

RMA FORM 5

## Submission on publicly notified Proposed

## Porirua District Plan

Clause 6 of the First Schedule, Resource Management Act 1991



To: Porirua City Council

1. Submitter details:

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2. This is a **submission** on the **Proposed District Plan** for Porirua.

3. I could  I could not   
gain an advantage in trade competition through this submission.  
(Please tick relevant box)

If **you could** gain an advantage in trade competition through this submission please complete point four below:

4. I am  I am not   
directly affected by an effect of the subject matter of the submission that:  
(a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.

*(Please tick relevant box if applicable)*

Note:

*If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.*

5. I wish  I do not wish   
To be heard in support of my submission  
*(Please tick relevant box)*

6. I will  I will not   
Consider presenting a joint case with other submitters, who make a similar submission, at a hearing.  
*(Please tick relevant box)*

Please complete section below (insert additional boxes per provision you are submitting on):

See Attachments 1 and 2.

Please return this form no later than **5pm on Friday 20 November 2020** to:

- Proposed District Plan, Environment and City Planning, Porirua City Council, PO Box 50-218, PORIRUA CITY or
- email [dpreview@pcc.govt.nz](mailto:dpreview@pcc.govt.nz)

Signature of  
submitter  
*(or person  
authorised to sign  
on behalf of  
submitter):*

Date: 20 November 2020

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*A signature is not required if you make  
your submission by electronic means*



## Attachment 1: Greater Wellington Regional Council Submission

To:	Porirua City Council
Submission on:	Proposed District Plan

### REASON FOR SUBMISSION

1. The Greater Wellington Regional Council (**Greater Wellington**) wishes to make a submission on the Proposed District Plan (**PDP**) pursuant to Schedule 1 clause 6 of the Resource Management Act 1991 (**the Act**).
2. Greater Wellington supports in part the PDP and seeks some amendments. Of particular interest is ensuring that the PDP gives effect to the National Policy Statement for Freshwater Management 2020 (**NPS-FM**). We note that PCC acknowledges that the PDP only partially gives effect to the National Policy Statement for Urban Development 2020 (**NPS-UD**). We seek to ensure that full effect is given to the NPS-UD, particularly in relation to enabling intensification.
3. Greater Wellington would like to commend Porirua City Council for the approach taken to develop the PDP, with significant work undertaken prior to notification.

### POLICY FRAMEWORK

#### Regional Policy Statement for the Wellington Region

4. The Regional Policy Statement (**RPS**) is a regional document that identifies significant resource management issues within the region and sets out the objectives, policies and methods to achieve integrated management of natural and physical resources for the Wellington region. The RPS was made operative on 24 April 2013.
5. The RPS contains four types of policies: the first set (policies 1-34) must be given effect to when making changes to district and regional plans (in accordance with section 75 of the Act). The second set (policies 35-60) are to be considered when deciding on resource consents, notice of requirements, or a change, variation of replacement to a plan. A number of the second set of policies cease to have effect once the first set are given effect to through district or regional plans. The third set (policies 61-63) allocates responsibilities for indigenous biodiversity, natural hazards and hazardous substances. The fourth set (policies 64-69) outlines non-regulatory actions.
6. Greater Wellington is particularly interested in how the PDP will support and contribute to achieving the integrated management of natural and physical resources in the Wellington region. Our focus is on considering how the PDP fits within the policy framework for addressing the region's resource management issues of fresh water; indigenous ecosystems; natural hazards; and regional form, design and function.

### **Proposed Natural Resources Plan**

7. The Proposed Natural Resources Plan (**PNRP**) assists Greater Wellington to carry out its functions under section 30 of the Act. The PNRP includes objectives, policies, methods and rules to manage the natural resources of fresh water, air, soil, and the coastal marine area.
8. The PNRP establishes rules for activities that discharge contaminants into water or to land where the contaminant might enter water, such as wastewater and stormwater discharges. It also restricts certain uses of land within natural wetlands and beds of lakes and rivers, such as structures, vegetation clearance and earthworks.
9. The PNRP was notified on 31 July 2015. The Council's Decision on the PNRP was notified on 31 July 2019. There are 30 appeals currently before the Environment Court. The rules in the PNRP have legal effect and the objectives and policies are relevant to decision making under the Act. Under section 74(2)(a) of the Act, PCC must have regard to the PNRP when making its decision on the PDP.

