous vegetation cover.” It was used because of the correlation between indigenous vegetation cover and high aquatic macroinvertebrate health in rivers and streams. This criterion can be

replaced with “high aquatic macroinvertebrate health” to ensure that the criteria relates directly to what is to be protected in the river.

Anders Crofoot raised concerns that when policy 17 is combined with policy 23 and 42 it is going to have effects on land that were not intended. Greater Wellington staff comment that the intent of policies 17 and 42 and Appendix 1 is to address significant ecosystem elements of rivers and Lakes. Changes made to Appendix 1 are to clarify that it is only concerned with river ecosystems. Policy 23 addresses significant indigenous ecosystem elements on land. Greater Wellington staff comment that to clear up one point raised by Anders Crofoot, the definition of river in the Resource Management Act includes stream, so it is not necessary to refer to rivers and streams as different entities in the Regional Policy Statement.

Anders Crofoot uses the examples of the Castlepoint Stream and Ngakauau Stream. The recommendation on the submission on Appendix 1 from Greater Wellington is that the Ngakauau Stream be deleted. Checking of Appendix 1 has shown that it does not meet the criteria.

Anders Crofoot also suggests that entities in Table 16, be assessed for actual threats, then split into two tables, one where regulation might be appropriate and one where education about their value may be useful. Greater Wellington staff agree with this approach but the Regional Policy Statement does not regulate in the sense that it requires resource consents. Decisions about whether resource consents are required will be made when the regional plan is reviewed. Options other than regulation can be pursued through other methods, and changes made to policy 17 clarify that regional plans shall include policies, rules and/or other methods. Other methods provide for non-statutory approaches such as education and information.

**Department of Conservation** stated that Whakatikei River is included as longfin eel, dwarf galaxias and koura have been recorded in this catchment by Dr. Mike Joy in 2006. Greater Wellington staff note that koura is not a fish species. There is no record of dwarf galaxias in the Whakatikei River in the New Zealand freshwater fish database, which is the database used in Appendix 1. Longfin eel are recognised as a nationally threatened fish species but the report which supports Appendix 1 *Selection of Rivers and Lakes with significant indigenous ecosystems* does not include them for the following reasons.

*Longfin eels are the most commonly recorded fish in the Wellington region (Strickland & Quatterman 2001). This means that if this species was included in the list of threatened species used for this exercise the majority of rivers and streams in the Wellington region would be classified as ecologically significant. It is unrealistic for all rivers in the Wellington region to be managed as significant river ecosystems. However, the common cooccurrence of longfin eels with*



*other native fish species identified as threatened, as well as the inclusion of longfin eels in the assessment of native fish biodiversity (see section 3.3.2), is considered to give the longfin eel a high level of protection.*

Department of Conservation also sought the addition of wetlands listed in “Wetland ecosystems of national importance for biodiversity”. Greater Wellington staff comment that Appendix 1 identifies rivers and lakes and does not include wetlands. The identification of wetlands in regional and district plans is provided for in policy 22.

**Genesis Energy** asked for Table 16 to be deleted. They considered there is ambiguity as to the relationship between the significant indigenous ecosystems listed in Table 16, and the criteria stipulated in Policy 22 for determining ecosystems with significant biodiversity values. Greater Wellington staff comment that Appendix 1 applies criteria in policy 22, namely (b) *rarity* and (c) *diversity*. It is not necessary to delete Appendix 1 for the reasons suggested by the submitter. However, it is recommended the relationship between Appendix 1 and policies for indigenous ecosystems and habitats with significant biodiversity values are clarified by amending the explanation to policy 23.

**Greater Wellington** sought corrections to Table 16 as a result of reviewing application of the methodology outlined in the supporting document *Selection of Rivers and Lakes with significant indigenous ecosystems*. The submission was opposed by Horticulture New Zealand who considered that these matters should have been addressed prior to notification of the Regional Policy Statement as many parties may not anticipate such changes through the submission process. Greater Wellington staff note that the primary role of Appendix 1 is to provide criteria for the selection of rivers and lakes with significant ecosystems and list of rivers and lakes that meet these criteria, so that appropriate provisions can be considered when regional plans are reviewed. No comment has been received in submissions on the appropriateness of criteria for fish species in Table 16. Anders Crofoot has commented on the criteria for indigenous vegetation cover.

It is particularly important that the criteria used are adhered to. Checking criteria against rivers in the proposed Regional Policy Statement showed that 10 rivers were not included that meet criteria for macroinvertebrate health. One of these, the Whakatikei River is on land owned by Greater Wellington. The unnamed streams draining to the coast between Point Howard and Eastbourne are not included because, although these streams collectively cover a large area, individually they are intermittently flowing streams. Five of the rivers added are on the eastern side of Lake Wairarapa, two are tributaries of the Awhea River and two flow to the eastern Wairarapa coastline. All these rivers are in catchments largely covered with indigenous

vegetation. Five rivers were added to Appendix 1 because they meet the criteria for nationally threatened native fish species. Three of these are urban streams and the other two are tributaries of the Ruamahanga River. Two rivers were added because they meet the criteria for six or more migratory indigenous fish species. Both these rivers are urban streams. Greater Wellington staff recommend that the changes are made in response to submissions 46/4 to 46/7 to ensure rivers meet the named criteria. The change in response to submission 46/8 is not recommended because it is not necessary to treat the Hutt and Ruamahanga rivers differently from other rivers.

**Mighty River Power** sought deletion of Table 16. The submitter considered the full extent of the rivers and lakes in Table 16 does not take into account that there may be areas on each waterway that have been modified and no longer contain a significant ecosystem. Greater Wellington staff comment that Appendix 1 identifies river and lakes that have the values identified. It's recognised that modifications have occurred and the values do not necessarily occur in all reaches at any point in time. It will be up to the regional plan to determine the most effective way to protect the values of the rivers and lakes identified. Mighty River Power also considered that the criteria within Policy 22 should be used. Greater Wellington staff note that Appendix 1 applies criteria in policy 22, namely *(b) rarity* and *(c) diversity*. It is recommended the relationship between Appendix 1 and policies for indigenous ecosystems and habitats with significant biodiversity values are clarified by amending the explanation to policy 23. The submission of Mighty River Power was supported by **Masterton District Council**.

**The Pauatahunui Inlet Community Trust** supported Appendix 1, Table 16. The support is noted.

**The Wellington Fish and Game Council** opposed Table 16 because trout spawning values were not identified, and that the list did not identify wetlands worthy of conservation, nor biodiversity values. The submission was opposed by Masterton District Council. Greater Wellington staff note that Table 16 identifies matters relating to Section 6(c) of the Resource Management Act. Trout habitat, including spawning, is currently identified in the Regional Freshwater Plan. It is Greater Wellington's intention to work with the Wellington Fish and Game Council on revising these areas when the regional plan is reviewed. Two of the four criteria used to develop Table 16 are biodiversity values. One is high aquatic macroinvertebrate community health and other is native fish diversity.

