



Further Submission on Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region under Clause 8 of Schedule 1 Resource Management Act 1991

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Submitter Details

Name of Submitter: Andrew Crisp, Chief Executive, Ministry of Housing and Urban Development (HUD)

This is a further submission on Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region.

HUD's roles and responsibilities

HUD leads the New Zealand Government's housing and urban development work programme. We are responsible for strategy, policy, funding, monitoring and regulation of New Zealand's housing and urban development system. We are working to:

- address homelessness
- increase public and private housing supply
- modernise rental laws and rental standards
- increase access to affordable housing, for people to rent and buy
- support quality urban development and thriving communities.

We work closely with other central and local government agencies, the housing sector, communities, and iwi to deliver on our purpose – thriving communities where everyone has a place to call home.

HUD has a particular interest in this Plan Change stemming from its co-lead role in developing the National Policy Statement on Urban Development (NPS-UD) and overseeing its implementation.

The NPS-UD aims to ensure councils better plan for growth and the planning decisions support competitive land and development markets, including that decisions are responsive to unplanned development opportunities that were not foreseen by the relevant council when the RMA plans are prepared or reviewed. Overly restrictive barriers to development should be removed to allow growth in locations that have good access to services, public transport networks and infrastructure. The NPS-UD intensification policies require councils to enable greater heights and densities in areas that are well-suited to growth, such as in and around urban centres and rapid transit stops.



HUD is seeking to enable an adaptive and responsive housing system where land-use change, infrastructure and housing supply is responsive to demand, well planned and well regulated.

Given HUD's roles and responsibilities, HUD:

- is representing a relevant aspect of the public interest; and
- has an interest in the proposal that is greater than the interest the general public has.

Scope of Submission

HUD supports and recognises the need to protect water quality. However, HUD considers that the plan change does not give adequate consideration to balance required between the water quality objectives and the objectives of the NPS-UD. There needs to be a reasonable balancing of the interests and benefits of urban development and this plan change does not provide for that. In particular, the stormwater provisions that have the effect of preventing urban developments without any ability to consider the effects or benefits of the developments place an unnecessary regulatory burden on future urban development and are too restrictive in the management of water quality issues.

The prohibited activity status of new stormwater connections or discharges for all unplanned greenfield developments is inconsistent with the NPS-UD and unnecessary to manage water quality issues. The implementation of the NPS for Freshwater Management (NPS-FM) should not adversely affect the ability to undertake urban development any more than is necessary. Any rule framework around urban development (planned or unanticipated) should be able to consider what mitigation measures are proposed in the development to manage potential stormwater issues such as retention ponds and hydraulic neutrality.

The details of HUD's further submission points are set out in the attached table.

Hearings

HUD wishes to be heard in support of its submission. If others make a similar submission, HUD will consider presenting a joint case with them at a hearing.

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Further submission points

Please complete the following table with details of which original submission points you support and/or oppose, and why.

<p>*Submitter name or, Submitter number of the submission you are commenting on:</p>	<p>*Submission point number: <i>Unique identifying number allocated to each specific <u>submission point</u>, located in the second column of the summary of decisions requested table:</i></p>	<p>*Stance on the submission point: <i>(Support, Oppose, Oppose in part, Support in part, Not stated)</i></p>	<p>*Decision sought: <i>(Allow, Disallow, Allow in part, or Disallow in part)</i></p>	<p>Decision sought <i>Illustrate which aspects of this original submission that you support or oppose. Please identify which part(s) (if not the whole submission point) of the original submission point that this further submission is in reference to.</i></p>	<p>Reasons: <i>Please provide a summary of the reasons why you support or oppose this original submission to help us understand your position.</i></p>
257 Kāinga Ora	257.006	Support	Allow	<p>Remove "reconstruction" and "replacement" from definition [of Redevelopment].</p> <p>Alternatively, create an appropriate exclusion for larger areas where no treatment is provided.</p>	<p>Agree that areas of existing impervious surfaces on site that are going to be reconstructed or built on within a site should be excluded. The provisions should only apply to new or additions to impervious surfaces.</p>
257 Kāinga Ora	257.009	Support	Allow	<p>A full review of, and expansion to the areas identified as planned/existing urban areas on maps 86-89.</p> <p>Exclusion of land zoned as open space areas from unplanned greenfield areas where these are located in an urban environment.</p> <p>Include new definition for Greenfield Development. Within this definition, seek also an exclusion of infrastructure works (as infrastructure works often traverses non-urban zones to service the urban environment). Further infrastructure works (including network upgrades) can result in</p>	<p>The NPS-UD requires that local authority decisions on plan changes are responsive to unanticipated development proposals that would add to significantly to development capacity and contribute to well-functioning urban developments and this applies to both greenfield and brownfield proposals. The prohibited activity status for unplanned greenfield developments to be able to connect to a stormwater network or provide new stormwater infrastructure does not support competitive land and development markets and is likely to</p>

