

Form 5

Submission on notified proposal for plan change

Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council

Name of submitter(s): Guildford Timber Company Limited, Silverstream Forest Limited and the Goodwin Estate Trust.

Contact person for submission: Chris Hansen; RMA Planning Consultant.

This is a submission on the following plan change proposed to the Operative Natural Resources Plan for the Wellington Region (the **proposal**):

- Proposed Plan Change 1 to the Natural Resources Plan (PC1)

The specific provisions of the proposal that the submission relates to are (and the corresponding provisions included in Chapter 9 Te Awarua-o-Porirua Whaitua):

- Definitions - 'Earthworks'; 'Impervious surfaces'; 'Stabilisation'; 'Stormwater treatment system'; 'Highest erosion risk land (plantation forestry)'; 'Highest erosion risk land (woody vegetation)'; 'Hydrological Control'; 'Unplanned greenfield development'
- Planning Maps 86 – 89; 94 and 95
- Objectives O18; O19; O25 and O28
- Policies P30; P78
- Method M44
- Objectives WH.O1; WH.O2; WH.O6; WH.O9
- Policies WH.P1; WH.P2; WH.P4; WH.P6; WH.P9; WH.P10; WH.P14; WH.P15; WH.P16; WH.P17; WH.P28; WH.P29; WH.P30; WH.P31
- Rules WH.R2; WH.R3; WH.R5; WH.R6; WH.R11; WH.R12; WH.R13; WH.R17; WH.R18; WH.R19; WH.R20; WH.R21; WH.R22; WH.R23; WH.R24; WH.R25
- Note after Rule WH.R19
- Schedule 34

The submitters seek the following decision from the Greater Wellington Regional Council:

- Refer to submission attached.

The submitters wish to be heard in support of its submission.

The submitters would consider presenting a joint case at the hearing with others who make a similar submission.

The submitters could not gain an advantage in trade competition through this submission.



Person authorised to sign
on behalf of Guildford Timber Company Limited, Silverstream Forest Limited and Goodwin
Estate Trust

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Submission on notified Proposed Plan Change 1 (PC1) to the Operative Natural Resources Plan for the Wellington Region

Overview

The following submission is on behalf of the Guildford Timber Company Limited, Silverstream Forests Ltd, and the Goodwin Estate Trust (submitters) who own land in Pinehaven/Silverstream, Upper Hutt. The land the subject of this submission is currently zoned General Rural in the Upper Hutt City Council's Operative District Plan.

The Guildford Timber Company Limited is a family-owned company that was established in 1926. It has a 90+ year history and association with Upper Hutt and with Pinehaven and Silverstream. The submitters own approximately 330ha of land in the Silverstream/ Pinehaven area that is held in multiple titles (refer to Map 1 in Appendix A). Its land comprises the steeper slopes surrounding existing residential areas, and the rolling ridges around the southern and eastern sides of the Pinehaven Valley, extending over into Blue Mountains.

Since 1928 the land has primarily been used as a commercial pine plantation. The submitters have called its forestry operation Silverstream Forest Ltd. Large areas of this mature production forest (pines) is due to be harvested in the short-medium term.

The submitters intend to develop parts of its land for residential and mixed-use activities as a post-harvest use of the land. The submitters have been working towards the transitioning from forestry land to residential and mixed-use development with the Upper Hutt City Council (UHCC) for almost two decades (as outlined below). Investment in maintenance and future replanting decisions to manage the forest as the site is transitioned into the future growth area is adversely affected by the proposed changes to the planning context for commercial forestry on the site.

PC1 in its current form includes provisions that prohibit the submitter's land to be used for residential and mixed-use activities as planned by the submitters working with the UHCC, and constraints on its commercial forestry operations. The purpose of this submission is to address the inclusion of provision that prohibit development and use of the submitter's land. The submitters therefore oppose PC1 in its current form.

Planning Context

The submitter's land has previously been recognised in regional and district planning documents as a future growth area, and the submitters have planned for development on its site, as outlined below.

The following planning instruments are relevant to the submitter's land:

- National Policy Statement – Urban Development 2020 (NPS-UD) - a key Objective of the NPS-UD is to ensure New Zealand has well-functioning urban environments that

enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. Regional and district plans are required to implement this objective.

- Wellington Regional Growth Framework 2021 and draft Future Development Strategy (FDS) 2023 – the submitter’s land was previously included as a Southern Growth Area in Wellington Regional Future Growth Framework (2021). However, the draft FDS¹ (PPC1 to the Natural Resources Plan) does not include the submitter’s land as a Future Growth Area. The submitters have filed a submission² to GRWC on the draft FDS seeking the reinstatement of its land as a Future Growth Area as included in the previous Regional Growth Strategy, and Upper Hutt City Council has supported this submission.
- UHCC Plan Change 50 (September 2020) – PC50 intended to review the residential and rural provisions of the Operative District Plan, as part of a rolling plan review process. UHCC separated the residential and rural review in response to the National Policy Statement – Urban development (NPS-UD). As a result, UHCC proceeded with the residential review of provisions through an Intensification Planning Instrument (IPI) as one part of PC50 (with a Decision on this part of PC50 just released), and delayed the rural review of provisions part of PC50 until October 2023. While previously the submitters land was identified in the operative district plan as a future growth area (since 2007), PC50 notified in October 2023 did not include provisions that would allow the development of the submitters land as a future growth area. The submitters have filed a submission to UHCC seeking specific provisions to enable development of its land as proposed in the master planning they have done, including some areas being rezoned general residential; some areas rezoned rural lifestyle, and some areas retained as general rural.
- UHCC Land Use Strategy 2016 – 2043 (LUS) - the submitter’s land is identified in the Council’s LUS as the Southern Growth Area.
- UHCC Long Term Plan 2021 - 2031 (LTP) (adopted 2022) the submitter’s land is identified in the Council’s LTP as the Southern Growth Area and is recognised and accounted for in the planning for public infrastructure upgrades for growth planning purposes. In particular:
 - Silverstream bridge replacement being required due to growth in central Upper Hutt and the southern growth zone. Infrastructure upgrades to the bridge was planned for years 4-10.
 - Pinehaven reservoir upgrades for water supply were required for growth in years 11-20.

Both of these investments require significant capital investment but have been planned for in the LTP and planned to allow for medium term growth.

¹ Wairarapa – Wellington – Horowhenua Future Development Strategy; September 2023

² Submissions closed Thursday 9 November 2023

- UHCC Plan Change 43 (stormwater/ flooding) and associated works, and Proposed Plan Change 49, Variation 1 to provide to infrastructure and services (discussed further below)

Brief History of Planning for the Use and Development of the Land

The submitters have worked with UHCC to plan for residential and mixed use development of part of their land known as the Southern Growth Area since 2007 and this planning is reflected in the various planning instruments discussed above that anticipate future residential and mixed use activities on the land. The submitter's have a vision for the development being:

To provide a quality residential development that meets best practice urban design standards and delivers on the wider community needs in Pinehaven and Silverstream through provision of housing and allowing submarginal rural land to be either replanted for ecological restoration and improve parks and reserve assets.

This vision is driven by providing walkable village hubs with compact and well-designed housing and community spaces. Important ecological areas are identified and enhanced, infrastructure including roading and 3 waters provided, and stormwater and flooding managed to achieve hydraulic neutrality on the land.

