



DOCDM-6653057

11 May 2021

Porirua City Council
PO Box 50-218
Porirua City
Email: dpreview@pcc.govt.nz

Attention: Planning Manager (Porirua District Plan Review)

Porirua City Plan – District Plan Review – Further Submission

Please find enclosed the further submission by the Director-General of Conservation *Tumuaki Ahurei* in respect of the proposed Porirua City Plan.

Please contact Tom Christie in the first instance if you wish to discuss any of the matters raised in this submission via tchristie@doc.govt.nz or on 027 3419514.

Yours sincerely



Angus Hulme-Moir
Operations Manager *Pou Matarautaki*
Kapiti Wellington

Form 6: Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation

Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991

To: Porirua City Council

Name of submitter: Lou Sanson, Director-General of Conservation (the **Director-General**)

1. This is a further submission in support of (or in opposition to) a submission:

2. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions¹. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage². Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'*.

3. I have outlined my views on specific submissions in a table on the **attached** table in the required format.

4. I wish to be heard in support of my further submission.

5. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

6. A copy of this submission has been served on the original submitters.

¹ Refer section 53 Conservation Act 1987.

² Conservation Act 1987, section 6.



Angus Hulme-Moir

Operations Manager
Kapiti Wellington Region
Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General of Conservation

Date: 11 May 2021

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Address for service:

tchristie@doc.govt.nz
Attn: Tom Christie, Planner
Telephone: 027 3419514
Department of Conservation
Tauranga Office
PO Box 9003
Tauranga 3142

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
<p><u>Royal Forest and Bird Protection Society (#225)</u></p>	<p>225.42 - Include “effects on indigenous biodiversity” as a standard matter of discretion in all restricted discretionary rules and as a matter for control in all controlled activity rules.</p>	<p>The Director-General supports this submission point because effects on indigenous biodiversity are inadequately considered in the plan rules, particularly outside significant natural areas. The Director-General acknowledges that ‘effects on indigenous biodiversity’ may not be required as a matter of discretion for all restricted discretionary rules and as a matter for control in all controlled activity rules, however a process will be required to be undertaken in order to determine which rules it will be relevant for.</p>	<p>Allow</p>
	<p>225.111 – Amend INF-P6 as follows: 3. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering any upgrade within an area identified in SCHED7 – Significant Natural Areas; <u>7A. Protecting SNAs and natural wetlands and maintaining indigenous biological diversity; and</u></p>	<p>The Director-General supports this submission point, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>
	<p>225.112 - Amend INF-P7 as follows: <u>4. Avoiding adverse effects of the National Grid within areas identified in SCHED7 – Significant Natural Areas in the Coastal Environment and within natural wetlands</u> Applying the mitigation hierarchy in ECO-P2 and assessing</p>	<p>The Director-General supports this submission point, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>

	<p>the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 – Significant Natural Areas; and <u>4A. Protecting SNAs and maintaining indigenous biological diversity: and</u> 5. When considering the adverse effects in respect of 1-4 above;</p>		
	<p>225.130 - Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure.</p> <p>Amend R5-1 to include:</p> <ol style="list-style-type: none"> 1. a condition that the activity is setback 15m from a natural wetland <p>Amend R5-2, R5-3 and R5-4 to capture non compliance with the 15m setback</p> <p>Add the following condition</p> <ol style="list-style-type: none"> a. the activity is not within 15m of a natural wetland <p>Add the following matter of discretion:</p> <ul style="list-style-type: none"> • effects on indigenous biological diversity <p>R5-2 Delete the note regarding non-notification R5-6 Add the following matter of discretion:</p> <ol style="list-style-type: none"> b. effects on indigenous biological diversity <p>Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case, alternatively amend R5-7 to include the setback and change to non-complying.</p>	<p>The Director-General supports these submission points, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>

	<p>225.131, 132 – Amend INF-R7 and R8 to add the following matter of discretion: 1. effects on indigenous biological diversity.</p>	<p>The Director-General supports these submission points, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>
	<p>225.133 - Clarify that the rule permitted and restricted activity status does not apply to the upgrading, extension or creation of new tracks within a SCHED7 SNA overlay by:</p> <ul style="list-style-type: none"> • deleting R9.1 c. iii and R9.1 d. iii • adding a condition to R9.1 that the activities are not within a SCHED7 SNA <p>or by separating maintenance of existing lawfully constructed tracks from the upgrading, extension or creation of new tracks.</p> <p>Include a condition in R9.1 for a setback of 15m from wetlands and from SNAs. Amend R9 so that where upgrading, extension or creation of new tracks do not meet the SNA setback the R9.7 discretionary status applies.</p> <p>Add the following matter of discretion to the restricted discretionary rules:</p> <ol style="list-style-type: none"> 1. effects on indigenous biological diversity <p>Where the activities are within the wetland setback or within a wetland the activity is non-complying.</p>	<p>The Director-General supports these submission points, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>

