

Greater Wellington Regional Council
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14 October 2022

Tena koe

Porirua City Council's submission on Proposed Change 1 to the Regional Policy Statement for the Wellington Region (RPS)

Thank you for the opportunity to make a submission on Proposed Change 1 to the RPS.

Council supports the direction of travel of the RPS on critical issues such as climate change, freshwater management, biodiversity, natural hazards and urban development.

However, we have significant concerns with Proposed Change 1 that relate to: the quality of drafting, achievability of objectives, alignment with national direction, jurisdictional issues and implementation.

Proposed Change 1 is a substantial change in regional policy direction, and it comes during the most substantial period of change to national direction since the RMA came into effect. All tier 1 territorial authorities are consulting on significant variations/plan changes to their district plans, and in the case of Porirua and Wellington, full district plan reviews.

Proposed Change 1 will require Council to undertake a significant (and costly) district plan review by 30 June 2025, despite the fact that it is highly likely that both the PDP and the RPS will still be in appeal status by then. The new planning regime under the Natural and Built Environments Act is also likely to be in draft by this time, so will be an added focus.

Our overarching concerns are summarised in turn:

Quality of drafting

Poor drafting of provisions and a lack of supporting evaluation makes it difficult to assess what many provisions will mean for Council.

RPS provisions, including definitions, are not drafted with sufficient rigour and clarity so that they can efficiently and effectively be implemented in regulatory frameworks, namely district and regional plans. These provisions should not require high levels of interpretation, and there is a risk of inconsistent or incoherent implementation across the region as currently drafted.

They must also be drafted using the National Planning Standards so that they can meaningfully be implemented by territorial authorities who have implemented the National Planning Standards within their district plans.

Many policies also apply to all resource consents regardless of scale or activity, and there needs to be better articulation of the threshold for when each of these policies should be considered as part of a plan change or resource consent application.

In summary, Council considers that the provisions need a major overhaul and redrafting.

We have generally been unable to undertake redrafting as part of our submission due to the scale of redrafting required and the limited time available. In some cases, we are unclear as to the policy intent and in those circumstances, we have not been able to request any changes until we fully understand that intent. The exception is Objective 22, Policy 30 and Policy 31 of which we have requested redrafted versions.

We request that GWRC immediately commence a variation to Proposed Change 1, and meaningfully engage and work with the territorial authorities on the redrafting of the provisions. Doing so will avoid litigation through appeals and subsequent plan and consent processes.

Achievability of objectives

The drafting of many provisions shows a failure to understand the role of the RPS in an RMA framework, and failure to properly identify a range of tools and levers outside of RMA plans that are needed to deliver the outcomes set out in the objectives.

For example, Proposed Change 1 contains some very ambitious objectives, such as a 50% reduction in greenhouse gas emissions from 2019 levels, and net-zero emissions by 2050. However, the policies in the RPS cannot and will not achieve these objectives. For example, there are insufficient levers at a regional/local level to reduce emissions from the existing vehicle fleet to the extent needed to meet these goals. Further, district plans can only address future use, development and subdivision and cannot require change to existing use or development.

The objectives collectively need to be reviewed to ensure they are both achievable and realistic.

Council considers that there is a lack of an evidence base to support the approach taken to most topics in Proposed Change 1. The Section 32 evaluation report does not adequately assess the approach, nor assess costs and benefits.

Council opposes all "consideration" policies since they often duplicate or conflict with "regulatory" policies, and represent regulatory overreach without sufficient s32 evaluation or other evidence. We consider that they will create unnecessary regulatory costs due to the way they are drafted. They assume a level of knowledge and expertise on a range of matters generally not available to consent authorities, and in some cases represent a transfer of s31 functions to territorial authorities.

Alignment with national direction

The real value of regional policy statements is to provide policy direction that either does not exist at a national level or exists at a national level but needs to be articulated at a regional level.

Council is concerned about the many provisions in Proposed Change 1 that either duplicate or are inconsistent with matters now comprehensively addressed by national direction. In some instances, they duplicate national direction without giving specific guidance in a Wellington Region context.

Jurisdiction

Council has concerns over jurisdictional issues, particularly in relation to the discharge of contaminants to air, land and water; and the management of fresh waterbodies.

We consider that various provisions are ultra vires in terms of our respective functions under sections 30 and 31 of the RMA.

Further, territorial authorities do not have the capacity or capability to undertake these functions. Many of the provisions as required would require a transfer of powers from regional councils to territorial authorities.

Lack of policy direction on new concepts

Proposed Change 1 introduces new requirements where there is no capacity or capability in terms of what is required. Examples of these include whole of life carbon assessment and the requirement for territorial authorities to assess the potential discharge of contaminants against desired attribute states of water. Not to mention the fact that contaminant limits are yet to be set through a plan change to the Natural Resource Plan.

Even if this capacity and capability existed, there is a lack of policy direction on some concepts, for example the offsetting of greenhouse gas emissions.

Significant guidance and implementation support would be needed before some provisions can be implemented.

Implications for territorial authorities

Proposed Change 1 will require that all councils in the region undertake significant plan reviews by 30 June 2025 at a time where there are a number of other nationally-driven requirements including:

- Variations/plan changes to give effect to the recent RMA amendments and the National Policy Statement for Urban Development
- Upcoming plan changes that will be required by the National Policy Statement for Indigenous Biodiversity, National Policy Statement for Highly Productive Soils, and the Regional Future Development Strategy; and
- Government led reform of the resource management system, three waters reform, and the local government review.

For Porirua City Council this will be on top of our existing full District Plan Review which is in the middle of its hearings stage.

Council seeks that more thought be given to how these various overlapping processes align, and the implications of a significant change to regional policy at this time.

Relief sought

In addition to the relief sought as set out in our submission, as outlined above Council considers that the best course of action would be to withdraw much of Proposed Change 1, or otherwise work with councils on a variation to significantly amend most of its contents.

1 We would be more than happy to meet with you to discuss the possibility of this.

Nga mihi



Wendy Walker
Chief Executive
Kaiwhakahaere Matua

Provision (i.e. issue, objective, policy, method, definition)	Support/Oppose	Decision Sought <i>What changes you would like to see?</i>	Reasons <i>Please provide reasons for your views</i>
Chapter 3: Resource management issues Introduction	Oppose	Amend reason 1 to identify adverse effects on communities and the benefits of urban development, and relocate effects of climate change into a separate issue; and/or reword as follows: 1. <u>Adverse impacts on natural environments and communities</u> <u>Inappropriate and poorly managed use and development of natural and physical resources the environment, including both urban and rural activities, have damaged and continue to impact the natural environment, and to contribute to an increase in greenhouse gas emissions. It has also resulted in destroying degraded ecosystems, degrading and water quality, adversely impacting the relationship between mana whenua and the taiao, and leaving communities and nature increasingly exposed to the impacts of climate change.</u> 2. <u>Increasing pressure on housing supply and choice and infrastructure capacity</u> <u>Population growth is putting pressure on housing and infrastructure capacity. To meet the needs of current and future populations, poorly managed development will place additional pressure on the natural and built environments.</u>	Resource management issue 1 is titled ‘adverse impacts on natural environments and communities’, however unlike adverse effects on natural resources, adverse effects on communities are not identified. The issue is framed very negatively. For instance, not all ecosystems have been destroyed, but certainly some have, and many have been degraded. Some ecosystems are still intact. This creates an unbalanced issue statement and associated Objective A which fails to identify the benefits of urban development as identified by the National Policy Statement on Urban Development 2020.
Objective A	Oppose	Amend objective A so that the outcomes sought are achievable within the scope of an RPS including clarifying what is meant by “development” in (f). Include a wider selection of objectives to demonstrate a more holistic and interconnected approach to resource management in the region, including regional form.	It is unclear what this objective is seeking to achieve and could be better worded.

Provision (i.e. issue, objective, policy, method, definition)	Support/Oppose	Decision Sought <i>What changes you would like to see?</i>	Reasons <i>Please provide reasons for your views</i>
Chapter 3.1A: Climate Change – Chapter introduction	Oppose	Amend introduction to shorten and avoid repetition with Section 32 reports and/or reword as follows: (...) <u>While historical emissions mean that we are already locked into continued</u>	Long introductory statements unnecessarily lengthen a plan which is not consistent with best practice plan making. It is also not necessary to replicate matters covered in section 32 reports. If the intention is to reiterate background content to the provisions, it is odd how there is no mention of either the National Adaptation Plan or the

		<p><u>global warming until at least mid-century, and longer for sea-level rise, there is still opportunity to avoid the worst impacts of climate change if we act urgently through actions across all sectors to make signification-significant reductions in global greenhouse gas <i>emissions</i>.</u></p> <p>(...)</p> <p><u>While this will require bold and decisive action, there is a need to act carefully, recognising that the costs and benefits of change will not be felt equally across our communities and that provision needs to be made for an equitable transition-distribution of these costs and benefits.</u></p>	<p>Emissions Reduction Plan. In addition, wording changes are sought to improve accuracy.</p>
Objective CC.1	Oppose	<p>Amend the objective so that the outcomes sought are achievable within the scope of an RPS.</p> <p>Provide definitions for low-emission and climate-resilient.</p>	<p>While Council supports the general intent of this objective, it is very broad and ambitious. This objective is not achievable within the scope of an RPS or the RMA framework, particularly since territorial authorities are unable to require existing use or development to change and can only do so for new subdivision, use and development. Much more specificity is required if this objective is to be measurable, achievable or realistic.</p> <p>It is unclear what some of these terms mean as there are no definitions.</p>
Objective CC.2	Oppose	<p>Delete this objective, or otherwise amend the objective so that the outcomes sought are achievable within the scope of an RPS, including providing policy direction on the concept of sharing costs and benefits fairly.</p>	<p>As drafted it is unclear what this objective means. It is unclear how costs and benefits should be shared fairly, and who they should be shared fairly between. There is no lower level policy guidance to meaningfully support the objective.</p> <p>While Council supports what we think the general intent of this objective is, it is not achievable within the scope of a RMA document, nor the functions of the regional council or territorial authorities under the RMA. It is also not measurable as an objective. We query whether this is more appropriate within a Long Term Plan.</p>
Objective CC.3	Oppose	<p>Amend the objective so that the outcomes sought are achievable within the scope of an RPS and the functions of regional council and territorial authorities.</p>	<p>While Council supports the general intent of this objective, it is not achievable within the scope of a RMA document, nor the functions of the regional council or territorial authorities.</p> <p>There are insufficient levers at a regional/local level to reduce emissions from the existing vehicle fleet to this extent, and many potential measures require national regulation such as subsidies for electric vehicles, increased fuel taxes etc. Further, district plans can only address future use, development and subdivision and cannot require change for existing use and development. Transforming urban land use will take decades.</p> <p>Further, it is not written as an objective and needs to be redrafted to make sense:</p> <ul style="list-style-type: none"> • The first part of the sentence is not needed.

			<ul style="list-style-type: none"> It is unclear why there is reference to 2019 in the chapeau, and then 2018 in the three sub-clauses. It is also unclear if the Regional Council has the baseline data to be monitoring this and determining whether it is achieved. The objective should reference phasing out of coal by 2030 to support policy 2, otherwise there is no objective support for policy 2.
Objective CC.4	Oppose	Amend the objective so that it is clear what the outcome sought is.	This objective is not clear enough as to what is to be achieved, or more so, to what extent are improvements to be achieved. A small minor improvement in one part of the region would achieve this objective. More thought needs to be given as to how this objective is going to be measured. It is not clear whether the focus of the objective is achieving social and environmental outcomes, or the use of nature-based solutions (which is a method to achieve outcomes).
Objective CC.5	Oppose	Amend the objective so that it is clear what the outcome sought is, and/or reword as follows: <u>By 2030, there is an increase in the area of permanent forest in the Wellington Region, maximising benefits for carbon sequestration, indigenous biodiversity, land stability, water quality, and social and economic well-being.</u>	While Council supports the intent of this objective, it is unclear what type of increase is being sought, an increase by 1ha would achieve this objective on the face of it. There needs to be more clarity about the extent of permanent forest that would meet this objective. The second half of the sentence does not assist the objective, and it is unclear what the intent is. This is the reason for the objective and not the objective itself.
Objective CC.6	Oppose	Amend the objective so that it is clear what the outcome sought is, and/or reword as follows: <u>Resource management and adaptation planning increase The resilience of communities and the natural environment to the short, medium, and long-term effects of climate change is increased.</u>	Resource management and adaptation planning is the method to achieve resilience and is not required to be included in the objective itself. Thought needs to be given as to what degree of increase is being sought so that the objective is measurable and certain. Otherwise, a very small increase would meet this objective, which we assume is not its intent.
Objective CC.7	Oppose	Amend the objective so that it is clear what the outcomes sought are, and that these are achievable within the scope of an RPS.	This objective is not specific, measurable, achievable, realistic or timebound. This objective also needs reconsideration in line with what can be achieved within the scope of an RPS. It is unclear what outcome is being sought, as people understanding and acting on climate change is a means to an end, not the end itself.
Objective CC.8	Oppose	Amend the objective so that it is clear what the outcomes sought are, and that these are achievable within the scope of an RPS.	As a whole, we support the intent and ambition of this objective. However, it is unclear what this objective is seeking to achieve, particularly, as there is no definition provided for climate-resilient. Without a definition, we are also unclear whether the objective is achievable, particularly where district plans can only influence new subdivision, use and development and not require any retrofitting of existing communities. It is also unclear from reading the policies and methods that are assigned to this objective as to how this objective would be achieved. We recommend that GWRC reconsider its achievability, however ambitious, and amend it accordingly.
Objective 12	Oppose	Amend the objective so that it is clear what the outcomes sought are. These amendments should provide clarity as to the status and purpose of the iwi statements,	This objective repeats the NPS-FM and adds no value to the RPS, the objective should