### **Te Awarua-o-Porirua Whaitua Implementation Programme and Ngāti Toa Rangatira Statement**

10. Greater Wellington and its partners Ngāti Toa and PCC completed the Whaitua process in response to the NPS-FM. A report from the Whaitua Committee (the whaitua implementation programme) and a separate report from Ngāti Toa were completed. These are foundation documents which guide the management of land and water in the Te Awarua-o-Porirua Whaitua, to improve the condition of the harbour and streams. Changes to the PNRP as well as non-regulatory programmes by a range of partners will be required to implement these reports. Notification of the PDP provides an opportunity for PCC to play its role in implementation.

### **National direction on freshwater**

11. Greater Wellington notes that since the PDP was notified, the National Policy Statement for Freshwater Management 2020 (**NPS-FM**) and the National Environmental Standards for Freshwater 2020 have been released. Although these documents set out that regional councils have primary responsibility for managing fresh water, district plan provisions must also give effect to them. In particular, clause 3.5 of the NPS-FM sets out provisions for integrated management, including that territorial authorities must include objectives, policies and methods in district plans to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.

## AREAS OF INTEREST

12. The following matters are of particular interest to Greater Wellington, and key points within each of these is discussed below:

- Protection of significant natural areas and wetlands
- Te Awarua-o-Porirua Harbour and catchment
- Natural hazards
- Providing for urban development.

13. Additional submission points are made in Attachment 2, which should be read alongside this letter.

### **Protection of significant natural areas and wetlands**

14. Greater Wellington supports the Schedule and maps that identify significant natural areas (**SNAs**), and the provisions that protect these areas. Identifying SNAs and establishing provisions to protect SNAs is consistent with Policies 23 and 24 of the RPS. We seek a change to ensure that the full range of values contained within SNAs are protected, not just those that were identified at the time of plan notification. This requires a detailed assessment of values undertaken at the time of applying for consent as already specified in the proposed rule framework.

15. Greater Wellington opposes the permitted activity status for removal of non-indigenous vegetation within SNAs, as this vegetation can provide significant habitat for indigenous species such as birds, bats and lizards. Therefore, we consider it is appropriate that, within an SNA, the same rules apply for indigenous and non-indigenous vegetation removal.

16. Greater Wellington supports the construction of public walking and cycling tracks within SNAs, as they provide public access to these areas. However, we oppose permitted activity status for these works, as we consider that the potential effects of new track construction require greater oversight than permitted activity status provides. We seek a controlled activity status for new tracks.

17. Greater Wellington seeks to ensure that the PDP together with the National Environmental Standards for Freshwater and the PNRP provide a framework to achieve integrated management for fresh water in the Porirua district. We support the inclusion of known wetlands in the PDP's maps, as we believe this assists plan users to understand where consents may be required from Greater Wellington. We also support the inclusion of policy ECO-P5 which requires activities that would result in the loss or degradation of the values of wetlands within significant natural areas to be avoided.

**Te Awarua-o-Porirua Harbour and catchment**

18. Greater Wellington supports provisions, including the strategic objectives, that aim to protect and improve the environmental quality of the Harbour and its catchments. Although it is recognised that it is the regional council that controls discharges and manages land for the purposes of managing water quality, the PDP must also give effect to the NPS-FM through its statutory functions, particularly the zoning of land for urban development and subdivision. This will be critical in protecting the harbour and catchments.
19. As notified, we consider that the PDP will not achieve its strategic objectives or give effect to the NPS-FM. Where and how urban development occurs has an impact on the environmental quality of the harbour and catchment. This is the biggest lever that the PDP has in achieving the strategic objectives. However, the requirements for subdivision form and design, and structure planning fall short of achieving this aim. There is a possibility that PCC's agent in Three Waters management, Wellington Water Limited, will not be able to meet stormwater discharge consent conditions in the medium to long term, resulting in costly stormwater retrofits for PCC.
20. Every opportunity must be taken to reduce contaminant loads from the existing urban footprint. Without this, greenfield developments will run up against water quality limits when being consented by Greater Wellington. The combined weight of the PDP and the PNRP must be brought to bear in an integrated way to solve this issue.
21. Greater Wellington supports the inclusion of the Future Urban Zones. However, urban development should only occur in a Future Urban Zone if it can do so within any contaminant limits set by Greater Wellington as required by the NPS-FM, and if future discharges from the development can comply with conditions on relevant discharge consents held by Wellington Water. Structure Plans should consider these matters, as well as being based on the principles of Water Sensitive Urban Design. Greater Wellington intends to notify a Plan Change in 2022 to set urban water quantity and quality limits.
22. Greater Wellington generally supports the stormwater provisions, including providing for hydraulic neutrality and the use of rainwater tanks. Greater Wellington supports the three waters infrastructure provisions, with some amendments as outlined in Attachment 2. In particular, Greater Wellington supports those provisions that require adequate stormwater and wastewater capacity.
23. Sediment discharges have been identified as possibly the most significant issue for the health of the harbour. It is acknowledged that the regional council has primary responsibility for sediment discharges into waterways including controlling earthworks for that purpose. Greater Wellington supports the earthworks provisions that prevent all sediment leaving the site, noting that Greater Wellington is responsible for consenting earthworks over 3000 square metres for sediment and erosion control.