(b) Recommended decision

Submitter	Submission	Recommendation
Anders Crofoot	25/39	Accept in part

Submitter	Submission	Recommendation
Department of Conservation	31/66	Reject
Genesis Energy	40/14	Reject
Greater Wellington Regional Council	46/4	Accept in part
Greater Wellington Regional Council	46/5	Accept in part
Greater Wellington Regional Council	46/6	Accept in part
Greater Wellington Regional Council	46/7	Accept in part
Greater Wellington Regional Council	46/8	Reject
Mighty River Power	83/47	Reject
Pauatahanui Inlet Community Trust	95/3	Accept
Wellington Fish and Game Council	133/28	Reject

All further submissions are accepted or rejected accordingly.

(c) **Recommended changes**

In response to submissions on Appendix, 1 and Table 16, replace Table 16 with the following:

**Table 16: Rivers and lakes with significant indigenous ecosystems**  
(relates to policies 17 and 42)

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
All rivers on Kapiti Island	All rivers			
Waitohu Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Otaki River	River and all	River and all	River and all	Reach of tidal

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
	tributaries	tributaries	tributaries	influence
Mangaone Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Waimeha Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Waikanae River	River and tributaries above, and including, the Reikorangi Stream	River and all tributaries	River and all tributaries	Reach of tidal influence
Wharemauku Stream		Stream and all tributaries	Stream and all tributaries	
Whareroa Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Wainui Stream		Stream and all tributaries	Stream and all tributaries	
Taupo Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Kakaho Stream			Stream and all tributaries	Reach of tidal influence
Horokiri Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Little Waitangi Stream		Stream and all tributaries	Stream and all tributaries	
Pauatahunui Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Duck Creek		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Porirua Stream		Stream and all	Stream and all	Reach of

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
		tributaries	tributaries	tidal influence
Makara Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Oteranga Stream			Stream and all tributaries	
Karori Stream		Stream and all tributaries	Stream and all tributaries	
Owhiro Bay Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Kaiwharawhara Stream		Stream and all tributaries	Stream and all tributaries	
Korokoro Stream		Stream and all tributaries	Stream and all tributaries	
Hutt River	River and all tributaries above the Akatarawa River	Hutt River	Hutt River	Reach of tidal influence
Speedy's Stream		Stream and all tributaries	Stream and all tributaries	
Moonshine Stream		Stream and all tributaries		
Whakatikei River	River and all tributaries above the Wainui Stream			
Akatarawa River	River and all tributaries	River and all tributaries	River and all tributaries	
Pakuratahi River	River and all tributaries	River and all tributaries		
Stokes Valley Stream		Stream and all tributaries		
Days Bay		Stream and all	Stream and all	

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
Stream		tributaries	tributaries	
Lake Kohangapiripiri and Cameron Creek		Lake Kohangapiripiri and tributaries		
Lake Kohangatera and Gollans Stream		Lake Kohangatera, Gollans Stream and all tributaries	Lake Kohangatera, Gollans Stream and all tributaries	
Wainuiomata River	River and all tributaries excluding Black Creek	River and all tributaries excluding Black Creek	River and all tributaries excluding Black Creek	Reach of tidal influence
Orongorongo River	River and all tributaries	River and all tributaries	River and all tributaries	
Mukamukaiti Stream	Stream and all tributaries	Stream and all tributaries		
Wharepapa River	River and all tributaries	River and all tributaries		
Pounui Stream and Lake Pounui		Stream and all tributaries, including Lake Pounui	Stream and all tributaries, including Lake Pounui	
Battery Stream	Stream and all tributaries			
Lake Wairarapa		Lake Wairarapa	Lake Wairarapa	
Wairongomai River	River and all tributaries			
Burlings Stream	Stream and all tributaries		Stream and all tributaries	
unnamed tributaries of Lake Wairarapa between	all rivers			

River or lake		Criteria that identify rivers and lakes with significant indigenous ecosystems			
		High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
	easting 2692884, northing 5996151 and easting 2694063, northing 5996975;				
	Brocketts Stream	Stream and all tributaries		Stream and all tributaries	
	Cross Creek	Creek and all tributaries			
	Prince Stream	Stream and all tributaries			
	Abbots Creek	Creek and all tributaries	Creek and all tributaries		
	Tauherenikau River	River and all tributaries		River and all tributaries	
	Ruamahanga River	River and all tributaries above, but not including,, the Kopuaranga River	Ruamahanga River	Ruamamahanga River	Reach of tidal influence
	Waiohine River up to, and including, the Mangatarere Stream		River and all tributaries	River and all tributaries	
	Waiohine River above, but not including, the Mangatarere Stream	River and all tributaries	River and all tributaries		
	Waingawa River	River and tributaries above, and including, the			

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
	Atiwhakatu Stream			
Waipoua River		River and all tributaries		
Huangaroa River		River and all tributaries		
Waihora Stream	Stream and all tributaries	Stream and all tributaries		
unnamed river on the true left bank of the Ruamahanga River at easting 2704500 and northing 5988700.		River and all tributaries		
Whangaehu River		River and all tributaries		
Tauanui Stream		Stream and all tributaries	Stream and all tributaries	
Turanganui River	River and all tributaries	River and all tributaries	River and all tributaries	
Putangirua Stream	Stream and all tributaries		Stream and all tributaries	
Makatukutuku Stream	Stream and all tributaries	Stream and all tributaries		
Pararaki Stream	Stream and all tributaries	Stream and all tributaries		
Otakaha Stream	Stream and all tributaries	Stream and all tributaries		
Mangatoetoe Stream	Stream and all tributaries			
Waitetuna Stream	Stream and all tributaries	Stream and all tributaries		



River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
Whawanui River	River and all tributaries	River and all tributaries	River and all tributaries	
Opouawe River	River and all tributaries	River and all tributaries		
Awhea River	unnamed tributaries on true left bank between easting 2720541, northing 5974877, and easting 2720409, northing 5967840;		River and all tributaries	
Oterei River	River and all tributaries	River and all tributaries	River and all tributaries	Reach of tidal influence
Rivers flowing to the coast between the Huariki Stream and the Rerewhakaaitu River	All rivers			
Unnamed river draining to the coast at easting 2736771, northing 5974877 (Devils creek)	All rivers			
Pahaoa River				Reach of tidal influence
	unnamed tributary on the true left bank at easting 2742200 and northing 5992169			

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
	unnamed tributary on the true left bank at northing 2739983 and easting 5991469			
	tributaries on the true left bank between easting 2732790 and northing 5984194 and the coast.			
	tributaries on the true right bank between easting 2733640 and northing 5981454 and the coast.			
Waiuru Stream	Stream and all tributaries			
Waiingaia Stream	Stream and all tributaries			
Huatokitoki Stream catchment	Stream and all tributaries			
Kaimokopuna Stream catchment	Stream and all tributaries			
Motuwaireka Stream catchment			Stream and all tributaries	Reach of tidal influence
Whareama River catchment		River and all tributaries		Reach of tidal influence
Castlepoint Stream catchment			Stream and all tributaries	
Whakatiki River			River and all	Reach of tidal

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
catchment			tributaries	influence
Okau Stream catchment	Stream and all tributaries			
Unnamed rivers draining to the coast between easting 2784666, northing 6038022 and easting 2784952, northing 6039543.	All rivers			
Mataikona River	rivers on the true left bank between the Pakowhai River and easting 2785345 and northing 6046718  rivers on the true right bank of the between easting 2784611 and northing 6046207 and the coast.		River and all tributaries	Reach of tidal influence

As a consequence of the submission of Friends of Owhiro Stream on Appendix 1, add the following to the beginning of the Notes to Table 16.