The submitter's land has been through two masterplan processes first in 2007 and more recently in 2021 – the Silverstream Forest Masterplan. It has also been the subject of a joint Infrastructure Accelerator Fund application with UHCC in 2020 which included assessments for all required infrastructure and demonstrated that the land could be serviced.

Planning for infrastructure to support the submitters has been undertaken at a plan level by UHCC via Plan Change 43 (stormwater/ flooding) and associated works, Proposed Plan Change 49, Variation 1 to provide to infrastructure and services (roading access, utilities, network utilities and water reservoirs for the Southern Growth Area and provision for growth related infrastructure (water reservoir and Silverstream bridge upgrade) including expenditure for this infrastructure in the UHCC LTCP 2021-2035 (adopted in 2022).

It proposed development would provide a significant number of additional dwellings of up to 1600 households, of varying typologies, and considerable testing has been undertaken in the concept plan to confirm whether affordable housing could be provided within each of the village hubs proposed in the growth area which are high quality and meet good urban design principles.

The land sits between Silverstream and Upper Hutt City's existing urban areas and is able to be well connected with commuter cycling connections, connections to the Silverstream Railway Station and provision of recreational tracks for all residents through the area. The proposed development would focus on urban form and street design around public transport nodes and further strength economic activity within the Silverstream Town Centre, meeting the FDS prioritised Development Area assessment criteria.

Submission

This submission is divided into two parts: PART ONE addresses general concerns relating to unplanned greenfield area/development and plantation (commercial) forestry; and PART TWO addresses specific PC1 provisions of interest to the submitters and their operations. While the submission points are addressed at the provisions of the Whaitua Te Whanganui-a-Tara, the concerns raised and decisions sought also apply to corresponding provisions of the Te Awarua-o-Porirua Whaitua and should be included as submission points on those topics also.

PART ONE – General Submission Points

Submission Point #1 – key concern - inclusion of the submitter’s site as ‘unplanned greenfield area’

The submitters cannot understand why their land, which has previously been identified as a future growth area and has had significant investigations for its future use and development (as outlined above), has now been identified in the ‘unplanned greenfield areas’ on Planning Map 88, particularly as the land has been recognised by GWRC and UHCC as the Southern Growth Area in previous Council documents (as discussed above). The submitters have invested significant time and money on expert assessments to date to support the rezone. The submitters consider this a major oversight that needs to be rectified by GWRC through this submission.

The submitters have demonstrated the suitability of its land for residential and mixed use activities through the extensive planning undertaken since 2007, and the significant economic and social benefits to the wider community, including affordable housing, recreational opportunities, and ecological enhancement of important areas. The summary of this work was provided in the Framework Document for the submitters³ which is publicly available. The technical reports that underpinned this work included:

- Transport Modelling
- Electricity supply
- Stormwater
- Wastewater and water supply and other services
- Reverse sensitivity assessments
- Ecology
- Feasibility cost estimates
- Urban design
- RMA planning
- Consultation with relevant stakeholders and the wider community

The submitters consider it is appropriate based on the planning history of its land for it to be included in the ‘planned/existing urban area’ notation on Planning Map 88. The submitter’s oppose its land being identified ‘unplanned greenfield areas’ on Planning Map 88 and being subject to the ‘unplanned urban development’ provisions of PC1, which include prohibited activity rules associated with stormwater discharges.

³ [guildford-timber-company-framework-document-2007.pdf \(upperhuttcity.com\)](#)

Furthermore, the submitters have filed submissions to the draft FDS seeking GWRC to reinstate the previous Future Growth Area classification on its land, and UHCC PC50 seeking the rezoning of its land to enable future development for residential and mixed use activities.

Decision Sought

The submitters seek GWRC to reclassify its land in Pinehaven/Silverstream (as shown on Map 1 in Appendix A with the legal descriptions provided in Appendix B) from ‘unplanned greenfield areas’ to ‘Planned/existing urban area’.

Submission Point #2 – ‘unplanned greenfield development’ provisions

As an alternative to Submission #1 above, should GWRC not agree to reclassify the submitters land to ‘planned/existing urban area’, the submitters oppose and seek the removal from PC1 all provisions that provide for unplanned greenfield development. The submitters consider the approach to prohibiting unplanned greenfield development (Policy WH.P2); avoiding all new stormwater discharges from unplanned greenfield development (Policy WH.P.16); and the subsequent prohibiting of stormwater from new unplanned greenfield development (Rule WH.R13) is overly restrictive, unwarranted and a misuse of the prohibited activity category. In particular the submitters are concerned that:

- The areas shown on Maps 86 – 89 are extensive in area and will affect an unidentified number of resource users that unlikely to have been properly consulted (although it is noted that feedback from consultation as part of the s.32 evaluation was unresponsive of the prohibited activity status of greenfield development within unplanned greenfield development areas – Para. 53; page 13 s.32 evaluation report);
- The costs and benefits/effectiveness and efficiency evaluation of adopting this prohibitive approach included in the s.32 evaluation report is general in nature and fails to identify and assess the extent the NPS-UD will be implemented (including being contrary to the intent of Objectives 2 and 6 and Policy 8), the costs and delays to resource users caused by the requirement to undertake a dual plan change process (there is no provision in the RMA for a dual private plan change process), and the ability of councils to respond to the housing needs of the region;
- Prohibiting unplanned greenfield development and requiring the resource user to go through two plan changes to change both the district and regional plans is a misuse of the prohibited activity category which is intended to be used with care and where the effects are easily identifiable and discrete - in this case the effects of the prohibited activity are not specified for any particular area, and the extent of the area does not warrant a blanket approach;
- Furthermore, there is no evaluation of reasons why another activity status (such as discretionary or non-complying) could be used for unplanned greenfield developments - this approach would allow the adverse effects of a particular proposal in a particular area to be considered, and the proposal declined if the effects did not meet the objectives and policies on the NRP;

- Adopting a plan change process to change the activity should not be used as an alternative to the resource consenting process, but this appears to be the approach taken in PC1;
- There are restrictions on when private plan change requests can be made and Council has discretion as to whether they reject those requests or not, including not meeting priorities and whether the matter had been considered within the last 2 years. (clause 25, schedule 1 RMA). There is no certainty that a private plan change process is available.
- The objectives of PC1 do not justify the avoidance and prohibited approach adopted in the policies and rules;
- The definition of ‘unplanned greenfield development’ includes a note that states unplanned greenfield areas are those areas that do not have an urban or future urban zone at the time PC1 was notified on 30th October 2023 – this limitation does not recognise that there are submissions to the draft FDS and PC50 of the UHCC district plan (that is still going through a plan change process that could result in rezoning of submitters land) seeking areas to be rezoned residential beyond the 30th October date specified, or capture the UHCC IPI implementation of the MDRS.
- Furthermore, there is an inconsistent application of the definition of ‘unplanned urban development’ by local authorities (i.e. large lot residential and hill residential lots have been included in Wellington and Hutt City Council areas, but rural residential has been excluded from UHCC and Porirua City Council which has similar types of urban development outcomes.

Decision sought: as a lesser alternative to Submission Point #1 above, the submitter seeks the definition of ‘unplanned greenfield development’ and all reference to ‘unplanned greenfield development’ and ‘unplanned greenfield areas’ be deleted from PC1 provisions, and for GWRC to rely on the PC1, existing NRP, and district plan provisions to address the effects of future greenfield development outside of existing urban areas.