		<p>including their weighting and status compared to the other FW objectives and how any conflicts should be managed.</p> <p>Ensure that any new statements that are inserted into the RPS by way of submission or subsequent variation are able to be achieved and implemented as above.</p>	<p>articulate what outcomes are sought for the Wellington Region.</p> <p>It is not necessary or consistent with best practice plan making to repeat what is in higher order documents (including the RMA itself). An RPS should provide regional context for national direction. Further, the objective is too long and unwieldy.</p> <p>While Council is not directly impacted by the two mana whenua statements, Council is concerned to ensure that any new statements that are inserted into the RPS by way of submission or subsequent variation are able to be achieved and implemented. It is unclear what the intent is with the mana whenua statements and what is the intended legal status of them vis a vis the body of the objective itself. Are they intended to be objectives in their own right? There needs to be more clarity provided. The statements contain many objectives and policies within them, which would need to be examined in terms of being measurable, achievable, realistic and relevant, and within scope of the RMA. It is unclear what the status of the policies in the mana whenua statements is in respect to being referred to as being objectives. If they are intended to be objectives in their own right, then they need more work done on them to fit within the RPS; rather than read as a tack-on as they do now. The current framing that the GWRC has provided for the objective is likely to result in considerable confusion in trying to give effect to them.</p> <p>It is recommended that the GWRC promulgate a variation that provides more clarity and certainty as to what Objective 1 of the NPS-FM means within the Wellington Region and reconsiders the framing of the mana whenua objectives in this regard.</p>
Objective 16	Oppose	Amend the objective so that it is clear what the outcomes sought are.	It is unclear over what timeframe this objective is to be achieved, how it is to be measured, and whether it is this gradual or absolute.
Objective 16A	Oppose	Either delete objective, or amend the objective so that it is clear what the outcomes sought are.	It is unclear over what timeframe is this objective to be achieved, how it is to be measured, and whether it is this gradual or absolute. This objective is similar to Objective 16 but frames outcomes sought differently, it could be deleted if objective 16 was amended.
Objective 16B	Oppose	Amend the objective so that it is clear what the outcomes sought are.	It is unclear what “decision making” refers to. This needs to be better articulated so that it is plan users are able to determine if it is being achieved or not. As worded, it reads more as a policy than an objective. It needs to be reframed so it is clear what the outcome sought to be achieved is.
Objective 16C	Oppose	Amend the objective so that it is clear what the outcomes sought are.	It is unclear how or where these values are to be “recognised and provided for”. This needs to be better articulated so that it is plan users are able to determine if it is being achieved or not.
Objective 19	Oppose	Amend the objective to remove duplication with other objectives.	Council support the need to consider effects on the environment, although this duplicates changes to Objective 20.
Objective 20	Oppose	<p>Amend the objective so that it is clear what the outcome sought is, and/or reword as follows:</p> <p><u>Natural hazard and climate change mitigation and adaptation activities minimise the risks from natural hazards and impacts on Te</u></p>	It is unclear what this objective is seeking to achieve and could be better worded.

		<p><u>Mana o te Wai, Te Rito o te Harakeke, natural processes, indigenous ecosystems and biodiversity.</u></p> <p>Hazard mitigation measures, structural works and other activities do not increase the risk and consequences of natural hazard events. <u>Natural hazard and climate change mitigation and adaptation activities do not compromise / are consistent with Te Mana o te Wai, Te Rito o te Harakeke, natural processes, indigenous ecosystems and biodiversity.</u></p>	
Objective 21	Oppose	Amend the objective so that it is clear what the outcome sought is.	<p>It is unclear what this objective is seeking to achieve and could be better worded to be more certain and measurable. Issues of concern include:</p> <ul style="list-style-type: none"> • It is unclear what ‘strengthened’ means in this context i.e. strengthened to what degree, to achieve what? • It is unclear what is meant by ‘better prepared’ i.e. better prepared than what? From what to date? How much better prepared? • Unsure why need to separate out short, medium and long term, and how this concept flows through to the policy direction. • The natural environment covered by objectives 19 and 20 and doesn’t need to be mentioned in every objective as the objectives in the RPS should be read as a whole.
Chapter 3.9	Oppose	Amend the chapter to give effect to the NPS-UD, and increase regulatory certainty.	<p>This chapter needs amendment as:</p> <ul style="list-style-type: none"> • It fails to appropriately give effect to the NPS-UD and to recognise the benefits of urban development. • Objective 22 duplicates other objectives in the RPS. • The objectives and policies create a polycentric urban form with six regionally significant commercial centres, contrary to the NPS-UD.
Chapter 3.9: Regional form, design and function - introduction	Oppose	<p>Amend introduction to shorten and use language consistent with national direction, and/or reword as follows:</p> <p>Regional form is about the physical arrangement within and between urban and rural communities. Good urban design seeks to ensure that the design of buildings, places, spaces, and networks work well for <u>mana whenua / tangata whenua</u> and communities, and are environmentally responsive.</p> <p><u>The concept of well-functioning urban environments was introduced in the National Policy Statement on Urban Development 2020. There are a number of characteristics and qualities that contribute to forming a well-functioning urban environment. A compact and well designed regional form Well-functioning urban environments enhances the quality of life for residents as it is easier to get around, allows for a</u></p>	<p>Long introductory statements unnecessarily lengthen a plan which is not consistent with best practice plan making. It is also not necessary to replicate matters covered in section 32 reports.</p> <p>Further, the RPS should use terms that are consistent with the NPS-UD and the national planning standards. For example, regionally significant centres is not a term used in either and should be changed.</p>

greater supply and choice of housing close to where people work or to public transport, ~~town centres are and provide~~ vibrant, safe, and cohesive centres that are well connected by public and active transport, and which also enhance business activity. This network of centres support urban intensification. ~~is enhanced.~~ Energy consumption and carbon emissions are also reduced. Well-functioning urban environments enable ~~Communities and businesses are to be~~ more resilient to the effects of climate change, and the uptake of zero and low-carbon emission modes is supported throughout the region. Well-functioning urban environments have compact urban form and are well-designed and planned through the use of spatial and development strategies and use of design guidance. Well-functioning urban environments are low impact, incorporating water sensitive urban design and managing the effects on other regionally significant values and features as identified in this RPS. ~~oil shortages or crisis, and there is reduced pressure for new infrastructure and more efficient use of existing infrastructure.~~

Central Wellington city contains the central business district for the region and represents the primary regional centre where community, cultural, business and entertainment activities, as well as residential activities are focussed. Its continued viability, vibrancy and accessibility are important to the whole region. There are also a ~~number of~~ other sub-regionally significant centres that are an important part of the region's form. These are the sub-regional city centres of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Masterton town centre, Paraparaumu town centre, and the suburban centres in Petone, Johnsonville and Kilbirnie. These centres are significant areas of transport movement and civic and community investment activities. They also have the potential to support new development and increase the range and diversity of activities. Good quality high and medium density housing in and around these centres, and existing and planned rapid transit stops, would provide increased housing choice and affordability. Further medium and high density development must be enabled within the fast-growing districts of the Region, being those identified in the National Policy Statement for Urban Development as tier 1 territorial authorities. If this development occurs, it will further improve housing affordability. ~~could increase housing choice and the use of services and public transport.~~

Encouraging Enabling the use and development of existing centres of business activity can also lead to social and economic benefits, and is necessary to achieving well-functioning urban environments. Additional local employment and educational opportunities around in these centres ~~could~~ also provide people with greater choice about where they work and obtain skills training. The ~~physical arrangement~~ design of urban and rural communities/smaller centres, the region's industrial business areas, the port, the airport, the road and public transport network, and the region's open space network are fundamental to well-functioning urban environments and ~~a compact and well designed~~ regional form.

The Wellington Regional Growth Framework³ provides a non-statutory spatial plan that has been developed by local government, central government, and iwi partners in the

		<p><u>Wellington- Horowhenua region. It sets out the key issues identified for urban growth and development and provides a 30-year spatial plan that sets a long-term vision for changes and urban development in the Wellington Region.</u></p> <p>(...)</p> <p><u>The region is facing population change and growth pressure. Based on the May 2022 Wellington Regional Housing and Business Development Capacity Assessment (HBA), the Greater Wellington <i>urban environment</i> is expected to grow by around 195,000 people by 2051. As of May 2022, district plans within the Greater Wellington region, does not provide sufficient development capacity for the long term with a shortfall of more than 25,000 dwellings.</u></p> <p>(...)</p> <p><u>National direction provided through the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 supports increased supply of affordable housing. However, high levels of development without suitable constraints-management risks undermining other characteristics and qualities of a well-functioning <i>urban environment</i>. We There is a need to recognise and provide for other regionally significant values and features, including managing freshwater, indigenous biodiversity, values of significance to mana whenua / tangata whenua and management of the <i>coastal environment</i>. Most of the region, including its existing urban areas, has significant exposure to multiple natural hazards, and there is continuing demand to build in coastal and/or natural hazard-prone areas.</u></p> <p><u>Development pressure can reduce transport efficiency and limit the ability of all centres to provide community services and employment. Medium and high density development that is enabled through national direction has the potential to result in poor urban design outcomes, in the absence of sufficient design guidance.</u></p>	
Objective 22	Oppose	<p>Amend the objective so that it is clear what the outcome sought is, and/or reword as follows:</p> <p><u>The Wellington regional form:</u></p> <p>A. <u>Is compact, well designed and has good accessibility between housing, employment opportunities, community services, natural spaces, and open spaces, including:</u></p> <p>1. <u>A network and hierarchy of commercial centres which support the primacy of the Wellington city centre followed by:</u></p> <p>i. <u>Metropolitan Centres,</u></p> <p>ii. <u>Town Centres,</u></p>	<p>Objective 22 as amended by Proposed Change 1 does not give effect to the NPS-UD, and largely just repeats requirements listed elsewhere in the RPS.</p> <p>In part, this is because it will result in a polycentric urban form rather than an urban form where intensification is located in areas which are best served by public transport and services. For example, Wellington City Centre clearly benefits from the greatest range of public transport than all other centres in the Wellington Region.</p> <p>The language in the Objective also needs to be consistent with the terminology used in the National Planning Standards which have been, or are being, implemented within the District Plans. To use different terminology is confusing and unnecessary and will result in potentially different interpretations and implementation.</p>

		<ul style="list-style-type: none"> iii. <u>Local Centres; and</u> iv. <u>Neighbourhood Centres;</u> 2. <u>A Regional urban form that is integrated with existing and planned transport network;</u> 3. <u>Commercial and industrial activities distributed in appropriate locations and in a way that supports the commercial centres hierarchy identified in A.1 above;</u> 4. <u>More people living in, and more business and community services located in, areas that are in or near a commercial centre and/or well-served by public transport;</u> 5. <u>Urban built environments that meet the health and wellbeing needs of people.</u> <p>B. <u>Supports the competitive operation of land and development markets in ways that contribute to improved housing affordability and business activity, including:</u></p> <ul style="list-style-type: none"> 1. <u>A variety of homes that meet the needs, in terms of type and location, of different households.</u> 2. <u>Sufficient housing and business development capacity in the short and medium term as identified in Table 9A to RPS Objective 22A.</u> 3. <u>A range of buildings and sites in appropriate locations that provide opportunities for commercial and industrial activities in a way that achieves the commercial centres hierarchy identified in A.1 above and maintains the primacy of the Wellington city centre.</u> <p>C. <u>Optimises the efficient use of existing infrastructure.</u></p>	<p>The objective lacks the necessary precision to enable its meaningful implementation. As it is drafted, it unnecessarily duplicates other objectives within the RPS which need to be considered alongside it. For instance, clause (e) is superfluous, as those objectives in the RPS need to be given effect to irrespective. Similarly clause (f) is addressed through the climate change objectives and policies.</p> <p>Terminology in the RPS also needs to be consistent with Waka Kotahi’s One Network Framework (ONF) which has hierarchy for “movement” and “place” and Network Operating Frameworks (NOF).</p>
Objective 22B	Oppose	Amend the objective so that it is clear what the outcome sought is. Provide a definition of ‘strategically planned’.	<p>As drafted, it is unclear what this objective means. The objective lacks the necessary precision to enable its meaningful implementation. It is unclear what sort of development should be ‘strategically planned’, or what ‘strategically planned’ means in this context. The objective should describe what the end result looks like; strategic planning is likely the method to achieve that outcome, not the outcome itself.</p> <p>The second half of the objective refers to the need to consider other objectives and policies in the RPS which is unnecessary if the RPS is read a whole as required. Further, it is unclear how use of the term ‘effectively’ relates to more specific direction in these policies i.e. where effects are to be avoided. The direction of ‘effectively managed’ is at odds with protecting significant values and features.</p>