				<p>the enhancement and betterment of environmental and water quality outcomes).</p> <p>Delete associated Prohibited Activity rule framework / or reduce activity status to align with the NPS-UD.</p>	<p>have adverse effects on housing affordability. The relief sought seeks better alignment with the NPS-UD.</p>
225 Upper Hutt City Council	S225.048	Support	Allow	<p>Opposes extent of Map 88 as does not accurately reflect Council plan change 50 notified on 4 October 2023 and is inconsistent around proposed settlement zone land.</p> <p>Considers provision should apply from date of PC1 decision and not date of notification. Considers it gives landowners and developers ability to complete planning processes (such as in train resource consents or plan changes). Current date as notified, would circumvent ongoing planning process and prevent rezoning submissions on active plan changes.</p>	<p>Agree with the submitter that it is inappropriate for this plan change to circumvent ongoing planning processes.</p> <p>The implementation of the NPS-FM should not adversely affect the ability to undertake urban development any more than necessary.</p>
S240 Porirua City Council	S240.014	Support	Allow	<p>Amend definition as follows: Greenfield development within areas identified as 'unplanned greenfield area' on maps 86, 87, 88 and 89 which also require an underlying zone change (from rural/nonurban/ open space to urban) though a District Plan change to enable the development. Note: Unplanned greenfield areas are those areas that do not have an urban or future urban zone at the time of Plan Change 1 notification, 30th October 2023.</p>	<p>Agree with the submitter that it is not appropriate to provide no consenting pathway, as that excludes any possibility to consider the effects from development and the benefits that it could provide; including environmental enhancement.</p>

S286 Taranaki Whānui	S286.009	Support	Allow	Concerned policy and provisions will impose significant costs and impact the ability of Taranaki Whānui whanau to develop their ancestral lands. Notes land not yet returned to Māori ownership through treaty settlements, includes many sites in areas mapped as “unplanned greenfield land” including rural and open space land. Considers prohibition on developing these lands inconsistent with principles of Te Tiriti.	Agree that Taranaki Whānui should have the ability to develop their ancestral land.
257 Kāinga Ora	257.010 Objective WH.O1: The health of all freshwater bodies and the coastal marine area within Whaitua Te Whanganui-a Tara is progressively improved and is wai ora by 2100.	Support	Allow	Consequential changes sought where relevant to reconcile outcomes to changes sought in specific rules. Amendments to align with and not go beyond what is required under the NPS-FM. Amend to reflect an extended timeline for the achievement of TAS which takes into consideration the feasibility and cost of achieving the prescribed timeframes.	Agree that the implementation of the NPS-FM should not adversely affect the ability to undertake urban development any more than necessary.
S211 Hutt City Council	211.010 Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives.	Support in part	Allow in part	Concerned with the proposed prohibited activity status for unplanned greenfield development; considers that this precludes consenting pathways for development in unplanned greenfield areas which may have positive outcomes. Concerned that minor activities which extend into unplanned greenfield areas would be prohibited. Seeks amendments to the policy as follows: Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives Target attribute states and	Share the concerns of the Council but consider that “prohibiting” should be replaced with “managing” (rather than “avoiding”) as requested by Upper Hutt City Council. The prohibited activity status is inconsistent with the NPS-UD.

				<p>coastal water objectives will be achieved by regulating discharges and land use activities in the Plan, and non-regulatory methods, including Freshwater Action Plans, by:</p> <p>(a) prohibiting <u>avoiding</u> unplanned greenfield development and for managing other greenfield developments minimising the contaminants and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and (b) — encouraging — redevelopment activities within existing urban areas to reduce the existing urban contaminant load, and (c) imposing hydrological controls on urban development and stormwater discharges to rivers</p> <p>...</p>	
S161 Gillies Group Management Ltd	S161.011 Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives.	Support	Allow in part	<p>Opposes provisions for unplanned greenfield growth as the prohibited activity status does not provide a consenting pathway to consider a proposal that may have positive outcomes for the community or for freshwater. Notes that the s32 report states that all contaminants can be mitigated through treatment and financial contributions, and considers that prohibited activity status is inappropriate in this case. Further considers the prohibited activity status inconsistent with Policy 8 of the NPS-UD. Notes that the s32 report sets out the prohibited activity status to require both a regional and district plan change to enable greenfield development. Considers the need for two plan changes will be expensive</p>	<p>Agree with the submitter’s concerns that the requirement for two plan changes will be expensive and will make it difficult for market responsiveness to the provision of housing. The prohibited activity status for unplanned greenfield development is inconsistent with the NPS-UD.</p>