Submission Point #3 – Plantation (commercial) forestry provisions

The majority of the submitters site is currently in commercial forestry, with much of the forest now ready to harvest. While residential development is proposed across the site, this will be staged and not all areas of the site will be used for residential development.

The submitters consider the *Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (updated November 2023)* (NES-CF) provides a consistent and clear process for forestry practitioners to manage forestry operations, including on sites susceptible to erosion.

The submitters are concerned that the provisions included in PC1 add additional layers of requirements in policies and rules that are more restrictive to the updated NES-CF that are unjustified and unwarranted, and not required to implement the objectives of the NRP or NPS-FW. These additional provisions will cause additional costs and delays, and potential confusion around which rules need to be considered on site. The submitters have reviewed and considered the proposed changes and do not see the proposed standards helping to manage

more effectively the resource management issues encountered with commercial forestry. PC1 also provides for additional management practices and documentation for erosion and sediment control processes which are not occurring within 10m of a water body on areas that are identified by GWRC as having highly erodible soil. The level of assessment under Schedule 34 is above and beyond what is required under the NES-CF and are onerous and unnecessary for managing commercial forestry resource management issue (discussed in PART TWO of this submission).

The requirement to progressively reduce and cease plantation (commercial) forestry beyond the next harvest on the highest erosion risk land and then to provide an objective to restore and revegetate the site, with a presumably native permanent woody species, is also strongly opposed. The submitters consider prohibiting forestry activity after the last harvest and then dictating through the schedule to not be able to consider other land uses for the site is a totally inappropriate use of the plan making tools available to manage resource management issues. It is an over-reaction and also does not take into account the costs and benefits of this change in land use and property rights of land owners who undertake a forestry business on the land. There appears to have been no consultation with the Region's forestry industry in the development of these provisions despite the significant impact it will have on the industry, the submitter's own operator was not consulted as well as many of its contracting crews.

The submitters also note there are also a number of definitions which incorrectly refer to the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017*. This incorrect reference is used throughout the PC1 provisions. This name was changed to the *Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017* on 03 November 2023, by regulation 4 of the *Resource Management (National Environmental Standards for Commercial Forestry) Amendment Regulations 2023*.

Furthermore the submitters note that the term '*plantation forestry*' is used throughout PC1 and is not defined. References to '*plantation forestry*' in the NES-CF have been changed to '*commercial forestry*' as part of the amendment regulations, and for consistency PC1 should reflect these changes.

Finally, the submitters have identified that the Note following Rule WH.R19 on page 98 of PC1 incorrectly references the *Resource Management (National Environmental Standards for Freshwater) Regulations 2020* instead of the *Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (updated November 2023)*.

Decision sought: the submitters seek the following amendments to PC1:

- That the NES-CF is used as the basis of management of commercial forestry in the Wellington region and the rules restricting plantation (commercial) forestry rules are deleted;
- Correctly refer to the *Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017* (Updated 3 November 2023);
- Correctly refer to '*commercial forestry*' to be consistent with the updated NES-CF;
- Correct the Note after Rule WH.R19 on page 98 to refer to the NES-CF.

Submission Point #4 – Allocation of provisions

The submitters are concerned that a number of provisions of PC1 that relate to plantation (commercial) forestry and vegetation clearance are incorrectly allocated as Freshwater Planning Process (FPP) provisions. The submitters consider it is unclear how plantation (commercial) forestry activities in line with the NES-CF (2023) are allocated to the FPP.

In particular, the submitters note:

- The definition of Afforestation, Harvesting, Mechanical land preparation, Replanting, Vegetation Clearance for the purpose of the plantation (commercial) forestry rules, that all come from the NES-CF (updated November 2023) but have been allocated to the FPP. The primary aim of these regulations is forestry not freshwater;
- Policy WH.P28; Rules WH.R20; WH.R21 and WH.R22 controlling plantation (commercial) forestry are all allocated to the FPP process;
- Rules WH.R17; WH.R18 and WH.R19 relating to vegetation clearance are all allocated to the FPP process.

Decision sought: the submitters seek deletion of the allocation to the FPP the definitions, policies and rules relating to plantation (commercial) forestry covered by *Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (updated November 2023)* and vegetation clearance, identified above.

PART TWO - Specific Submission Points

The submitters note that it has sought in PART ONE above specific ways to address the key concerns it has relating to how unplanned greenfield developments and commercial forestry has been treated in PC1. In addition to these submission points, the submitters provide the following specific submission points on PC1 provisions that relate to its land and the future development it has planned.

Submission #5 – Definitions

The submitter's support the following definitions included in PC1:

- 'Earthworks'
- 'Impervious surfaces'
- 'Stabilisation'
- 'Stormwater treatment system'

'Earthworks'

While the submitters support the exception to the earthworks definition that adopts the definition 'earthworks' contained in the NES-PF for the purposes of the rules relating to plantation (commercial) forestry, they note that the NES-PF referred to has been superseded by the *Resource Management (National Environmental Standards (Commercial Forestry) Regulation 2017 (updated 3 November 2023)* and seek for this updated NES-CF to be referenced in the definition.

Decision Sought: the submitters seek the definitions of ‘earthworks’ (subject to update to the new NES-CF), ‘impervious surfaces’, ‘stabilisation’ and ‘stormwater treatment system’ to be retained as currently written.

The submitter’s oppose the following definition included in PC1:

- ‘Highest erosion risk land (plantation forestry)’ and ‘Highest erosion risk land (woody vegetation)’
- ‘Hydrological Control”
- ‘Unplanned greenfield development’

‘highest erosion risk land (plantation forestry)’ and ‘highest erosion risk land (woody vegetation)’

The submitters oppose mapping of ‘highest erosion risk land (plantation forestry)’ and ‘highest erosion risk land (woody vegetation)’. The NES-CF uses a different erosion susceptibility classification tool that divides the NZ landscape into 4 erosion categories:

- green (low) and yellow (moderate) – land less likely to erode where commercial forestry activities are permitted (subject to conditions being met);
- Orange (high risk) and red (very high risk) – land more likely to erode where most forestry activities can’t be carried out on red-zoned land without resource consent, and some activities such as earthworks also require consent on orange-zoned land.

Using this classification the submitters land is zoned green and yellow on the Ministry of Primary Industries (MPI) mapping of areas, meaning forestry activity is permitted under the NES-CF subject to meeting conditions. This classification seems to be in direct conflict to the maps prepared by GWRC which include *‘highest erosion risk land (plantation forestry)’* over the submitters land. The submitters therefore question why there is such a variation in the classification of their site, and consider it is more appropriate for commercial forestry on its land to be managed through the NES-CF.

In addition, the quality of the mapping is poor and it is difficult to tell where the areas shown on Maps 94 and 95 start and finish on the submitter’s site due to the pixelation that occurs when zooming in on a particular area. This poor mapping quality needs to be resolved so land users are able to determine where these areas are on their property, and the poor mapping could cause GWRC compliance issues at a later date. It is not possible for individual submitters to determine the extent that their land is affected and to make a submission, this mapping should be redone and that aspect of the plan re-notified.

Decision sought: the submitters seek the following:

- The management of commercial forestry activities on the submitters land be undertaken in accordance with the erosion susceptibility classification tool and the requirements of the NES-CF;
- That these PC1 definitions and provisions be deleted or the NRP be amended to be consistent with and take the same approach as the NES-CF - a more restrictive approach is not justified;
- Mapping of ‘highest erosion risk land (plantation forestry)’ and ‘highest erosion risk land (woody vegetation)’ to be improved to a higher quality so that when zooming in

on a site on the map a resource user can easily determine where the relevant areas are located on a site.