Rivers and lakes in the table are listed in the order of the location of their outflows to the coast going anti clock wise around the region from the Waitohu Stream in the north west of the region. For streams that are not named on NZMS maps, grid references are given.

## 2.201 Appendix 2 Regional urban design principles

Submitter	Submission	Summary
Porirua City Council	100/53	The urban design principles outlined in Appendix 2 were supported as they were considered to largely accord with the New Zealand Urban Design Protocol. The Submitter noted that there are some aspects of the Appendix that are additional to the NZUDP, and were accepted. However, stated that factor 2(e) would be better placed under 'custodianship' rather than 'character'.
F12/53	Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd	Support

### (a) Discussion

**Porirua City Council** supported the principles as they were considered to largely accord with the New Zealand Urban Design Protocol. The submitter noted that there were some aspects that are additional and these were accepted. They however, sought that factor 2(e) be better placed under 'custodianship' rather than 'character'. The submission was supported by **Kiwi Income Property Trust, Kiwi Income Properties Ltd, and Kiwi Properties Management Ltd**. It is recommended that this submission be accepted and that the proposed change be made, as factor 2(e) is more appropriate under 'custodianship'.

### (b) Recommended decision

Submitter	Submission	Recommendation
Porirua City Council	100/53	Accept

The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted accordingly.

### (c) Recommended changes

Move clause (e) from section 2 'Character' to section 6 'Custodianship', as follows:

## **2. Character**

Quality urban design reflects and enhances the distinctive character and culture of our urban environment, and recognises that character is dynamic and evolving, not static.

In this regard quality urban design:

- (a) reflects the unique identity of each town, city and neighbourhood and strengthens the positive characteristics that make each place distinctive
- (b) protects and manages our heritage, including buildings, places and landscapes
- (c) protects public open space, and improves the quality, quantity and distribution of local open space over the long term
- (d) protects and enhances distinctive landforms, water bodies and indigenous plants and animals
- ~~(e) provides a positive contribution to the environmental health of urban streams, the harbours, beaches and their catchments~~
- (f) creates locally appropriate, and where relevant, inspiring, architecture, spaces and places
- (g) reflects and celebrates our unique New Zealand culture and identity and celebrates our multicultural society.

## **6. Custodianship**

Quality urban design reduces the environmental impacts of our towns and cities through environmentally sustainable and responsive design solutions. Custodianship recognises the lifetime costs of buildings and infrastructure, and aims to hand on places to the next generation in as good or better condition. Stewardship of our towns includes the concept of kaitiakitanga. It creates enjoyable, safe public spaces, a quality environment that is cared for, and a sense of ownership and responsibility in all residents and visitors.

In this regard quality urban design:

- (a) protects landscapes, ecological systems and cultural heritage values
- (b) manages the use of resources carefully, through environmentally responsive and sustainable design solutions
- (c) manages land wisely

- (d) utilises ‘green’ technology in the design and construction of buildings and infrastructure
- (e) incorporates renewable energy sources and passive solar gain
- (f) creates buildings, spaces, places and transport networks that are safer, with less crime and fear of crime
- (g) avoids or mitigates the effects of natural and man-made hazards
- (h) considers the ongoing care and maintenance of buildings, spaces, places and networks
- (i) uses design to improve the environmental performance of infrastructure
- (j) considers the impact of design on people’s health
- (k) provides a positive contribution to the environmental health of urban streams, the harbours, beaches and their catchments

**2.202 Appendix 3: Definitions**

Submitter	Submission	Summary
Agenda Development Planning	2/10	Requested addition of ‘Non-motorised modes: Walking; cycling that is not limited to recreational cycling opportunities.’
Agenda Development Planning	2/11	Requested addition of ‘Sheltered and secure passenger shelter: A dry and enclosed public transport passenger shelter that is built to highest standards of security, and has electronically real-time transport information and / or sight lines to arriving services from comfortable seating.’
Agenda Development Planning	2/12	Requested addition of a definition of accessibility levels depending on topography as follows: Level 1: Maximum of 400 / 500 metres (walking distance) to a suburban centre served by a choice of public transport services. Level 2: Maximum of 400 / 500 metres (walking distance) to (i) a local or suburban centre that provides a range of day-to-day needs including: daily shopping needs provided by at least one convenience store, doctors surgery, community centre, branch library or provision for a mobile library stop and pre-school / childcare facilities, or for future development land set aside as a local centre and with a robust plan in place to ensure that the land is available for such

Submitter	Submission	Summary
		<p>uses, and (ii) a local park with (at least) seating within an attractive landscaped area and a children's play area.</p> <p>Level 3: At least one public transport service available from a sheltered and secure passenger shelter within 400 / 500 metres serving a suburban or district centre, at 20 minute intervals or better for a minimum of 12 hours / day and with good levels of coverage for at least another 4 hours a day.</p> <p>Level 4: Either of: (i) At least one public transport service available from a sheltered and secure passenger shelter within 400 / 500 metres serving a suburban or district centre, at minimum hourly intervals or better for a minimum of 12 hours / day and with good levels of coverage for at least another 4 hours a day; or (ii) Outside the Level 2 area but not more than 1 kilometre from at least one public transport service available from a sheltered and secure passenger shelter serving a suburban or district centre, at minimum 20-minute intervals or better for a minimum of 12 hours / day and with good levels of coverage for at least another 4 hours a day</p> <p>Level 5: At least one public transport service available from a sheltered and secure passenger shelter at within 2.5 kilometres of a local centre, that has sufficient provision for both all-day secure cycle and car parking and that serves a suburban or district centre.</p>
Winstone Aggregates	15/38	<p>Stated that the definition of reverse sensitivity in the Regional Policy Statement was inconsistent with Environment Court case law and current usage in district plans and other regional policy statements. Sought that the definition be replaced, as set out below, to appropriately reflect relevant Court decisions (e.g. Auckland Regional Council v Auckland City Council Decision 10/97) and assist users understanding:</p> <p>The term "reverse sensitivity" is used to refer to the effects of the existence of sensitive activities on other activities in their vicinity particularly by leading to restraints in the carrying on of those activities. An example of a reverse sensitivity effect in relation to an airport, is where a new sensitive activity, such as a dwelling, child care centre or visitor accommodation, locates in close proximity to the airport and then objects to noise generated by the airport.</p>