Policy 2	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p>Regional plans shall include policies, and/or rules <u>and/or other</u> methods that:</p> <p>(a) protect or enhance the <i>amenity values</i> of neighbouring areas from discharges of odour, smoke and dust; and</p> <p>(b) protect people’s health from discharges of dust, smoke and fine particulate matter; and</p> <p>(c) <u>support industry to reduce greenhouse gas emissions from industrial processes, and</u></p> <p>(d) <u>phase-out by 2030, avoid the ongoing use of coal as a fuel source for <i>domestic fires and large-scale generators</i> by 2030.</u></p>	<p>Council supports the intent of these changes but seeks changes to improve drafting and therefore implementation by plan users. Issues of concern include:</p> <ul style="list-style-type: none"> • Rules are a method, therefore this (and other policies) should read ‘rules and/or other methods’. • ‘Phase out’ is an objective not a policy. Clause (d) needs to be supported through the relevant objective. If phasing out coal by 2030 is what is sought to be achieved, then this needs to be clear within an objective.
Policy CC.1	Oppose	<p>Delete policy.</p> <p>Alternatively, amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and is within the scope of what can be achieved under RMA.</p> <p>Provide definitions for ‘Transport infrastructure’ and ‘altered’ if these terms are retained.</p>	<p>The policy lacks the necessary precision to enable its meaningful implementation, and due to its drafting and scope represents a high regulatory requirement. Issues of concerns include:</p> <ul style="list-style-type: none"> • District plans cannot regulate how transport infrastructure is operated. The policy needs to be amended to reflect that district plans can only manage the future development, use and subdivision of land. Waka Kotahi and the Regional Transport Committee have a significant role in directing how the network is operated through the Regional Land Transport Plan and through Waka Kotahi’s National Land Transport Plan and Waka Kotahi implementation on the GPS on Transport Funding. The other mechanism to deliver these outcomes is activity management plans of road controlling authorities and public transport agencies. Noting that affordability is a big issue for councils such as Porirua City Council with a constrained rating base. • A definition is needed for “transport infrastructure”. For example, is a private car parking garage on a residential property a piece of transport infrastructure? • This Policy applies to “all new and altered transport infrastructure” which would unnecessarily capture a very wide range of infrastructure including altered bus stops, small scale repair works, and EV charging points. There is no definition for altered and one needs to be provided to avoid unintended consequences of very small scale alterations being captured. • It is unclear what is meant by “optimising overall transport demand” and how district plans will help achieve this. • It is unclear what level of change is required to meet “maximising” mode shift and how this would be measured in the regulatory context of district plan rules.

			<ul style="list-style-type: none"> It is unclear what is meant by “support”. How will this be achieved in district plan rules or methods?
Policy CC.2	Oppose	<p>Delete policy.</p> <p>Alternatively, amend policy so that it provides appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p>Policy CC.2: Travel demand management plans Increased reliance on public transport and active transport modes – district plans</p> <p>By 30 June 2025, district plans shall include objectives, policies and rules that:</p> <p>(a) require subdivision, use and development consent applicants to provide travel demand management plans to minimise reliance on private vehicles and maximise use of public transport and active modes for all new subdivision, use and development over a specified development threshold where there is a potential for a more than minor increase in private vehicles and/or freight travel movements and associated increase in greenhouse gas emissions; and</p> <p>(b) minimise reliance on private vehicles.</p>	<p>Council opposes this policy and seeks its deletion. The policy requirement represents a piecemeal “ambulance at the bottom of the cliff” approach. It is more effective to intervene at an earlier stage in the development process by requiring:</p> <ul style="list-style-type: none"> Regulatory land use frameworks that manage the distribution of activities across urban environments in a way that achieve Objective 3 to the NPS-UD. The location of urban subdivisions together with subdivision design enable people to have a choice in transport modes. Good quality urban design that ensures new developments are laid out and/or incorporate features that encourage active and public transport usage. <p>The policy applies equally to “out of zone” development as much as “in-zone” development, and in so doing fails to incentivise or recognise the location of developments. For example, a new office building in the Porirua Metropolitan Centre Zone is already well served by active and public transport modes yet it would be required to incur consenting costs in producing a travel demand management plan as would an “out of zone” office building in a rural zone.</p> <p>The policy also cannot address operational issues that present barriers to active and public transport usage such as ticketing policies, fares, levels of services etc. As such it alone cannot “maximise” use of public and active transport modes.</p> <p>The policy only requires that a travel demand management plan is produced. It is silent on the implementation of such plans nor what happens if the plan fails to maximise the use of public and active modes, for example due to people’s preferences.</p> <p>Travel demand management plans are just a type of method to implement the policy and should be deleted from the policy. Rather, the policy needs to be reframed to provide direction on increasing the use of public transport and active modes.</p>
Policy CC.3	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives.</p> <p>Define ‘zero and low-carbon multi-modal transport’, with inclusions.</p>	<p>Council supports the intent of this policy and has already attempted to enable multi-modal transport through the Infrastructure Chapter in our Proposed District Plan.</p> <p>However, it is also not clear what infrastructure is included in this policy. For example, new roads and multi-lane state highways would support the use of electric vehicles. It is unclear if the intention is for these to be enabled in district plans.</p> <p>To implement the policy, a definition of zero and low-carbon multi-modal transport is required, with inclusions.</p>

Policy CC.4	Oppose	<p>Delete policy.</p> <p>Alternatively, amend policy so that it provides clear and appropriate direction to plan users in line with objectives.</p> <p>Define 'resilient' and 'climate-resilient'.</p>	<p>The policy is implemented by another policy it refers to. It needs to be clearer to the exact actions to be undertaken.</p> <p>The policy relies on an understanding of what a climate-resilient* urban area is (which is not currently identified in the RPS) and has the effect of elevating Policy CC.14 from a "consider" policy to a "shall" policy without the necessary level of justification.</p> <p>While the explanation to the policy sets out what is intended by a climate-resilient urban area, this description is unclear and lacks the necessary certainty for regulatory controls in RMA plans. For example, it is unclear what is meant by "withstand" as used in this context, it is also unclear how is this to be measured and how will we know when we have created urban environments that can withstand the conditions listed in the explanation. It also assumes that all tools and levers are in RMA plans and fails to identify the role of other tools which lie outside of the control of RMA plans, such as:</p> <ul style="list-style-type: none"> • the Building Code; • three water policies under the new Three Water entities; and • management of public spaces such as transport corridors, parks and reserves, and the DOC estate. <p>The policy should be drafted in way that recognises that RMA plans can contribute to achieving climate-resilient urban areas, but they alone cannot achieve them.</p> <p>*Resilient is used 55 times in Proposed Change 1 document and resilience is used 51 times. No definition is provided for these terms. It is important that terms intended to directly determine regulatory frameworks in regional plans and district plans are rigorously developed and understood, and properly explained and/or provided with a definition in the RPS.</p>
Policy CC.5	Oppose	<p>Amend policy so that it provides an equitable approach for sectors in achieving greenhouse gas emissions targets in line with the objectives.</p>	<p>It is unclear why this policy is just focused on avoiding increased emissions, rather than seeking a reduction. If agriculture makes up 34% of greenhouse gas emissions it is not possible to achieve Objective CC.3 without a significant reduction in emissions from this sector.</p> <p>Further, it is not clear why there is a different treatment for agriculture than urban development. This seems inequitable and contrary to the objective CC.2 that seeks that the costs and benefits are shared equally and fairly across the region.</p> <p>The explanation refers to central government taking a lead in emissions reduction through the Emissions Trading Scheme (ETS). Notwithstanding that agriculture is not currently subject to the ETS, the same argument could be made for achieving modal shift in urban environments as the ETS does already apply to petroleum. Explanation outlines that this is a minimum backstop for agricultural emissions. If that is the purpose of these policies, then should that not also apply to transport? Other national directives provide the true levers, and the policy simply provides a backstop of the absolute minimum.</p>

Policy CC.6	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p><u>Regional plans shall include objectives, policies, rules and/or methods that support an increase in the area of permanent forest in the region to contribute to achieving net-zero greenhouse gas emissions by 2050, while:</u></p>	<p>Council supports the intent of this policy. However, is unclear what ‘support’ means in this context, and ‘enable’ or ‘require’ may be more appropriate. For example, as the relevant objective seeks that there is an increase, the term ‘supporting’ may be insufficient. As raised with the corresponding objective, the amount of ‘increase’ needs to be articulated.</p> <p>The text requested to be deleted is not needed, as it is simply repeating the objective.</p> <p>While Council agrees with the intent to encourage indigenous forest restoration to allow greater biodiversity and soil reclamation, we note that this policy could potentially impact carbon farming where permanent exotic forests are used. Exotic forest has a greater storage of carbon, both in the short and long term. Council understands that there is some uncertainty in national policy with regard to whether permanent exotic forest should or should not get ETS credits.</p>
Policy CC.7	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, including what is meant by “actions”, “natural ecosystems”, “natural elements”, and “resilience”.</p>	<p>Council supports the intent of this policy, and has already attempted to enable ‘soft-engineering measures’ in our Proposed District Plan. This is defined clearly as follows: <i>means a form of hazard mitigation that uses natural elements to provide protection to private properties, public space and infrastructure. It includes sacrificial fill, vegetation planting, beach nourishment and dune restoration.</i></p> <p>The definition of ‘nature-based solution’ relies on a common understanding of a number of terms used in that definition, such as “actions”, “natural ecosystems”, “natural elements”, and “resilience”, since those terms are not themselves defined.</p> <p>Further, a lack of clarity and regulatory certainty with this policy would likely lead to interpretation issues, and could require a regulatory framework that applies to all development regardless of scale and regardless of activity type. The s32 evaluation report does not identify why this level of regulatory reach is appropriate.</p> <p>It is difficult to reconcile the examples used in the definition with the creation of a regulatory framework that captures all development and infrastructure regardless of scale, as required by Policy CC.7.</p>
Policy CC.8	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows:</p> <p><u>District and regional plans shall include objectives, policies, rules and/or methods to that prioritise reducing greenhouse gas emissions in the first instance and only provide for offsetting in circumstances where: [...]rather than applying offsetting, and to identify the type and scale of the activities to which this policy should apply.</u></p> <p>Amend the RPS include a method requiring the regional council to publish guidance on how this policy is to be implemented and, on the type, and scale of activities to</p>	<p>This policy needs to be redrafted to be clearer and more certain and be supported by guidance and implementation support.</p> <p>District plans do not currently require the offsetting of greenhouse gas emissions, so it is unclear why policy direction is needed to discourage it. Emissions offsetting is addressed through the ETS. Territorial authorities do not have capability and capacity to implement GHG offsetting regimes. Nor do they have the function under s31 to address discharges of greenhouse gases. This is a regional council function.</p> <p>If district plans should be contemplating offsetting, the RPS needs to provide direction as to when it may be appropriate and how it should be undertaken, including how this</p>

		which the policy will apply.	relates to the ETS. That will reduce the extent of different approaches taken between councils and the amount of potential litigation. The explanation refers to 'hard-to-abate' sectors - what these are should be set out in the policy itself.
Policy 3	Support	Retain as notified.	Council supports being consistent with the NZCPS.
Policy 7	Oppose	Define low and zero carbon regionally significant infrastructure. Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows: District and regional plans shall include <u>objectives</u> , policies, <u>rules</u> and/or <u>other</u> methods that recognise:	It is unclear why this policy only requires policies and/or methods. Low and zero carbon regionally significant infrastructure needs to be defined to improve clarity and regulatory certainty.
Policy 9	Support	Retain as notified.	Council supports that the lead for this policy should be the Regional Transport Committee, and outcomes be delivered through the Regional Land Transport Plan. Noting that affordability is a big issue for councils such as Council with a constrained rating base.
Policy EIW.1	Support	Retain as notified.	Council supports that the lead for this policy should be the Regional Transport Committee, and outcomes be delivered through the Regional Land Transport Plan. Noting that affordability is a big issue for councils such as Porirua City Council with a constrained rating base.
Policy 12	Amend	Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows: Regional plans shall <u>give effect to Te Mana o te Wai and include objectives, policies, rules and/or methods that:</u> (a) require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and (b) manage water bodies for other purposes identified in regional plans. (a) <u>are prepared in partnership with mana whenua / tangata whenua;</u> (b) <u>achieve the long-term visions for freshwater;</u> (c) <u>identify freshwater management units (FMUs);</u> (d) <u>identify values for every FMU and environmental outcomes for these as objectives;</u> (e) <u>identify target attribute states that achieve environmental outcomes, and record their baseline state;</u> (f) <u>set environmental flows and levels that will achieve environmental outcomes and long-term visions;</u> (g) <u>identify limits on resource use including take limits that will achieve the target attribute states, flows and levels and include these as rules;</u>	Council supports that these matters are addressed in a regional plan in accordance with the regional council's s30 functions. However, this policy unnecessarily duplicates requirements set out already in the NPS-FM, the role of an RPS should be to articulate what national direction means at a regional level. It is unclear what value is added by the inclusion of this policy. Also, clause (g) specifies a method which is not required as this is already listed in the chapeau of the policy.