	<p>Retain the Discretionary status in R9.7 for activities within an SCHED7 SNAs and ensure this rule also applies:</p> <ul style="list-style-type: none"> • to the upgrading, extension or creation of new tracks within the SNA setback; • where the limits/standards for maintenance of existing tracks is not met. <p>Also ensure that consideration of effects is not limited by deleting the note in the chapter introduction to that effect.</p>		
	<p>225.134, 154 and 136 – Amend INF-R2, R18 and R19 to include limits to vegetation removal to no more than minor adverse effect.</p> <p>Add the following matter of discretion:</p> <ul style="list-style-type: none"> - effects on indigenous biological diversity. 	<p>The Director-General supports these submission points, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>
	<p>225.246 - Amend ECO Policies, and make consequential amendments to other provisions, to remove the direction that limits considerations to “identified” areas and values of SNAs.</p>	<p>The Director-General supports the submission point regarding the need for amendments throughout the ECO Policies and elsewhere in the plan, to remove the reference to ‘identified’ areas and values of SNAs. The rationale provided in the submission supplements matters raised in the Director-General’s submission.</p>	<p>Allow</p>
	<p>225.164 ECO-P12</p>	<p>The Director-General supports the submission that this policy fails to give effect to Policy 11(b) of the NZCPS.</p>	<p>Allow</p>
	<p>225.194 - Amend CE-P7 as follows:</p>	<p>The Director-General supports the submission point regarding CE-P7.</p>	<p>Allow</p>

	<p>Avoid, remedy or mitigate adverse effects of <u>existing</u> quarrying activities and mining within the coastal environment and avoid <u>new</u> quarrying activities and <u>new</u> mining within <u>the coastal environment areas of High Natural Character</u>.</p>	<p>Mining and quarrying activities within the coastal environment are likely to have adverse effects that are incompatible with the directives of the NZCPS.</p>	
	<p>225.202 - Amend CE-R8.1 by adding the following matter of discretion: <ul style="list-style-type: none"> • Effects on indigenous biodiversity <p>Retain the non-complying activity status in CE-R8.2.</p> </p>	<p>The Director-General supports this submission point. The rationale provided supplements matters raised in the Director-General’s submission. Incorporating the relief they seek would ensure that effects on indigenous biodiversity is specifically assessed for applications for new buildings and structures within a Coastal High Natural Character Area. A non-complying activity status is appropriate for larger buildings in the Coastal High Natural Character Area, and is consistent with the directive of NZCPS Policy 13.</p>	<p>Allow</p>
	<p>255.146 - Amend ECO-O1 as follows: The identified values of significant natural areas are protected from inappropriate use and development, and where appropriate, restored.</p> <p>255.147 - Add a new ECO objective as follows: <u>Subdivision, use and development is managed to ensure the ecological function and protective buffering of hydrological and ecological systems are maintained and restored.</u></p>	<p>The Director-General supports these submission points, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>

	255.148 - Add a new ECO objective as follows: <u>The District's indigenous biodiversity is maintained and enhanced.</u>		
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	<p>255.90 - Include a new specific strategic objective to give effect to Council’s functions under s6 and s31, as follows (or similar):</p> <p><u>Indigenous biodiversity in the District is maintained and enhanced, and areas of significant biodiversity value, including wetlands, are protected.</u></p> <p>Amend the introduction to recognise council’s function for integrated amendment, particularly with respect to the maintenance of indigenous biological diversity and protection of wetlands.</p>	<p>The Director-General supports this submission point, for the reasons outlined in the Royal Forest and Bird Protection Society’s submission.</p>	<p>Allow</p>
	<p>255.166 - Add a new rule applying to All Zones as follows or similar:</p> <p>Indigenous vegetation removal outside of the Significant Natural Area Overlay</p>	<p>The Director-General supports this submission point as it will provide for the protection of significant biodiversity values outside of scheduled Significant Natural Areas.</p>	<p>Allow</p>
Queen Elizabeth the Second National Trust (QEII) (#216)	<p>216.38 – Amend NFL provisions to ensure all adverse effects on the ONFL are avoided.</p>	<p>The Director-General supports this submission point, for the reasons outlined in QEII’s submission.</p>	<p>Allow</p>
	<p>216.45 - NFL-R1 – retain as written, albeit with consequential amendments based on changes sought to NFL Policies.</p>	<p>The Director-General supports this submission point, for the reasons outlined in QEII’s submission.</p>	<p>Allow</p>
	<p>216.35 and 216.36 – Retain ECO-R8 and ECO-R9</p>	<p>The Director-General supports the submission points to protect SNAs from plantation forestry and to have a non-complying status as a catch-all for activities within SNAs.</p>	<p>Allow</p>