				<p>and will make it difficult for market responsiveness to the provision of housing.</p> <p>Seeks the following changes:</p> <p>(a) prohibiting unplanned greenfield development and for other greenfield developments <u>minimising the contaminants</u> from greenfield developments and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and</p>	
S225 Upper Hutt City Council	S225.067 Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives.	Support	Allow	<p>Opposes prohibition of development, as it limits options to give effect to NPS-UD and overrides District Plan changes and reviews currently underway or proposed in future.</p> <p>Considers greenfield development has more opportunity to address effects, particularly given space available to incorporate design and infrastructure solutions when compared to constrained urban environments.</p> <p>Notes prohibition in policy, and direction in objective above it, would render a future plan change an impossibility as it wouldn't implement higher order documents. Considers the section 32 analysis would need to consider provisions PC1 and recent changes to NRP and therefore would be at risk of being contrary to objectives and policies in these plans.</p> <p>seek that the policy is amended to read:</p> <p>... "</p> <p>(a) prohibiting <u>managing</u> unplanned</p>	<p>The implementation of the NPS-FM should not adversely affect the ability to undertake urban development requirements any more than necessary.</p> <p>There should be more appropriate balance between the requirements of the NPS-FM and the NPS-UD requirements that allows the potential effects and benefits of unplanned greenfield developments, including environmental enhancement, to be considered.</p>

				greenfield development and for other greenfield developments minimising the contaminants and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and"	
257 Kāinga Ora	257.011 Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives.	Support	Allow	Remove reference to prohibiting unplanned greenfield development at WH.P2(a).	Oppose the reference to prohibiting unplanned greenfield development at WH.P2(a). The blanket prohibition against unplanned greenfield development is unnecessary and does not align with the NPS-UD.
S286 Taranaki Whānui	S286.032 Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives.	Support	Allow	Amend policy: Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives. Target attribute states and coastal water objectives will be achieved by regulating discharges and land use activities in the Plan, and non-regulatory methods, including Freshwater Action Plans, by: (a) prohibiting unplanned greenfield development and for managing other greenfield developments by minimising the contaminants and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and ...	Agree with the submitter that the prohibited status should be removed to improve the ability of Taranaki Whānui to develop their ancestral land.

S225 Upper Hutt City Council	S225.077 Policy WH.P14: Stormwater discharges from new and redeveloped impervious surfaces.	Support	Allow	Amend the definition of redevelopment and review the practicality of thresholds where this policy applies.	Agrees with the reasons provided by the Upper Hutt City Council and shares the submitter's concerns included in the summary of submissions as follows: "Supports intent of improving water quality by managing stormwater contaminants, but considers thresholds for application must be reviewed and clarified. Concerned with application of definition for 'redevelopment' in policy, particularly in case of resurfacing, or 'like for like' replacement of surfaces where there is no change to end state water run-off. Considers it inappropriate and unjust to require onsite stormwater systems to be installed, due to the 'like for like' replacement of impervious surfaces. Considers this places unnecessary burden on land owners seeking to undertake maintenance of their properties."
S257 Kāinga Ora	S257.019 Policy WH.P14: Stormwater discharges from new and redeveloped impervious surfaces.	Support	Allow	Review policy drafting to ensure it is more "policy focused". Consequential amendments are sought to reflect changes sought in associated rules	
S161 Gillies Group Management Ltd	S161.014 Policy WH.P16: Stormwater discharges from new unplanned greenfield development	Support	Allow	Delete Policy Opposes the avoidance/prohibited approach to greenfield development. Considers that prohibited activity status does not provide a consenting pathway to consider a proposal that may have positive outcomes for the community or for freshwater. Considers the prohibited activity status is inconsistent with the NPS-UD.	Like the submitter, oppose this policy and the Prohibited Rule framework. Consider that the policy is too narrow since it does not provide any pathway or guidance other than avoidance and the proposed prohibited activity framework is overly onerous. The proposed approach of effectively prohibiting any unplanned greenfield development is inconsistent with the