		<p>(h) <u>identify non-regulatory actions that will be included in Action Plans that will assist in achieving target attribute states (in addition to limits); and</u></p> <p>(i) <u>identify non-regulatory and regulatory actions in Actions Plans required by the NPS-FM</u></p>	
Policy 14	Amend	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows:</p> <p><u>Regional plans shall include objectives, policies, rules and methods including rules, must that give effect to Te Mana o te Wai and in doing so must:</u></p> <p>(a) <u>Enable the active involvement of mana whenua / tangata whenua in freshwater management (including decision-making processes); and</u></p> <p>(b) <u>Identify and provide for Māori freshwater values are identified and provided for;</u></p> <p>(c) <u>Require the control of both land use and discharge effects from the use and development of land on freshwater and the coastal marine area;</u></p> <p>(d) <u>Achieve the target attribute states set for the catchment;</u></p> <p>(e) <u>Require the development, including stormwater discharges, earthworks and vegetation clearance meet any limits set in a regional plan;</u></p> <p>(f) <u>Require that urban development is designed and constructed using the principles of Water Sensitive Urban Design;</u></p> <p>(g) <u>Require that urban development located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;</u></p> <p>(h) <u>Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</u></p> <p>(i) <u>Require riparian buffers for all waterbodies and avoid to the piping of rivers;</u></p> <p>(j) <u>Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</u></p> <p>(k) <u>Require stormwater quality management that will minimise the generation of contaminants, and maximise, to the extent practicable, the removal of contaminants from stormwater; and</u></p> <p>(l) <u>Identify and map rivers and wetlands.</u></p>	<p>Council supports that these matters are addressed in a regional plan in accordance with the Regional Council's s30 functions.</p> <p>Council generally supports the intent of this policy. However, this policy needs to be drafted as a policy rather than a statement, and listed items need to grammatically link to the chapeau of the policy. It also duplicates a number of other policies in the RPS, for example, clause (e) duplicates Policy 15, clause (i) duplicates (and is inconsistent with) Policy 18(o).</p>
Policy 15	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives. It should be split into two policies so it is clear what the Regional Plan should cover and what district plans should cover; and/or reword as follows:</p> <p>Regional and district plans shall include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise the extent necessary to assist in achieving the target attribute states that are set in the Regional Plan for water bodies</p>	<p>It is important that controls in District Plans do not duplicate those in the Regional Plan. Unlike District Plans, Regional Plans can control both land uses and discharges and as such are the primary tool for achieving target attribute states for water bodies.</p> <p>The policy should be split into two policies so it is clear what the Regional Plan should cover and what district plans should cover. Otherwise, it lacks regulatory certainty as</p>

		<p><u>and freshwater ecosystems including the effects of these activities on the life-supporting capacity of soils, and to provide for mana whenua / tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga.</u></p>	<p>district plans do not have the jurisdiction to address everything they are being required to by this policy.</p> <p>The qualifier “to assist” is being sought as regulation can and should be used to assist in achieving target attribute states, but by themselves they can’t achieve them.</p> <p>The policy also needs to provide clearer direction as to what providing for mana whenua and their relationship actually means in respect of earthworks and vegetation disturbance. As it is worded, all it does is repeat s6(e) of the RMA and adds no value.</p>
Policy 17	Support	Retain as notified.	Council supports the inclusion of marae.
Policy 18	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows:</p> <p>Regional plans shall include policies, rules and/or methods that <u>protect and restore the ecological health of water bodies, including:</u></p> <p>(a) <u>managing freshwater in a way that gives effect to <i>Te Mana o te Wai</i>;</u></p> <p>(b) <u>actively involve mana whenua / tangata whenua in freshwater management (including decision-making processes), and</u></p> <p>(c) <u>identify and provide for Māori freshwater values are identified and provided for;</u></p> <p>(d) <u>there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, and their <i>restoration</i> is promoted;</u></p> <p>(e) <u>achieving environmental outcomes, target attribute states and environmental flows and levels;</u></p> <p>(f) <u>avoiding the loss of river extent and values;</u></p> <p>(g) <u>protecting the significant values of outstanding water bodies;</u></p> <p>(h) <u>protecting the habitats of indigenous freshwater species are protected;</u></p> <p>(i) <u>Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided;</u></p> <p>(j) <u>promoting the retention of in-stream habitat diversity by retaining natural features – such as pools, runs, riffles, and the river’s natural form;</u></p> <p>(k) <u>promoting the retention of natural flow regimes – such as flushing flows;</u></p> <p>(l) <u>promoting the protection and reinstatement of riparian habitat;</u></p> <p>(m) <u>promoting the installation of off-line water storage;</u></p> <p>(n) <u>measuring and evaluating water takes;</u></p> <p>(o) discourage <u>restricting</u> the reclamation, piping, straightening or concrete lining of rivers;</p> <p>(p) discourage <u>restricting</u> stock access to <u>estuaries</u>, rivers, lakes and wetland;</p> <p>(q) discourage <u>restricting</u> the diversion of water into or from wetlands – unless the diversion is necessary to restore the hydrological variation to the wetland;</p> <p>(r) discourage <u>restricting</u> the removal or destruction of indigenous plants in</p>	<p>These are very strong policy directions that go beyond and are stricter than what is in the NPS-FM. There are no exceptions here, and no hierarchy provided for when directions are not practicable.</p> <p>Some clauses unnecessarily duplicate directions in the NPS-FM without providing additional direction in a regional context, they also duplicate other policy directions in this RPS including policy 14.</p> <p>Several clauses have a different construct to the rest of the clauses and don't flow from "including" in the chapeau.</p>

		wetlands and lakes; and (s) <u>restoring and maintaining</u> fish passage.	
Policy FW.1	Support	Retain as notified.	Council supports that these matters are addressed in a regional plan in accordance with the Regional Council's s30 functions.
Policy FW.2	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows:</p> <p><u>District plans shall include policies, rules and/or methods to reduce demand of water from registered water suppliers and users, including where practicable:</u></p> <p>(a) provisions improving <u>requiring improvements to the efficiency of the end use of water on a per capita basis for new developments; and</u></p> <p>(b) provisions <u>requiring alternate water supplies for non-potable use in new developments.</u></p> <p>Include a definition of 'registered water suppliers'.</p>	<p>Council supports the policy intent of reducing water demand. However, the policy lacks the necessary precision to enable its meaningful implementation, directs district plans to address matters which are outside their scope, and due to its drafting and scope represents a high regulatory requirement. Issues of concerns include:</p> <ul style="list-style-type: none"> • It is not within the knowledge of a territorial authority to identify the per capita efficiency of the end use of water. • District plans can only manage the use, development, and subdivision of land. Council's PDP requires water meters for new buildings through the Three Waters Chapter, but it is not clear how this would extend to requiring how water is used by individuals. This is not possible through a district plan. • The policy seems to require that district plans require individuals to use their grey water over potable water in certain circumstances. It is questionable whether this is an appropriate matter for a district plan to address in terms of s31 of the RMA, and whether it would be better addressed in a regional plan. There is also duplication between FW.1 and FW.2 in respect of provisions requiring efficient end use of water for new development and alternate water supplies for non-potable uses. • Development is not defined, and the policy is not calibrated to any particular scale of development. As such it would require a far-reaching regulatory framework that has not been justified in the s32 Evaluation for the RPS • Suggest deletion of the reference to provisions as these are methods. • It is unclear what is meant by "reduce demand of water from registered water suppliers and users".
Policy FW.3	Oppose	<p>Delete policy.</p> <p>Alternatively, amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and delete (g), (h), (o), (p) and (q).</p> <p>Amend the explanation as follows:</p> <p><u>Explanation</u></p> <p><u>Policy FW.3 requires district plans to manage the effects of urban development on freshwater and the coastal marine area. This is to the extent that is relevant under a territorial authority's functions under section 31 of the RMA and in a manner that does not duplicate the functions of the Regional Council under</u></p>	<p>The policy lacks the necessary precision to enable its meaningful implementation and directs district plans to address matters which are outside their scope, and due to its drafting and scope represents a high regulatory requirement. Issues of concern include:</p> <ul style="list-style-type: none"> • Reference to clause 3.5(4) is not helpful and duplicates the NPS-FM. The purpose of the policy should be to set out the regional direction that councils are to follow, and how Te Mana o te Wai is to be implemented. Regional councils through their RPS and regional plans are required to set out what Te Mana o te Wai is and means. • (a): the requirement to partner with mana whenua in the development of district plans is broader than what this policy addresses. It is already a

		<p>section 30 of the RMA.</p>	<p>requirement of s8 of the RMA, if it is to be repeated in the RPS it should be a separate overarching policy. And in doing so, there needs to be clear direction as to what this means.</p> <ul style="list-style-type: none"> • (b): It is unclear how or why district plans should be protecting and enhancing Māori freshwater values if they are protected through a regional plan. • (c): Again, this is a broader obligation on TAs irrespective under s6(e) of the RMA, and this clause does not add any value or guidance. It should sit as a separate policy with some actual guidance and direction. • (d): the effects of urban development on what? This needs to provide guidance as to what is required to be considered. • (g): To what extent? and what aspects/effects need to be covered that aren't addressed by Regional Plan provisions? There is no guidance in the RPS as to what this may mean. • (h): How does the regional council envisage this occurring? There is no guidance in the RPS as to what this may mean. • (i): The two parts of this clause are unclear as to what is exactly proposed here. • (k): The RPS needs to contain guidance and direction about what sort of protection and enhancement is envisaged here, beyond what is already controlled through the Regional Plan. • (l): This clause seems to repeat clause k above. Guidance should be provided on the size and nature of these buffers, i.e. on the face of this clause a district plan could impose a 1cm buffer and it has given effect to it. It should also set out what the buffer is for, i.e. natural character, habitat protection? Regulating the piping of streams is a regional council function. • (o): Minimise the extent of impervious surfaces for what reason? Also, isn't this already covered by clause (i)? The discharge of contaminants is a regional council function under s30 of the RMA. • (p): The daylighting of streams is a regional council function. • (q): It is unclear what is sought beyond what is already managed by the Regional Council through the NES-DW.
Policy FW.4	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows:</p> <p><u>Except where required through a Development Contributions Policy, District plans shall include policies and rules that require the payment of financial contributions for the provision of off-site stormwater quality and quantity treatment, where that treatment is identified in a financial contributions to be applied to subdivision and development as a condition of the resource consent where off site stormwater quality and quantity treatment is required, as set out in a Stormwater Management Plan (required as a condition of a network discharge consent for that catchment).</u> The</p>	<p>Council does not use financial contributions as a regulatory tool in our district plan as they are inefficient, and they duplicate our existing approach of requiring development contributions and developer agreements administered under the Local Government Act.</p> <p>The policy needs to be reworded as it lacks the necessary precision to enable its meaningful implementation.</p>

		<p>district plan policy shall outline how a fair share of the cost is determined, and the nature of the contribution. A financial contribution will not be required where a development contribution (as required by a Development Contribution Policy under the Local Government Act) has been collected from the same development for the same purpose.</p> <p><u>Note: financial contributions cannot be imposed against Minister of Education or Minister of Defence</u></p> <p>Explanation</p> <p><u>Policy FW.4 requires financial contributions, or alternatively development contributions to be collected for the construction of catchment scale stormwater solutions, so that new urban development pays their fair share.</u></p>	<p>The advice note should be deleted as it is incorrect, we are unaware of where in the RMA these Government 78ujndepartments are exempt from paying financial contributions.</p> <p>The explanation note also does not provide much value.</p>
Policy 23	Oppose	<p>Amend policy to either:</p> <ul style="list-style-type: none"> • remove 2025 time frame; or • align with NPS-IB timeframes once gazetted; or • provide for councils that have mapped and protected all SNA in their plan to give effect to this policy through their next full district plan review. 	<p>Council supports this policy being timebound in principle. It has already been given effect to through our Proposed District Plan (PDP). However, Policy EI.1 requires a first principles approach to SNA identification and protection which would make it challenging for any council to meet this.</p> <p>The government has released an exposure draft of the NPS-IB which sets out additional requirements and a longer implementation timeframe. The RPS should align with these if/when the NPS-IB is gazetted.</p>
Policy 24	Oppose	<p>Amend policy to either:</p> <ul style="list-style-type: none"> • remove 2025 time frame; or • align with NPS-IB timeframes once gazetted; or • provide for councils that have mapped and protected all SNA in their plan to give effect to this policy through their next full district plan review. 	<p>Council supports this policy being timebound in principle. It has already been given effect to through our PDP. However, Policy EI.1 requires a first principles approach to SNA identification and protection which would make it challenging for any council to meet this.</p> <p>The government has released an exposure draft of the NPS-IB which sets out additional requirements and a longer implementation timeframe. The RPS should align with these if/when the NPS-IB is gazetted.</p>
Policy EI.1	Oppose	<p>Either delete this policy, or amend in line with the gazetted NPS-IB but only where it will provide additional guidance at a regional level in consultation with mana whenua.</p>	<p>The requirement to partner with mana whenua in the development of district plans is broader than what this policy addresses. It is already a requirement of s8 of the RMA, if it is to be repeated in the RPS it should be a separate overarching policy. Such a policy should also provide meaningful direction as to the actions that should be taken in respect of partnering.</p> <p>Further, it is possible that this policy will not align with the NPS-IB, the exposure draft released by the Government did not allow the effects management hierarchy to be applied to a broad range of effects including any removal of indigenous vegetation.</p>
Policy 29	Amend	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p>	<p>Council supports taking a risk-based approach to natural hazard management, the Proposed Porirua District Plan takes this approach which is in line with national best practice.</p>