	<p>216.1 - Delete definition of conservation activity and replace with detail around activities to be permitted in each relevant chapter.</p>	<p>The Director-General supports the submission points raised by QEII. However, an alternative option to removing the definition in its entirety could be to add further detail, such as linking planting to restoration/indigenous species, and ensuring track work is subject to earthworks limits.</p>	<p>Allow in part</p>
	<p>216.3 - Amend definition of significant natural area as follows: means any area of significant indigenous vegetation or significant habitat of indigenous fauna that meets the criteria for '<u>Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plan</u>' (policy 23). This includes those significant <u>natural areas</u> identified in SCHED7 - Significant Natural Areas.</p>	<p>The Director-General supports this submission point, for the reasons outlined in QEII's submission.</p>	<p>Allow</p>
	<p>216.4 - Include new definition of vegetation removal: <u>Vegetation removal means the removal or destruction of vegetation (exotic or indigenous) by mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand removal, and the burning, smothering or clearance of vegetation by any other means.</u></p>	<p>The Director-General supports this submission point, for the reasons outlined in QEII's submission. The Director-General further considers that the definition should not include 'pest plants'; or that pest plants are otherwise given a distinct rule regime for vegetation clearance.</p>	<p>Allow</p>

<p>Fulton Hogan (#262)</p>	<p>262.18 - Amend NFL-P2 as follows: Identify and list within SCHED10 - Special Amenity Landscapes those landscapes which are distinctive, widely recognised and highly valued by the community for their contribution to Porirua City's amenity and quality of the environment, taking into account the factors in NFL-P1 <u>but excluding those areas which are dominated by primary production activities.</u></p>	<p>The Director-General does not support this submission point. For example, the wording proposed by Fulton Hogan would prevent any areas containing agricultural activity from being identified as a Special Amenity Landscape. Many landscapes which are distinctive may be grazed or otherwise occupied by agricultural activity, and these areas (and other areas containing other primary production activities) should not be prevented from being identified as a Special Amenity Landscape.</p>	<p>Disallow</p>
	<p>262.19 – Amend NFL-P3 as follows: Except as provided for in NFL-P5, only allow subdivision, use and development within identified Outstanding Natural Features and Landscapes or Special Amenity Landscapes where it: ... <u>3. Can demonstrate it is appropriate for the underlying zone, such as primary production in the Rural Zone.</u></p>	<p>The Director-General does not support this submission point. The appropriateness of activities in any given zone will be controlled by the specific zone provisions. The NFL policies should focus on protecting ONFs, ONLs and SALs rather than determining whether activities are appropriate for their respective zones.</p>	<p>Disallow</p>

	<p>262.22 – Amend NFL-P9 as follows:</p> <ol style="list-style-type: none"> 1. Avoid mining and quarrying activities within Outstanding Natural Features and Landscapes; and 2. Only <u>Allow new</u> mining and quarrying activities in Special Amenity Landscapes where <u>provided that</u> they avoid significant adverse effects and avoid, remedy or mitigate all other adverse effects on the identified characteristics and values described in SCHED10 - Special Amenity Landscapes; and 3. <u>Allow an expansion or development of existing mining and quarrying activities in Special Amenity Landscapes provided that, where practicable, they mitigate significant adverse effects on the identified characteristics and values described in SCHED10 - Special Amenity Landscapes.</u> 	<p>The Director-General does not support this submission point. The expansion or development of existing mining and quarrying activities in SALs should be required to avoid significant adverse effects <u>and</u> avoid, remedy or mitigate all other adverse effects on the identified characteristics and values described in SCHED10 - Special Amenity Landscapes – just as new mining and quarrying activities would be required to.</p>	<p>Disallow</p>
	<p>262.23 - Change activity status of point three to 'Discretionary Activity' where compliance is not achieved with NFL-R1-2.b, or NFL-R1-2.c, for activities in a SAL overlay.</p>	<p>The Director-General does not support this submission point and supports the non-complying activity status as notified.</p>	<p>Disallow</p>
	<p>262.24 - Amend rule as follows: Quarry or mining activities within a Special Amenity Landscape All zones 1. Activity status: <u>Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <u>The scale of modification and its effect on the identified characteristics and values described in SCHED10 - Special Amenity Landscapes.</u></p>	<p>The Director-General does not support this submission point and supports the discretionary activity status as notified.</p>	<p>Disallow</p>