S257 Kāinga Ora	S257.021 Policy WH.P16: Stormwater discharges from new unplanned greenfield development.	Support	Allow	Delete the policy Alternatively, amend the proposed policy to provide a pathway where the effects from additional stormwater discharges can be managed appropriately. This alternative framework could also incorporate a set of criteria for out of sequence development, which is in line with the direction of the NPS-UD.	NPS-UD and not necessary to manage water quality issues or implement the NPS-FM.
S286 Taranaki Whānui	S286.047 Policy WH.P16: Stormwater discharges from new unplanned greenfield development.	Support	Allow	Delete Policy	
S211 Hutt City Council	S211.017 Policy WH.P31: Winter shut down of earthworks.	Support	Allow	Delete Policy	Concerned policy reads more like a rule or standard rather than outlining how an objective will be implemented. Consider that a blanket exclusion to winter earthworks is too blunt an approach that will impose significant costs to developments. An effects management approach that can consider the likely risk of the site (such as topography, slope, soil type, scale and duration of the work) is more appropriate. High rainfall events can occur at any time of year and a blanket ban of winter earthworks does not recognise or manage this.
S225 Upper Hutt City Council	S225. 093 Policy WH.P31: Winter shut down of earthworks.	Support	Allow	Delete policy or amend to be a policy rather than a rule or standard.	
S257 Kāinga Ora	S257.026 Policy WH.P31: Winter shut down of earthworks.	Support	Allow	Delete the policy and consequential changes to WH.P29 and the related rule framework.	

S225 Upper Hutt City Council	S225.098 Rule WH.R5: Stormwater from new and redeveloped impervious surfaces - permitted activity.	Support	Allow	Amend to remove the 1000m ² threshold in relation to upgrading, maintaining and renewing of existing roads, footpaths/cyclepath and driveways.	<p>The rule will impose a considerable regulatory burden and cost on development and maintenance activities through the consent requirements.</p> <p>The rule framework should seek to minimise any potential maintenance costs on existing infrastructure.</p>
S257 Kāinga Ora	S257.028 Rule WH.R5: Stormwater from new and redeveloped impervious surfaces - permitted activity.	Support	Allow	<p>Increase permitted impervious surface threshold above 1000m² to at least no less than 5000m².</p> <p>Clarify that the threshold relates to new/additional areas of impervious surfaces</p> <p>Clarify that external fixings are excluded at WH.R5(b)</p> <p>Delete WH.R5(c).</p> <p>Include permitted pathway for developments where they are operating under a certified sub-catchment Stormwater Management Plan [or similar].</p>	<p>Consider that 1,000m² of impervious area is too a low baseline for development and that the requirements should be limited to new or additional impervious surfaces.</p> <p>The requirement in WH.5(c) for any new impervious surface that exceeds 30m² to require hydrological control is excessive. It should be deleted given the overlap and conflict with Wellington Water's requirements for stormwater neutrality.</p> <p>The framework should also recognise and provide for the fact that large scale developments may provide off-site controls to manage stormwater runoff.</p>
S286 Taranaki Whānui	S286.069	Support	Allow	Develop a more comprehensive framework for hydrological control and water sensitive urban design measures, including acceptable technical solutions. Exclude papakāinga development from rule.	<p>Agree with the submitter that catchment-scale communal schemes may be more efficient than numerous small systems on individual sites.</p> <p>Agree with the submitter's reasons that note:</p> <p>"PC1 does not contain sufficient direction on how measures will be implemented and does not set out what</p>

					<p>would be considered an acceptable solution to comply.</p> <p>Considers if technical specifications were included, it would mean that smaller developments could rely on these without having to develop expensive bespoke solutions on site by-site basis.</p> <p>Considers rule would impose significant costs on the development of papakāinga. Concerned this will make it hard to develop land for the long-term benefit of Taranaki Whānui whanau.”</p>
S33 Wellington City Council	<p>S38.015</p> <p>Rule WH.R7: Stormwater from new and redeveloped impervious surfaces of existing urbanised areas - controlled activity.</p>	Support	Allow	Delete rule in its entirety OR amend to limit the applicability of the rule to development that is not connected to local authority stormwater networks.	Agree with Wellington City Council that the regional plan should not duplicate provisions in the district plan or existing resource consent requirements. The rule should not apply when the site is connected to a local authority stormwater network.
S161 Gillies Group Management Ltd	<p>S161.020</p> <p>Rule WH.R7: Stormwater from new and redeveloped impervious surfaces of existing urbanised areas - controlled activity.</p>	Support	Allow	Review policy and rule framework for the treatment of stormwater, and provide technical standards for acceptable solutions.	If technical specifications were included, it would mean that smaller developments could rely on these without having to develop expensive bespoke solutions on site by-site basis.