		<p>Regional and district plans shall <u>include objectives, policies, rules and / or other methods that:</u></p> <p>(a) identify areas <u>affected by</u> natural hazards; and</p> <p>(b) <u>use a risk-based approach to assess the consequences to subdivision, use and development from natural hazard and climate change impacts over at least a 100 year planning horizon, which identifies the hazards as being low, medium or high;</u></p> <p>(c) include objectives, policies and rules to manage subdivision, <u>use</u> and development in those areas <u>where the hazards and risks are assessed as low to moderate; and</u></p> <p>(d) include objectives, policies and rules to avoid subdivision, use or development and <u>hazard sensitive activities where the hazards and risks are assessed as high to extreme.</u></p>	<p>It is unclear what direction is sought in terms of the use of the term ‘manage’ in this context. Is it to ensure that there is no increased risk to people or properties?</p> <p>In regard to (b), amending the policy to require identification of low, medium or high hazards would be consistent with a risk-based approach to hazard management. The qualifier “at least” is requested as some hazards can have a return period of greater than 1:100 years but still be considered high, medium or low hazard risk such as fault lines.</p> <p>In regard to (d) it is unclear what would constitute an “extreme” risk and how it should be managed differently from a “high” risk. Council considers that the categorisation of low, medium or high risk is consistent with a best practice risk-based approach to natural hazard management.</p>
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Policy 30	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p>Policy 30: Maintaining and enhancing the viability and vibrancy of regionally and locally significant centres <u>Wellington regional form – commercial centres hierarchy</u>– district plans</p> <p><u>District plans shall include objectives, policies, rules and/or other methods that identify and manage subdivision, use and development in the centres listed below in a way that recognises and maintains the viability and vibrancy of:</u></p> <ol style="list-style-type: none"> 1. <u>The regionally significant Wellington city centre;</u> 2. <u>The sub-regional metropolitan centres at:</u> <ol style="list-style-type: none"> a. <u>Upper Hutt</u> b. <u>Lower Hutt</u> c. <u>Porirua</u> d. <u>Paraparumu</u> e. <u>Masterton</u> 3. <u>The locally significant town centres at:</u> <ol style="list-style-type: none"> a. <u>Petone</u> b. <u>Kilbirnie</u> c. <u>Johnsonville</u> d. <u>Ōtaki</u> e. <u>Waikanae</u> f. <u>Featherston</u> g. <u>Greytown</u> h. <u>Featherston</u> 	<p>This policy needs to align with national planning standard zones rather than introducing new terms. The RPS should give better guidance on how the NPS-UD should be implemented in a Wellington region context.</p> <p>The notified policy will result in a polycentric urban form rather than an urban form where intensification is located in areas which are best served by public transport and services.</p> <p>Wellington city centre is the primary centre in the Wellington region and is to continue to be the main focus for a wide range of commercial activity, community activities, cultural activities, visitor accommodation, as well as high density residential activity. The other key centres also provide significant business, retailing and community services, as well as residential opportunities. The requested amendments to this policy do not limit territorial authorities from identifying additional centres of local significance within their district plan.</p>
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Policy 31	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p>Policy 31: Identifying and enabling a range of building heights and density promoting higher density and mixed use development – Wellington regional form – urban intensification – district plans</p> <p>District plans shall include objectives, policies, rules and/or other methods that identify and enable urban intensification, including building heights and built form density, in a way that:</p> <p>1. For Wellington city centre: Realises as much development capacity as possible to maximise the benefits of intensification in this regionally</p>	<p>The amendments to this policy just duplicate the requirements of the NPS-UD and do not add value in the context of the Wellington Region. It should be rewritten in line with relief sought in relation to Policy 30 to give regional guidance on the implementation of the NPS-UD.</p> <p>The policy should be amended to provide clear direction on how a territorial authority is to determine a walkable catchment, so that there is a consistent regional approach.</p> <p>The RPS should also either include a definition of a rapid transit stop, or the policy should provide clear direction as to how a rapid transit stop is determined.</p>

		<p><u>significant centre;</u></p> <ol style="list-style-type: none"> 2. <u>For Metropolitan centres identified in Policy 30: Reflect demand for housing and business activity in these locations, but at a minimum, building heights of at least 6 storeys;</u> 3. <u>Within and adjacent to locally significant town centres identified in Policy 30 and other centres: Reflect the purpose of these centres and their planned level of commercial activities and community services; and</u> 4. <u>Provide for building heights of at least 6 storeys in areas that are within a walkable catchment of the edge of the Wellington city centre, or the edge of a Metropolitan centre identified in Policy 30, or an existing or planned rapid transit stop as identified in the Regional Land Transport Plan.</u> 5. <u>For any other territorial authority not identified as a tier 1 territorial authority, identify areas for greater building height and density where:</u> <ol style="list-style-type: none"> a. <u>there is good access to existing and planned active and public transport to a range of commercial activities and community services; and/or</u> b. <u>there is relative demand for housing and business use in that location.</u> <p>Explanation</p> <p><u>Policy 31 directs the identification of areas suitable for intensification across the Wellington urban environment and wider region, and the level of intensification in these areas. In so doing it gives effect to Policy 3 of the National Policy Statement on Urban Development 2020 in way that ensures that Wellington has a well-functioning urban environment and compact regional form. Policy 31 also enables greater building height and densities to be provided for in non-tier 1 territorial authorities which includes Masterton being a tier 3 territorial authority as well as Carterton and South Wairarapa. Providing for this development is consistent with Policy 5 of the National Policy Statement on Urban Development 2020.</u></p> <p><u>Include definitions for ‘rapid transit stop’ and ‘walkable catchment’.</u></p>	
Policy 32	Amend	<p>Amend policy as follows:</p> <p>District plans should shall include policies, rules and/or methods that identify and protect key industrial-based employment locations where they <u>contribute to the qualities and characteristics of well-functioning urban environments by: maintain and enhance compact, well designed and sustainable regional form</u></p> <ol style="list-style-type: none"> (a) <u>Recognising the importance of industrial based activities and the employment opportunities they provide.</u> (b) <u>Identifying specific locations and applying zoning suitable for accommodating industrial activities and their reasonable needs and effects</u> 	<p>Council generally supports this policy as industrial activities are an important part of our local economy and they can be compromised by inappropriate use, development and subdivision.</p> <p>Delete comma as it does not make sense grammatically.</p>

		<p><u>including supporting or ancillary activities.</u></p> <p>(c) <u>Identifying a range of land sizes and locations suitable for different industrial activities, and their operational needs including land-extensive activities,</u></p> <p>(d) <u>Managing the establishment of non-industrial activities, in industrial zones, by avoiding activities likely to result in reverse sensitivity effects on industrial activities, or likely to result in an inefficient use of industrial zoned land or infrastructure.</u></p>	
Policy UD.1	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p><u>District plans shall include objectives, policies, rules and/or methods that provide for the occupation, use, development and ongoing relationship of mana whenua / tangata whenua with their ancestral land, by:</u></p> <p>(a) <u>enabling mana whenua / tangata whenua to exercise their Tino Rangatiratanga; and</u></p> <p>(b) <u>recognising that marae and papakāinga are a Taonga and making appropriate provision for them; and</u></p> <p>(c) <u>recognising the historical, contemporary, cultural, and social importance of papakāinga; and</u></p> <p>(d) <u>if appropriate, identifying a Māori Purpose Zone; and</u></p> <p>(e) <u>recognising Te Ao Māori and enabling mana whenua / tangata whenua to exercise Kaitiakitanga and their Tino Rangatiratanga; and</u></p> <p>(f) <u>providing for the development of land owned by mana whenua / tangata whenua.</u></p>	<p>Council supports this policy in principle, the Proposed Porirua District Plan seeks to enable papakāinga developments, introduces a Māori Purpose Zone for Hongoeka, and generally better enables the use and development of ancestral lands.</p> <p>There needs to be a definition in the RPS of what constitutes ancestral land, to provide clarity as to what land exactly this policy applies to considering how land owned by both mana whenua and maata waka should be treated.</p> <p>In regard to (a) if this clause is intended to apply to land that is not ancestral, then this clause does not flow from the chapeau of the policy. It needs to be another clause to this policy i.e.</p> <p>(a) ancestral land (b) general land owned by Māori</p>
Policy IM.1	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, including being specific about what scale of consents it should apply to.</p> <p>Amend RPS to provide a definition or explanation of 'Māori data sovereignty'.</p>	<p>While this policy will have less or greater weight, and relevance with consents, saying that an application for a height to boundary infringement needs to have particular regard to these matters is too onerous. There should be some level of scale built in.</p> <p>In regard to clause (a), the requirement to partner with mana whenua in the development of district plans is broader than what this policy addresses. It is already a requirement of s8 of the RMA, if it is to be repeated in the RPS it should be a separate overarching policy.</p> <p>It is unclear what is meant by 'upholding Māori data sovereignty' – this term needs to be explained or defined.</p>
Policy IM.2	Oppose	Delete policy.	The policy lacks the necessary precision to enable its meaningful implementation, directs district plans to address matters which are outside their scope, and due to its drafting and scope represents a high regulatory requirement. Issues of concerns include:

			<ul style="list-style-type: none"> • It does not achieve the purpose of the RMA. The purpose is to promote the sustainable management of natural and physical resources. This is to be done in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while meeting the three environmental bottom lines set out in s5 to the RMA. The purpose does not require that this is done in an equitable or inclusive way. • It does not identify how potential tensions between having to give effect to other objectives and policies of the RPS and ensuring an “equitable and inclusive way” are to be reconciled if they arise. • It requires a common understanding and agreed baseline on what existing inequities exist. Without this it cannot be determined when a resource consent, variation or plan change would exacerbate an existing inequity. There are examples of inequities, but not an exclusive list. This could be construed very broadly to address social inequities that are well beyond the ability of any RMA decision to address. This needs to be more clear, certain and defined to avoid legal challenges on things that cannot be managed through the RMA. • Regional council or territorial authorities cannot manage access to public transport, amenities and housing through a resource consent or a plan change. This is quite a step change to be requiring a council through a consent to consider how a housing development in one area for example is not exacerbating lack of access to housing in another. • There is no definition of “environmental issues” provided for this policy. The definition of “environment” in the RMA is broad and includes all natural and physical resources, amenity values, ecosystems and their constituent parts. This needs to be more certain, including specifying the degree to which “environmental issues” should not be exacerbated. • The requirement not to exacerbate “environmental issues” is both uncertain and draconian given the RMA broad definition of “environment” and lack of any policy guidance on what an “issue” is nor any direction of degree of exacerbation to be considered before a resource consent, variation or plan change would fail this test. • Section 5 of the RMA requires that the needs of future generations are met, so “not increasing the burden” could be seen as a lower bar. However, the policy does not provide any direction on guidance on what is meant by “burden” in clause (d), burden of what exactly? This needs to be more clear and certain. • Unlike IM.1, this refers to just notified consents. It is unclear why there is a discrepancy between notified and non-notified consents in these policies.
Policy CC.9	Oppose	Delete policy.	The policy lacks the necessary precision to enable its meaningful implementation, directs district plans to address matters which are outside their scope, and due to its

		<p>Alternatively, amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and ensures the requirements are within the scope of what a district plan can achieve.</p> <p>Amend policy to only apply to resource consents.</p>	<p>drafting and scope represents a high regulatory requirement. Issues of concern include:</p> <ul style="list-style-type: none"> • No threshold is included and as drafted would apply to all resource consents, change, variation or review of RMA plans regardless of scale and type of activity. For example, a dormer window breaching a height in relation to boundary standard in a district plan would trigger this policy. • It is unclear what is meant by “optimise overall transport demand”, this policy needs greater clarity to allow it to be implemented. • Relief sought in relation to Policy CC.2 applies equally in relation to Policy CC.9. • This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans.
Policy CC.10	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives.</p> <p>Provide definitions for:</p> <ul style="list-style-type: none"> • ‘Freight-distribution centre’ • ‘Significant freight servicing requirements’ • ‘Efficient transport network’ 	<p>The policy lacks the necessary precision to enable its meaningful implementation and does not align with objectives. Issues of concerns include:</p> <ul style="list-style-type: none"> • The management of transport effects from land use activities is more efficiently and effectively addressed at the time of zoning and in the regulatory framework for managing the location of land uses. • The policy does not distinguish between “in zone” freight distribution centres (namely those anticipated in a particular zone) and those located “out of zone”. • The policy does not distinguish between different scales and purposes of freight distribution centres. For example, a national carrier versus those serving a regional catchment or those providing specialist freight services. • The policy requires a definition of “freight distribution centres” and policy guidance on what is meant by “significant freight servicing requirements”. • An ‘efficient transport network’ also needs to be defined so it is not interpreted differently across the region - the same way a well-functioning urban environment is defined for example.
Policy CC.11	Oppose	<p>Delete policy.</p> <p>Alternatively, amend policy to be a non-regulatory method, and ensure that it provides clear and appropriate direction to plan users in line with objectives.</p> <p>If the term “whole-of-life carbon emissions assessment” is to be retained, it needs to be defined.</p>	<p>Council opposes policy as it is simply encouraging information be included in Assessments of Environmental Effects for resource consents and supporting information for RMA plans. Issues of concern include:</p> <ul style="list-style-type: none"> • It is unclear how this relates to a plan change/variation/review – the term “submitted with an application” suggests that the intention was for this policy to apply to resource consents. • The policy or method needs to clarify what type and scale of infrastructure would trigger this encouragement since as drafted it would apply to anything from a new EV point or a new bus stop up to a new Motorway. Without a scaled approach to a Whole of life carbon assessment, or tools