Submitter	Submission	Summary
F4/10	Transpower NZ limited	Support
F5/31	PowerCo Limited	Support
F7/10	Oil Companies	Support
F13/49	Wellington International Airport Limited	Oppose
F17/74	Meridian Energy Limited	Support
F19/64	Horticulture NZ	Support in part
Winstone Aggregates	15/39	<p>Stated that the definition of regionally significant infrastructure failed to recognise significant aggregate resources and the quarries that have been developed at millions of dollars to extract these resources for the Region's benefit. Sought that the definition be deleted or amended as follows: Regionally significant infrastructure includes:</p> <ul style="list-style-type: none"> <li>• pipelines for the distribution or transmission of natural or manufactured gas or petroleum</li> <li>• strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001</li> <li>• strategic radio communications facilities, as defined in section 2(1) of the Radio Communications Act 1989</li> <li>• the national electricity grid, as defined by the Electricity Governance Rules 2003</li> <li>• facilities for the generation and transmission of electricity where it is supplied to the national electricity grid</li> <li>• the local authority water supply network and water treatment plants</li> <li>• the local authority wastewater and stormwater networks, systems and wastewater treatment plants</li> <li>• the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2007-2016</li> <li>• Wellington city bus terminal and Wellington Railway Station terminus</li> </ul>



Submitter	Submission	Summary
		<ul style="list-style-type: none"> <li>• Wellington International Airport</li> <li>• Aggregate resources and quarries such as those found within the Western Hills of the Hutt Valley, within river systems such as Otaki and the Hutt River, coastal sites including Wainuiomata and Petone and elsewhere throughout the region</li> <li>• Commercial Port Areas within Wellington Harbour (including Miramar, Burnham and Seaview wharves) and adjoining land and storage tanks for bulk liquids.</li> </ul>
Winstone Aggregates	15/40	Stated that the proposed definition of landscape was highly confusing and very subjective. Stated that it was completely inappropriate and should be deleted from the Regional Policy Statement.
Winstone Aggregates	15/41	<p>Stated that the definition of aggregate was generally appropriate but needed to include modified aggregates such as those which have had a small component of cement or lime added to increase the quality of the resource. Sought that the definition be amended as follows:</p> <p>A broad category of coarse particulate material used in construction, which includes sand, gravel, crushed stone, slag and recycled concrete, as well as aggregates which have been modified by the addition of products such as cement or lime. Aggregates are a component of composite materials such as concrete and asphalt concrete.</p>
Winstone Aggregates	15/42	<p>Stated that the definition of 'Significant Mineral Deposits' was generally appropriate but sought that it be amended as follows:</p> <p>Are deposits of minerals, the extraction of which is of potential importance in order to meet the current and future mineral needs of the region.</p>
Winstone Aggregates	15/43	Sought deletion of the definitions of 'Consequences'. Stated that the proposed definition was inappropriate and pointless.
CentrePort Wellington	23/12	<p>Sought that the definition of Regionally Significant Infrastructure be amended to read:</p> <p>'Commercial Port Areas within Wellington Harbour and adjoining land and used in association with the movement of cargo and passengers and including storage tanks for bulk liquids.' And consequential amendments where the definition was stated throughout the Regional Policy Statement.</p>

Submitter	Submission	Summary
Anders Crofoot	25/40	Sought addition of a definition for 'natural' to ensure controls on natural vegetation is for important vegetation such as indigenous bush.
Anders Crofoot	25/41	Sought that the definition of 'Natural Features' be amended to specifically exclude farmland.
Crown Minerals (Ministry of Economic Development)	26/6	Sought that the definition of significant mineral resources be amended as follows: "Significant mineral resources are deposits of minerals, the extraction of which is of importance in order to meet the current or future needs of the region or nation".
Federated Farmers of New Zealand	35/66	Sought: 1. inclusion of a definition of Intensive Farming as follows; "Intensive farming means the commercial raising and keeping of plants or animals which have or require throughout their lifecycle: (i) No dependency whatsoever on the qualities of the soils naturally occurring on the site; or (ii) Buildings for the uninterrupted housing and growth of livestock or fungi." 2. Amendments to the definition of nutrient budget as follows: A nutrient budget demonstrates that an application of nutrients is linked to crop needs based on best management practices And Sought consequential amendments as to detail or substance throughout the proposed Policy Statement, in particular the policies and methods section, to give effect to this Submission
F19/65	Horticulture NZ	Oppose
F22/129	Anders Crofoot	Support
Horticulture New Zealand	50/53	Sought the following: 1. Inclusion of definitions for earthworks and vegetation disturbance: Vegetation disturbance means the cutting, crushing, spraying, burning or other means of removal of vegetation but does not include grazing, harvesting or clearance of crops, maintenance of farm tracks, fences and fence lines, pruning or thinning operations associated

Submitter	Submission	Summary
		<p>with production forestry or control of pest plants as defined in the Regional Pest Plant Management Strategy.</p> <p>Earthworks are the removal, deposition or redistribution of any material on a site that alters the natural or existing ground level but does not include the cultivation of soil for planting of crops and pasture, the harvesting of crops, maintenance of farm tracks, fences and fence lines, and the clearing of drains as part of horticultural and agricultural activities on production land.</p> <ol style="list-style-type: none"> <li>2. Deletion of definition of nutrient budget as not used in the Regional Policy Statement.</li> <li>3. Amendments to the definition of contaminated land as follows: Contaminated land means land of the following kinds (a) if there is no applicable national environmental standard on contaminants in soil, the land has a hazardous substance in or on it that— <ol style="list-style-type: none"> <li>(i) has significant adverse effects on the environment; or</li> <li>(ii) is reasonably likely to have significant adverse effects on the environment.</li> </ol> </li> <li>4. Deletion of the definition of “Highly productive agricultural land” (Class 1 and II land). Protect the growing system in a more holistic manner to avoid the effects of encroachment on rural production land; through appropriately targeted and transparent policies on supporting regionally significant rural production land assets.</li> <li>5. Retention of the definition of reverse sensitivity.</li> <li>6. Amendments to the definition of rural areas to link to zones in district plans as at March 2009.</li> <li>7. Ensure that all relevant sensitive activities are included in the definition.</li> <li>8. That consequential amendments be made as a result of decisions sought in this submission.</li> </ol>
F4/11	Transpower NZ limited	Support in part
F5/32	PowerCo Limited	Support
F7/11	Oil Companies	Support

Submitter	Submission	Summary
F22/130	Anders Crofoot	Support
F23/77	Federated Farmers	Support
Meridian Energy Limited	82/46	Sought the replacement of the definition of 'Significant Amenity Landscape' with criteria that derive explicitly from the Resource Management Act 1991 definition of amenity values.
F1/63	Winstone Aggregates	Support
F24/90	Masterton District Council	Support
New Zealand Defence Force	86/13	Sought addition of 'New Zealand Defence Force infrastructure' to the list of regionally significant infrastructure as identified in the definitions.
Oil Companies	92/19	Sought part of the definition of regionally significant infrastructure be amended where it referred to the Commercial Port Areas to clarify that all associated infrastructure, for example the wharflines between the port and the tanks, falls within the definition. Stated that this could be achieved by making the following amendments: Commercial Port Areas within Wellington Harbour (including Miramar, Burnham and Seaview wharves) and adjacent land, including nearby bulk fuel supply infrastructure and storage tanks for bulk liquids and associated wharflines.
F18/2	CentrePort Limited	Support in part
Porirua City Council	100/60	Sought that reference to Petone, Kilbirnie and Johnsonville be removed from the definition of "Regionally significant centres" or amended to distinguish between sub-regional civic commercial centres and the suburban centres of Petone, Kilbirnie and Johnsonville.
Regional Public Health	105/4	Sought that in the definition of sensitive activities "schools" also be included.
F13/50	Wellington International Airport Limited	Support