'Hydrological control'

The submitters are concerned with the definition suggesting that management of stormwater would be "... *in a way that replicates natural processes...*". The submitters consider the reference to natural processes is inappropriate, and would seek the definition be amended to refer to 'hydraulic processes'.

Decision sought: The submitters seek the definition of hydrological control to be amended as follows:

"The management of a range of stormwater flows and volumes, and the frequency and timing of those flows and volumes, from a site or sites into rivers, lakes, wetlands, springs, riparian margins, and other receiving environments in a way that replicates ~~natural processes~~ hydraulic processes for the purpose of reducing bank erosion, slumping, or scour, to protect freshwater ecosystem health and well-being."

'Unplanned greenfield development'

The reason for this opposition is discussed above under Submission Point #2, and include:

- The reference to 'unplanned greenfield areas' on Maps 86 – 89;
- The Note that includes the reference to 30th October 2023 which is inflexible and unnecessary and does not account for councils (such as UHCC) that may have a plan change going through the process that intends to rezone land to residential beyond that date, or for future plan changes, including the IPI UHCC plan change which was approved by Council on 23 November 2023.

Decision sought: The submitters oppose this definition and seek the deletion of the definition and notation off the maps (and from subsequent PC1 provisions, or amendments to specific provisions discussed below).

Submission Point #6 – Objective O18 Water Quality

The submitters note that Objective O18 that relates to water quality suitable for contact recreation and only applies to natural wetlands in the Whaitua Te Whanganui-a-Tara and generally support the intent of the objective.

Decision sought: The submitters seek the intent and wording of Objective O18 to be retained as written.

Submission Point #7 – Objective O19 Biodiversity, aquatic ecosystems health and mahinga kai

The submitters note that Objective O19 that relates to biodiversity, aquatic ecosystems health and mahinga kai and only applies to natural wetlands in the Whaitua Te Whanganui-a-Tara and generally support the intent of the objective.

Decision sought: The submitters seek the intent and wording of Objective O19 to be retained as written.

Submission Point #8 – Objectives O25 and O28 Sites with significant values

The submitters note that the new note states that Tables 3.4, 3.5, 3.6 and 3.8 do not apply to the Whaitua Te Whanganui-a-Tara. However, it is noted that Tables 3.1 and 3.3 also have the symbol indicating these tables also do not apply to the Whaitua Te Whanganui-a-Tara, and the submitters consider these tables should also be referenced in Objectives O25 and O28.

Decision sought: The submitters seek Objectives O25 and O28 to be amended to include reference to Tables 3.1 and 3.3.

Submission Point #9 - Policy P30 Biodiversity, aquatic ecosystems health and mahinga kai

The submitters note that Policy P30 relates to biodiversity, aquatic ecosystems health and mahinga kai and only applies to natural wetlands in the Whaitua Te Whanganui-a-Tara and generally support the intent of the policy.

Decision sought: The submitters seek the intent and wording of Policy P30 to be retained as written.

Submission Point #10 – Policy P78 Discharges to land and water

The submitters note that Policy P78 that relates to managing point source discharges for aquatic health and mahinga kai only applies to natural wetlands in the Whaitua Te Whanganui-a-Tara and generally supports the effects management approach of the policy.

Decision sought: The submitters seek the effects management approach and wording of Policy P78 to be retained as written.

Submission Point #11 - Method M44 -Supporting the health of rural waterbodies

The submitters support Clause (a) that proposes to investigate financial support and rates relief options for accelerating retirement/revegetation of pastoral and plantation (commercial) forestry land uses. The submitters note that as currently written PC1 brings in changes that prohibits intended future use (residential) and prevents continuation of the existing use of production forestry for parts of the submitters site. The submitters consider as a result of the introduction of the PC1 provisions, their land will have little value and rates relief/financial

support is appropriate, however they do note that in order for relief to be effective, relief is also necessary from District Council rates.

Decision sought: The submitters seek the intent and wording of Method M44 to be retained as written or updated to include reference to investigating the extension of rates relief to District Council rates.

Submission Point #12 – Objective WH.O1 Health of all freshwater bodies

The submitters note the aspirational intent of the objective to progressively improve the health of freshwater bodies (and the coastal marine area) and for them to be in a wai ora state by 2100. While generally supporting the intent of the objective, the submitters note the objective is all-inclusive (relates to the health of all freshwater bodies) and the wai ora state requires all freshwater bodies to have planted margins which may not be physically or legally (due to property rights) possible. The submitters note that the term ‘freshwater bodies’ is not defined in the RMA or any of the relevant planning instruments (NPS-FW; NES-FW; RPS; NRP), but freshwater is defined in the RMA as “*means all water except coastal water and geothermal water*”. This means that the all-inclusive intent of Objective WH.O1 will apply freshwater bodies (such as roadside channels and man-made drains that convey freshwater) which is considered impracticable and unnecessary. The submitters consider the objective should be amended to apply to natural freshwater bodies to avoid unintended consequences.

Decision sought: The submitters seek for Objective WH.O1 to be amended to apply to ‘natural freshwater bodies’ to avoid the all-inclusive nature of the intent which has unintended consequences.

Submission Point #13 – Objective WH.O2 Health and wellbeing of groundwater, rivers and natural wetlands

The submitters note and support the more focused intent of the objective on the health and wellbeing of groundwater, rivers and natural wetlands within the Whaitua. Notwithstanding this support, the submitters note that there are outcomes (such as river and erosion processes including bank stability (Clause (b)), and the extent and condition of indigenous riparian vegetation (Clause (c)) that are to be increased or improved that do not appear to have any clear or acceptable targets that these matters can be assessed against. What level of acceptance targets are intended to be used?

Decision sought: The submitters seek for the focus and intent of Objective WH.O2 to be retained as written, with additional thought given to clearly identifying level of acceptable targets for those matters not cover by the TASSs, as identified above.

Submission Point #14 - Objective WH.O6 Groundwater flows and levels, and water quality

The submitters note the intent of the objective to ‘protect’ groundwater dependent ecosystems (Clause (b)) and ecosystems in connected surface water bodies (Clause (c)), and ‘avoid’ aquifer consolidation (Clause (f)). The submitters oppose these approaches as they lead to restrictive

and unnecessary restrictions in policies and rules to appropriately implement the objective. The submitters consider an effects management approach as per the NPS-FM is more appropriate and provides a balanced response, and seek an amendment to these clauses to ensure consistency within the objective with Clauses (a), (d) and (e) and other objectives (such as Objective WH.O9).

Decision sought: The submitters seek the following amendments to Objective WH.O6 (or similar wording):

- i. Clause (b) be amended to read: “~~protect~~ ensure that groundwater dependent ecosystems are maintained or improved where degraded”
- ii. Clause (c) be amended to read: “~~protect~~ ensure that ecosystems in connected surface water bodies are maintained or improved where degraded, and”
- iii. Clause (f) be amended to read: “avoid or minimise aquifer consolidation”

Submission Point #15 – Objective WH.O9 Water quality, habitats, water quantity and ecological processes of rivers

The submitters support the approach to maintain or improve water quality, habitat, water quantity and ecological processes of rivers, and the reference to ‘at least maintaining’ TAS in Clauses (b) and (c).

Decision sought: The submitters seek for the overall approach to maintain or improve water quality, habitat, water quantity and ecological processes of rivers in Objective WH.O9 to be retained as written.

