

Proposed Natural Resources Plan:

Submitter:

**Barry Doyle**

Submitter Number:

**S1**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION SI #1519484  
BARRY JOSEPH DOYLE

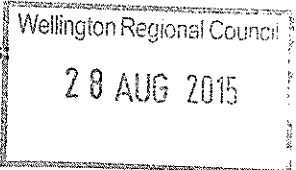
NUMBER 222 STREET NAME KARORI ROAD

SUBURB/TOWN KARORI POSTCODE

PHONE 04 476 4436 EMAIL barry.doyle@extra.co.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is  
Please specify the provision/section number:



- My submission on this provision is:
 I support the provision
 I oppose the provision
 I wish to have the specific provision amended

Reasons for my submission: To improve recreational access to the sea around Wellingtons Peninsulas for families

I seek the following decision from WRC (give precise details): Agree to place suitable sand on several of the small stoney beaches between Oriental Bay - Ohariu Bay (towards Red Rocks). This would create recreation areas for family size groups.

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings. Note: This means that you wish to speak in support of your submission at the hearing(s)
 I/We do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court
 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]
I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission

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

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Handwritten Signature] Date: 20 August 2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

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All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
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### SUBMISSIONS

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Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

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Proposed Natural Resources Plan:

Submitter:

**Christine Burt**

Submitter Number:

**S2**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

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NAME/ORGANISATION

S2

#1519155

CHRISTINE J A BURTON

NUMBER STREET NAME

1/105 WYNDRAM AVE

SUBURB/TOWN

POSTCODE

WATERLOO LOWER HUTT 5011

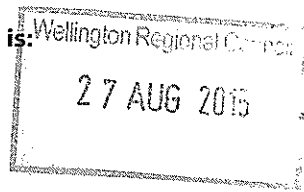
PHONE

EMAIL

0220569933 cjab41@gmail.com

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Please specify the provision/section number:

My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: Am a friend of Waiwhetu Stream. We need our water quality here - & in other NRC areas improved. So we can be proud of the 'true' clean, green country. Specifically NRC zone.

I seek the following decision from WRC (give precise details): Lowering of acceptable levels of pollutants - decisions needed to find where, how, why levels are so high. Then solutions worked on to rectify errors.

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Signature: [Handwritten signature]

Date: 23/08/15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

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Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

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Proposed Natural Resources Plan:

Submitter:

**Fatima Al-Maery**

Submitter Number:

**S3**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

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NAME/ORGANISATION

53

#1521308

FATIMA AL-MAERY

NUMBER STREET NAME

2/341 OHIRO RD

SUBURB/TOWN

POSTCODE

BROOKLYN 6021

PHONE

EMAIL

0277161462 fatima-trix@hotmail.com

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04 SEP 2015

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: Please specify the provision/section number:

- My submission on this provision is:
 I support the provision
 I oppose the provision
 I wish to have the specific provision amended

Reasons for my submission: Completely agree with proposal.

I seek the following decision from WRC (give precise details):

Air quality management

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Signature: Fatima

Date: 21/08/15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to:

Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142



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Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

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Proposed Natural Resources Plan:

Submitter:

**Richard Featherstone**

Submitter Number:

**S4**

Requested removal of Submission.

Proposed Natural Resources Plan:

Submitter:

**Phyllis Sexton**

Submitter Number:

**S5**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

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NAME/ORGANISATION

SS

#1521662

P H Y L W I S S E X T O N

NUMBER STREET NAME  
49 OXFORD ST

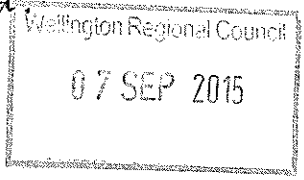
SUBURB/TOWN POSTCODE  
TAWA 5028 WELLINGTON

PHONE EMAIL  
042326308

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No email.

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to:  
Please specify the provision/section number: Discharges to Water. Discharges to Land

- My submission on this provision is:  
 I support the provision  
 I oppose the provision  
 I wish to have the specific provision amended



Reasons for my submission:

Danger to Health: contaminants being discharged into water.  
Need for WCC drainage to be updated to stop flooding my property, causing erosion and slippage; and running suspected contaminated water on my land.

I seek the following decision from WRC (give precise details):

That these two matters will be resolved, and cease

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Signature: P. Sexton Date: 2/9/15

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- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

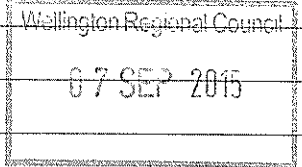
The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Mrs. P. A. Sexton

49 Oxford St.

Tawa 5028

WELLINGTON



1st September, 2015.

My submission is in regard to Discharges to Water & Discharges to Land.