S257 Kāinga Ora	S257.030 Rule WH.R7: Stormwater from new and redeveloped impervious surfaces of existing urbanised areas - controlled activity	Support	Allow	Increase the 1000m ² -3000m ² threshold commensurate with the minimum 5000m ² threshold for permitted activities.	Agree that the threshold is too low for permitted activities and imposes an unnecessary regulatory burden especially where it is duplicating district plan provisions.
S33 Wellington City Council	S33.065 Rule WH.R11: Stormwater from new and redeveloped impervious surfaces - discretionary activity.	Support	Allow	Delete rule in its entirety OR amend to limit the applicability of the rule to development that is not connected to local authority stormwater networks.	Agree with Wellington City Council that the regional plan should not duplicate provisions in the district plan or existing resource consent requirements. The rule should not apply when the site is connected to a local authority stormwater network.
S257 Kāinga Ora	S257.031 Rule WH.R11: Stormwater from new and redeveloped impervious surfaces - discretionary activity.	Support	Allow	Reframe as a RD activity status Increase the 3000m ² threshold commensurate with the relief sought in WH.R5. Include an exclusion to WH.R11(b) where a proposal is being undertaken as part of a wider comprehensive development that includes a catchment scale stormwater treatment system.	Agree with the submitter that the matters of discretion can be identified for the restricted discretionary activity status to be applied.
S33 Wellington City Council	S33.067 Rule WH.R13: Stormwater from new unplanned greenfield development - prohibited activity.	Support in Part	Allow in Part	Amend rule to Discretionary activity status OR delete rule.	The proposed approach of effectively prohibiting any unplanned greenfield development is inconsistent with the NPS-UD. A prohibited activity status does not provide a consenting pathway to

S161 Gillies Group Management Ltd	S161.023 Rule WH.R13: Stormwater from new unplanned greenfield development - prohibited activity.	Support	Allow	Delete the rule	<p>consider a proposal that may have positive outcomes for the community or for freshwater. As submitters have identified, the activity status fails to recognise that greenfield development can provide a range of opportunities to more effectively undertake catchment based stormwater management and enhance the environment, particularly those that are already in a degraded state.</p> <p>Support the note raised in Wellington City Council's submission "that as per case law prohibited activity class should not be used to defer an evaluation of a particular activity until such time as a plan change is lodged to allow undertaking the activity in question."</p> <p>The RMA requires that a district plan "must not be inconsistent with a regional plan. HUD shares the concerns raised by Upper Hutt City Council that the prohibited activity could even hinder plan changes to the District Plan given that the policy and objective above it includes prohibition.</p>
S225 Upper Hutt City Council	S225.104 Rule WH.R13: Stormwater from new unplanned greenfield development - prohibited activity.	Support	Allow	Delete rule or amend significantly to change from prohibited and provide a consenting pathway for unplanned greenfield developments. Seek this specifically should not apply to developments feeding into existing stormwater networks that will have an existing stormwater network discharge consent.	
S257 Kāinga Ora	S257.033 Rule WH.R13: Stormwater from new unplanned greenfield development - prohibited activity.	Support	Allow	Delete rule. Alternatively, amend activity status and remove consequential requirement for separate Plan Change process, instead incorporating a set of criteria for out of sequence development that is in line with the NPS UD. Undertake review of, and expansion to the areas identified as planned/existing urban areas on maps 86 89.	
S286 Taranaki Whānu	S286.077 Rule WH.R13: Stormwater from new unplanned greenfield development - prohibited activity.	Support	Allow	Delete Rule	