Submission Point #16 – Policy WH.P1 Improvement of aquatic ecosystem health

The submitters oppose Policy WH.P1 as it is currently written as it does not accurately reflect the intent of the objectives being to maintain the aquatic ecosystem health where TAS are met, and improving them where TAS is not currently met. The submitters consider the objectives provide more flexibility than only ‘improve’ approach in the policy.

Decision sought: The submitters seek the following amendments to Policy WH.P1 to better reflect and implement the objectives (or similar wording):

“Improvement of aquatic ecosystem health

Aquatic ecosystem health will be maintained or improved where relevant target attribute state is not met by:
(a) progressively reducing the load or concentration of contaminants, particularly sediment, nutrients, pathogens and metals, entering water where relevant target attribute state is not met, and
(b) maintaining or restoring habitats where relevant target attribute state is not met, and
(c) maintaining or enhancing the natural flow regime of rivers and managing water flows and levels where relevant target attribute state is not met, including where there is interaction of flows between surface water and groundwater, and
(d) co-ordinating and prioritising work programmes in catchments that require changes to land use activities that impact on water.”

Submission Point #17 – Policy WH.P2 Managing of activities to achieve target attribute states and coastal water objectives

The submitters strongly oppose the prohibiting of unplanned greenfield development in Clause (a) for reasons discussed above in PART ONE of this submission. The submitters consider the objectives included in PC1 do not require such a restrictive and draconian approach to be implemented, and do not consider the dual plan change process the GWRC intends to allow for unplanned greenfield development is warranted, from an effects perspective there is no clear process for a dual plan change in the RMA. If GWRC do not reclassify the submitters land as requested in Submission Point #1 above, or delete the reference to unplanned greenfield development in PC1 as requested as an alternative in Submission Point #2 above, the submitters seek an amendment to Clause (a) to be consistent with the rest of the policy.

In addition, the submitters note Clause (e) refers to stabilising of stream banks and planting of riparian margins and would seek additional thought be given to clearly identifying level of acceptable targets for these matters that are not cover by the TASs, as identified above in relation to Objective WH.O2.

The submitters also oppose the requirement for active management of earthworks, forestry, cultivation and vegetation clearance activities (Clause (f)), and soil conservation treatment, including revegetation with woody vegetation of land with high erosion risk (Clause (g)). This policy directive appears to lead to restrictions on plantation (commercial) forestry that go beyond the provisions in the NES-CF, as discussed below. The submitters are also concerned about the restrictive nature of Schedule 34 and raises this matter later in this submission.

Decision sought: The submitters seek the following amendments to Policy WH.P2:

- i. Amend Clause (a) to read (or similar wording): “Encourage prohibiting unplanned and other greenfield development and for other greenfield developments minimising the to minimise contaminants and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and”;
- ii. Additional thought be given to clearly identifying level of acceptable targets for these matters that are not cover by the TASs, as identified above in relation to Objective WH.O2
- iii. Either delete or amend Clause (f) to read: requiring the active management adopting best practice principles and management of earthworks, forestry, cultivation and vegetation clearance activities; and
- iv. Either delete or amend Clause (g) to read: “adopting best practice principles and management of soil conservation treatment, including revegetation with woody vegetation of land with high erosion risk,”.

Submission Point #18 – Policy WH.P4 Achievement of visual clarity target attributes states

The submitters support the proposed approach to achieving visual clarity targets, relative to the site at the Hutt River at Boulcott only.

Decision sought: The submitters seek the retaining of the proposed visual clarity target at Boulcott as it is relevant to their site.

Submission Point #19 – Policy WH.P6 Cumulative effects of point source discharges

The submitters oppose the approach in the policy to avoiding the cumulative effects of point source discharges as this policy leads to overly restrictive rules and creates uncertainty for the renewal of existing consents as the timeframe referenced in Clause (c)(ii) is not specified. The submitters seek the policy be amended to provide a more flexible effects management approach consistent with the objectives and other policies in PC1.

Decision sought: The submitters seek the following amendments to Policy WH.P6:

- i. Amend the policy to read (or similar wording): “*The cumulative adverse effects of point source discharges, excluding stormwater network and wastewater discharges, to water are avoided or minimised and ...*”
- ii. Clarify the programme for timeframes and programme for the renewal of existing consents in Clauses (b) and (c).

Submission Point #20 – Policy WH.P9 General stormwater policy to achieve the target attribute states and coastal water objectives

The submitters support the general stormwater policy to achieve the TAS and coastal waters objectives which is considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Policy WH.P9 to be retained as written.

Submission Point #21 – Policy WH.P10 Managing adverse effects of stormwater discharges

The submitters support the managing adverse effects of stormwater discharges which is considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Policy WH.P10 to be retained as written.

Submission Point #22 – Policy WH.P14 Stormwater discharges from new and redeveloped impervious surfaces

The submitters support the managing adverse effects of stormwater discharges from new greenfield development to be minimised which is considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Policy WH.P14 to be retained as written.

Submission Point #23 – Policy WH.P15 Stormwater contaminant offsetting for new greenfield development

The submitters support the offsetting approach to managing residual adverse effects of stormwater discharge contaminants from new greenfield development which is considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Policy WH.P15 to be retained as written.

Submission Point #24 – Policy WH.P16 Stormwater discharges from new unplanned greenfield development

The submitters strongly oppose the policy and in particular the ‘avoid’ approach which directly leads to the prohibited activity Rule WH.R13. The submitters oppose the use of prohibited activity rules for the reasons given in PART ONE of this submission. The submitters do not consider the implementation of the PC1 objectives requires or justifies the avoidance as the only option for managing stormwater discharges from unplanned greenfield development, and the subsequent prohibited activity rule approach. As per Submission Point #2 above, the submitters seek the policy be deleted from PC1 as it is not necessary to implement the objectives. Alternatively, if deletion is not accepted, the submitters seek an amended to the policy to provide a more flexible effects management approach consistent with the objectives and other policies in PC1.

Decision sought: The submitters seek the following amendments to Policy WH.P16:

- i. Delete Policy WH.P16 in its entirety; or alternatively
- ii. Amend the policy to read (or similar wording): “~~Avoid~~Ensure all new stormwater discharges from unplanned greenfield development avoid or minimise any adverse effects where the discharge will enter ... ”

Submission Point #25 – Policy WH.P17 General wastewater policy to achieve target attribute states and coastal objectives

The submitters support the general wastewater policy to achieve the TAS and coastal waters objectives which is considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Policy WH.P17 to be retained as written.

Submission Point #26 – Policy WH.P28 Achieving reductions in sediment discharges from plantation forestry

The submitters oppose the general intent of Policy WH.P28 that has direct relevance to their commercial forestry operations, and results in the introduction of prohibited activity Rule WH.R22 (discussed below). As previously discussed in Submission Point #3 above, the submitters seek commercial forestry activities to be managed through the NES-CF which they consider are appropriate and justified. The submitter’s also raise the question of the differences

in the mapping of erosion risk land in Submission Point #5 and the quality of the mapping which is poor and it is difficult to tell where the high erosion risk land (plantation (commercial) forestry) areas shown on Map 95 start and finish on the submitter's site due to the pixelation that occurs when zooming in on a particular area.