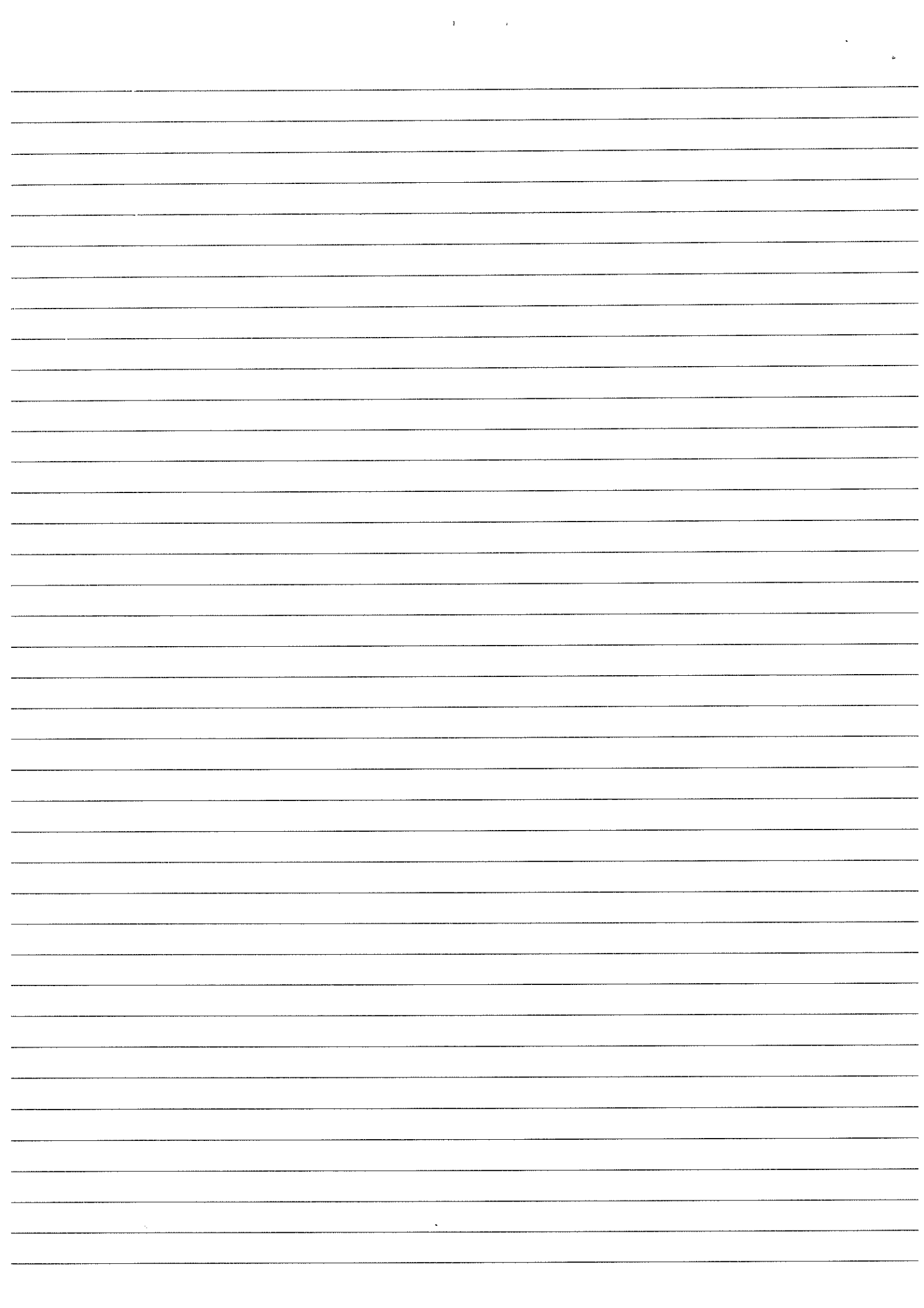
currently my property at 49 Oxford St. Tawa, is subject to storm water discharges into what was originally a small stream that ran through my property, and that the Wellington City Council now uses as an open stormwater drain. There are two sources of water being discharged on to my property. One source is from a stream that runs down behind Lyndhurst Rd., under the main Rd. through my property and ultimately discharges into the Porirua stream. The other source is from a large Wellington City Council pipe, that discharges more water, from a different and unknown source. The open drain on my property cannot cope with the excess water at peak times, and subsequently causes flooding. This flooding happens quite frequently, but the worst flooding was in May 2015 when the flood level rose to almost 2 metres across my entire property. At that time the garage under my house was flooded, and had to be cleaned and sanitized because of suspected sewage contamination in the water; and the contents of my garage, and my car, removed and disposed of due to the suspected contamination by sewage in the water.

During the normal flow of the water in the open drain, the water is often contaminated with other discharges of a strange colour - an orange shade; and at other times a chalky white colour, through the entire length of the stream. As far as I know, these contaminants have never been tested to ascertain what they are, or where they are coming from.

Now the Wellington City Council is moving to approve infill, high density housing in Tawa, and there will be a big increase of subsequent water draining through my property. I am of the opinion that before infill, high density housing becomes a reality, a prerequisite must be that the installation of a proper drainage system must be in place - not retain the open stormwater drainage system that is currently in place at present; which is inadequate for the current volume of water, which rises from half a metre to 2 metres over my land during heavy rain; and suspected of containing serious contaminants and other substances which could be dangerous and cause serious health hazards to everyone who has this open drain running through their properties.

In light of this, I would hope the Greater Wellington Regional Council would strongly advocate that the current outdated, and potentially dangerous to health, system should be replaced, and correctly drained through a pipe sufficiently large enough, and drain directly into the Porirua Stream, as befits the 21st century.

P. A. Sexton.





26/8/15  
Dunedin

# City's streams getting dirtier

## Streams full of chemicals too

Whilst refreshing to see the long-neglected streams of Wellington on the front page (*City's streams getting dirtier*, August 26), it is disappointing that you only highlight the perilous ecological condition of these once abundant waterways.

The article focused attention on the recent poor record with regards to faecal contamination, obviously a significant concern. What wasn't mentioned was the apparent lack of information about the heavy metals, petrochemicals and other pollutants which also drain through the stormwater network and into these streams.

The assertion that the "affected streams were all urban streams that were not used for recreational activities" defies the status of Wellington as a biophilic city. This city is internationally regarded for its fantastic town belt, urban reserves and waterfront and the streams which formed the landscape are an integral part of this.

Anyone who has walked alongside any of these streams will appreciate this. Anyone who swims or boats in our harbour should also be informed of the cocktail of pollutants which feed into the harbour.

It is not acceptable to bury our heads in the filth and continue to view these once pristine streams as drains any longer.

TOM ODUM  
Dunedin 29/8/15 Kilbirnie [abridged]

KATIE CHAPMAN

WELLINGTON'S urban streams are failing to meet clean water targets, and they're getting worse.

Fewer than 75 per cent of freshwater sites in Wellington City are meeting water quality standards, and quality has been declining steadily in recent years, a report from Wellington Water shows.

The aim is for 90 per cent of the monitored sites to record a median faecal contamination level of less than 1000cfu (colony forming units) of enterococci bacteria per 100 millilitres of water.

But in the last quarter of 2014-15 only 74 per cent of the 27 monitored sites around the capital made the grade - the lowest pass rate for three years, after quality peaked at 100 per cent compliance in the second quarter of 2012-13.

Wellington Water says investigations are under way to find the sources of pollution. Old, cracked and leaking pipes are likely to be among the reasons.

The benchmark of less than 1000cfu is set in the National Policy Statement for Freshwater Management.

Senior investigations engineer Iqbal Idris said the affected sites were all urban streams that were not used for recreational activities such as fishing or swimming.

Fish levels remained steady, but it was important to reverse the decline and get the water quality up, he said. "There's a lot of room for improvement."

Some of the seven sites that failed had been improving, but not by enough to meet the target, he said.

There was ongoing work to identify the problem areas, with the joins of old clay pipes often the sites of leaks in the stormwater and sewage systems.

Where pollution was identified, teams had to then find the old pipes, and use cameras to identify weak points.

It was also possible the 2013 earthquakes had weakened the pipes, some of which were more than 100 years old, he said.

But community education was also important.

Items such as lime paint or chemicals tipped into the stormwater system could end up

## MUDDY WATERS

Seven monitored freshwater sites around Wellington have failed to meet water quality standards:

- Ngauranga Stream: two sites in Johnsonville and one in Newlands
- Kaiwharawhara Stream at Cummins Park
- Owhiro Bay Stream
- Karori Stream
- Houghton Bay

in waterways, and drains and pipes on private property should be maintained to ensure there were no weak points in the system.

Wellington City Council environment committee chairwoman Iona Pannett said there was a programme in place to renew pipes through the city, but the large cost meant it had to be staged over many years.

"There's no way we could afford to do it even over 10 years."

The council budgeted about \$277 million for the renewal of water, wastewater and stormwater pipes around the capital in the 10-year Long-Term Plan adopted in July.

Pannett said it was important to make sure the surrounding environment was protected, and that came both through improving the network of pipes and education of the public.