<p>Greater Wellington Regional Council (#137)</p>	<p>137.1 - Ensure that the NPS-FM 2020 is given effect to through the current PDP process.</p>	<p>The Director-General supports this submission point, for the reasons outlined in Greater Wellington Regional Council's submission.</p>	<p>Allow</p>
	<p>137.2 - Add or amend objectives, policies and rules so that the Plan gives effect to the NPS-FM. Amendments to THWT-O2, THWT-P2, THWT-P3, SUB-O1, SUB-P1, SUB-P5, FUZ-P2 and APP-11 in particular will assist in giving effect to the NPS-FM. Other or alternative amendments may assist in giving effect to the NPS-FM.</p>	<p>The Director-General supports this submission point, for the reasons outlined in Greater Wellington Regional Council's submission.</p>	<p>Allow</p>
	<p>137.4 - Amend to replace with a new definition of biodiversity compensation as follows: <u>A measurable positive environmental outcome resulting from actions designed to redress the residual adverse effects on biodiversity arising from activities after appropriate avoidance, minimisation, remediation and biodiversity offsetting measures have been applied. The goal of biodiversity compensation is to achieve an outcome for indigenous biodiversity values that is disproportionately positive relative to the values lost</u></p>	<p>The Director-General supports the submission point, and as outlined in Greater Wellington Regional Council's submission, considers that the amended definition supports that compensation is the least desirable outcome for biodiversity.</p>	<p>Allow</p>

	<p>137.5 - Add a new definition for 'pest': means any species that is:</p> <p>a) A pest or unwanted organism as defined in the Biosecurity Act 1993; or</p> <p>b) Any pest species listed in a relevant site-specific restoration plan or land management plan approved by Porirua City Council.</p>	<p>The Director-General supports this submission point, for the reasons outlined in Greater Wellington Regional Council's submission.</p>	<p>Allow</p>
	<p>137.52 - Amend ECO-R1-1a(iv) to controlled activity status where the new public walking or cycling track is consistent with a tracks network plan and with matters of control restricted to policies ECO-P1-4.</p>	<p>The Director-General supports this submission point, for the reasons outlined in Greater Wellington Regional Council's submission.</p>	<p>Allow</p>
	<p>137.63 - Amend CE-R1 to require consent (as either a controlled or restricted discretionary activity) for earthworks associated with new walking or bike tracks in areas of high natural character.</p>	<p>The Director-General supports this submission point, for the reasons outlined in Greater Wellington Regional Council's submission.</p>	<p>Allow</p>
<p>Kainga Ora – Homes and Communities (#81)</p>	<p>81.214 - Amend NE-O1: The <u>identified</u> natural character, landscapes and features and ecosystems that contribute to Porirua's character and identity and Ngati Toa Rangatira's cultural and spiritual values are recognised and protected.</p>	<p>The Director-General does not support this submission point as it will not provide for the protection of significant biodiversity values outside of scheduled areas including Significant Natural Areas, Significant Natural Features and Outstanding Natural Landscapes.</p>	<p>Disallow</p>

	Various submission points to re-zone various areas to Medium Density Residential Zone and High Density Residential Zone.	The Director-General opposes these submission points in part. The Director-General is not opposed to increasing the density of residential development. However, it must be ensured that the re-zoned areas are not located within, and will not have adverse effects on overlay areas identified in the District Plan, including SNAs, ONFLs, SALs, natural character, coastal environment and Hazards.	Allow in part
Robyn Smith (#168)	168.38 - Add a definition of 'natural wetland' with the definition to accord with the definition in the NPS-FM.	The Director-General supports this submission point to provide for alignment of the District Plan with the NPS-FM.	Allow
	168.39 - Amend the PDP so that it confirms that all 'natural wetlands' are SNAs as per the pNRP.	The Director-General supports this submission point to provide for alignment of the District Plan with the pNRP.	Allow