**Natural hazards**

24. Greater Wellington strongly supports the all hazards, risk-based approach to natural hazards that is incorporated throughout the PDP. We note that the approach is present in the district wide natural hazards section and links through to the coastal environment, earthworks and subdivision sections. Greater Wellington supports the hazard sensitive cascading policy and rule approach in the natural hazards and coastal environment sections and the guidance for applying these rules in the natural hazard risk assessment section.
25. The PDP and associated hazard mapping gives effect to Policy 29 of the RPS, which requires district plans to identify areas at high risk from natural hazards and include policies and rules to avoid inappropriate subdivision and development in those areas.
26. Greater Wellington supports the inclusion of coastal flooding, sea level rise and tsunami into the coastal environment section. Greater Wellington supports the use of different scenarios for mapping the potential impacts of sea level rise. Managing and allowing for the impacts of climate change and sea level rise is consistent with the RPS direction on climate change in Objective 21 and Policy 51.
27. Greater Wellington supports the encouragement of soft engineering approaches and the use of natural features as methods for hazard mitigation and resilience building. This is consistent with Policy 52 of the RPS that directs minimising adverse effects of hazard mitigation measures.
28. In addition to the policy and rule suite, Greater Wellington supports the acknowledgement in the PDP that there may be other site-specific hazard matters to be taken into account during a subdivision or development. This is important because there are some hazards, including liquefaction and slope failure, for which there is insufficient information at a district wide level to be incorporated into the district plan mapping, but which may still present a significant hazard at a site requiring hazard treatment or mitigation.
29. It is good to see the PDP acknowledging that natural hazard risk management is not confined to RMA and district plan processes and highlighting links to other important statutes such as the Building Act, the Local Government Act and the Civil Defence Emergency Management Act.

**Providing for urban development**

30. Greater Wellington supports the approach to residential zones to achieve increased housing availability consistent with the regional urban design principles in Appendix 2 of the RPS. Greater Wellington strongly supports medium density zones, including rezoning to support Porirua East redevelopment.
31. We note that PCC acknowledges that the PDP only partially gives effect to the NPS-UD. It is our view that further work is required through this process to give full effect to the NPS-UD, particularly in relation to enabling additional housing

intensification. The NPS-UD requires that a number of key policies are implemented as soon as practicable, and not later than two years after the commencement date.

**RELIEF SOUGHT**

32. Should Porirua City Council approve the PDP, Greater Wellington requests that amendments are made where sought in this submission, including Attachments 1 and 2 and any necessary consequential amendments.

**FURTHER INVOLVEMENT**

33. Greater Wellington wishes to be heard in support of its submission. We would also welcome the opportunity to clarify and further discuss the matters raised.

Yours sincerely



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**Attachment 2: Greater Wellington Regional Council’s specific comments on Porirua City Council Proposed District Plan**

Note that these points are in addition to those made in Attachment 1 and both documents should be read together.