Many people did not appreciate where waste could end up if it was tipped into the stormwater system.

"I don't think people always have that understanding ... We need to do some more public education."

The council also had to work with private property owners to make sure they were checking and maintaining drains, and paying to fix them, she said.

"It does hurt, and it's not very exciting to think about your drains, but it is important to make sure they're in good working order."

Hutt City Council had 86 per cent of its sites compliant. There was no data for Porirua or Upper Hutt yet.



Proposed Natural Resources Plan:

Submitter:

**Stewart Barton**

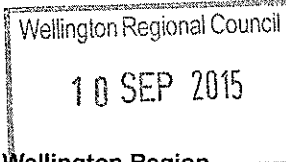
Submitter Number:

**S6**



56

#1523131



Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142

Your details

Full name: STEWART ALEXANDER BARTON

Organisation name (if applicable):

Address for service: 1775 Lake Ferry Rd, RDI Martinborough

Telephone no's: Work: Home: 063088458 Cell: 021308856

Contact person: Stewart Barton

Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here [ ] if you do not agree to receive communication via email.

Email address: barton.s@xtia.co.nz

Trade competition

[x] I/we could not gain an advantage in trade competition through this submission [If you ticked this box, delete the rest of this section and go straight to 'Your submission']

[ ] I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

[ ] I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

[ ] I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online www.gw.govt.nz/regional-plan-review

Table with 3 columns: The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number); My submission on this provision is: ->; Reasons for my submission: : ->; I seek the following decision from WRC (give precise details): ->; and a column for response options: [ ] I support the provision, [ ] I oppose the provision, [ ] I wish to have the specific provision amended



<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <u>S.4.2</u></p> <p>.....</p> <p>Rule 94 cultivation and break feeding</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: : →</p>	<p>This rule as written will have an impact in individual situations. As drains are classified as waterbodies the rule is almost unworkable in <del>some</del> (many) situations, with drains down &amp; around the sides of many paddocks. Flat fields will have little or no sediment runoff.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>I propose Droppings rule (a) as rule (c) will suffice</p>
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p>.....</p> <p>Rule 95 Break feeding</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: : →</p>	<p>AS in rule 94 this rule will have an impact in many individual situations. On flat land the siltation runoff and mineral runoff will be minimal or near zero. worry <sup>that</sup> Drains considered a waterbody</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Drop rule (a) as rule (b) will suffice</p>





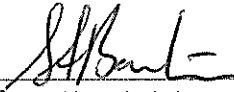
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p>.....  <b>Rule 121  maintenance of  Drains</b></p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>Maintenance of drains is important for the purpose they were for. (drainage -)</p> <p>Many compromises were made during the h.V.D.S. in the lower Wairarapa Valley towards environment. (now somewhat forgotten)</p> <p>Drains on the lowlands is essential for production.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>(Rule (e) Also include farm drainage &amp; canals.)</p> <p>Prefer to delete this out</p>
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p>.....  <b>as above</b></p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →  <b>as above</b></p> <p>I seek the following from WRC</p>	<p>Rule (h) insert at beginning of paragraph.  <u>every effort to replace</u></p> <p>Rule (i) is hard to interpret insert instead</p> <p>An effort to leave vegetation one side of drain is desirable</p>
	<p>I seek the following decision from WRC (give precise details): →  <b>as above</b></p>	<p>(k) insert 1</p> <p>If water is present and flowing.</p>



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**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:  Date: 6th September 2015  
[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



Proposed Natural Resources Plan:

Submitter:

**Stephen and Elly Simpson**

Submitter Number:

**S7**





**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Tāiao

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

S7

Wellington Regional Council  
11 SEP 2015

**Your details**

Full name: Stephen John Simpson, Elly Michele Simpson.

Organisation name (if applicable): n/a

Address for service: 213 Manly St  
Paraparaumu Beach, 5032.

Telephone no's: Work: 0274445806 Home: 049053893 Cell: 0274445806

Contact person: Steve Simpson.

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: sjsimp@paradise.net.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission [If you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

Your submission Please see attachment.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Please continue on separate sheet(s) – an excel spreadsheet of all of the proposed plan provisions is available online [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  .....	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: : →	
	I seek the following decision from WRC (give precise details): →	





## **Attachment**

**The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to**

The whole PNRP.

### **Submission on the provisions**

Oppose and seek amendment.

### **Reasons for the submission**

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.

This applies both in the coastal marine area and in other areas, including beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

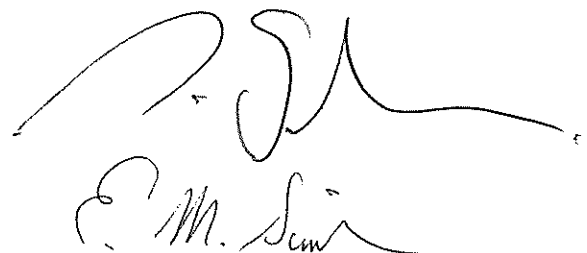
The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.

The reasons in the submission of Coastal Ratepayers United Inc are supported and adopted.

### **Decision sought:**

Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas



E. M. Smith



(including beds of rivers and streams), including especially for areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.

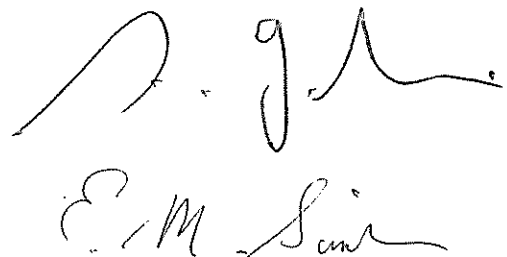
Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc are supported and adopted in this submission.



The image shows two handwritten signatures in black ink. The top signature is a stylized, cursive signature that appears to be 'E. M. Smith'. The bottom signature is also cursive and clearly legible as 'E. M. Smith'.



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**Attendance and wish to be heard at hearing(s)**

I/We do wish to be heard in support of my/our submission

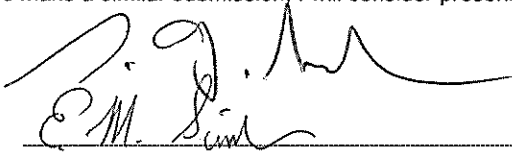
[Note: This means that you wish to speak in support of your submission at the hearing(s).]

I/We do not wish to be heard in support of my/our submission

[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

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

Signature:



[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Date:

7<sup>th</sup> September 2015

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**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including **your name and address for service** as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



Proposed Natural Resources Plan:

Submitter:

**Nancy Pollock**

Submitter Number:

**S8**









## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports can be downloaded from the Wellington Regional Council website or a USB can be obtained free of charge by contacting the Hearings Officer on 04 384 5708 / 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz). Paper copies of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for purchase from the offices of the Wellington Regional Council at the above addresses.

Please contact the Hearings Officer on 04 384 5708 / 0800 496 734 or [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) if you have any questions about the Proposed Natural Resources Plan for the Wellington Region.

### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

- Offices of the Wellington Regional Council
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

- After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

# Proposed Natural Resources Plan:

Submitter:

**Maxwell Aston**

Submitter Number:

**S9**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

VERTEBRATE TOXIC AGENTS. 59 #1518122

NAME/ORGANISATION

NICK WELLS ASTON

NUMBER STREET NAME

21 WIKARU ROAD

SUBURB/TOWN

POSTCODE

POINT HOWARD

5013

PHONE

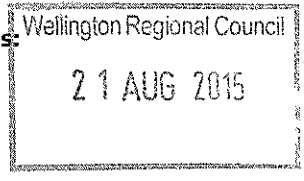
EMAIL

5683296

marton@clearnet.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: Please specify the provision/section number:



My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: DOMESTIC CATS. HAVE BEEN PROVED TO BE THE SOURCE OF THEIR PARASITE TOXOPLASMOSIS CONDII WHICH CAN CAUSE SCHIZOPHRENIA, THE DESTRUCTION OF ENDEMIC WILDLIFE AND VECTORS DOLPHINS.

I seek the following decision from WRC (give precise details): STOP THE REHOMING OF STRAY AND UNWANTED ANIMALS
(2) THE INTRODUCTION OF LICENSING, MICROCHIPPING and REGISTRATION OF ALL DOMESTIC CATS. AND NEUTERING OF ALL NOT NEEDED FOR BREEDING.

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- We do wish to be heard in support of my/our submission at hearings
We do not wish to be heard in support of my/our submission.
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]
I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission
I/we am/am not directly affected by an effect of the subject matter of my submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Handwritten Signature]

Date: 18-8-2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to:

Freepost 3156
Wellington Regional Council
PO Box 11646
Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports can be downloaded from the Wellington Regional Council website or a USB can be obtained free of charge by contacting the Hearings Officer on 04 384 5708 / 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz). Paper copies of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for purchase from the offices of the Wellington Regional Council at the above addresses.

Please contact the Hearings Officer on 04 384 5708 / 0800 496 734 or [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) if you have any questions about the Proposed Natural Resources Plan for the Wellington Region.

### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

- Offices of the Wellington Regional Council
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

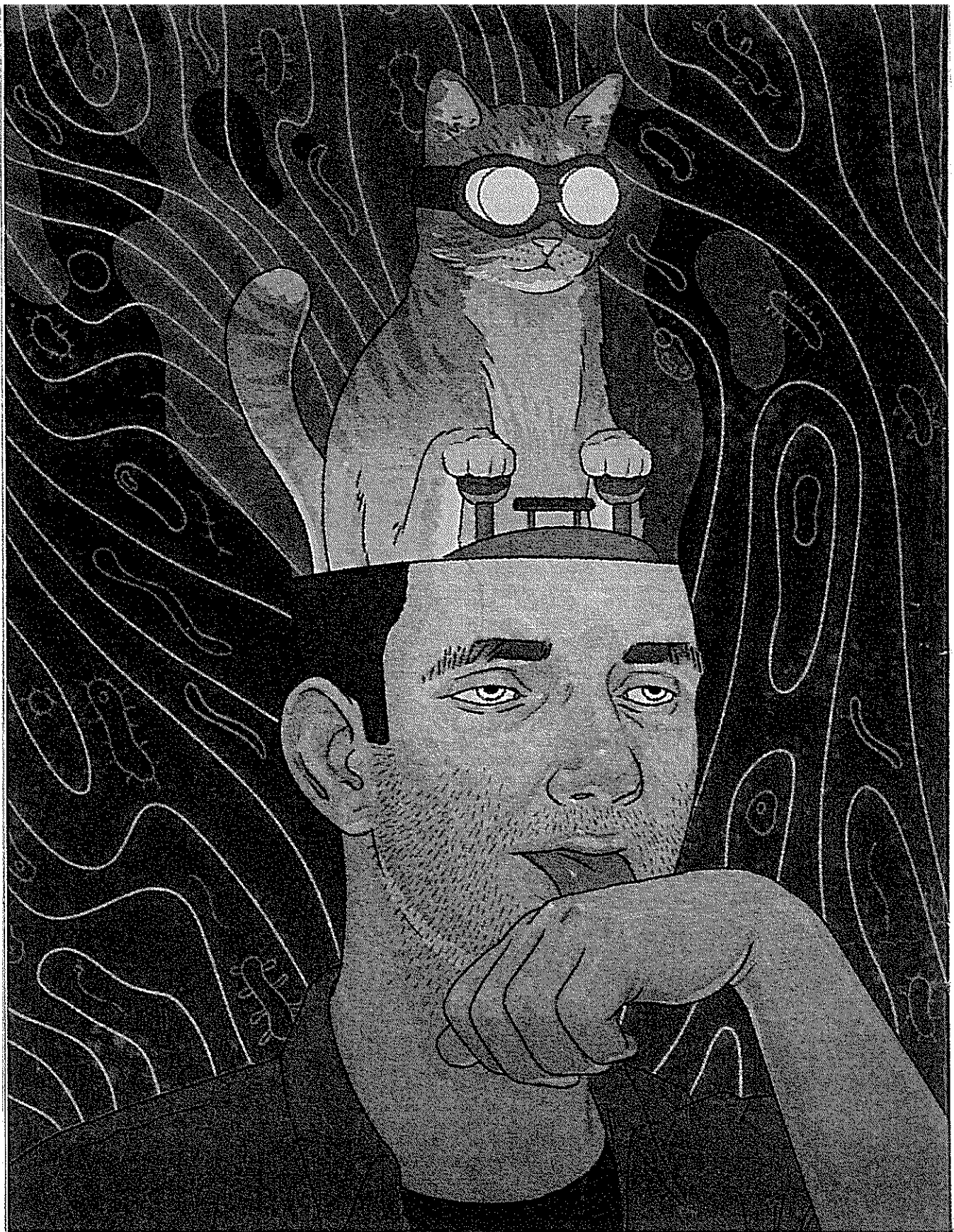
The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

- After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.



ASTON  
AU RD.  
HOWARD  
BURNÉ.

M. G. ASTON  
21 NIKAU RD.,  
PT. HOWARD  
EASTBOURNE.



# INVASION OF THE MIND SNATCHERS

The idea that a feline parasite might hijack our brains sounds like a B-list horror movie. It isn't, says Colin Barras

IMAGINE there were a parasite living in your brain – an alien interloper with the power to alter your neurochemistry, manipulate your behaviour and change the way others see you. It might even rob you of your sanity. You are not the only person affected. The creature has taken up residence in the brains of billions of people, and many more are at risk.

This is not fiction. This mind-snatcher actually exists.