In addition, the submitters oppose Clause (c) that seeks to prohibit new and continuing (after harvesting) of plantation (commercial) forestry on highest erosion risk land (plantation forestry), which leads to prohibited activity Rule WH.R22. The submitters note the intent of Clause (c) is carried through into Schedule 34, as discussed later in this submission.

The submitters oppose the use of prohibited activity rules for the reasons given in PART ONE of this submission. The submitters do not consider the implementation of the PC1 objectives requires or justifies the use of a prohibited activity rule approach and that the provisions of the NES, NPS-CF are more appropriate.

Decision sought: The submitters seek the following action/amendment in relation to Policy WH.P28:

- i. The mapping of 'highest erosion risk land (plantation forestry)' be deleted, or amended and improved to a higher quality so that when zooming in on the map a resource user can easily determine where the areas are located on a site;
- ii. Deletion of Clause (c).

Submission Point #27 – Policy WH.P29 Management of earthworks

The submitters support the managing of the risk of sediment discharges from earthworks using best practise management which is considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Policy WH.P29 to be retained as written.

Submission Point #28 – Policy WH.P30 Discharge standards for earthworks

The submitters support the standards for managing the discharge of sediment from earthworks over an area greater than 3,000m² which are considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Policy WH.P30 to be retained as written.

Submission Point #29 – Policy WH.P31 Winter shut down earthworks

The submitters oppose the winter shut down period for earthworks over 3,000m² as the requirements are onerous and will delay developments, result in unnecessary costs and are not required with the standards set in Policy WH.P30 and included in the rules (note the submitters oppose the shut down period being included in Rule WH.R24 below). There does not appear to be sufficient rationale to justify shut down period. The submitters note that winter works are totally appropriate to be undertaken if the soil type provides for this and sufficient management of earthworks controls are provided to manage effects, and or during construction a contractor has demonstrated they can work effectively in these conditions and the project requires works

in this period. This is regularly based on the performance of a contractor, winter works are able to be undertaken and in many cases is allowed for and assessed as being acceptable in resource consent applications. This operational performance standard that is normally site specifically assessed should be deleted as a policy.

Decision sought: The submitters seek Policy WH.P31 to be deleted in its entirety.

Submission Point #30 – Rule WH.R2 Stormwater to land – permitted activity

The submitters support the permitted activity status for stormwater discharges to land listed subject to the conditions listed which are considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Rule WH.R2 to be retained as written.

Submission Point #31 – Rule WH.R3 Stormwater from an existing individual property to surface water or coastal water – permitted activity

The submitters support the permitted activity status for stormwater discharges from an existing individual property subject to the conditions listed which are considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Rule WH.R3 to be retained as written.

Submission Point #32 – Rule WH.R5 Stormwater from new and redeveloped impervious surfaces – permitted activity

While the submitters support the permitted activity status for stormwater discharges from new and redeveloped impervious surfaces less than 1,000m², they oppose the exclusion of ‘unplanned greenfield development’ included in the rule. Reference to unplanned greenfield development is unnecessary and inappropriate as the rule is clearly focused on new or redevelopment of existing impervious surfaces, which is reasonable and pragmatic.

In addition, the submitters are concerned that Clause (a) seems to restrict all impervious area to less than 1000m³ for the entire site for all time which is considered onerous and overly limiting. Such an approach does not account for a large site being subdivided into lots, or if the impervious surfaces are historical.

Decision sought: The submitters seek the permitted activity status of Rule WH.R5 to be retained as written, subject to the deletion of the reference to ‘unplanned greenfield development’ and the following amendment to Clause (a): *“the proposal involves the creation of new, or redevelopment of existing impervious areas of less than 1,000m² on an existing lot or future subdivided lot over a 12 month period (baseline property existing impervious area as at 30 October 2023) and...”*

Submission Point #33 – Rule WH.R6 Stormwater from new greenfield impervious surfaces – controlled activity

While the submitters support the controlled activity status for stormwater discharges from new and redeveloped impervious surfaces greater than 1,000m² but less than 3,000m², they oppose the exclusion of ‘unplanned greenfield development’ included in the rule. Reference to unplanned greenfield development is unnecessary and inappropriate as the rule is clearly focused on new or redevelopment of existing impervious surfaces, which is reasonable and pragmatic.

In addition, the submitters are concerned that Clause (a) seems to restrict all impervious area to between 1000m² and 3,000m² for the entire site for all time which is considered onerous and overly limiting. Such an approach does not account for a large site being subdivided into lots, or if the impervious surfaces are historical.

Decision sought: The submitters seek the controlled activity status of Rule WH.R6 to be retained as written, subject to the deletion of the reference to ‘unplanned greenfield development’ and the following amendment to Clause (a): *“the proposal involves the creation of new, or redevelopment of existing impervious areas between 1,000m² and 3,000m² on an existing lot or future subdivided lot over a 12 month period (baseline property existing impervious area as at 30 October 2023) and...”*.

Submission Point #34 – Rule WH.R11 Stormwater from new and redeveloped impervious surfaces – discretionary activity

While the submitters support the discretionary activity status for stormwater discharges from new and redeveloped impervious surfaces that are not permitted or controlled which is considered reasonable and pragmatic, they oppose the reference to the prohibited activity Rule WH.R13 relating to ‘unplanned greenfield development’ which they are seeking deletion below. Rule WH.R11 would need to be amended, as a consequential change, should GWRC accept the submitters request and delete Rule WH.R13 (see below).

Decision sought: The submitters seek the intent and wording of Rule WH.R11 to be retained as written, subject to the deletion of the reference to Rule WH.R13 which the submitters are seeking to be deleted (see below).

Submission Point #35 – Rule WH.R12 All other stormwater discharges – non-complying activity

The submitters consider non-complying activity status for all other stormwater discharges that do not comply with the various rules listed is onerous and unnecessary. The submitters consider a discretionary activity status is appropriate for non-compliance with one or more of the various conditions and matters of discretion as the adverse effects of that part of the activity that cannot comply can be identified and assessed, and the application can be declined if the adverse effects are inappropriate and cannot be mitigated.

In addition, the submitters oppose the reference to the prohibited activity Rule WH.R13 relating to ‘unplanned greenfield development’ which they are seeking deletion below. Rule

WH.R12 would need to be amended, as a consequential change, should GWRC accept the submitters request and delete Rule WH.R13 (see below).

Decision sought: The submitters seek the recategorizing of the non-complying activity status of Rule WH.R12 to discretionary activity, and the deletion of the reference to Rule WH.R13 which the submitters are seeking to be deleted (see below).

Submission Point #36 – Rule WH.R13 Stormwater from new unplanned greenfield development – prohibited activity

The submitters strongly oppose Rule WH.R13 and seek it be deleted in its entirety. As discussed in PART ONE above, including the prohibited activity status is onerous and not justified by the objectives included in PC1. Any adverse effects of stormwater from a new unplanned greenfield development not in the identified future growth areas can be addressed through the stormwater rules in proposed PC1 for new greenfield developments (discussed above) and a non-complying activity rule if the conditions and standards in the proposed rules are not met. It is also inconsistent with the NPS-UD. This amendment sought allows for stormwater effects to be properly considered and controlled.

Decision sought: the submitters seek the deletion of Rule WH.R13 and for Council to rely on the proposed PC1 rules to address any adverse effects from stormwater discharges from new greenfield development outside of planned/existing urban areas, and introduce a non-complying activity rule for activities that cannot comply with one or more of the conditions and standards included in the proposed rules.