Submitter	Submission	Summary
South Wairarapa District Council	112/29	Noted that Urban Design has been referenced in policy 53, Appendix 2 and the definitions in Appendix 3. Sought a brief mention of the 'seven C's' in the definition.
The Energy Efficiency and Conservation Authority	117/26	Sought insertion of the following definitions: Energy conservation - a reduction in energy use. Energy efficiency - a change to energy use that results in an increase in net benefits per unit of energy. Sought amendments to the definition of regionally significant infrastructure as follows: Regionally and nationally significant infrastructure includes: .... "facilities for the generation and transmission of electricity where it is supplied to the local distribution network or the national electricity grid"
F17/75	Meridian Energy Limited	Support
Transpower NZ Limited	123/35	Sought the retention of the definition of regionally significant infrastructure as in Appendix 3: Definitions.
F16/25	Genesis Energy	Support in part
Trustpower Limited	124/40	Sought retention of the definition of infrastructure as stated. Sought that the definition of Regionally Significant Infrastructure be amended to refer to the Electricity Governance Rules 2009.
Wellington Botanical Society	130/10	Requested deletion of 'indigenous' and addition of 'indigenous ecosystems: a biological system of which significant elements are indigenous to New Zealand' and 'indigenous species: species or genetic variants of plants and animals found naturally in New Zealand and its territorial waters including migrant species visiting New Zealand on a regular or irregular basis'. Stated if the proposed definition of indigenous species was not acceptable two further alternatives were: 1. 'Refers to plants and animals that have established in NZ without the assistance of human beings and without the assistance of vehicles or aircraft. This includes species that are unique to NZ as well as those that may be found elsewhere in the world.' (From

Submitter	Submission	Summary
		Conservation General Policy 2005 which is a statutory policy under the Conservation Act) or; 2. 'Occurring naturally in New Zealand, including self-introduced species but not human-introduced or human-assisted ones' (from Department of Conservation Statement of Intent 2007-10).
F1/98	Winstone Aggregates	Oppose
Shear Hard Work	141/1	Sought that regionally significant infrastructure be changed to include: "Hydro generation sites" and "turbine wind farms".

(a) Discussion

**Agenda Development Planning** requested the addition of several new phrases to the definitions. It is recommended that this submission be rejected as these phrases are not used in the proposed Regional Policy Statement and have not been recommended for inclusion in this Report.

**South Wairarapa District Council** sought a brief mention of the 'seven C's' in the definition of urban design. It is noted that the term urban design is not included in the definitions. It is recommended that this submission be accepted in part and the term be added to the definitions. It is however recommended that the term be defined as in the New Zealand Urban Design Protocol, but that reference also is made to the region's principles in Appendix 2.

**Winstone Aggregates** sought a change to the definition of 'reverse sensitivity'. The submitter contended that the definition was inconsistent with the definition provided by the Environment Court case law and current usage. The submission was supported by **Transpower New Zealand Ltd, PowerCo Ltd, Oil Companies and Meridian Energy Ltd**, and supported in part by **Horticulture New Zealand**, but opposed by **Wellington International Airport Ltd**. Officers note the proposed Regional Policy Statement definition is not an exact copy of the case law definition, however, suggest the definition in the proposed Regional Policy Statement is adequate for the purposes of understanding what is meant by the term and its current usage for city and district plans. Horticulture New Zealand supported the definition of reverse sensitivity.

**Winstone Aggregates** requested amendment of the definition of regionally significant infrastructure to include 'Aggregate resources and quarries such as those found within the Western Hills of the Hutt Valley, within river systems such as Otaki and the Hutt River, coastal sites including Wainuiomata and Petone and elsewhere throughout the

region'. Greater Wellington staff consider that aggregate resources are not infrastructure and their importance is recognised in the minerals section and elsewhere in section 3.3. To be considered regionally significant infrastructure the infrastructure needs to provide region-wide, public, social or economic benefits, and staff consider the economic benefits from quarries to be largely private. The quarries in the region are not the sole source for aggregate for regionally significant infrastructure, nor is this the only use of aggregate from the region's quarries.

**Winstone Aggregates** stated that the proposed definition of landscape was highly confusing and very subjective. They also stated that it was completely inappropriate and should be deleted from the Regional Policy Statement. Greater Wellington staff agree that the definition of landscape is confusing to read. Therefore it is recommended to amend the definition of landscape to be clearer and more concise

**Winstone Aggregates** sought a change to the definition of 'aggregate'. They contended the definition was adequate, however, required a new sentence for the addition of lime or cement to improve the quality. Officers agree the definition although adequate could be enhanced by the addition of the words suggested by the submitter.

**Winstone Aggregates** sought a change to the definition of 'significant mineral resources'. The submitter contended that the definition was adequate however the addition of the word 'potential' would improve the meaning. Officers agree adding the word 'potential' would add to the definition and increase the certainty for extraction of mineral resources.

**Winstone Aggregates** sought the deletion of the definition 'consequences', stating that it is inappropriate and pointless. Staff disagree that its inclusion is inappropriate or pointless. The definition refers specifically to hazards management, which for many years has focussed on the hazard, rather than effects on the community. The Regional Policy Statement promotes an integrated approach to hazards management that involves both the science of hazards and an understanding of the consequences of hazard events. An understanding of the range of consequences is an important part of hazards awareness education. Therefore, it is recommended that the definition be retained, particularly as it relates to terminology used in hazard policies.

**Crown Minerals** sought a change to the definition of 'significant mineral resources'. They requested the additional words 'or' and 'or nation' to the definition. Officers do not consider the definition requires the additional word 'or' instead of the existing word 'and'. In most cases the 'current' mineral deposits and the 'future' mineral deposits are one in the same and will be significant for the region. Officers do not consider that the definition requires reference to 'nation'. For the most part these deposits are for regional purposes and

there could be a national use such as a state highway, but this would not make the mineral deposit any more important.

**CentrePort Wellington** requested an amendment of the definition of regionally significant infrastructure to read ‘...Commercial Port Areas within Wellington Harbour (~~including Miramar, Burnham, and Seaview wharves~~) and adjoining land used in association with the movement of cargo and passengers and including and storage tanks for bulk liquids.’ The proposed change is considered appropriate.

**Anders Crofoot** sought the addition of a definition for ‘natural’ to ensure controls on natural vegetation relates to important vegetation such as indigenous bush. He also sought that the definition of ‘Natural Features’ be amended to specifically exclude farmland. The Environment Court stated in the *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* (C180/99) where it referred to the *Harrison v Tasman District* decision, that the term natural does not necessarily equate to pristine and it would be wrong to equate “natural” with “endemic”. The Court then considered that the criteria of naturalness under the Resource Management Act include the physical landform and relief, the landscape being uncluttered by structures and/or “obvious” human influence, the presence of water (lakes, rivers, sea), and the vegetation (especially native vegetation) and other ecological patterns. The use of the word “especially” when referring to native vegetation suggests that although native vegetation has a higher status when determining “naturalness”, non-native vegetation is not excluded. The Court has also stressed that “natural” is not necessarily pristine or endemic. Therefore, it is not recommended to include a definition of natural or amend the definition of “Natural Features” as requested by the submitter.