			<p>that planners can use to conduct one, its application would be inconsistent at best and useless at worst.</p> <ul style="list-style-type: none"> • It should only come into effect after the regional council has published guidance and an appropriate methodology for identifying and measuring the total volume of greenhouse gases emitted at different stages of a project lifecycle. Territorial authorities do not have the necessary expertise to review and test a carbon emissions assessment. • A whole of life carbon emissions assessment is a method to implement the policy. There is no definition of what a whole of life carbon emissions assessment is. If this term is to be retained, then it needs to be defined.
Policy CC.12	Oppose	Delete policy, or amend so that it provides clear and appropriate direction to plan users in line with objectives, and amend policy to only apply to resource consents.	<p>Council opposes Policy CC.12 and seeks its deletion for the following reasons:</p> <ul style="list-style-type: none"> • This policy is unclear as to its intent and how it is supposed to be engaged for resource consents, plan changes/variations or reviews. • It relies on definitions for “nature-based solution”, “climate change adaptation” and “climate change mitigation” which lack the necessary specificity, certainty and clarity required for terms used in a RMA regulatory framework (see Council submission points on these definitions). • Due to uncertainty created by the definitions combined with the low effects threshold, application of this policy as a consideration will have a regulatory reach that has not been justified by the s32 evaluation. • The requirement to avoid adverse effects is a high regulatory bar considering the definition of ‘nature-based solution’ applies to everything from estuaries and rivers to street trees. “Avoid” is a higher regulatory bar than that sought by the RPS for SNA which provides for the application of the effects management hierarchy. • Includes an effects threshold unrelated to the outcome sought in Objective CC.4. • This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans.
Policy CC.13	Oppose	<p>Delete policy, or amend so that it provides clear and appropriate direction to plan users in line with objectives; and/or reword as follows:</p> <p><u>When considering an application for a resource consent from the regional council, associated with a change in intensity or type of agricultural land use, particular regard shall be given to:</u></p> <p>(a) <u>reducing gross greenhouse gas emissions as a priority where practicable, and</u></p> <p>(b) <u>where it is not practicable to reduce gross greenhouse gas emissions, achieving a net reduction in greenhouse gas emissions, and</u></p> <p>(c) <u>avoiding any increase in gross greenhouse gas emissions.</u></p>	The policy needs to be specific to regional council as the clauses relate solely to regional council functions in respect to greenhouse gas emissions.

Policy CC.14	Oppose	Delete policy, or amend so that it provides clear and appropriate direction to plan users in line with objectives.	<p>Council opposes Policy CC.14 and seeks its deletion. Issues of concern include:</p> <ul style="list-style-type: none"> • It relies on a definition for “nature-based solution” which lacks the necessary specificity, certainty and clarity required for terms used in a RMA regulatory framework (see Council submission point on this definitions). • It relies on a number of terms that have not been defined. These include “climate-resilient urban area”, “urban greening”, “urban cooling”, “water sensitive urban design”, “resilience”. The lack of definitions for these terms creates uncertainty for applicants, councils, and other stakeholders. • The policy includes requirements that will not be within the knowledge of the consent authority or applicants, for example suburb-scale tree canopy cover. • The policy would require councils to undertake assessments of tree cover regularly and assess applications against their impact of the current knowledge base, which may be altered by resident action, such as removing trees (either legally or illegally). This would be onerous on both council’s and applicants. • The policy duplicates controls under other statutes and regulations such as the Building Code. • Relies on application of tests for which no policy guidance has been provided to determine when these are met. Examples include; “strengthen” in (d), “efficient” in (e), “withstand” in (f). • Clause (f) does not specify the timeline for “predicted” nor whose prediction is to be applied. The clause duplicates the Building Code. • No threshold is included and as drafted would apply to all resource consents, change, variation or review of RMA plans regardless of scale and type of activity. For example, a dormer window breaching a height in relation to boundary standard in a district plan may trigger this policy consideration. As such the policy will have a regulatory reach that has not been justified by the s32 evaluation. • In regard to (a), why are these targets not included in the relevant objective? Further, is there data available to assess this against? • In regard to (c), it is unclear what sort of targets are meant. This needs to be reframed to acknowledge can only address new development. What does “provide for actions and initiatives” mean in a consent process? This needs to be thought through into what this actually means in terms of implementation. How are we supposed to have regard to this? • In regard to (f), this is most appropriately handled under the building act and other acts determining the design resilience of different pieces of infrastructure (such as Electricity (Safety) Regulations 2010) and any

			<p>amendments needed to capture the resilience of new buildings to predicted environmental changes. The Building Act already has requirements for different resilience elements (salt spray, wind zones etc.). These are regularly updated. Similarly there are engineering standards for a wide range of infrastructure to ensure that it is resilient. Assessment of applications may not be the most effective way of implementing resilience in that area.</p> <p>GWRC also need to consider how the canopy cover policy aligns with the restrictions under s76(4A), whereby territorial authorities cannot include rules in their plans that prohibit or restrict the felling, trimming, damaging or removal of a tree or trees on a single urban environment allotment, unless the tree(s) are described in a schedule in the district plan, which includes a description of the tree(s) and the specific street address or legal description. While territorial authorities may be able to include rules requiring canopy cover for new development, they are unable to then prevent the removal of those trees, without complying with the requirements of s76 RMA.</p>
Policy 39	Oppose	Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and amend policy to only apply to resource consents.	<p>This policy as a whole has less breadth of benefits than either the NPS-REG or the NES-ET. For example, in regard to clause (a), the NPS-REG is much broader than this and includes avoiding, reducing or displacing greenhouse gas emissions.</p> <p>The policy needs to be updated to address the benefits. As it is, it covers more than just the benefits. If it is intended to just address benefits, then it needs to be split into two policies – one for benefits, and the second for recognizing and providing for renewable energy.</p> <p>This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans.</p>
Policy 40	Amend	<p>Amend policy as follows:</p> <p>When considering an application for a <u>regional</u> resource consent, particular regard shall be given to:</p> <p>(a) requiring that water quality, flows and water levels and aquatic habitats of <u>surface</u> water bodies are managed <u>in a way that gives effect to <i>Te Mana o Te Wai</i> and protects and enhances the health and well-being of waterbodies and the health and wellbeing of freshwater ecosystems for the purpose of safeguarding aquatic ecosystem health;</u></p> <p>(b) that, requiring as a minimum, water quality in the <u>coastal marine area is to be managed in a way that protects and enhances the health and well-being of waterbodies and the health and wellbeing of marine ecosystems.;</u> for the purpose of maintaining or enhancing aquatic ecosystem health; and</p> <p>(c) managing water bodies and the water quality of coastal water for other purposes identified in regional plans.</p> <p>(c) <u>providing for mana whenua / tangata whenua values, including mahinga kai;</u></p>	<p>Council supports that these matters are addressed in a regional plan in accordance with the Regional Council's s30 functions.</p> <p>Clause (d) duplicates (a) and (b).</p>

		<p>(d) maintaining or enhancing the functioning of ecosystems in the water body;</p> <p>(e) maintaining or enhancing the ecological functions of riparian margins;</p> <p>(f) minimising the effect of the proposal on groundwater recharge areas that are connected to surface water bodies;</p> <p>(g) maintaining or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;</p> <p>(h) protecting the significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those listed in Table 16 of Appendix 1;</p> <p>(i) maintaining natural flow regimes required to support aquatic ecosystem health;</p> <p>(j) maintaining or enhancing space for rivers to undertake their natural processes;</p> <p>(k) maintaining fish passage;</p> <p>(l) protecting and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;</p> <p>(m) discouraging restricting stock access to estuaries rivers, lakes and wetlands; and discouraging avoiding the removal or destruction of indigenous wetland plants in wetlands.</p>	
Policy 41	Oppose	Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, including limiting to regional consents only.	<p>The policy represents regulatory overreach and the application of s31 functions to district plan resource consents. These matters are already controlled and managed by the Natural Resources Plan and therefore the policy should be limited to regional consents only. It contains a high level of uncertainty for applicants, councils and other stakeholders. Issues of concern include:</p> <ul style="list-style-type: none"> • The policy applies to all resource consents regardless of scale or activity. It should be restricted to resource consents for earthworks and/or specified vegetation clearance. • It does not provide any guidance or direction as to what environmental outcomes and target attribute states are to be considered. • Discharges to water bodies or onto land where it may enter a waterway are a s30 function, managed under the Natural Resources Plan. • “controlling” indicates a controlled activity status may be appropriate which is inconsistent with (b) where certain discharges are to be avoided and a more restrictive activity status may be required.
Policy 42	Oppose	<p>Amend policy so that it applies to regional consents only:</p> <p><u>When considering an application for a regional resource consent the regional council</u></p>	These are all matters that are all relevant to a regional council under s30 of the RMA.

		<u>must give effect to <i>Te Mana o te Wai</i> and in doing so must have particular regard to:</u>	
Policy 44	Oppose	<p>Amend policy so that it applies to regional consents only, and not notices of requirement:</p> <p>When considering an application for a <u>regional</u> resource consent, notice of requirement, or a change, variation or review of a regional plan to take and use water, <u><i>Te Mana o te Wai</i> must be given effect to so that: particular regard shall be given to:</u></p>	<p>These are all matters that are all relevant to a regional council under s30 of the RMA.</p> <p>A notice of requirement does not involve or give any form of approval for the take or use of water, which require resource consents from the regional council. These are beyond the scope of what can be considered by a requiring authority or a territorial authority through a notice of requirement.</p> <p>This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional plans.</p>
Policy FW.5	Oppose	Delete policy.	Council opposes this policy and seeks its deletion. These are matters that are addressed in Long Term Plans, Asset Management Plans, and will be considered in the Wellington region Future Development Strategy. Soon, they are likely to fall within the ambit of the Three waters entity. It is unclear how these requirements align with the existing requirements of the NES for Sources of Human Drinking Water
Policy 47	Oppose	<p>Amend policy to include this statement, deeming provision, or advice note: This policy shall cease to have effect once policies 23 and 24 are in place in an operative district or regional plan.</p> <p>Amend policy to only apply to resource consents.</p>	<p>The legal weight that can be given to this statement is dubious considering that it is in an explanation: “This policy shall cease to have effect once policies 23 and 24 are in place in an operative district or regional plan.”</p> <p>This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans, as well as the NPS-IB.</p>
Policy IE.2	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives and/or reword policy as follows:</p> <p><u>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan for subdivision, use or development that may impact on indigenous biodiversity, particular regard shall be given to enabling mana whenua / tangata whenua to exercise their role as kaitiaki, including, but not restricted to:</u></p> <p>(a) <u>providing for mana whenua / tangata whenua values associated with indigenous biodiversity, including giving local effect to <i>Te Rito o te Harakeke</i>,</u></p> <p>(b) <u>incorporating the use of mātauranga Māori in the management and monitoring of indigenous biodiversity; and</u></p> <p>(c) <u>supporting mana whenua / tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga.</u></p> <p>Amend policy to include this statement, deeming provision, or advice note:</p>	<p>Policy requires some specificity as to what the matter is being addressed through the policy, otherwise would apply as a consideration for any type of consent. Further, this policy would better be articulated as a transitional policy that falls away once Policy EI.1 is given effect to.</p> <p>This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans, as well as the NPS-IB.</p>

		<u>This policy shall cease to have effect once Policy EI.1 is in place in an operative district or regional plan.</u>	
Policy 51	Oppose	<p>Amend policy to only apply to resource consents.</p> <p>Amend policy to include this statement, deeming provision, or advice note: <u>This policy shall cease to have effect once Policy 29 is in place in an operative district or regional plan.</u></p>	<p>This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans.</p> <p>Further, this policy would better be articulated as a transitional policy that falls away once Policy 29 is given effect to.</p>
Policy 52	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives.</p> <p>Amend policy to only apply to resource consents.</p> <p>Amend policy to include this statement, deeming provision, or advice note: <u>This policy shall cease to have effect once Policy [XXX] is in place in an operative district or regional plan.</u></p>	<p>The policy lacks the necessary precision to enable its meaningful implementation and does not align with objectives. Issues of concerns include:</p> <ul style="list-style-type: none"> • The term/concept ‘room for the river’ needs better policy direction, or otherwise needs to be defined, explained, or deleted. It is currently unclear what this term means or how it should be implemented. • It is unclear why the following undefined terms were used rather than the defined term ‘nature-based solution’ (noting that Council opposes this definition): non-structural, soft engineering, <i>green infrastructure</i>. • The concept/term ‘room for the river’ could provide guidance to councils to enable them to make stronger arguments for taking appropriate land around rivers as an esplanade reserve under s.230 RMA. • The term ‘sites and areas of significance to Māori’ is more consistent with the National Planning Standards. Further, it is unclear what particular regard is to be given to, their protection? • There is no such thing as a ‘city plan’ under the RMA. • Amendment to (g) suggested so that it links better to the chapeau of the policy. • This policy should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans. • Further, this policy would better be articulated as a transitional policy that falls away once relevant policies are given effect to.
Policy 55	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p>When considering an application for a resource consent, or a change, variation or review of a district plan for <i>urban</i> development beyond the region’s <i>urban areas</i> (as at March 2009 August 2022), particular regard shall be given to whether:</p> <p>(a) the <u><i>urban proposed development is the most appropriate option to achieve Objective 22 contributes to establishing or maintaining the qualities of a well-functioning urban environment, including:</i></u></p>	<p>The policy lacks the necessary precision to enable its meaningful implementation, contains unnecessary duplication, and does not align with objectives. Issues of concern include:</p> <ul style="list-style-type: none"> • (a)(ii) repeats policies, an RPS and all its objectives and policies should be read as a whole, unless a specific objective or policy has primacy. There is also a risk in this approach of listing policies that certain policies are omitted. • In regard to (d) this goes beyond the scope of policy 8 of the NPS-UD which