We already know that some parasites mess with their host's mind. The lancet liver fluke, for example, induces suicidal behaviour in any ant it infects, making it climb to the top of a blade of grass and hold on tightly with its jaws until it is eaten by a passing cow. Thus, the fluke gets back inside an animal in which it can reproduce, completing its life cycle. It is not the only parasite capable of such mind control, but generally their targets are insects and other small-brained invertebrates. Influence over a mammal with the brain size of a human was beyond their capabilities – or so we thought. That assumption is being challenged – at least for one parasite.

You may have heard of it. The microbe in question is *Toxoplasma gondii*, a single-celled protozoan that infects many birds and mammals but reproduces sexually in just one group: cats. Humans generally acquire it by eating undercooked meat and unwashed fruit

and vegetables, or from cleaning litter trays of cats that have recently been infected. Pregnant women and people with immune disorders such as HIV are advised to avoid these risks because *Toxoplasma* can occasionally be fatal to a fetus or to someone with a compromised immune system. But, for most of us, a mild flu-like illness is the worst we might expect. The symptoms of toxoplasmosis can be so innocuous, in fact, that most people don't even seek treatment. Soon, usually without us ever knowing we have the parasite, it enters a latent phase: it forms cysts, mostly in the brain, and hunkers down inside them, sitting dormant for decades, apparently doing nothing.

## Suicidal combination

Worldwide, at least 2 billion of us carry the parasite – some estimates put it at twice that. The only hint of its presence comes in the form of *Toxoplasma* antibodies in the blood. Or so we thought. But *Toxoplasma* does have form as a mind-snatcher in other animals. We know that it boosts its chances of ending up inside a feline gut by messing with the minds of mice and rats. In the mid-1990s, for instance, researchers including Joanne Webster, now at Imperial College London, UK, discovered that toxoplasmosis makes rodents more active and less fearful: a suicidal

combination that increases their likelihood of being caught by cats. The consensus was that the parasite could not pull off a similar trick in humans. But one man suspected otherwise.

Evolutionary biologist Jaroslav Flegr at the Charles University in Prague, Czech Republic, decided to investigate its effect on human behaviour. His findings surprised many people. In 1994, Flegr and colleagues reported that men infected with the protozoan were more likely than uninfected men to disregard rules, or to be excessively suspicious or jealous. A few years later, he used a computer-based test to show that infected men and women have significantly delayed reactions compared with uninfected individuals. The work attracted little attention at the time.

Then, in 2002, Flegr tested people responsible for traffic accidents in Prague for infection. The results confirmed his hunch: car drivers and pedestrians injured on the city's roads were more than twice as likely to be infected as a comparable group of people living in the same area. As in rats, the parasite appeared to be linked with reckless behaviour. The finding, which has since been replicated by other groups, has encouraged others to question whether *Toxoplasma* is more harmful to humans than we imagined.

Another factor contributing to the shift in attitudes is Webster's discovery of the way >



"In humans, as in rats, the parasite appears to be linked with reckless behaviour"

in which the parasite exerts its mind control over rats. In 2000, she reported that toxoplasmosis doesn't simply make rats less fearful, it actually alters their sense of attraction, so that they find the smell of cat's urine alluring. Infected rats retain their aversion to the urine of other animals, leading Webster and her colleagues to dub the effect "fatal feline attraction". It no longer seemed likely that the personality changes seen in rodents – and people – with toxoplasmosis were merely a standard sickness response. Mammals have a naturally evolved suite of sickness behaviours, such as withdrawal and fatigue. But Webster's discovery of the powerful and precise way in which the parasite controls the mammalian brain suggested something else was going on.

What might that something be? A study in 2009 provides one possible answer. Glenn McConkey at the University of Leeds, UK, and his colleagues were analysing the *Toxoplasma* genome when they found something unexpected. The parasite carries two genes for tyrosine hydroxylase, an enzyme that helps produce a precursor of dopamine. There is no obvious reason why the parasite itself would need lots of dopamine, but in the mammalian brain dopamine acts as a neurotransmitter, playing a role in motivation, cognition, pleasure and fear. Could *Toxoplasma* be meddling with the brain chemistry of its hosts to change their behaviour?

It certainly might be. As early as the mid-1980s, researchers were reporting elevated

dopamine levels in rodents with toxoplasmosis. And a few years before McConkey's discovery, Webster and her colleagues found that haloperidol, a drug that inhibits dopamine production, prevents infected rats from displaying fatal feline attraction. But what about humans?

### Psychotic connection

It is not really known whether people infected with the parasite have elevated dopamine levels. Intriguingly, though, haloperidol is prescribed to treat schizophrenia, a mental condition thought to be caused in part by an overactive dopamine system. We already know of a correlation between toxoplasmosis and schizophrenia. And in 2008, researchers reported that people with *Toxoplasma* antibodies had an increased likelihood of developing schizophrenia, adding weight to the idea that the parasite might actually trigger the psychotic condition.

Other teams have not yet managed to replicate the finding, but evolutionary biologist Paul Ewald at the University of Louisville, Kentucky, believes it is only a matter of time before the link is accepted.

"A strict genetic argument for schizophrenia just can't explain all of the evidence," he says. In other words, it can't just be down to our genes. He believes that about a third of all schizophrenia is triggered by toxoplasmosis.

For now, McConkey admits that we still need more evidence to show that *Toxoplasma* exerts