**Federated Farmers of New Zealand** sought a new definition for the term ‘intensive farming’. The submission was opposed by Horticulture New Zealand. Officers note the definition by Federated Farmers of New Zealand does not concern soils in any manner however the term is referred to in section 3.11 Soil and Minerals referring only to soils. Officers have considered definitions from the literature and concluded that the definition provided by the ‘Primary Sector Water Partnership Leadership Document’ which is supported by Federated Farmers of New Zealand, New Zealand Forest Owners Association of New Zealand, Fert Research, Meat and Wool New Zealand, Fonterra New Zealand, Foundation for Arable Research, Dairy New Zealand, Horticulture New Zealand, Irrigation New Zealand, and New Zealand Farm Forestry Association is appropriate for the proposed Regional Policy Statement. The new definition for ‘intensively farmed land’ is ‘land with dairy, arable and horticultural operations’

**Federated Farmers of New Zealand** also seek an amendment to the definition of nutrient budget. Greater Wellington staff note that the term nutrient budget is not used in the Regional Policy Statement and



a definition is not needed. It is recommended that the definition be deleted. The submission of Federated Farmers of New Zealand was supported by Anders Crofoot.

**Horticulture New Zealand** sought changes to the definition of vegetation disturbance and earthworks. The submission was supported in part by PowerCo, Transpower New Zealand Limited, supported by Anders Crofoot, Oil Companies, and Federated Farmers of New Zealand. Officers note that definitions of the terms earthworks and vegetation clearance are currently provided in the operative Regional Soil Plan. It is not necessary to include a definition in the proposed Regional Policy Statement because anything beyond the normal dictionary meanings are not required. At the time when regional plans and district plans are prepared and specific provisions are made, including rules, definitions will be needed. This time will be the most appropriate time, as there are differences in the region with regards to these definitions. For example, the Wellington district does not contain arable land, whereas the Carterton and Masterton district have substantial areas of arable land. It is also noted that the roles of the district councils and regional councils will be clarified through the implementation of method 30 of the proposed Regional Policy Statement.

**Horticulture New Zealand** noted the term ‘nutrient budget’ is no longer in the proposed Regional Policy Statement and Federated Farmers of New Zealand sought changes to the definition of the term nutrient budget. Officers note the term nutrient budget has been removed from the proposed Regional Policy Statement however the term was in the draft Regional Policy Statement (2008). Officers recommend that, as the term is no longer in the proposed Regional Policy Statement, it be removed from Appendix 3 - Definitions as well.

**Horticulture New Zealand** sought a new definition for the term ‘contaminated land’ but acknowledges the definition is appropriate for the purposes of the proposed Regional Policy Statement. The submitter contends the definition should cater for the proposed national environmental standard for contaminated land that is yet to be finalised by the Ministry for the Environment, Officers consider the definition should be left to the definition that is current in the Resource Management Act as the national environmental standard for contaminated land is not yet finalised.

**Horticulture New Zealand** sought to delete the definition of class I and II land for the reasons stated for policy 59. Officers do not agree the policy 59 needs deleting for the reasons stated in the discussion for policy 59. Therefore, the definition is to remain as stated.

**Horticulture New Zealand** sought the definition of sensitive activities include ‘crops’. Officers note the definition primarily deals with sensitive activities in relation to people and their wellbeing. The

definition does not include crops and other non-human items that may be affected by other activities.

**Meridian Energy Limited** sought the replacement of the definition of ‘Significant Amenity Landscape’ with criteria that derive explicitly from the Resource Management Act 1991 definition of amenity values. Winstone Aggregates and Masterton District Council supported this submission. The factors have been adapted from the ‘Amended Pigeon Bay Criteria’, which were derived from case law and have been accepted as a framework for landscape assessment in New Zealand. It is not considered appropriate to include the factors defined in policy 26 within the definition of ‘Significant Amenity Landscapes’, as these are what you consider when undertaking a landscape assessment and clearly does not define significant amenity landscapes. The definition needs to define the threshold by which these landscapes are required to meet. It is therefore recommended to amend the definition to reflect consequential amendments from other submitters concerns for landscape policies 24 to 27. However, it is not recommended to make amendments to the definition arising from this submission point.

The **New Zealand Defence Force** requested the addition of New Zealand Defence Force infrastructure to the definition of regionally significant infrastructure. Greater Wellington staff consider New Zealand Defence Force infrastructure to be regionally significant infrastructure, as it provides region-wide social benefits through providing an essential social service. It has therefore been added as a clause to the definition.

The **Oil Companies** sought amendment of the definition of regionally significant infrastructure to read “...Commercial Port Areas within Wellington Harbour (including Miramar, Burnham, and Seaview wharves) and adjoining adjacent land, including nearby bulk fuel supply infrastructure and storage tanks for bulk liquids and associated wharflines.’ CentrePort Limited supported the submission but also sought additional changes in line with their original submission. Greater Wellington staff consider it appropriate to add reference to wharflines as requested, as well as adding the changes requested by CentrePort Wellington.

**Porirua City Council** sought that reference to Petone, Kilbirnie and Johnsonville be removed from the definition of “Regionally significant centres” or amended to distinguish between sub-regional civic commercial centres and the suburban centres of Petone, Kilbirnie and Johnsonville. It is recommended that the definition be amended to distinguish between the centres as requested by the submitter. For more information on this change please refer to the discussion under policy 29.

**Regional Public Health** sought the inclusion of schools into the definition of ‘sensitive activities’. Officers agree that schools are

sensitive activities, and a change has been made to the definition of sensitive activities.

The **Energy Efficiency and Conservation Authority** requested an addition to the definitions stating 'Energy conservation: a reduction in energy use; and energy efficiency: a change to energy use that results in an increase in net benefits per unit of energy' and an amendment to the definition of regionally significant infrastructure to read '...facilities for the generation and transmission of electricity where it is supplied to the local distribution network or the national electricity grid'. Meridian Energy Limited supported the submission. Greater Wellington staff consider it unnecessary to add the requested additional definitions, as these are widely understood terms that are given their ordinary meaning and are not defined by statute. Staff have recommended replacing 'national electricity grid' with 'electricity transmission network, as defined by the Electricity Governance Rules 2003' where it refers to facilities for generation and transmission, as this includes facilities for local distribution networks and the national grid.

**Transpower New Zealand Limited** sought retention of the definition of regionally significant infrastructure. Genesis Energy supported the submission in part but sought changes detailed in their original submission. Greater Wellington staff have recommended retaining the definition with some amendments.

**TrustPower Limited** requested retention of the definition of infrastructure as stated and the amendment of regionally significant infrastructure to refer to the Electricity Governance Rules 2009. Greater Wellington staff note that, according to the information on the Electricity Commission's website, the Electricity Governance Rules are still dated 2003, although they include amendments up to 2009. It is therefore recommended that this change not be made. Staff recommend retaining the definition of infrastructure as proposed.