Submission Point #37 – Rule WH.R17 Vegetation clearance on highest erosion risk land – permitted activity

The submitters support the permitted activity status for vegetation clearance on highest erosion risk land (woody vegetation) subject to the conditions listed which are considered reasonable and pragmatic, subject to better mapping as addressed in Submission Point #3 above.

Decision sought: The submitters seek the intent and wording of Rule WH.R17 to be retained as written, subject to better mapping as addressed in Submission Point #3 above.

Submission Point #38 - Rule WH.R18 – “Vegetation clearance on highest erosion risk land – controlled activity

The submitters oppose the controlled activity status for vegetation clearance on highest erosion risk land (woody vegetation) of more than a total area of 200m² per property in any consecutive period. The submitters consider the 200m² area (which equates to the footprint of an average 3 bedroom house) is far too restrictive and impracticable and does not recognise planation forestry operations that require regular maintenance to cut down trees that potentially affect the slope stability and access of logging tracks. Normal operations also include clearance of 2m strips on either side of the logging track to maintain access. The submitters oppose the need for controlled activity resource consents for these normal commercial forestry maintenance

operations, noting that they are controlled and managed under the NES-CF and seek an exemption from Rule WH.R18

Decision sought: The submitters seek the normal plantation (commercial) forestry operations to be exempt from Rule WH.R18.

Submission Point #39 – Rule WH.R19 Vegetation clearance – discretionary activity

The submitters support the discretionary activity status for vegetation clearance on highest erosion risk land (woody vegetation) that do not comply with one or more of the conditions of Rules WH.R17 and WH.R18.

Decision sought: The submitters seek the intent and wording of Rule WH.R19 to be retained as written.

Submission Point #40 – Rule WH.R20 Plantation forestry – controlled activity

The submitters oppose the controlled activity status for plantation (commercial) forestry not on high erosion risk land (pasture) or highest erosion risk land (pasture) subject to the conditions and matters of control listed as they consider the matters being provided for by the rule are already appropriately controlled through the NES-CF, which has just been through a review process and has been updated accordingly. The submitters do not consider there is any justification for PC1 addressing these matters as this adds a further layer of unnecessary bureaucracy and seek the rule to be deleted in its entirety.

Should GWRC decline this submission point, the submitters would seek Rule WH.R20 to be amended to be consistent with, and not more restrictive than, the NES-CF. The submitters would also seek the better mapping as addressed in Submission Point #3 above, and the submitter is opposed to this rule being allocated to the FPP process given that it does not directly relate to freshwater and is relevant to Forestry NPS and NPS-IB should properly be part of the schedule 1 process.

Decision sought: The submitters seek the following:

- i. Delete Rule WH.R20 in its entirety; or as an alternative and if it is retained;
- ii. Amend Rule WH.R20 to be consistent with, and not more restrictive than, the provisions of the NES-CF; and
- iii. Address the mapping issues identified in Submission Point #3 above, and
- iv. Remove Rule WH.R20 from the allocation of the provision from the FPP as discussed in Submission Point #4 above.

Submission Point #41 – Rule WH.R21 Plantation forestry – discretionary activity

Similar to above, the submitters oppose the discretionary activity status for plantation (commercial) forestry that do not comply with one or more of the conditions of Rule WH.20. The submitters consider the matters being provided for by the rule are already appropriately

controlled through the NES-CF, which has just been through a review process and has been updated accordingly. The submitters do not consider there is any justification for PC1 addressing these matters as this adds a further layer of unnecessary bureaucracy and seek the rule to be deleted in its entirety.

Should GWRC decline this submission point, the submitters would seek the activity status for Rule WH.R21 to be changed to restricted discretionary activity, with the matters of discretion restricted to the one or more conditions of Rule WH.R20 that cannot be met. The rule should be amended to be consistent with, and not more restrictive than, the NES-CF.

As discussed in Submission Point #4 above, the submitters are also opposed to this rule being allocated to the FPP process given that it does not directly relate to freshwater and is relevant to Forestry NPS and NPS-IB should properly be part of the schedule 1 process.

Decision sought: The submitters seek the following:

- i. Delete Rule WH.R21 in its entirety; or as an alternative and if it is retained;
- ii. Amend the activity status of Rule WH.R21 to restricted discretionary activity, with the matters of discretion restricted to the one or more conditions of Rule WH.R20 that cannot be met, and to be consistent with, and not more restrictive than, the provisions of the NES-CF; and
- iii. Remove Rule WH.R20 from the allocation of the provision from the FPP as discussed in Submission Point #4 above.

Submission Point #42 – Rule WH.R22 Plantation forestry on highest erosion risk land – prohibited activity.

The submitters strongly oppose Rule WH.R22. As discussed in PART ONE above, including the prohibited activity status is onerous and not justified by the objectives included in PC1, and any adverse effects of a plantation (commercial) forestry can be considered through a the NES-CF provisions, and such an onerous rule will adversely affect the viability of forestry industry in the Region. This approach is not justified, there has been no consultation or engagement with industry and little evidential basis in the s32 to support this approach. There also appears to be little consideration of the need to plant slopes to prevent erosion and the cost of doing so, without a return which will impose a significant burden on submitters. The submitters seek the deletion of Rule WH.R22 in its entirety.

Decision sought: the submitters seek the deletion of Rule WH.R22 in its entirety

Submission Point #43 – Rule WH.R23 Earthworks – permitted activity

The submitters support the permitted activity status for earthworks subject to the conditions listed which are considered reasonable and pragmatic.

Decision sought: The submitters seek the intent and wording of Rule WH.R23 to be retained as written.

Submission Point #44 – Rule WH.R24 Earthworks – restricted discretionary activity

While the submitters support the restricted discretionary activity status for earthworks and associated discharges subject to the conditions and matters of discretion listed which are considered reasonable and pragmatic, the submitters oppose shut down period for earthworks included condition (b) and matter of discretion (8) restricting winter works and preparation for closedown for reasons outlined in Submission Point #29 relating to Policy WH.P31.

Decision sought: The submitters seek the intent and wording of Rule WH.R23 to be retained as written, except for the deletion of Clause (b) in its entirety.

Submission Point #45 – Rule WH.R25 Earthworks – non-complying

The submitters consider non-complying activity status for earthworks that do not comply with discretionary activity Rule WH.R24 is onerous and unnecessary and will mean that consents where effects can be effectively managed, will not meet the threshold test and cannot be considered for consent. The submitters consider a discretionary activity status is appropriate for a non-compliance with one or more of the conditions and matters of discretion as the adverse effects of that part of the activity that does not comply can be identified and assessed, and the application can be declined if the adverse effects are inappropriate and cannot be mitigated.

Decision sought: The submitters seek the recategorizing of the non-complying activity status of Rule WH.R25 to discretionary activity.

Submission Point #46 – Schedule 34 Plantation Forestry Erosion and Sediment Management Plan

The submitters consider the Schedule s34 requirements for sediment management plans relates to commercial forestry erosion is also overly onerous and would cause significant costs and potential delays in getting the management plan approved. The submitters consider the sediment management plan requirements should reflect the sediment management approach included in the NES-CF.