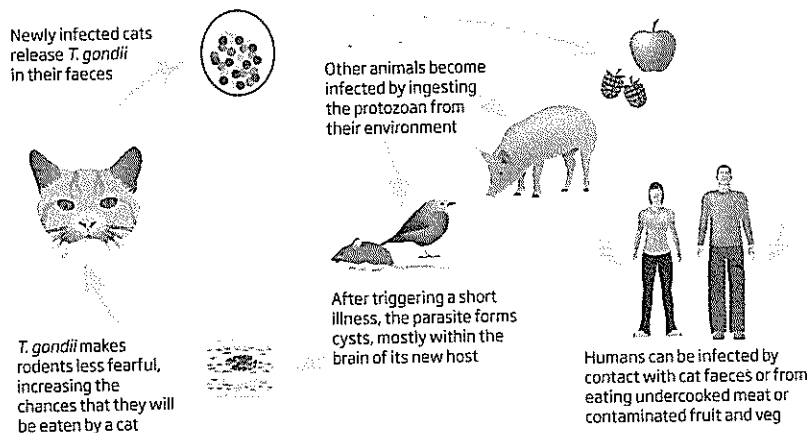
BRANDERMAN/GETTY

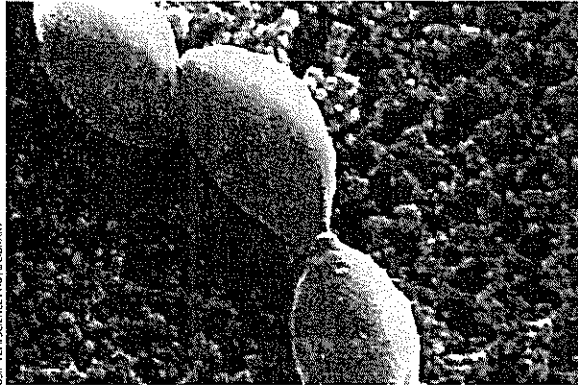
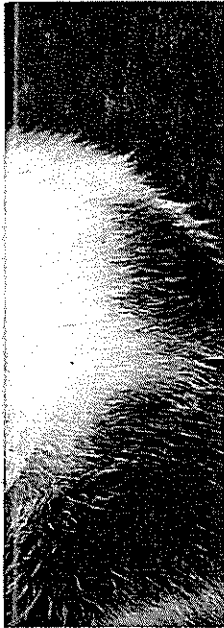
its control over the minds of mammals using dopamine. To be sure, we would need to block the activity of the two genes involved in dopamine production and see whether this affects its ability to manipulate behaviour. The first steps towards doing that have now been taken – with disappointing results. Researchers found that knocking out one of the protozoan's dopamine genes made no difference to the levels associated with toxoplasmosis in rodents. "I have some reservations about that study and the methods they used," says McConkey. However, he adds, it reminds us we should be careful about jumping to conclusions before we have all of the evidence.

But there may be another explanation for *Toxoplasma*-induced mind control. Over the past five years, Ajai Vyas at Nanyang Technological University in Singapore has amassed evidence that *Toxoplasma* doesn't just go to a rat's brain: it also clusters in the testes, from where it can pass to females during copulation, ending up in around 60 per cent of their offspring. In other words, toxoplasmosis is a sexually transmitted disease. Vyas's findings suggest we have missed something important. *Toxoplasma* has two goals, he says. It is keen to get back into a cat, but more immediately, it's driven to spread to as many rodents as possible – so it can ultimately reach many more cats.

### The cat's got more than the cream!

The parasite *Toxoplasma gondii* infects most mammals but can only reproduce sexually in cats, so it manipulates the behaviour of other hosts to complete its life cycle





Fatal attraction: rats in thrall to the *Toxoplasma* parasite (above) find cat pee attractive

The parasite can achieve both goals by manipulating testosterone levels, says Vyas. Then, not only will infected rats devote more of their time and resources to breeding, they will also throw caution to the wind while they do so, boosting their chances of being caught by a cat. His findings support this idea. For instance, male rats with toxoplasmosis are judged by females to be particularly attractive. And the odour of cat urine induces sexual arousal in rats with toxoplasmosis. "Ajai's work is quite intriguing," says McConkey. "It does raise the possibility that there's a lot more going on than we currently understand."

Curiously, some parallel effects have now been reported in humans. Flegr has found evidence that men with toxoplasmosis have unusually high levels of testosterone, and tend to be viewed as particularly masculine and dominant by women. So does *Toxoplasma* pull most strongly on human brains or human groins? "This is speculation, but I don't think there are multiple controlling strategies," says Vyas. "I think it's the same strategy with multiple nodes. My goal is to find the circuit that connects it all up."

It is debatable whether *Toxoplasma* deliberately manipulates human behaviour, as some other parasites seem to (see "Micromanagers", above right). Unlike rodents, we are not eaten by cats, so any mind-

bending effects of the protozoan could be unintended. On the other hand, our distant ancestors certainly were prey to big cats, as are other apes today. What's more, in 2011 Flegr reported that infected people experience "fatal feline attraction", too. "There is no reason to think that *Toxoplasma* is better adapted to mice than to apes," he says.

So how can we stop this mind-controlling parasite? For now, the answer is we can't. The main problem is that the parasite's fatty cysts are almost impregnable to drugs. There is one way in, however. It's unclear how, but the cysts will "swallow" molecules called transductive peptides, and in 2012, researchers led by Rima McLeod at the University of Chicago, managed to attach an active drug to these molecules and get the killer agent inside *Toxoplasma* cysts. It was an exciting discovery but funding for such work is hard to come by, says team member Bo Shiun Lai, now at the University of Cambridge. "I am hopeful that our approach might lead to an effective commercial therapy against toxoplasmosis, but this will realistically not happen any time soon."

In the meantime, how worried should we be? Flegr believes the link between toxoplasmosis and traffic accidents, schizophrenia and possibly other mental illnesses, too, means it must have a huge economic impact. Exactly how much of an impact is unclear, but Ewald points out that the total bill for treating schizophrenia in the US is \$63 billion per year. If toxoplasmosis really is responsible for one-third of all cases

**"Does *toxoplasma* pull most strongly on human brains or human groins?"**

## MICROMANAGERS

It's hard to assess the extent to which parasites and pathogens affect our behaviour because it would not be ethical to deliberately infect people and observe them. But Chris Reiber at Binghamton University in New York and Janice Moore at Colorado State University in Fort Collins have come up with a neat and ethically acceptable workaround - study what happens when people are exposed to pathogens through vaccination.

They have found that people were far more sociable in the 48 hours following their annual flu vaccination than in the 48 hours preceding it. "This is highly suggestive that the virus is manipulating human behaviour for its own ends; that is, to spread itself to other potential hosts," says Reiber. Another possibility, however, is that humans subconsciously become more sociable in anticipation of needing help and support ahead of disease.

The guinea worm is another example of a parasite that may be manipulating human behaviour for its own ends, says Reiber. The nematode's life cycle involves humans and water fleas. People ingest them in contaminated water and, a year later, the larvae emerge below their skin causing a burning sensation as they do. This encourages the infected individual to bathe, allowing the larvae to return to the rivers where it can infect a water flea.

of schizophrenia, it could easily cost the US \$20 billion each year. "Of course, this sort of estimate doesn't take into account the non-economic, quality-of-life costs, which I consider to be even more important," he adds.

*Toxoplasma* also presents us with an opportunity, says Shelley Adamo at Dalhousie University in Halifax, Nova Scotia. Parasites like *Toxoplasma* are "evolution's neurobiologists", she says. Careful study of the mechanisms they have evolved to manipulate behaviour might offer neuroscientists some handy tips on how to treat diseases and addictions. A parasite that makes its host less fearful could really come in handy. After all, excessive fear is a characteristic of many conditions - from phobias and social anxiety to post-traumatic stress. Perhaps one day we will be able to manipulate the manipulators.