		<p>(i) <u>the urban development will be well-connected to the existing or planned urban area, particularly if it is located along existing or planned transport corridors;</u></p> <p>(ii) <u>the location, design and layout of the proposed development shall achieve the objectives and policies of the RPS apply the specific management or protection for values or resources identified by this RPS, including:</u></p> <ol style="list-style-type: none"> <u>1. Avoiding inappropriate subdivision, use and development in areas at risk from natural hazards as required by Policy 29;</u> <u>2. Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values as identified by Policy 23,</u> <u>3. Protecting outstanding natural features and landscape values as identified by Policy 25;</u> <u>4. Protecting historic heritage values as identified by Policy 22;</u> <u>5. Integrates Te Mana o Te Wai consistent with Policy 42,</u> <u>6. Provides for climate resilience and supports a low or zero carbon transport network consistent with Policies CC.1, CC.4, CC.10 and CC17.</u> <u>7. Recognises and provides for values of significance to mana whenua / tangata whenua,</u> <u>8. Protecting Regionally Significant Infrastructure as identified by Policy 8; and</u> <p>(b) <u>the proposed urban development is consistent with any the Wellington Region Future Development Strategy, or the Council's regional or local strategic growth and/or development framework or strategy that describes where and how future urban development should will occur in that district or region, should if the Future Development Strategy has not been notified under section 83 of the Local Government Act 2002 be yet to be released; and/or</u></p> <p>(c) <u>a structure plan has been prepared.; and/or</u></p> <p>(d) <u>Any-The urban development that would provide for significant development capacity, regardless of if the development was out of sequence or unanticipated by growth or development strategies.</u></p> <p><u>Explanation</u></p> <p><u>Policy 55 gives direction to the matters that must be considered in any</u></p>	<p>only applies to plan changes. Given this matter is also covered in proposed Policy UD.3, it would be better to cross-reference to policy 55 from UD.3.</p>
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Policy 56	Amend	<p>Amend policy:</p> <p>When considering an application for a resource consent or a change, variation or review of a district plan, in <i>rural areas</i> (as at March 2009 August 2022), particular regard shall be given to whether:</p> <p>(a) the proposal will result in a loss of productive capability of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities, including extraction and distribution of <i>aggregate</i> minerals;</p> <p>(b) the proposal will reduce aesthetic and open space values in <i>rural areas</i> between and around settlements;</p> <p>(c) the proposal’s location, design or density will minimise demand for non- renewable energy resources; and</p> <p>(d) the proposal is consistent with <u>any <i>Future Development Strategy</i>, or the city or district regional or local strategic growth and/or development framework or strategy that addresses future rural development, <i>should the Future Development Strategy</i> be yet to be released;</u> or</p> <p>(e) in the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.</p>	Amend to address minor typographical error.
Policy 57	Oppose	Delete proposed amendments to policy.	<p>Council opposes proposed amendments to policy 57 and seek they are deleted for the following reasons:</p> <ul style="list-style-type: none"> • It is unclear how the requirement to ‘require land use and transport planning within the Wellington Region is integrated in a way’ relates to resource consents or notices of requirement. The regulatory policies will be implemented in district plans through methods such as zoning, district wide provisions and distribution of land use management frameworks. These methods better achieve the objectives of the RPS and higher order planning instruments, such as the NPS-UD. • The policy duplicates the regulatory policies in other chapters of the RPS including Chapter 4.1 and as such represents an unnecessary regulatory burden. • The explanation to the policy states that it is intended for considering proposals that affect land transport outcomes, but the policy is drafted in a way that it extends beyond this. It also contains no thresholds for

			<p>development types and scale to be considered. For example, would it apply to a dormer window that breaches a height in relation to boundary standard in a district plan.</p> <ul style="list-style-type: none"> • Clarity or policy direction is needed on what is meant by an ‘inclusive transport network’. • It is unrealistic to require resource management plans and consents to minimise private vehicle use. The tools and methods for achieving this, such as congestion charging, lie outside of the resource management system. • References or a map needed to identify the Western Growth Corridor, Eastern Growth Corridor, and Let’s Get Wellington Moving Growth Corridor.
Policy 58	Oppose	Delete policy, or amend so that it provides clear and appropriate direction to plan users in line with objectives.	The policy lacks the necessary precision to enable its meaningful implementation. It is unclear how this policy would be applied to many consents, especially brownfield or infill development. For instance, an applicant has no control over the operation of infrastructure, including public transport. This entire policy is more appropriately managed under development agreements and the development contributions policy made under the LGA.
Policy UD.2	Oppose	Amend policy so that it provides clear and appropriate direction to plan users in line with objectives.	This policy provides no value beyond s6(e) RMA, in fact “have particular regard” is a lower regulatory bar than “recognise and provide for”. The RPS needs to provide direction at a regional level and not repeat requirements in the RMA. The explanation to the policy actually provides a level of regional guidance and direction and should be considered for inclusion within the policy.
Policy UD.3	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives; and/or reword as follows:</p> <p>Policy UD.3: Responsive planning to developments <u>plan changes</u> that provide for significant development capacity – consideration</p> <p><u>When considering a change of a district plan for a <u>an unanticipated or out of sequence development</u> in accordance with clause (d) of Policy 55, particular regard shall be given to whether the following criteria is met:</u></p> <p>(a) <u>the location, design and layout of the proposal:</u></p> <p>(ii) <u>contributes to establishing or maintaining the characteristics and qualities of a well-functioning urban environment identified in Policy 55(a)(ii) and Objective 22,</u></p> <p>(iii) <u>is well-connected to the existing or planned urban area, particularly if it is located along</u></p>	<p>Council opposes this policy and seeks is be amended for the following reasons:</p> <ul style="list-style-type: none"> • It is unclear when the policy would apply i.e. what is meant by a change of a district plan for a development. Reference to ‘plan changes’ would be more consistent with Policy 8 of the RMA. • The location, design and layout of a development is something that is likely to be unknown until the time of subdivision or land use consent. A district plan provides the framework for guiding these factors. • Policy guidance is needed to help determine when a plan change area is considered to be well-connected to the existing or planned urban area. • It is inappropriate and arbitrary to limit zoning options to High density residential or Medium density residential. The most appropriate zoning for an area will be determined by a range of natural and physical factors relevant to a specific location.

		<p><u>existing or planned transport corridors,</u></p> <p>(iv) <u>for housing will apply a relevant residential zone or other urban zone that provides for high density development or medium density residential development,</u></p> <p>(b) <u>the proposal makes a significant contribution to providing significant development capacity meeting a need identified in the latest Housing and Business Development Capacity Assessment, or a shortage identified in monitoring for:</u></p> <p>(i) <u>a variety of housing that meets the regional, district, or local shortages of housing in relation to the particular type, size, or format,</u></p> <p>(ii) <u>business space or land of a particular size or locational type, or</u></p> <p>(iii) <u>community, cultural, health, or educational facilities, and</u></p> <p>(iv) <u>the proposal contributes to housing affordability through a general increase in supply or through providing non-market housing, and</u></p> <p>(c) <u>when considering the significance of the proposal's contribution to a matter in (b), this means that the proposal's contribution:</u></p> <p>(i) <u>is of high yield relative to either the forecast demand or the identified shortfall,</u></p> <p>(ii) <u>will be realised in a timely (i.e., rapid) manner,</u></p> <p>(iii) <u>is likely to be taken up, and</u></p> <p>(iv) <u>will facilitate a net increase in district-wide up-take in the short to medium term,</u></p> <p>(d) <u>required development infrastructure can be provided effectively and efficiently for the proposal, and without material impact on planned development infrastructure provision to, or reduction in development infrastructure capacity available for, other feasible, likely to be realised developments, in the short-medium term.</u></p>	
Policy 61	Amend	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with national direction:</p> <p>Regional and district plans shall recognise and provide for the responsibilities below, when developing objectives, policies and methods, including rules, to <i>maintain</i> indigenous biodiversity:</p> <p>(a) Wellington Regional Council shall be responsible for developing objectives, policies, and methods in the regional policy statement for the control of the use of land to <i>maintain</i> indigenous biological biodiversity;</p> <p>(b) Wellington Regional Council shall be responsible for developing objectives,</p>	Wetlands should be added to the exclusions in 61(c) to be consistent with 61(b), the NES-F, the NPS-FM, as well as FW.6(b).

		<p>policies, rules and/or methods in regional plans for the control of the use of land to <i>maintain</i> and enhance ecosystems in water bodies and coastal water. This includes land within the <i>coastal marine area</i>, wetlands and the <i>beds</i> of lakes and rivers; <u>and</u></p> <p>(c) city and district councils shall be responsible for developing objectives, policies, rules and/or methods in district plans for the control of the use of land for the <i>maintenance</i> of indigenous biological biodiversity. This excludes land within the <i>coastal marine area</i>, <u>wetlands</u> and the <i>beds</i> of lakes and rivers.</p>	
Policy FW.6	Oppose	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with national direction:</p> <p><u>Regional and district plans shall recognise and provide for the responsibilities below, when developing objectives, policies and methods, including rules, to protect and enhance the health and well-being of water bodies and freshwater ecosystems:</u></p> <p>(a) <u>Wellington Regional Council has primary responsibility for freshwater. Wellington Regional Council shall be responsible for the control of the use and development of land for the purposes of water quality and quantity.</u></p> <p>(b) <u>In relation to wetlands, Wellington Regional Council is responsible for managing land use within, and within a <u>10m margin-100m setback</u> of natural wetlands as directed by the NES-F 2020, as well as areas adjoining and/or upstream <u>of a wetland</u> for the purpose of protecting wetlands;</u></p> <p>(c) <u>city and district councils-territorial authorities</u> are responsible for the control of land use and subdivision. <u>City and district councils-Territorial authorities must include objectives, policies, and methods in district plans to promote positive effects, and avoid, remedy or, or mitigate adverse effects (including cumulative effects) of land use and subdivision on the health and wellbeing of water bodies, freshwater ecosystems and receiving environments (as required by NPS-FM 3.5 (4))</u></p> <p><u>They must carry out their responsibility in regard to the NPS-FM through their functions under Section 31 of the RMA and must not duplicate or replicate objectives, policies, rules or other methods that fall under the functions of Wellington Regional Council in a regional plan.</u></p>	<p>The policy uses terminology inconsistent with national direction, and duplicates other parts of regulations. For example, territorial authorities are required to give effect to NPS-FM 3.5 (4) so it is unclear why this needs to be repeated in an RPS. The RPS needs to provide clear direction on what is exactly required at a regional level in clause (c), rather than just duplicate what is set out in the NPS-FM. At present, it adds no value.</p> <p>The reference to a 10m setback is less stringent than the 100m setback required under the NES-F.</p>
Policy CC.15	Amend	Amend policy to clarify the regional council is responsible for supporting rural communities.	These matters align with the Regional Council's functions under s30 with regard to discharges to air and water.
Policy CC.16	Oppose	Delete policy, or amend policy so that it provides clear and appropriate direction to plan users in line with objectives.	Council oppose this policy and seek its deletion. The RPS should not direct when and how territorial authorities will use their powers under the Local Government Act. These are matters for councils to determine at their discretion and in response to the concerns and issues for their communities.

			There is no such thing as a city plan under the RMA.
Policy CC.17	Support	Retain as notified.	Council recognises that iwi/Māori communities are particularly vulnerable to the effects of climate change, including low lying settlements such as Takapuwahia and Hongoeka in Porirua.
Policy CC.18	Oppose	Delete policy or amend so that it applies to the regional council only.	The Regional Policy Statement should not direct when and how territorial authorities will use their powers under the Local Government Act or under other statutes such as the management of reserves under the Reserves Act 1977. These are matters for councils to determine at their discretion and in response to the concerns and issues for their communities.
Policy 65	Amend	Amend policy to clarify who is responsible for each of these initiatives.	This would improve the certainty and clarity of the policy.
Policy FW.7	Oppose	Delete policy, or amend policy so that it provides clear and appropriate direction to plan users in line with objectives.	These matters are covered by earlier regulatory and consideration policies, it is unclear how it fits with these or adds more guidance for plan users.
Policy FW.8	Amend	Amend policy to clarify the regional council is responsible for supporting rural communities.	These matters align with the Regional Council's functions under s30.
Policy IE.3	Oppose	Delete policy.	This policy does not make sense. It is a non-regulatory policy that requires a regulatory response. It is unclear why the Wellington Regional Council hasn't addressed this through Proposed Change 1, but rather is requiring itself to do this through another change.
Policy IE.4	Oppose	Delete policy, or amend policy so that it provides clear and appropriate direction to plan users in line with objectives.	This policy does not make sense. It is a non-regulatory policy that requires a regulatory response.
Policy 67	Oppose	Delete policy, or amend policy so that it provides clear and appropriate direction to plan users in line with objectives.	This policy does not make sense. It is a non-regulatory policy that requires a regulatory response.