**Wellington Botanical Society** sought deletion of the definition of indigenous, addition of "a biological system of which significant elements are indigenous to New Zealand" as a definition of indigenous ecosystem; and a new definition of indigenous species. Greater Wellington staff note that the submitter's reason for deleting the definition of "indigenous" was that the word "produced" in the definition could imply that exotic components of ecosystems, e.g. Pinus Radiata, are included because they are "produced" in a region or area. This flaw with the definition of indigenous is accepted and an alternative definition of "originating naturally in a region or area" is recommended. The term ecosystem is also defined in the Regional Policy Statement. Therefore, it is unnecessary to define "indigenous ecosystem" separately, particularly as the suggested definition of "indigenous ecosystem" makes no comment on the meaning of indigenous. Knowing what the word "indigenous" means will be an important component of implementing Regional Policy Statement

provisions on indigenous ecosystems. A definition of the term “indigenous species” is not recommended as necessary because indigenous is already defined and the word species has its normal dictionary meaning when it is used in the Regional Policy Statement.

**Shear Hard Work** sought an amendment to the definition of regionally significant infrastructure to include hydro generation sites and turbine wind farms. Greater Wellington staff note that hydro generation sites and turbine wind farms are electricity generation facilities so are included in the definition and no changes are required.

(b) Recommended decision

Submitter	Submission	Recommendation
Agenda Development Planning	2/10	Reject
Agenda Development Planning	2/11	Reject
Agenda Development Planning	2/12	Reject
Winstone Aggregates	15/38	Reject
Winstone Aggregates	15/39	Reject
Winstone Aggregates	15/40	Accept in part
Winstone Aggregates	15/41	Accept
Winstone Aggregates	15/42	Accept
Winstone Aggregates	15/43	Reject
CentrePort Wellington	23/12	Accept
Anders Crofoot	25/40	Reject
Anders Crofoot	25/41	Reject
Crown Minerals (Ministry of Economic Development)	26/6	Reject
Federated Farmers of New Zealand	35/66	Reject
Horticulture New Zealand	50/53	Accept in part
Meridian Energy Limited	82/46	Reject
New Zealand Defence Force	86/13	Accept
Oil Companies	92/19	Accept

Submitter	Submission	Recommendation
Porirua City Council	100/60	Accept in part
Regional Public Health	105/4	Accept
South Wairarapa District Council	112/29	Accept in part
The Energy Efficiency and Conservation Authority	117/26	Accept in part
Transpower New Zealand Limited	123/35	Accept in part
TrustPower Limited	124/40	Accept in part
Wellington Botanical Society	130/10	Accept
Shear Hard Work	141/1	Reject

All further submissions are accepted or rejected accordingly.

(c) Recommended changes

Add the following definition for “Urban design”:

Urban design: Urban design is concerned with the design of the buildings, places, spaces and networks that make up our towns and cities, and the ways people use them. It ranges in scale from a metropolitan region, city or town down to a street, public space or even a single building. Urban design is concerned not just with appearances and built form but with the environmental, economic, social and cultural consequences of design. It is an approach that draws together many different sectors and professions, and it includes both the process of decision-making as well as the outcomes of design. Please refer to Appendix 2 to read the urban design principles for the Wellington region.

Amend the definition of ‘key centres’ to address the submission by Kapiti Coast District Council on policy 30, as follows:

Key centres: Include the regionally significant centres identified in policy 29, as well as other significant local centres that a city or district council consider are integral to the functioning of the region’s or a district’s form. This includes centres identified for higher density and/or mixed use development in a Council growth and/or development framework or strategy. Examples of growth and/or development framework or strategies in the region are:

- the Upper Hutt Urban Growth Strategy

- Wellington City Northern Growth Management Framework
- Porirua Development Framework
- Kapiti Coast: Choosing Futures Development Management Strategy and local outcomes statements contained in the Kapiti Coast Long-term Council Community Plan

Amend the definition for “regionally significant centres” as follows:

The regionally significant centres are the:

- Central business district in Wellington city;
- The sub-regional centres of:
  - Upper Hutt city centre
  - Lower Hutt city centre
  - Porirua city centre
  - Paraparaumu town centre
  - Masterton town centre; and
- Suburban centres in:
  - Petone
  - Kilbirnie
  - Johnsonville

Add a definition for ‘Review to a district or regional plan’ as follows:

Review to a district or regional plan: The review of a district or regional plans as set out in accordance with section 79 of the Resource Management Act.

Amend the definition of ‘Landscape’ as follows:

~~Is an expression of the interaction between natural and cultural processes. Many factors are encompassed within our understanding of the word “landscape”: the geological structure of the land, its soils, animals and its vegetation; and the pattern of human activity—fields, forests, settlements and local industries—both past and present.~~

~~Landscapes are perceived primarily through our visual senses, and landscape values are rooted in aesthetic appreciation.~~

Is the cumulative expression of natural and cultural elements, patterns and processes in a geological area.

Amend the definition of ‘Significant Amenity Landscapes’ as follows:

Significant amenity landscapes are:

- (a) important but not clearly exceptional landscapes ~~value under one or more of the criteria~~ in an area where natural components dominate; or

- (b) important (including exceptional) landscapes ~~value under one or more of the criteria~~ in an area where the influence of human activity on landscape character dominates natural components.

Amend the definition for “Aggregates” as follows:

Aggregate: A broad category of coarse particulate material used in construction, which includes sand, gravel, crushed stone, slag and recycled concrete, as well as aggregates which have been modified by the addition of products such as cement or lime. Aggregates are a component of composite materials such as concrete and asphalt concrete.

Amend the definition of “Significant mineral resources” as follows:

Significant mineral resources: Are deposits of minerals, the extraction of which is of potential importance in order to meet the current and future mineral needs of the region.

Delete ‘Nutrient budget’ from Appendix 3

Add a definition for “Intensively farmed land” as follows:

Intensively farmed land: Land with dairy, arable and horticultural operations.

Amend the definition of “Sensitive activities” as follows:

Sensitive activities: Activities which suffer should they experience adverse effects typically associated with some lawful activities. For example, dust or noise from a quarry or port facility, noise in an entertainment precinct, smells from a sewage treatment facility. Activity considered sensitive includes, any residential activity, any early childhood education centre, and any hotel or other accommodation activity. It may also include hospitals, schools and respite care facilities.