S257 Kāinga Ora	S257.036 Rule WH.R23: Earthworks – permitted activity.	Support in Part	Allow in Part	Delete WH.R23(c)(iv) Include an exclusion within the rule that exempts activities associated with the trenching of services - i.e. thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance.	Support an exemption for the trenching so that infrastructure provision and maintenance is permitted. Agree with the submitter that (c)(iv) is too restrictive (an absolute avoidance of any runoff will be extremely difficult to comply with) and should be deleted but also consider that the permitted activity status can still have a requirement for sedimentation controls and that this could include something similar to the total suspended solids limits in WH.R24(a)
S257 Kāinga Ora	S257.037 & S257.038 Rule WH.R24: Earthworks - restricted discretionary activity. & Rule WH.R25: Earthworks - non-complying activity	Support	Allow	Delete WH.R25 with consideration of winter works being a listed matter of discretion under WH.R24. Delete the condition in the rule at WH.R24(b) where it places a restriction on earthworks between 1st of June and 30th September and the resulting escalation to a non-complying activity. Instead, include winter works as a matter of discretion within the relevant RDA rule. Include an exclusion within the rule that exempts activities associated with the trenching of services - i.e. thrusting, boring, trenching or mole ploughing	Oppose the blanket exclusion around winter earthworks and consider that potential effects can be adequately managed as a restricted discretionary activity. A blanket exclusion to winter earthworks is too blunt an approach that will impose significant costs to developments. An effects management approach that can consider the likely risk of the site (such as topography, slope, soil type, scale and duration of the work) is more appropriate. High rainfall events can occur at any time of year and a blanket ban of winter earthworks does not recognise or manage this.

S257 Kāinga Ora	S257.041 Policy P.P2: Management of activities to achieve target attribute states and coastal water objectives	Support	Allow	Remove reference to prohibiting unplanned greenfield development at P.P2(a).	The proposed approach of effectively prohibiting any unplanned greenfield development is inconsistent with the NPS-UD.
S33 Wellington City Council	S33.098 Policy P.P15: Stormwater discharges from new unplanned greenfield development.	Support	Allow	Amend policy to allow for Discretionary activity status OR delete policy.	The proposed approach of effectively prohibiting any unplanned greenfield development is inconsistent with the NPS-UD.
S161 Gillies Group Management Ltd	S161.029 Policy P.P15: Stormwater discharges from new unplanned greenfield development.	Support	Allow	Delete policy	A prohibited activity status does not provide a consenting pathway to consider a proposal that may have positive outcomes for the community or for freshwater. As submitters have identified, the activity status fails to recognise that greenfield development can provide a range of opportunities to more effectively undertake catchment based stormwater management and enhance the environment, particularly those that are already in a degraded state.
S240 Porirua City Council	S240.046 Policy P.P15: Stormwater discharges from new unplanned greenfield development	Support	Allow	Delete Policy	Concerned the policy will hinder the rezoning of land in a district plan,

S257 Kāinga Ora	S2457.049 Policy P.P15: Stormwater discharges from new unplanned greenfield development	Support	Allow	Delete the policy Alternatively, amend the proposed policy to provide a pathway where the effects from additional stormwater discharges can be managed appropriately. This alternative framework could also incorporate a set of criteria for out of sequence development, which is in line with the direction of the NPS-UD. Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.	including sites that could be converted to housing, community facilities, education facilities and not expand the current urban boundary. Noting the RMA is an effects-based framework, considers it unclear why new stormwater discharge from unplanned greenfield development is treated differently from stormwater discharge from planned development. Support the note raised in Wellington City Council's submission "that as per case law prohibited activity class should not be used to defer an evaluation of a particular activity until such time as a plan change is lodged to allow undertaking the activity in question.
S161 Gillies Group Management Ltd	S161.030 Policy P.P29: Winter shut down of earthworks.	Support	Allow	Delete policy	Consider that a blanket exclusion to winter earthworks is too blunt an approach that will impose significant costs to developments. An effects management approach that can consider the likely risk of the site (such as topography, slope soil type, scale and duration of the work) is more appropriate.
S240 Porirua City Council	S240.060 Policy P.P29: Winter shut down of earthworks.	Support	Allow	Delete Policy	
S257 Kāinga Ora	S2457.054 Policy P.P29: Winter shut down of earthworks.	Support	Allow	Delete the policy and consequential changes to WH.P29 and the related rule framework.	