Provision	Support / Oppose	Decision sought	Reasons
Whole Plan	Support in part	<p>Ensure that recent national direction is given effect to through the current PDP process.</p> <p>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 District Plan as notified does not give effect to the NPS-FM 2020. In particular the District Plan does not give effect to Policy 3.5 (4) which states “<i>Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.</i>”</p> <p>We note that PCC has committed to reviewing the District Plan to ensure that the recent National Policy Statements for Urban Development and Freshwater Management are given effect to. We suggest that this work is undertaken as part of this process.</p>
Whole Plan	Support in part	<p>Incorporate relevant recommendations from Te Awarua-o-Porirua whitua implementation programme and the Ngāti Toa Rangatira Statement into the district planning provisions.</p>	<p>This process is an opportunity for PCC to adopt the relevant recommendations from Te Awarua-o-Porirua whitua implementation programme and the Ngāti Toa Rangatira Statement and embed them in the district planning provisions.</p>
Definition of ‘biodiversity compensation’	Oppose	<p>Replace current definition with new definition:</p> <p><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</u></p>	<p>We suggest an amended definition. Our suggestion slightly modifies the PNRP biodiversity offsetting definition by replacing the requirement for no net loss (which is not possible with compensation) with a requirement for an outcome that is disproportionately positive relative to the values lost. This acknowledges the inherent risks associated with compensation and the fact that it represents the least desirable outcome for biodiversity. Put simply, if you are replacing apples with</p>

Provision	Support / Oppose	Decision sought	Reasons
		measures have been applied. The goal of <u>biodiversity compensation is to achieve an outcome for indigenous biodiversity values that is disproportionately positive relative to the values lost.</u>	oranges you should at least offer more oranges.
Definition of 'pest'	N/A	Add a new definition for 'pest':  means any species that is: a) A pest or unwanted organism as defined in the Biosecurity Act 1993; or b) Any pest species listed in a relevant site-specific restoration plan or land management plan approved by Porirua City Council.	Suggestion provides clarity on what constitutes a 'pest' species under the PDP, and therefore which species can be removed as a permitted activity as part of restoration works under ECO-R3. It also ensures that non-local native species, such as karo or pohutukawa, may be cleared for restoration purposes under ECO-R3. Our suggestion also ensures that exotic species that provide important habitat for native fauna are not removed (see related comments on ECO-R2).
Tangata whenua	Support in part	Review use of terminology with Ngāti Toa Rangatira.	The Plan has a section entitled Tangata whenua – recognition of iwi and hapū which is focussed exclusively on the relationship with Ngāti Toa Rangatira. The plan then identifies Ngāti Toa Rangatira as mana whenua without differentiating or distinguishing between the terms “tangata whenua” and “mana whenua”. It is noted that common usage now applies the term mana whenua to Māori groupings who have customary and legislative authority within their tribal rōhe. Tangata whenua is a more general term applied to people of Māori descent.
Centres, Employment and Industry objectives	Support in part	Retain CEI strategic objectives (subject to suggested change below).	GW supports the CEI objectives as they are consistent with RPS Policies 30 and 32 which promote the maintenance and enhancement of regional centres and protection of industrial-based employment locations.
CEI-O4	Support in part	Amend this objective to include cultural activities such as churches and other faith centres to be provided for in local centres,	Local centres should provide for cultural activities such as churches and other faith centres. Local centres should also provide for residential dwellings to be located within

Provision	Support / Oppose	Decision sought	Reasons
		as well as providing for residential dwellings to be located within the local centres.	the local centres.
EP-O1	Support in part	Amend EP-O1: The regeneration of Eastern Porirua occurs in a comprehensive manner that enables the co-ordinated development of housing, local centres, transport, infrastructure and the provision of open space <u>and biodiversity</u> and results in a high quality urban form and improved social, <u>environmental</u> , cultural and economic wellbeing.  Consider providing a link in the e-plan to <a href="https://poriruadevelopment.co.nz/">https://poriruadevelopment.co.nz/</a> .	EP-O1 should refer to any environmental improvements that could be undertaken as part of Eastern Porirua regeneration, as well as environmental wellbeing.
FC objectives	Support	Retain.	Support strategic objectives FC-O1-FC-O4 as they are consistent with RPS Objectives 9 and 10.
HCH-O1	Support in part	Amend HCH-O1: The buildings, items, sites, areas and natural features that have been identified as having <u>significant historic heritage special qualities</u> <del>and</del> values and which contribute to Porirua and Ngāti Toa Rangatira's sense of place and identity are protected and maintained.	HCH-O1 as written does not refer to significant historic heritage and therefore does not reflect Policy 21 of the RPS.
HO-O2	Support in part	Amend HO-O2 to add: 5. Has access to water and drainage infrastructure of adequate capacity suitable for carrying peak flows anticipated during the asset lifetime.	HO-O2 should include reference to adequate water supply and wastewater infrastructure that protects public and environmental health and provides for continuity of service.  This is consistent with Policy 58 of the RPS.