Colin Barras is a science writer based near Ann Arbor in Michigan

Proposed Natural Resources Plan:

Submitter:

**Ministry of Primary Industries**

Submitter Number:

**S10**

#1518158



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

greater WELLINGTON REGIONAL COUNCIL  
Te Puna Motua Taitoko

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

S10

Or email: regionalplan@gw.govt.nz

24 AUG 2015

#### Your details

Full name: Elizabeth Jones

Organisation name: (If applicable) Ministry for Primary Industries

Address for Service: 25 The Terrace, PO Box 2526  
Wellington 6140

Telephone no's: Work: 04 48940481 Home: Cell:

Contact person:

Address and telephone no (if different from above):

#### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: liz.jones@mpi.govt.nz

#### Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission. If you could gain an advantage please complete one of the following:

- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

#### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): 5.2.7 Biofoul Cleaning	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	MPI has made national requirements under the Biosecurity Act for vessels in the Craft Risk Management Standard for Biofouling on Vessels Arriving to NZ and has an interest in clear rules for any cleaning of biofouling of international origin.
	I seek the following decision from WRC (give precise details): →	Amend R65 (b) to "... and any cleaning of biofouling of international origin is of microfouling only or goose banacles and is by a gentle non-abrasive technique...



		f) if suspected ... are found during inspection or cleaning, the vessel owner or operator shall take the following steps: (i) any cleaning activities to cease immediately, and ..."
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

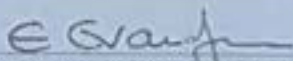
The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date:

21/08/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

**Neville Fisher**

Submitter Number:

**S12**



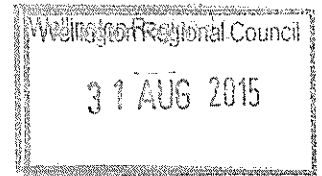


**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

**greater WELLINGTON**  
 REGIONAL COUNCIL  
 Te Pane Matua Talao

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Neville Fisher

Organisation name: (If applicable)

Address for Service: 465 Norfolk rd

RD 1

Carterton

Telephone no's:      Work:      Home:      Cell: 0274481258

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: nfish@xtra.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Water races are vital for supplying water to large areas in the Wairarapa. As such they need to be recognised as regionally significant.
	I seek the following decision from WRC (give precise details): →	Include Water races in definition of Regionally significant infrastructure.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Category B groundwater - both definitions refer to the wrong schedule -Q instead of P
	I seek the following decision from WRC (give precise details): →	Change typo error from Q to P

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Add definition of river Section 2 of the RMA has a definition of river that would be helpful in the plan
	I seek the following decision from WRC (give precise details): →	Add: River: a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water race, canal for the supply of water for electricity power generation, and farm drainage canal)

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Category 2 surface water body, if water races are to be included the definition should be for water races wider than 1 metre
	I seek the following decision from WRC (give precise details): →	Water races should not be included as they have their own resource consents held by TLA's. If water races are included as category 2 surface water body then only include water races wider than 1 metre.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: 26/8/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 26/8/2015 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Silage definition is very loose A majority of silage stacks have a moisture content that is at a level that produces no leachate.
	I seek the following decision from WRC (give precise details): →	High moisture is defined as above 75% moisture content

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	no definition of "silage storage area" this will led to major confusion
	I seek the following decision from WRC (give precise details): →	Ad definition for " silage storage area."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Add a definition for Ponding - particularly in relation to animal effluent. Ponding is referred to in a number of policies (P94) and rules (R83). Current policies and rules don't allow any ponding, this is not practical and if the soil is capable of absorbing effluent, then ponding will disappear quickly. Ponding infers there is no runoff.
	I seek the following decision from WRC (give precise details): →	Ponding defined as: areas of ponded effluent on the ground surface greater than 10m2 for a period greater than 12 hours or runoff (visible overland flow)

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Water races do not fit the definition of a drain or artificial farm drainage canal but are often confused with these.
	I seek the following decision from WRC (give precise details): →	Specifically exclude Water Races (Map 28) from the definition of a drain and artificial farm drainage canal

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2 Definitions	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Lower Valley Drainage schceme (LVDS) and the Barrage gates should be included in "Regionally significant infrastructure" There has been huge capital investment into these, there is regionally significant and ongoing economical benefits which need recognition and protection.
	I seek the following decision from WRC (give precise details): →	Include LVDS and Barrage Dates in "Regionally Significant Infrastructure"

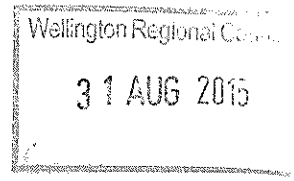




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To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Neville Fisher

Organisation name: (If applicable)

Address for Service: 465 Norfolk rd

RD I

Carterton

Telephone no's: Work:  Home:  Cell: 0274481258

Contact person:

Address and telephone no (if different from above):

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- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
If you **could** gain an advantage please complete one of the following:
  - I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
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**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.6 Fertiliser and Animal Effluent R83	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	R83 (f) needs definition of ponding Require a definition so there is a practical method of determining ground uptake of effluent. To be consistant with R79 (h)
	I seek the following decision from WRC (give precise details): →	Ponding defined as: areas of ponded effluent on the ground surface greater than 10m2 for a period greater than 12 hours or runoff (visible overland flow)

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.6 Fertiliser and Animal Effluent R83	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R83 Matters of control. If limits are included in the matters of control, these need to be defined and included in the plan - particularly points 2 and 3. We don't like moving, discretionary targets.
	I seek the following decision from WRC (give precise details): →	Include the limits that are being used

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.8 Rfuse, Silage and Compost	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R90 split silage and compost into separate rules. They are completely different products, silage is covered and fermented for preservation, compost is exposed to the elements as part of the breakdown process..
	I seek the following decision from WRC (give precise details): →	2 separate rules

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.8 Rfuse, Silage and Compost	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R90 (b) does not apply to silage - delete
	I seek the following decision from WRC (give precise details): →	Delete R90 (b) from silage rule

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- I/We do wish to be heard in support of my/our submission  
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Signature: \_\_\_\_\_

Date: 26/8/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.6 Fertiliser and Animal Effluent R83	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>R83 (g) existing ponds only required to meet the permeability standard if being modified</p> <p>The section 32 report does not address the economic impact of upgrading existing storage to meet the new standard. Many ponds have been constructed from impervious materials i.e. clay and it is almost impossible to seal them retrospectively. Unless there is any perceivable evidence of leakage existing ponds should be allowed to operate as is. Horizon's One Plan has been through the Environment Court and now recognises that sealing an existing pond is environmentally uneconomic.</p>
	I seek the following decision from WRC (give precise details): →	<p>Suggested wording to replace (g): The entire extent of effluent storage and treatment facilities (including sumps and ponds) must be sealed so as to restrict seepage of effluent where all or any part of the storage facility (including weeping walls, stone traps, sumps and ponds) is established or extended (including deepening) from the date the Plan is made operative. The permeability of the sealing layer must not exceed 1x10<sup>-9</sup>m/s subject to the following exceptions:</p> <p>(i) Where there are multiple ponds that make up the storage facility, but not all are being extended then only those that are being extended are required to be fully sealed, or</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.6 Fertiliser and Animal Effluent R83	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>R83 (h) disagree with the need for storage</p> <p>No evidence has been produced that an economic benefit to the environment will occur from farmers being forced to install storage. Irrigating to flat soils at field capacity will displace clean water at the bottom of the soil profile (Bowler DairyNZ Wairarapa Moana field day 2014). As only 1 irrigation event is likely to occur on any given area of land in wet conditions, the impact on receiving waters is less than minor.</p>
	I seek the following decision from WRC (give precise details): →	<p>A collaboratively produced section 32 analysis of the economic benefit of storage is carried out before farmers are forced to spend \$150,000 plus on storage.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.8 Rfuse, Silage and Compost	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>R90 (d) disagree</p> <p>Silage stacks below 75% moisture content do not produce leachate. Farmers work hard to prevent harvesting wet crops as this may reduce silage quality. The section 32 report suggests most silage pits will comply with the permitted activity condition so why have a rule?</p>
	I seek the following decision from WRC (give precise details): →	<p>Delete rule or more consultation with the rural sector about what is being attempted to be achieved with this rule.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.3.8 Rfuse, Silage and Compost	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>R90(d)</p> <p>Silage storage area has not been defined and therefore can be misinterpreted</p>
	I seek the following decision from WRC (give precise details): →	<p>Define Silage storage area.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

