

Proposed Plan Change 1 to the Regional Policy Statement for the Wellington Region – Addendum 3 to Summary of Decisions Requested



N.B This document contains two tables. Table 1 shows corrections to errors made in the Summary of Decisions Requested. Table 2 shows submission points omitted from the Summary of Decisions Requested.

Table 1: Corrections to Submission Points in the Summary of Decisions Requested:

Corrections to the Summary of Decisions Requested are recorded in **red** text below, and should be read in conjunction with the [Summary of Decisions Requested](#) which was notified on 5th December 2022.

Submission point	Plan section	Provision	Stance	Reasons	Decision requested
S165 Royal Forest and Bird Protection Society of New Zealand Inc (Forest and Bird)					
S165.0145	Chapter 4.2: Matters to be considered	Policy CC.14: Climate-resilient urban areas – consideration	Support in part	Increase targets for tree canopy cover and include provision for green infrastructure and making “room for rivers” in order to increase flood protection capacity and promote the carbon.	Amend clause (a) as follows: (a) maintaining, enhancing, restoring, and/or creating urban greening at a range of spatial scales to provide urban cooling, including working towards achieving a target of: i. 40 at least 15¹ percent tree canopy cover at a suburb-scale by 2030, ii. at least 30 percent cover by 2030 at the suburb scale where 15 percent cover is already in place, and 30 iii. 50 percent cover in all cases by 2050, Include the following clause: (x) providing for green infrastructure and making room for rivers

¹ Note this text was included in the Summary of Decisions Requested, however did not have the bold text formatting to indicate that this was additional text sought by the submitter.

Submission point	Plan section	Provision	Stance	Reasons	Decision requested
S165.0128	Appendix 3: Definitions	Carbon emissions assessment – Climate change adaptation	Support in part	Drafting improvement	Replace “moderate” with “reduce”

Table 2: Submission points omitted from the Summary of Decisions Requested:

Submission point	Plan section	Provision	Stance	Reasons	Decision requested
S165 Royal Forest and Bird Protection Society of New Zealand Inc (Forest and Bird)					
S165.150	General comments	General comments - overall	Oppose	<p>Forest & Bird notes there is no jurisdiction under the RMA for many provisions currently marked with a freshwater symbol to undergo the freshwater planning process.</p> <p>Forest & Bird considers that GWRC has not correctly applied the High Court decision <i>Otago Regional Council v Royal Forest and Bird Protection Society of New Zealand Incorporated</i> [2022] NZHC 1777 (<i>Otago Regional Council v Forest & Bird</i>) when identifying provisions to include in the freshwater planning process.</p> <p>Examples of chapters and provisions which do not qualify for the freshwater planning process include, but are not limited to:</p> <ul style="list-style-type: none"> • Climate change provisions e.g. Chapter 3.1A. • Natural hazard provisions e.g. Objective 20. • Urban design provisions e.g. Objective 22, Policy 31. • Provisions concerning wetlands in the coastal marine area (the NPSFM only applies to “natural inland wetlands”). • General indigenous biodiversity provisions e.g. Policies 23-24. • The methods that give effect to the above provisions 	Forest & Bird accordingly seeks that only those provisions coming within the ambit expressed by the High Court above go through the freshwater planning process.

Submission point	Plan section	Provision	Stance	Reasons	Decision requested
				<p>While these provisions have some connection to freshwater or the concept of Te Mana o te Wai, the link is tenuous. They do not fall squarely within the jurisdiction of the freshwater planning process as outlined by the High Court (or supported by the policy intent of the freshwater planning process):</p> <ul style="list-style-type: none"> a) They have not been designed to “regulate activities in the catchment or receiving environment, because of their effect on the quality or quantity of freshwater”. The prime examples are the provisions addressing climate change – a phenomenon with indiscriminate effects; b) Some provisions affect or relate directly to seawater which is clearly outside the jurisdiction of the freshwater planning process <p>Many of these provisions require expertise beyond freshwater quality and quantity such as marine biology, coastal systems, climate science, urban planning, terrestrial ecology, and air quality.</p> <p>They risk frustrating the expedition of the process for developing a National Objectives Framework. The National Objectives Framework is long overdue, and should not be delayed by matters which have some link to freshwater, but are essentially peripheral i.e. urban development.</p> <p>These provisions are also subject to separate policy direction such as the New Zealand Coastal Policy Statement or the National Policy Statement on Urban Development.</p> <p>They are not only required to be dealt with under the standard Schedule 1 process, but are more appropriately dealt with in this separate arena.</p>	