Provision	Support / Oppose	Decision sought	Reasons
NE-O3 and NE-O4	Support	<p>Retain NE-O3 and NE-O4.</p> <p>Add or amend objectives, policies and rules so that the Plan will achieve Objectives NE-O3 and NE-O4.</p> <p>Amendments to THWT-O2, THWT-P2, THWT-P3, SUB-O1, SUB-P1, SUB-P5, FUZ-P2 and APP-11 in particular will assist in achieving NE-O3 and NE-O4. Other or alternative amendments may assist in achieving NE-O3 and NE-O4.</p>	<p>Support the inclusion of Strategic Objectives NE-O3 and NE-O4 relating to the state of Te Awarua-o-Porirua.</p> <p>However, the Plan as notified is unlikely to achieve these objectives, as it does not seek to control the major factors that will influence the health of the harbour and catchment.</p>
REE-O3 and REE-O4	Support	Retain.	Support these strategic objectives as they are consistent with Objectives 19 and 20 of the RPS.
REE-O1, REE-O2 and REE-O5	Support	Retain.	Support these strategic objectives as they are consistent with Objectives 9, 11 and 22 of the RPS, and Policy 65 of the RPS.
RE-O1 and RE-O2	Support	Retain.	Support these strategic objectives as they assist PCC to deliver Policy 56 and 59 of the RPS.
TW objectives	Support	Retain.	Support these strategic objectives as they are consistent with Objectives 23, 25 and 28 of the RPS.
UFD objectives	Support	Retain.	Support these strategic objectives as they are consistent with Objective 22 of the RPS.
INF-P1, INF-P12	Support	Retain.	Support policies that relate to public transport infrastructure.
INF-P13	Support in part	<p>Amend INF-P13 6a to reference public transport.</p> <p>Amend INF-P13 6.a. with the following addition "...and stormwater treatment devices [or] green infrastructure;"</p>	Support INF-P13, with amendment to explicitly reference public transport under 6a, and to provide for the space needed in roads and road reserve for stormwater treatment devices and green infrastructure.
THWT-O1 and THWT-P1	Support	Retain.	Support hydraulic neutrality provisions.

Provision	Support / Oppose	Decision sought	Reasons
THWT-P3	Support in part	Amend THWT-P3 to make it clear that 'network capacity' includes the ability of the stormwater management system to attenuate or remove contaminants. All new stormwater systems, including retrofitted systems, should be designed using Water Sensitive Urban Design Principles.	The policy is not explicit that network capacity includes the ability of the 'stormwater management system' to attenuate or remove contaminants. All new stormwater systems, including retrofitted systems, should be designed using Water Sensitive Urban Design Principles.
THWT - Three Waters chapter	N/A	Consider providing for on-site water tanks for water supply resilience during a disruption to the reticulated water supply.	The resilience of Wellington's reticulated water supply could be improved by providing for on-site water tanks. This would mean that during a disruption to supply, households would have capacity available on-site.
TR-O1	Support in part	Amend to include explicit recognition of public transport and active modes.	Support the objective to ensure that development is accessible by a range of transport modes, but would like to see explicit recognition of public transport and active transport modes.
TR-O2 and TR-P2	Support	Retain.	Support the provisions for on-site transport facilities and site access.
TR-P1, TR-P2 and TR-P3	Support	Retain.	Support the public transport references as they are made in these policies.
TR-S5, TR-S6, TR-S7 and TR-S8	Support	Retain.	Support the public transport access standards in this section.
CL - Contaminated Land chapter	Support in part	Retain chapter, but amend chapter to include an explanation of the SLUR and reference to it.	It would assist Plan Users to explain the role of the Selected Land Use Register (SLUR) that Greater Wellington Regional Council administers, and provide a reference to that register.
NH – Natural Hazards chapter	Support	Retain.	Support the all hazards risk based policy and rule approach, including the rule cascade.
HH – Historic Heritage & SASM – Sites and Areas of	Support in part	Retain chapters, but amend the explanation of the Historic Heritage chapter to provide a cross-reference to	The definition of Historic Heritage in the RMA includes sites of significance to Māori, including wāhi tapu. While we do not oppose having separate chapters on Historic