<p>Porirua City Council (#11)</p>	<p>11.11 - Amend the standard as follows:</p> <p>INF-S18 Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas</p> <p>All zones</p> <p>1. Any trimming, pruning or removal of indigenous vegetation must be limited to:</p> <ul style="list-style-type: none"> a. Within 2m of the footprint of the existing infrastructure and either side of an associated access track or fence; and b. No more than 20m² of indigenous vegetation within any 12 month period; or c. 2.5m in total width with no maximum area except that no tree is removed with a tree trunk greater than 15cm in diameter measured 1.4m above ground, and where the activities are associated with the structures required for development of new or <u>construction, maintenance, or upgrade of existing</u> walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent. <u>This includes up to 0.5m of vegetation clearance to either side of the 2.5m track.</u> 	<p>The Director-General supports this submission point in part. The Director-General is supportive of including the 0.5m margin of clearance either side of maintaining existing tracks. However, in relation to vegetation clearance for new and upgraded tracks, see further submission point in relation to Greater Wellington Regional Council 137.52.</p>	<p>Allow in part</p>
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	<p>11.39 - Amend the introduction as follows:</p> <p><u>The National Policy Statement on Freshwater Management 2020, the National Environmental Standard for Fresh Water 2020 and the Proposed Natural Resources Plan for the Wellington Region contain specific requirements in respect of natural wetlands. Under the National Policy Statement for Freshwater Management 2020, the Greater Wellington Regional Council must:</u></p> <p style="padding-left: 40px;"><u>3. identify and map natural inland wetlands; and</u></p> <p style="padding-left: 40px;"><u>4. must include a policy and rule framework to avoid the loss of extent of natural inland wetlands, protect their values and promote their restoration.</u></p> <p><u>The National Environmental Standard for Freshwater 2020 contains regulations applying to activities within and near natural wetlands. The Proposed Natural Resources Plan for the Wellington Region contains objectives, policies and rules relating to natural wetlands. Resource consent may be required from the Regional Council for activities within and near wetlands.</u></p>	<p>The Director-General supports the additional advisory note. However, it is important to clarify that the existence of GW functions under the NPS Freshwater does not remove PCC's functions with respect to its indigenous biodiversity functions as they pertain to wetlands. The Director-General also considers that all wetlands should be identified as SNAs.</p>	<p>Allow</p>
	<p>11.46 - Amend the rule (ECO-R9) as follows:</p> <p>1. Activity status: Non-complying <u>Discretionary</u></p>	<p>The Director-General supports the non-complying activity status as notified.</p>	<p>Disallow</p>