Method 4	Oppose	Amend method to make consequential amendments in line with relief sought to restrict the application of policies to resource consents and notices of requirement.	Council seeks that various "consideration" policies should only apply to resource consents so it does not conflict and/or duplicate earlier regulatory policies that apply to the development of regional and district plans.
Method 5	Oppose	Delete method.	This method does not make sense. It does not allocate responsibilities and is unnecessary.
Method UD.1	Amend	Amend policy as follows: <u>Prepare where appropriate the following development manuals and design guidance:</u> (a) <u>Urban design guidance to provide for best practice urban design and amenity outcomes in accordance with Policy 67(a);</u> (b) <u>Papakāinga design guidance that are underpinned by Kaupapa which is Māori in partnership with Mana Whenua in accordance with Policy 67(f); and</u> (c) <u>Urban design guidance and development manuals to assist developers in meeting Policy CC.14 and Policy FW.3.</u>	This method should be amended to recognise that design guides should be produced where necessary, reflecting that there is already regional and national guidance that can be used. Council's PDP takes an enabling approach to papakāinga development and does not require compliance with design guides.

		<u>Implementation: Wellington Regional Council and city and district councils (via the Wellington Regional Leadership Committee) and in partnership with mana whenua</u>	
Method IM.1	Amend	<p>Amend policy as follows:</p> <p><u>To achieve integrated management of natural resources, the Wellington Regional Council, district and city councils and territorial authorities shall:</u></p> <ul style="list-style-type: none"> (d) <u>partner with and provide support to mana whenua / tangata whenua to provide for their involvement in resource management and decision making; and</u> (e) <u>partner with and provide support to mana whenua / tangata whenua to provide for mātauranga Māori in natural resource management and decision making; and</u> (f) <u>work together with other agencies to ensure consistent implementation of the objectives, policies and methods of this RPS; and</u> (g) <u>enable connected and holistic approach to resource management that looks beyond organisational or administrative boundaries; and</u> (h) <u>recognise that the impacts of activities extend beyond the immediate and directly adjacent area; and</u> (i) <u>require Māori data, including mātauranga Māori, sites and areas of significance, wāhi tapu and wāhi tūpuna are only shared in accordance with agreed tikanga and kawa Māori; and</u> (j) <u>share data and information (other than in (f) above) across all relevant agencies; and</u> (k) <u>incentivise opportunities and programmes that achieve multiple objectives and benefits.</u> <p>Implementation: Wellington Regional Council* and city and district councils territorial authorities</p>	Policy contains grammatical errors and terminology inconsistent with the National Planning Standards.
Method FW.2	Oppose	<p>Amend method as follows”</p> <p>Method FW.2: Joint processing of urban development resource consents urban development which impact on freshwater</p> <p><u>When processing resource consents that may impact on freshwater, the Wellington Regional Council, district and city councils territorial authorities shall:</u></p> <ul style="list-style-type: none"> (a) <u>jointly process notified resource consents (where both regional and district consents are publicly notified) for urban development and regionally significant infrastructure;</u> (b) <u>encourage resource consent applicants to engage with mana whenua / tangata whenua early in their planning</u> (c) <u>collaborate on pre-application processes;</u> (d) <u>collaborate on the processing of non-notified resource consents;</u> (e) <u>collaborate on monitoring of consent conditions; and</u> (f) <u>exchange information and data to support integrated management.</u> 	<p>The term “urban development” is not defined nor is there a scale or other threshold to be applied before joint processing is required. As drafted, the method would capture applications that are limited notified.</p> <p>Policy needs to be retitled to tie in to freshwater if this is to be a FW method. Also it is unclear why joint processing would only be appropriate for urban and RSI consents, and not for large-scale rural consents.</p>

		<i>Implementation: Wellington Regional Council, district and city councils territorial authorities</i>	
Method 21	Oppose	<p>Amend method to either:</p> <ul style="list-style-type: none"> • remove 2025 time frame; or • align with NPS-IB timeframes once gazetted; or • provide for councils that have mapped and protected all SNA in their plan to give effect to this policy through their next full district plan review; <p>And /or reword policy as follows:</p> <p><u>The regional council will liaise with the region’s territorial authorities to ensure that all district plans include, by 30 June 2025 at the latest, a schedule of indigenous ecosystems and habitats with significant indigenous biodiversity values and plan provisions to protect them from inappropriate subdivision, use and development.</u></p> <p><u>Where a territorial authority has not initiated a district-wide indigenous biodiversity assessment has not been initiated by 30 June 2024, the regional council will liaise with the territorial authority to agree on a programme of works and an understanding as to whether:</u></p> <p>(a) <u>the territorial authority shall continue to have sole responsibility; or</u> (b) <u>the regional council shall take full responsibility; or</u> (c) <u>the territorial authority and the regional council shall share responsibilities.</u></p>	<p>Council supports this method being timebound in principle. It has already been given effect to through our PDP. However, Policy EI.1 requires a first principles approach to SNA identification and protection which would make it challenging for any council to meet this.</p> <p>The government has released an exposure draft of the NPS-IB which sets out additional requirements and a longer implementation timeframe. The RPS should align with these if/when the NPS-IB is gazetted.</p> <p>Wording change would increase clarity of method.</p>
Method 32	Amend	<p>Amend Method 32 (b) to include the ‘identify’ step for Special Amenity Landscapes as follows:</p> <p>(...)</p> <p>(b) identification and protection of outstanding natural features and landscapes, and identify and manage the values of special amenity landscapes, <u>including those with significant cultural values;</u></p> <p>(...)</p>	<p>The method as drafted omits the step before managed. Add ‘identify’ for consistency with Policy 27 of the RPS.</p>
Method 48	Amend	<p>Amend policy so that it is timebound.</p>	<p>Policy should be time bound to increase clarity and regulatory certainty.</p>
Method 54	Amend	<p>Amend method as follows:</p> <p><u>Assist landowners to <i>maintain</i>, enhance and/or restore indigenous ecosystems identified by Methods IE.2 and CC.7, including by, but not limited to:</u></p> <p>(a) assisting with the costs of legally protecting indigenous ecosystems by way of open space covenants with Queen Elizabeth the Second National Trust (QEII);</p> <p>(b) <u>considering opportunities for providing advice, education, support and incentives rates rebates;</u></p> <p>(c) assisting with the costs of controlling pest plants and animals; and</p> <p>(d) supporting landowners to restore significant indigenous ecosystems by fencing and planting.</p>	<p>There are other methods which should be added to this method for completeness, rates rebates are just one tool under a wider umbrella of non-regulatory support.</p>

		<i>Implementation: Wellington Regional Council and city and district councils</i>	
Table 14	Oppose	Amend Anticipated Environmental results so that they are specific, measurable and timebound.	Not all of these anticipated environmental results are specific or measurable. For instance, some use terms like “improving” and “reduced” but do not specify to what extent or from when. Accordingly, it is unclear how the Regional Council would be able to evaluate the efficiency and effectiveness of its RPS in accordance with its s35(2)b) and (2A) obligations.

Definitions

General	Amend	Add any further definitions for any terms that are unclear and where a definition would assist in interpretation and implementation, including any relevant terms proposed to be introduced in response to submissions.	Clear and concise definitions are critical to assist in interpretation and implementation of the RPS.
Carbon emissions assessment	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	<p>Council opposes this definition and seeks that it be deleted. It lacks the necessary specificity required for a definition to enable effective and efficient implementation in regulatory frameworks (district plans and regional plans). For example, it refers to the carbon footprint but does not:</p> <ul style="list-style-type: none"> • Detail what is meant by a footprint as intended to be used in a regulatory context. • Provide clarity as to what activity the carbon footprint relates to.
Climate change adaptation	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	<p>Council opposes this definition and seeks that it be deleted. It lacks the necessary specificity required for a definition to enable effective and efficient implementation in regulatory frameworks (district plans and regional plans). For example:</p> <ul style="list-style-type: none"> • It is unclear what is meant by “human systems” and how this is to be applied in regulatory frameworks • It refers to “moderate harm” but not to which values, assets and/or other features this is to be applied. • The last sentence reads as a statement more appropriately included in a policy rather than a definition.
Climate change mitigation	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	<p>Council opposes this definition and seeks that it be deleted. It describes actions which are more appropriately included in a policy rather than a definition. It also relies on the use of examples to provide clarity missing from the definition. It is also difficult to understand how this definition can be applied in a regulatory RMA framework that manages the development, use and subdivision of land.</p>
Complex development opportunities	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	<p>Council opposes this definition and seeks that it be deleted:</p> <ul style="list-style-type: none"> • It relies on a committee rather than a statutory plan, Future Development Strategy or other planning instrument for identification of relevant land areas. • It is drafted as a policy rather than a definition and requires a level of assessment and judgement inappropriate for a definition.
High density development	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	<p>The definition conflates built form, land use activities and spatial areas, and reads as a zone statement. It does not provide a definition of high-density development with a specificity appropriate for use in regulatory frameworks in RMA plans. Council also objects to the definition requiring that high density development must consist of</p>

			buildings with a minimum of 6 storeys. This exceeds the requirements of the NPS-UD, is not supported by any urban design evidence, and is more appropriately included in a policy.
Highly erodible land	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	Council opposes this definition and seeks its deletion for the following reasons: <ul style="list-style-type: none"> The first sentence requires a level of assessment and judgement inappropriate for a definition. It is unclear what a protective cover of deep-rooted woody vegetation is and how this would be determined. The second sentence is appropriately certain.
Hydrological controls	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	Council opposes this definition and seeks its deletion for the following reasons: <ul style="list-style-type: none"> It is drafted as a rule or standard rather than a definition and requires a level of assessment and judgement inappropriate for a definition. It lacks the necessary specificity required for a definition to enable effective and efficient implementation in a regulatory framework (district plan and regional plan).
Medium density residential development	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	The definition conflates built form, land use activities and spatial areas, and reads as a zone statement. It does not provide a definition of medium density development with a specificity appropriate for use in regulatory frameworks in RMA plans. Council also objects to the definition requiring that medium density development must consist of buildings with a minimum of 3 storeys (noting height is actually expressed in terms of maximum height in metres in Schedule 3A(11) rather than the number of storeys). This exceeds the requirements of the MDRS, is not supported by any urban design evidence, and is more appropriately included in a policy.
Nature-based solutions	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	Council opposes this definition and seeks its deletion for the following reasons: <ul style="list-style-type: none"> It lacks the necessary specificity required for a definition to enable effective and efficient implementation in a regulatory framework (district plan and regional plan). The lack of clarity is illustrated by the need to include a wide range of examples.
Permanent forest	Oppose	Amend the definition so that it uses the same terminology as in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. Remove “for the purpose of the RPS” from the start of the definition, as this is superfluous when it is a definition in the RPS.	This definition should draw from and be consistent with the terminology contained in the NES-PF, which in itself regulates plantation forestry. For instance, the definition could be reworded to include plantation forestry as a specific exclusion. It could also include an exclusion of any other harvesting that is not within the NES-PF. Remove “for the purpose of the RPS” from the start of the definition, as this is superfluous when it is a definition in the RPS.

Plantation forestry	Oppose	Delete definition and replace it with the definition from the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017	There is already a definition for plantation forestry in the NES-PF. To introduce a separate definition to that of the NES-PF would be confusing and potentially lead to inconsistency. Where the term plantation forestry is used in the RPS, it needs to be done so in a manner that is consistent with the NES-PF, which is a higher level RMA document than the RPS.
Regionally significant infrastructure	Amend	Amend definition to use the One Network Framework for roading hierarchy.	The RPS should use the One Network Framework for roading hierarchy, which Waka Kotahi now requires for all transport planning. Paekakariki Hill Road is also located within Porirua City Council's district. It does not make sense to only include that part of the Paekakariki Hill Road that is located within the Kapiti Coast as a local arterial route, when the road has been reclassified as a secondary collector under the One Network Framework now that Te Aranui o Te Rangihaeata has opened.
Tier 1 territorial authority	Oppose	Delete definition and replace it with the definition under s2 of the RMA	Council opposes this definition and seeks its deletion and replacement with the definition of Tier 1 territorial authority under s2 of the RMA. The reason is that the RMA is the primary piece of legislation and the definition applies broader than just the NPS-UD.
Travel demand management plan	Oppose	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	Council opposes this definition and seeks its deletion for the following reasons: It is drafted as a policy and includes actions and thresholds that should be the subject of policy direction.
Urban areas		Amend definition as follows: The region's urban areas (as at February 2009) include residential zones, commercial, mixed use zones, sport and open space zones , urban, residential, suburban, town centre, commercial, community, business and industrial zones identified in the Wellington	Definition wording should align with National Planning Standards.