Provision	Support / Oppose	Decision sought	Reasons
Significance to Māori		the Sites and Areas of Significance to Māori chapter.	Heritage and Sites and Areas of Significance to Maori, cross-references between the two chapters would assist plan users.
HH - Historic Heritage	Support	Retain	Support the approach taken as it is consistent with RPS Policies 21 and 22.
ECO-O1, ECO-O2, ECO-P1, ECO-P5, ECO-P10 and ECO-P11	Support in part	Amend provisions to remove the qualifier of 'identified values'.	Support the provisions, but seek that the qualifier for 'identified values' be removed. Policy 24 of the RPS directs councils to protect indigenous ecosystems and habitats with significant indigenous biodiversity values. The qualifier limits protection to the values identified at the time of SNA mapping. This is inappropriate as many areas were identified through desktop analysis only. Further values may be identified during the ecological assessment needed for obtaining resource consent under ECO-R1.2.1.
ECO-P10	Support in part	Amend ECO-P10 to remove the qualifier of 'highest' from clause 2 (in addition to 'identified' as noted above).	Clause 2 limits the avoidance of adverse effects to the 'highest identified biodiversity values'. This is not consistent with clause 1 which requires adherence to ECO-P2. ECO-P2 requires consideration of avoidance for all identified indigenous biodiversity values, not just the highest ones. It is also unclear what the 'highest values' constitutes as such values were not identified at the time of SNA mapping. It is therefore unclear what the threshold would be for such values. All significant biodiversity values of SNAs must be protected, including through the consideration of avoidance actions, regardless of any assigned level of importance.
ECO-R1	Oppose in part	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.	Rule ECO-R1-1a(iv) permits construction of "new public walking or cycling tracks up to 2.5m in width undertaken by Porirua City Council or its approved contractor" within an SNA. We do not think that the permitted status of this activity is appropriate. While we support the development of a track network to provide public access to these areas,

Provision	Support / Oppose	Decision sought	Reasons
			<p>we think that the potential effects of track construction require greater oversight within SNAs. We suggest that such oversight would be best provided by changing its status to a controlled activity. This activity status would be suitable if a tracks network plan were first developed to which any new tracks would need to be consistent. Otherwise, the activity would best be regulated as a restricted discretionary activity.</p> <p>This change would help ensure that strategic objectives NE-O1 and NE-O2 are achieved.</p>
<p>Rules related to removal of non-indigenous vegetation within SNAs</p>	<p>Oppose</p>	<p>Delete ECO-R2.</p> <p>Amend rules in the Chapter to change 'indigenous vegetation' to 'vegetation'.</p> <p>Consequential change to ECO-R1 to provide for activities under ECO-R3 (Restoration and maintenance of a Significant Natural Area).</p>	<p>Rule ECO-R2 makes the removal of any non-indigenous vegetation a permitted activity in SNAs. This is not appropriate in these areas and the rule should be removed. The removal of pest plants is already permitted under rule ECO-R3.1a(ii). Any non-indigenous plants within SNAs that are not pest plants may provide significant habitat for indigenous biodiversity such as birds, bats and lizards. This understanding is recognised in section 6(c) of the Act which directs the protection of the "significant habitats of indigenous fauna" not the significant <i>indigenous</i> habitats of indigenous fauna. Familiar examples of non-indigenous vegetation providing significant habitats for indigenous species in New Zealand include shag roosting and nesting colonies in coastal and riverine macrocarpa trees; willows, poplars, and other non-indigenous trees providing roosting habitat for bats; kiwi feeding and nesting within non-indigenous pine plantations; and non-indigenous grassland providing habitat for indigenous lizards. Non-indigenous vegetation within SNAs should be protected and any removal assessed as per the removal of indigenous vegetation</p>

Provision	Support / Oppose	Decision sought	Reasons
			<p>regulated under the rules in this Chapter.</p> <p>The other rules in the Chapter should be amended so that they also apply to both indigenous and non-indigenous vegetation. This would make it clear that all vegetation (aside from pest plants) is to be protected in these areas, except where otherwise specified for restoration or other purposes. This is the approach taken, for example, under the Auckland Unitary Plan (chapter E15).</p>
NFL-P3	Support in part	<p>Amend NFL-P3:</p> <p>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:</p> <ol style="list-style-type: none"> <li>1. <del>A) Avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects</del> on the identified characteristics and values in SCHED9 – Outstanding Natural Features and Landscapes; and SCHED10 – Special Amenity Landscapes; and               <ol style="list-style-type: none"> <li>B) <u>Avoids, remedies or mitigates adverse effects on the identified characteristics and values in SCHED10 – Special Amenity Landscapes.</u></li> </ol> </li> </ol> <p>Can demonstrate that it is appropriate by taking into account...</p>	<p>NFL-P3 seeks to only allow subdivision, use and development if significant adverse effects are avoided and all other adverse effects are avoided, remedied or mitigated on identified characteristics and values of the particular Outstanding Natural Features and Landscapes.</p> <p>NFL-P3 is attempting to provide the same policy direction for both Outstanding Natural Features and Landscapes and Special Amenity Landscapes. Outstanding Natural Features and Landscapes require a higher level of protection than Special Amenity Landscapes through RPS Policy 26 and section 6 of the RMA. The two types of landscapes should be addressed in different clauses in NFL-P3 to reflect this.</p>