	<p>11.52 - Amend policy as follows:</p> <p>CE-P13 Hazard-Sensitive Activities and Potentially-Hazard Sensitive Activities in the Medium Hazard Areas</p> <p><u>Subject to NH-P11, Only allow Hazard-Sensitive Activities and Potentially Hazard-Sensitive Activities within the Medium Hazard Areas of the Coastal Hazard Overlays where:</u></p> <p>1. The activity incorporates mitigation measures that demonstrate that risk <u>to people's lives and wellbeing, and building damage is avoided there will be a reduction in risk to people's lives and wellbeing, and any damage to buildings is minimised;</u></p> <p>2. People can safely evacuate the property during a natural hazard event;</p> <p>and</p> <p>3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.</p>	<p>The Director-General does not support the submission point. The Director-General considers that the proposed wording is inconsistent with the directive of Policy 25 of the NZCPS, which relates to areas potentially affected by coastal hazards over at least the next 100 years. The proposed wording relates to Medium Hazard Areas, which pertains to 1m sea level rise. The Greater Wellington Regional Council Climate Change Mapping shows at least 1m sea level rise predicted for the next 100 years. Therefore, Policy 25 should apply to Medium Hazard Areas of the Coastal Hazard Overlays. Policy 25(a) requires avoiding increasing the risk of social, environmental and economic harm from coastal hazards. This is not consistent with the proposed wording.</p>	<p>Disallow</p>
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	<p>11.53 - Amend the policy as follows: CE-P14 Hazard-Sensitive Activities and Potentially-Hazard Sensitive Activities in the High Hazard Areas <u>Subject to CE-P11, Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas of the Coastal Hazard Overlays unless it can be demonstrated that:</u> 1. The activity has a critical operational need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; <ul style="list-style-type: none"> • <u>There will be a reduction in risk to people’s lives and wellbeing;</u> • <u>The activity incorporates mitigation measures that minimise the risk of damage to buildings; demonstrate that risk to people's life and wellbeing, property damage and the environment is avoided, and people can evacuate safely during a natural hazard event;</u> • <u>People can safely evacuate the property during a natural hazard event;</u> • The risk to the activity and surrounding properties is either avoided or is low due to site specific factors, and/or the scale, location and design of the activity; <u>and</u> • <u>Other than within Commercial and Mixed Use Zones, the activity has an operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a</u> </p>	<p>The Director-General does not support the submission point. The Director-General considers that the proposed wording is inconsistent with the directive of Policy 25 of the NZCPS, which relates to areas potentially affected by coastal hazards over at least the next 100 years. The proposed wording relates to High Hazard Areas, which pertains to current inundation and erosion. Therefore, Policy 25 should apply to High Hazard Areas of the Coastal Hazard Overlays. Policy 25(a) requires avoiding increasing the risk of social, environmental and economic harm from coastal hazards. This is not consistent with the proposed wording.</p>	<p>Disallow</p>
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	<u>practicable option.</u>		
Transpower New Zealand Ltd (#60)	<p>60.22 - Amend the reference to National Policy Statements within Part 1 as follows: National Policy Statements and New Zealand Coastal Policy Statement National Policy Statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the RMA's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be had regard to by consent authorities when making decisions on resource consent applications, alongside other considerations. The following table provides an overview of whether any relevant review/s of the District Plan has been undertaken in relation to NPSs and the NZCPS:</p> <p><u>National Policy Statement on Electricity Transmission 2008</u> - <u>The policy statement has been reviewed on 28th August 2020</u> And any consequential amendments</p>	<p>The Director-General does not support this submission point. The Director-General supports visibility of the NZCPS in the District Plan, particularly as the NZCPS is the only mandatory NPS and has its own establishing provisions in the RMA.</p>	<p>Disallow</p>

	<p>60.37 – Merge INF-P6 and INF-P7 as follows: Upgrading and Development of the National Grid Provide for the upgrading of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities, and development of the National Grid, while:</p> <ol style="list-style-type: none"> 1. In urban areas, minimising adverse effects on urban amenity and avoiding <u>material</u> adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities; 2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 – Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED11 – Coastal High Natural Character Areas, SCHED10 – Special Amenity Landscapes and Open Space and Recreation Zones; 3. Avoiding the adverse effects of the National Grid within areas identified in SCHED9 – Outstanding Natural Features and Landscapes in the Coastal Environment 4. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 - Significant Natural Areas; and 5. Recognising the potential benefits of upgrades to existing transmission lines to people and communities; 6. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade. 7. When considering the adverse effects in respect of 1-4 above; 	<p>The Director-General opposes this submission point in part. The Director-General supports the efforts to read the NZCPS and NPSET together and reconcile them to the extent possible in the plan. However, the Director-General opposes the amendments sought to the extent that the NZCPS is not adequately given effect to. For example:</p> <ul style="list-style-type: none"> - in suggested paragraph 2 it is unclear what policy direction applies after ‘seeking to avoid’; - it is unclear whether suggested paragraph 4 meets the requirements of the Act, in that it is unclear what happens when an SNA is identified through an assessment of environmental effects. <p>The NZCPS directive to avoid significant adverse effects in NZCPS policies 11(b), 13(b) and 15(b) is absent from the wording put forward in the submission.</p>	<p>Disallow in part</p>
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	<p>8. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and</p> <p>9. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.</p>		
<p>Waka Kotahi NZ Transport Agency (#82)</p>	<p>82.163 – Amend CE-R12 as follows: Amend provision: <u>1. Activity Status: Restricted Discretionary</u> <u>Where:</u> <u>a. It is for the ongoing maintenance, use and repair of the transport network.</u> <u>Matters of discretion are restricted to:</u> <u>1. Safety and efficiency of the transport network.</u> 2. Discretionary Activity AND Define ‘Hard Engineering Measures’. AND Provide reference to Overlays hazard area classifications within Appendix 10.</p>	<p>The Director-General does not support this submission point. The Director-General is supportive of the rule as notified, as it gives better effect to the directive of NZCPS Policy 25(e), which discourages hard protection structures.</p>	<p>Disallow</p>