S33 Wellington City Council	S33.110 Rule P.R5: Stormwater from new and redeveloped impervious surfaces - permitted activity.	Support	Allow	Delete rule in its entirety OR amend to limit the applicability of the rule to development that is not connected to local authority stormwater networks.	Agree with Wellington City Council that the regional plan should not duplicate provisions in the district plan or existing resource consent requirements. The rule should not apply when the site is connected to a local authority stormwater network.
S257 Kāinga Ora	S257.056 Rule P.R5: Stormwater from new and redeveloped impervious surfaces - permitted activity.	Support	Allow	Increase permitted impervious surface threshold above 1000m ² to at least 5000m ² . Clarify that the threshold relates to new/additional areas of impervious surfaces Clarify that external fixings are excluded at P.R5(b). Delete P.R5(c). Include permitted pathway for developments where they are operating under a certified sub-catchment Stormwater Management Plan [or similar].	Agree with the submitter that the threshold is too low for permitted activities and imposes an unnecessary regulatory burden especially where it is duplicating district plan provisions.
S240 Porirua City Council	S240.066 Rule P.R6: Stormwater from new greenfield impervious surfaces - controlled activity.	Support in part	Allow in part	Develop an acceptable solution for compliance either through incorporating guidance by reference, within the rule itself, or as an appendix to the plan.	Agree with the submitter that “the rule does not outline what types of hydrological controls should be implemented and it is unclear what would be considered an acceptable solution to comply with the provisions, and the definition of 'hydrological control' doesn't provide any guidance in this regard.” However, consider that this guidance can be via a technical document that sits outside of the plan similar to the erosion and sediment control guidance.

S257 Kāinga Ora	S257.057 Rule P.R6: Stormwater from new greenfield impervious surfaces - controlled activity.	Support	Allow	Increase the 1000m ² -3000m ² threshold commensurate with the relief sought in P.R5 above seeking a permitted threshold of at least 5000m ² . Failing implementation of changes sought under P.R5 above, provide for proposal to be Controlled activity where it fails to meet P.R6(a), but is being undertaken in accordance with a certified sub-catchment Stormwater Management Plan [or similar]. Include an exclusion to P.R6(c) where a proposal is being undertaken as part of a wider comprehensive development that includes a catchment scale stormwater treatment system.	Agree that the threshold is too low for permitted activities and imposes an unnecessary regulatory burden especially where it is duplicating district plan provisions and that the rule framework should better enable recognise that there can be benefits of catchment scale stormwater treatment system.
S33 Wellington City Council	S33.112 Rule P.R7: Stormwater from new and redeveloped impervious surfaces of existing urbanised areas- controlled activity.	Support	Allow	Delete rule in its entirety OR amend to limit the applicability of the rule to development that is not connected to local authority stormwater networks	Agree with Wellington City Council that the regional plan should not duplicate provisions in the district plan or existing resource consent requirements.
S240 Porirua City Council	S240.067 Rule P.R7: Stormwater from new and redeveloped impervious	Support in part	Allow in part	Develop an acceptable solution for compliance either through incorporating guidance by reference, within the rule itself, or as an appendix to the plan.	Agree with the submitter that this rule will have a significant economic impact on urban development and create a regulatory burden on GWRC and the note that: “the rule does not outline what types of hydrological controls should be implemented and it is unclear what would be considered an acceptable solution to comply with the provisions, and the definition of 'hydrological

					control' doesn't provide any guidance in this regard." However, consider that this guidance can be via a technical document that sits outside of the plan similar to the erosion and sediment control guidance.
S257 Kāinga Ora	S257.058 Rule P.R7: Stormwater from new and redeveloped impervious	Support	Allow	Increase the 1000m ² -3000m ² threshold commensurate to the relief sought in P.R5 seeking a permitted threshold of at least 5000m ² . Failing implementation of changes sought under P.R5 above, provide for proposal to be Con activity where it fails to meet P.R6(a), but is being undertaken in accordance with a certified sub-catchment Stormwater Management Plan [or similar].	Agree that the threshold is too low for permitted activities and imposes an unnecessary regulatory burden especially where it is duplicating district plan provisions. Support better recognition of proposals that are being in accordance with a certified sub-catchment Stormwater Management Plan (or similar) in the rule framework.
S33 Wellington City Council	S33.115 Rule P.R10: Stormwater from new and redeveloped impervious surfaces-discretionary activity.	Allow	Support	Delete rule in its entirety OR amend to limit the applicability of the rule to development that is not connected to local authority stormwater networks.	Agree with Wellington City Council that the regional plan should not duplicate provisions in the district plan or existing resource consent requirements.
S257 Kāinga Ora	S257.059 Rule P.R10: Stormwater from new and redeveloped impervious surfaces-discretionary activity.	Support	Allow	Reframe as a RD activity status Increase the 3000m ² threshold commensurate with the baseline of at least 5000m ² for a permitted activity. Include an exclusion to P.R10(b) where a proposal is being undertaken as part of a wider comprehensive development that includes a catchment scale stormwater treatment system.	Agree that the threshold is too low for permitted activities and imposes an unnecessary regulatory burden especially where it is duplicating district plan provisions and that the rule framework should better enable and recognise that there can be benefits of catchment scale stormwater treatment system.