Provision	Support / Oppose	Decision sought	Reasons
SUB-P1	Support in part	Add further point so that subdivision design reflects the design principles of Water Sensitive Urban Design, including allowing for space for stormwater quality management systems.	The policy should provide for Water Sensitive Urban Design, and ensure there is sufficient space for stormwater quality management systems.
SUB-P5	Support in part	Add to point 3, “and meet any conditions on relevant discharge consents held by Wellington Water Ltd.”  Add note to point 4: “Any wastewater or stormwater discharges must meet the requirements of the PNRP.”	The policy should ensure that new subdivisions meet conditions of Wellington Water Ltd’s discharge consents, and meet the requirements of the PNRP.
Coastal Environment mapping	Support in part	Amend Coastal Environment maps so that it is clear where sites are outside of PCC’s jurisdiction.	A number of the scheduled sites include areas that are seaward of mean high water springs, for example the SNAs around Titahi Bay. This means that they fall within GWRC’s jurisdiction.
NFL-P1, CE-P1, CE-P2	Oppose	Delete the provisions.	The actions in these policies have already been completed (eg. areas of high natural character and OSNFL have been identified and included in the proposed District Plan, so too has the inland extend of the coastal environment). Including them in the PDP will likely result in confusion for plan users, as it implies that consent applicants must identify these types of sites in their applications and assessment of environmental effects.
CE-R1 and CE-S1	Oppose in part	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.  Amend CE-S1 to reduce the scale of earthworks allowed within areas of high	Rule CE-R1 allows for earthworks associated with the development of new “ <i>public walking or cycling access tracks</i> ” in areas of high natural character. We believe that CE-R1 does not give effect to the intent of CE-O1, which relates to preservation and protection of natural character from inappropriate subdivision, use and development. This is because this activity will have potential effects on areas identified as having high natural

Provision	Support / Oppose	Decision sought	Reasons
		<p>natural character, particularly in smaller areas.</p>	<p>character, especially where the site is valued for its abiotic attributes, such as an unmodified coastal scarp.</p> <p>Further, we appreciate that there are restrictions on the scale of earthworks which can occur as a permitted activity in areas of high natural character (50m<sup>2</sup> within any five year continuous period per site) for the development of new public walking or cycling access tracks. However, earthworks of this magnitude are likely to have more pronounced potential effects in smaller fragments of high natural character (such as Greys Bush or Duck Creek) when compared to larger areas of high natural character (such as that of Mana Island); given 50m<sup>2</sup> would cover a greater proportion of the overall site, in smaller fragments.</p> <p>In addition, these issues mean that it is unlikely that strategic objectives NE-O1 and NE-O2 would be achieved in relation to natural character areas.</p>
<p>Earthworks chapter</p>	<p>Support in part</p>	<p>Amend provisions so that earthworks occurring on flood protection structures are required to consult with Greater Wellington prior to works occurring.</p>	<p>Earthworks on flood protection structures could potentially compromise their effectiveness and therefore it is important that Greater Wellington can assess any impacts on their structures.</p>
<p>FUZ - Future Urban Zone</p>	<p>Support in part</p>	<p>Amend FUZ-P2 and APP-11 to take into account the National Environmental Standards for Freshwater, contaminant limits, conditions on discharge consents held by Wellington Water, and water sensitive urban design.</p>	<p>Urban Development should only occur in a Future Urban Zone if it can do so within any contaminant limits set by Greater Wellington as required by the NPS-FM, and if future discharges from the development can comply with conditions on relevant discharge consents held by Wellington Water.</p> <p>Any Future Urban Zones will also need to meet the requirements of the National Environmental Standards for</p>

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			<p>Freshwater, particularly wetland protection and reclamation provisions.</p> <p>Structure Plans should consider these matters, as well as being based on the principles of Water Sensitive Urban Design.</p>