Amend the definition of ‘regionally significant infrastructure’ as follows (including in response to submissions on policies 6, 7, and 38):

Regionally significant infrastructure includes:

- pipelines for the distribution or transmission of natural or manufactured gas or petroleum
- strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001
- strategic radio communications facilities, as defined in section 2(1) of the Radio Communications Act 1989

- the national electricity grid, as defined by the Electricity Governance Rules 2003
- facilities for the generation and transmission of electricity where it is supplied to the national electricity grid transmission network, as defined by the Electricity Governance Rules 2003
- the local authority water supply network and water treatment plants
- the local authority wastewater and stormwater networks, systems and wastewater treatment plants
- the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2007-2016
- Wellington city bus terminal and Wellington Railway Station terminus
- Wellington International Airport
- Masterton Hood Aerodrome
- Commercial Port Areas within Wellington Harbour (~~including Miramar, Burnham and Seaview wharves~~) and adjoining adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines
- Prisons as defined in section 32 of the Corrections Act 2004
- New Zealand Defence Force infrastructure included in the definition of 'defence area' in the Defence Act 1990
- Wellington Public Hospital
- Victoria University of Wellington

Add a new definition for "Threatened species" to clarify its meaning as follows:

Threatened species: All species determined to be classified by the New Zealand Threat Classification System 2008 (or subsequent revisions) as Nationally Critical, Nationally Vulnerable, Nationally Endangered in the 'Threatened' category and all species determined to be classified as Declining, Relict, and Recovering categories of the 'At Risk' category. For biotic groups that have not been revised to conform with the New Zealand Threat Classification System 2008, all species determined to be



classified by the New Zealand Threat Classification 2005 as Acutely Threatened and Chronically Threatened categories are included.

Add a new definition for "Protected species" to clarify its meaning as follows:

Protected species: Species protected by the Wildlife Act 1953 and the Marine Mammals Protection Act 1978

Amend the definition of indigenous as follows:

Originating~~Produced by or naturally belonging to a particular~~ in a region or area

## **Appendix 1: Section 79, as amended by the Resource Management Amendment Act 2009**

### **79 Review of policy statements and plans**

- (1) A local authority must commence a review of a provision of any of the following documents it has, if the provision has not been a subject of a proposed policy statement or plan, a review, or a change by the local authority during the previous 10 years:
  - (a) a regional policy statement:
  - (b) a regional plan:
  - (c) a district plan.
- (2) If, after reviewing the provision, the local authority considers that it requires alteration, the local authority must, in the manner set out in Part 1 of Schedule 1 and this Part, propose to alter the provision.
- (3) If, after reviewing the provision, the local authority considers that it does not require alteration, the local authority must still publicly notify the provision—
  - (a) as if it were a change; and
  - (b) in the manner set out in Part 1 of Schedule 1 and this Part.
- (4) Without limiting subsection (1), a local authority may, at any time, commence a full review of any of the following documents it has:
  - (a) a regional policy statement: 15
  - (b) a regional plan:
  - (c) a district plan.
- (5) In carrying out a review under subsection (4), the local authority must review all the sections of, and all the changes to, the policy statement or plan regardless of when the sections or changes became operative.
- (6) If, after reviewing the statement or plan under subsection (4), the local authority considers that it requires alteration, the local authority must alter the statement or plan in the manner set out in Part 1 of Schedule 1 and this Part. 25
- (7) If, after reviewing the statement or plan under subsection (4), the local authority considers that it does not require alteration, the local authority must still publicly notify the statement or plan—
  - (a) as if it were a proposed policy statement or plan; and
  - (b) in the manner set out in Part 1 of Schedule 1 and this Part.

- (8) A provision of a policy statement or plan, or the policy statement or plan, as the case may be, does not cease to be operative because the provision, statement, or plan is due for review or 35 is being reviewed under this section.
- (9) The obligations on a local authority under this section are in addition to its duty to monitor under section 35.

**Appendix 2: Assessment of relationship between policies in section 4.1 and 4.2 and application to resource consents, designations and district and regional plans**

Section 4.2 Policy	Relationship with policies in section 4.1.	Appropriate to apply to resource consents	Appropriate to apply to designations	Appropriate to apply to changes, variations and replacements of district or regional plans	Recommendation (as a result of this analysis)
Policy 34	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 35	To be considered when implementing a range of other policies in section 4.1. Particularly policy 3. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 36	To be considered when implementing a range of other policies in section 4.1. Is not an interim	Yes	Yes	Yes	No change

	policy for any policy in section 4.1. Matters therefore remain valid in decision making to address issue and objective.				
Policy 37	Interim policy until policy 4 is put in place. Policy 37 ceases to have effect once policy 4 has been implemented.	Yes	Yes	Yes. The policy does not however need to apply to "replacements" as already covered by policy 4.	Delete "replacement"
Policy 38	Interim policy in part (a) and (c). . Policy 37 has clause saying (a) and (c) cease to have effect once policy 4 has been implemented. Remaining clauses are to be considered when implementing a range of other policies in section 4.1. These matters remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 39	Interim policy for regional resource consents until policies 5 and 11 are given effect to in a regional plan. However, matters	Yes	Yes	Yes	Add material to explanation to clarify application to resource consents and that policy will cease to have effect for regional resource

	remain valid for consideration for resource consents processed by city and district councils, designations and district plans.				consents once policy 5 and 11 have been implemented.
Policy 40	Interim policy until policy 14 (and method 30 is given effect to in regional and district plans.	Yes	Yes	Yes. The policy does not however apply to "replacements" as already covered by policy 14	Delete "replacement" Add material to explanation to clarify application
Policy 41	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 42	Interim policy until policies 16 and 17 are given effect to in regional plans. However, matters remain valid for consideration for resource consents processed by city and district councils, designations and district	Yes	Yes	Yes	Add material to explanation to clarify application to resource consents and that policy will cease to have effect for regional resource consents once policy 5 and 11 have been implemented.

	plans.				
Policy 43	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	No	No	No change
Policy 44	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	No	Yes	No change
Policy 45	To be considered alongside policy 21 when reviewing plans. Then policy 45 ceases to have effect.	Yes	Yes	Yes	No change
Policy 46	To be considered alongside policy 23 when reviewing plans. Then policy 46 ceases to have effect.	Yes	Yes	Yes	No change

Policy 47	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 48	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	No (see policy 48 for recommendation to delete)	No (see policy 48 for recommendation to delete)	Yes	Delete "resource consents, notice of requirement".
Policy 49	To be considered alongside policies 25 and 27 when reviewing plans. Then policy 49 ceases to have effect.	Yes	Yes	Yes	No change
Policy 50	To be considered alongside policies 28 when reviewing plans. Then clause (g) ceases to have effect. Remaining matters continue to be valid in decision making to	Yes	Yes	Yes	No change



	address issue and objective.				
Policy 51	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 52	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 53	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and	No (see policy 53 for recommendation to delete)	Yes	Yes	Delete "resource consents".

	objective.				
Policy 54	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 55	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 56	To be considered when implementing a range of other policies in section 4.1. Particularly policies 29, 30 and 31. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change

Policy 57	To be considered when implementing a range of other policies in section 4.1. Particularly policies 29, 30 and 31. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 58	Recommendation that this policy be deleted (see policy 58).				
Policy 59	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and objective.	Yes	Yes	Yes	No change
Policy 60	To be considered when implementing a range of other policies in section 4.1. Is not an interim policy for any policy in section 4.1 Matters therefore remain valid in decision making to address issue and	Yes	Yes	Yes	No change

	objective.				
Overall	Delete reference to District plan rolling reviews under Method 1, so it is clear that policies, in section 4.1, are only implemented in accordance with section 79, which now addresses rolling reviews.				