S257 Kāinga Ora	S257. 061 Rule P.R12 - Stormwater discharges from new unplanned greenfield development - prohibited activity.	Support	Allow	Delete rule. Alternatively, amend activity status and remove consequential requirement for separate Plan Change process, instead incorporating a set of criteria for out of sequence development that is in line with the NPS UD. Seek review of and corresponding expansion to identified "Unplanned Greenfield Development" areas.	The proposed approach of effectively prohibiting any unplanned greenfield development is inconsistent with the NPS-UD. A prohibited activity status does not provide a consenting pathway to consider a proposal that may have positive outcomes for the community or for freshwater. As submitters have identified, the activity status fails to recognise that greenfield development can provide a range of opportunities to more effectively undertake catchment based stormwater management and enhance the environment, particularly those that are already in a degraded state.
S257 Kāinga Ora	S257.065 & S257.066 Rule P.R23: Earthworks - restricted discretionary activity & Rule P.R24: Earthworks - non-complying activity. complying activity	Support	Allow	Delete P.R24 with consideration of winter works being a listed matter of discretion under P.R23. Delete the condition in the rule at P.R23(b) where it places a restriction on earthworks between 1st of June and 30th September and the resulting escalation to a non-complying activity. Instead, include winter works as a matter of discretion within the relevant RDA rule. Include an exclusion within the rule that exempts activities associated with the trenching of services - i.e. thrusting, boring, trenching or mole ploughing	Oppose the blanket exclusion around winter earthworks and consider that potential effects can be adequately managed under as a restricted discretionary activity. Winter is not the only time that heavy rainfall events occur and the provisions around the risks of earthworks should take the characteristics of the site and any mitigation proposed to manage the risks into account.
S33 Wellington	S33.148	Support	Allow	Amend boundaries to include all open space zones within the urban boundary.	If the maps are retained, they should be amended to include all open space zones

City Council	<p>Map 86: Unplanned greenfield areas - Porirua City,</p> <p>Map 87: Unplanned greenfield areas - Wellington City Council.</p> <p>Map 88: Unplanned greenfield areas - Upper Hutt City Council.</p> <p>Map 89: Unplanned greenfield areas - Hutt City Council.</p>				<p>within urban areas as areas available for planned future urban development.</p> <p>Good urban development outcomes can be achieved through development on underutilised open space land and land swaps of reserve land. This should not be prevented through the regional plan.</p> <p>The related rule framework should not exclude infrastructure or community facilities being developed on open space land.</p>
S161 Gillies Group Management Ltd	<p>S161.042, S161.043, S161.044, s161.045</p> <p>Map 86: Unplanned greenfield areas - Porirua City,</p> <p>Map 87: Unplanned greenfield areas - Wellington City Council.</p> <p>Map 88: Unplanned greenfield areas - Upper Hutt City Council.</p> <p>Map 89: Unplanned greenfield areas - Hutt City Council.</p>	Support	Allow	Delete the four maps	<p>The proposed approach of effectively prohibiting any unplanned greenfield development is inconsistent with the NPS-UD.</p> <p>A prohibited activity status or strict avoidance framework does not provide a consenting pathway to consider a proposal that may have positive outcomes for the community or for freshwater. As submitters have identified, the activity status fails to recognise that greenfield development can provide a range of opportunities to more effectively undertake catchment based stormwater management and enhance the environment, particularly those that are already in a degraded state.</p>

<p>S257 Kāinga Ora</p>	<p>S257.068, S257.069, S257.070, & S257.071</p> <p>Map 86: Unplanned greenfield areas - Porirua City,</p> <p>Map 87: Unplanned greenfield areas - Wellington City Council.</p> <p>Map 88: Unplanned greenfield areas - Upper Hutt City Council.</p> <p>Map 89: Unplanned greenfield areas - Hutt City Council.</p>	<p>Support</p>	<p>Allow</p>	<p>Undertake a review of, and expansion to the areas identified as planned/existing urban areas on maps 86-89.</p> <p>Exclude land zoned as open space areas from unplanned greenfield areas, particularly where these are located in an urban environment.</p>	<p>Agree with the submitter that:</p> <ul style="list-style-type: none"> • it is not appropriate to restrict the ability to develop open space land where there are benefits in land swaps and development occurring on land that is currently open space. • the existing rule framework will constrain expansion and/or construction of new infrastructure in locations that benefit from a designation for such public works.
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