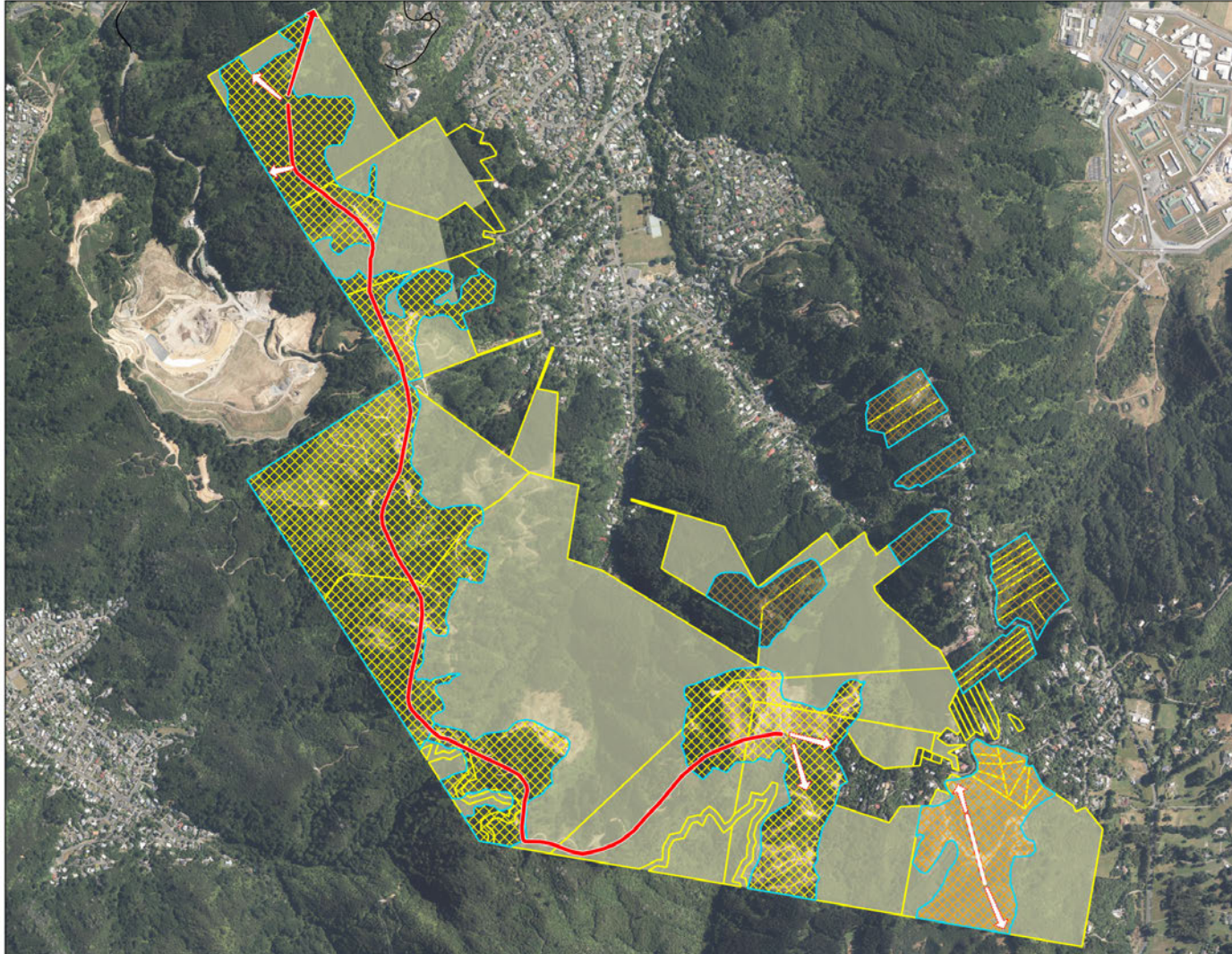
The submitters particular opposes the requirements of Management Objective 4 which is implemented through Clause (c) of WH.P28.

Decision sought: The submitters seek the re-write of the sediment erosion plan requirements to better reflect the management requirements of the NES-CF, and in particular delete Management Objective 4 in any re-write.

APPENDIX A – Map 1 – Proposed rezoning of submitter’s land



Proposed re-zoning of land to enable the development of the Southern Growth Area



Prepared by:
Awa Environmental Ltd
For: Guildford Timber Co

1 Ghuznee St
Te Aro, Wellington 6011
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Proposed Zones

Proposed Development Area Road

- Main Road
- Alternative Access Option

Proposed Development Zones

- Proposed General Residential Area
- Proposed Rural Lifestyle
- Proposed Avro Precinct Development Area

Guildford Parcels

- Guildford Parcels
- Plan Change 50 - Rural Review
- General Rural

Proposed rural zoning only shown

APPENDIX B - Schedule of properties and legal descriptions

Properties with zoning changes, included in master plan		
Certificate of Title	Legal Description	Property Address
WN53C/401	Lot 1 DP 85787	44 Kiln Street
WN19C/1077	Part Section 254 Hutt DIST	Avro Road
1100854	Lot 2 DP 584437	30A Duncraig Street
1100854	Lot 2 DP 409230	104 Wyndham Road
1100854	Lot 2 DP 27763	104 Wyndham Road
WN395/136	Lot 1 DP 8983	Pinehaven Road
WN5D/640	Lot 2 DP 12058	118 Wyndham Road
WN395/136	Lot 90 DP 8780	202 Blue Mountains Road
WN23B/871	Lot 2 DP 54617	151 Pinehaven Road
WN19C/1077	Part Section 253 Hutt DIST	Pinehaven Road
WN19C/1077	Part Section 247 Hutt DIST	Pinehaven Road
WN19C/1077	Part Section 246 Hutt DIST	Avro Road
WN19C/1077	Part Section 245 Hutt DIST	Avro Road
WN5A/767	Lot 346 DP 9629	Avro Road
WN5A/763	Lot 341 DP 9629	34 Avian Crescent
WN5A/768	Lot 347 DP 9629	Avro Road
WN5A/769	Lot 348 DP 9629	Avro Road
WN5A/764	Lot 342 DP 9629	Avian Crescent
WN5A/770	Lot 349 DP 9629	Avro Road
WN5A/765	Lot 343 DP 9629	Avian Crescent
WN5A/766	Lot 344 DP 9629	Avian Crescent

WN5D/652	Lot 27A DP 8777	139 Blue Mountains Road
WN6B/62	Lot 27 DP 8777	141 Blue Mountains Road
WN6B/63	Lot 28 DP 8777	143 Blue Mountains Road
WN6B/64	Lot 470 DP 9755	169 Blue Mountains Road
WN6B/65	Lot 471 DP 9755	171 Blue Mountains Road
WN6B/66	Lot 472 DP 9755	173 Blue Mountains Road
WN6B/67	Lot 473 DP 9755	175 Blue Mountains Road
WN6B/68	Lot 474 DP 9755	177 Blue Mountains Road
WN6B/69	Lot 475 DP 9755	179 Blue Mountains Road
WN6B/70	Lot 476 DP 9755	181 Blue Mountains Road
WN6B/72	Lot 478 DP 9755	185 Blue Mountains Road
WN6B/71	Lot 477 DP 9755	183 Blue Mountains Road
WN5A/733	Lot 269 DP 9629	222 Blue Mountains Road
WN5A/732	Lot 268 DP 9629	224 Blue Mountains Road
WN5A/731	Lot 267 DP 9629	226 Blue Mountains Road
WN5A/730	Lot 266 DP 9629	228 Blue Mountains Road
WN5A/729	Lot 265 DP 9629	230 Blue Mountains Road
WND3/938	Lot 32 DP 8777	151 Blue Mountains Road