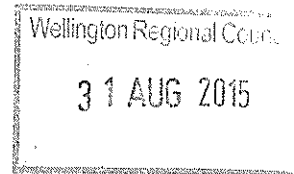
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



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**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <u>5.5.5 Activities in beds of lakes and rivers</u>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	R115 general agreement except (h) (iv) The culvert size should reflect the flow rate rather than the bed width, this is covered in R115 (k) (i) & (ii).
	I seek the following decision from WRC (give precise details): →	Delete R115 (h) (iv)



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.5.5 Activities in beds of lakes and rivers	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R121 (g) needs to allow the appropriate method of aquatic weed removal The specified method is one of many options, the rule should allow the operator to select the best tool for the job. Rule R121 (h) covers the return of native species to the drain
	I seek the following decision from WRC (give precise details): →	Delete R121 (g) as (h) covers the required outcome.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.5.5 Activities in beds of lakes and rivers	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R121 (h) is too restrictive in the time frame Drains are there primarily to remove surplus water (surface and ground water), the cleaning is expensive and needs to be carried out a quickly and efficiently as possible. It would be more practical for operators to do this at their schedule breaks.
	I seek the following decision from WRC (give precise details): →	Change R121 (h) All reasonable steps shall be taken to return any stranded fish back into the drain

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.5.5 Activities in beds of lakes and rivers	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R121 (j) completely impractical This won't work. Drains are there primarily to remove surplus water. If not cleaned correctly they will not work as drains when needed. M14 needs to develop practical best practice for drain cleaning.
	I seek the following decision from WRC (give precise details): →	Delete R121 (j) and refer to reworded M14

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.5.5 Activities in beds of lakes and rivers	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R121 (k) is a reversal from the draft Drain cleaning operators report that starting at the bottom is best because it allows better grade, depth and width control. If starting from upstream and working down water builds up pushing weed in front of it making the cleaning more difficult and time consuming.
	I seek the following decision from WRC (give precise details): →	Delete R121 (k) and refer to reworded M14

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.5.5 Activities in beds of lakes and rivers	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R122 the same considerations should be applied to this rule as for R121 above
	I seek the following decision from WRC (give precise details): →	Delete R122 (h) & (l) (i)reword "All reasonable steps shall be taken to return any stranded fish back into the drain"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

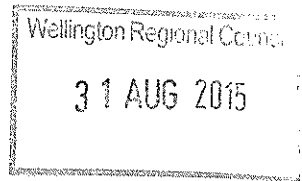




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Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.4.2 Cultivation and break-feeding	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R94 (a) and (b) are unnecessary The rule should be: sediment-laden surface water resulting from cultivation does not flow to a surface water body.
	I seek the following decision from WRC (give precise details): →	Delete R94 (a) and (b) as these are methods of achieving R94 (c), they could be attached as a note under the rule.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.4.2 Cultivation and break-feeding	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	R95 (a) is unnecessary The rule should be: sediment-laden surface water resulting from break-feeding does not flow to a surface water body.
	I seek the following decision from WRC (give precise details): →	Delete R95 (a) as this is a method of achieving R95 (b), could be attached as a note under the rule.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.4.3 Livestock exclusion	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Effect based rule
	I seek the following decision from WRC (give precise details): →	Do not change

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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

Signature: \_\_\_\_\_

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

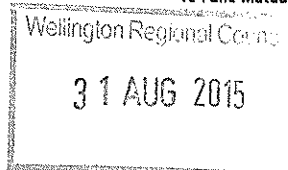




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Telephone no's: Work: Home: Cell: 0274481258

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

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Email address: nfish@xtra.co.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4 Policies 4.1	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	P3: Precautionary approach. This is hamstringing the local economy, it becomes easy to use precautionary as an excuse for conservative management
	I seek the following decision from WRC (give precise details): →	Introduce a policy that has the economic viability of the regions resources as the highest priority



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.2 Beneficial use and development	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	4.2 P7 (b) add diffuse discharges. The beneficial use of land and water for the treatment, dilution and disposal of diffuse discharges (from humans and animals) should be recognised..
	I seek the following decision from WRC (give precise details): →	Add: ...and diffuse discharges.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.8.1 Land and Water	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	4.8.1 P63 Support the Waitua process
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.8.7 Hydraulic Fracturing	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	P94 move to Section 4.8.8 Not part of hydraulic fracturing
	I seek the following decision from WRC (give precise details): →	Move to 4.8.8

If you have more submissions you wish to make, please find more boxes at the bottom of this document

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Signature: \_\_\_\_\_

Date: 26/8/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.8.7 Hydraulic Fracturing	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	P94 delete (b) (iv) repeats (b) (ii)
	I seek the following decision from WRC (give precise details): →	Delete P94 (b) (iv)

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.8.7 Hydraulic Fracturing	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	P94 (b) (ii) and (iv) refer to ponding, ponding needs a definition To be consistent with R79 (h), and it will be a practical method of determining whether a disposal system is working.
	I seek the following decision from WRC (give precise details): →	Ponding defined as: areas of ponded effluent on the ground surface greater than 10m2 for a period greater than 12 hours or runoff (visible overland flow)

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.8.12 Activities in beds of lakes and rivers	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	P105 I question having a policy protecting an introduced, predatory species. This conflicts with objectives and policies to protect native species.
	I seek the following decision from WRC (give precise details): →	Either delete or take into account the negative effect this policy will have on native species

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.9.2 Allocating water	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	P115 (c) (i) should be deleted Restricting the number of days is at odds with providing water for rootstock protection.
	I seek the following decision from WRC (give precise details): →	Delete P115 (c) (i)

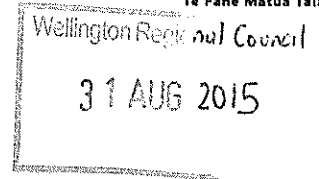
The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.2 Beneficial use and development	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	P15 Flood protection Existing flood protection has come from huge investment and contributes strongly to the economy of the region. It is vital that this is protected in the future.
	I seek the following decision from WRC (give precise details): →	



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



### Your details

Full name: Neville Fisher

Organisation name:   
 (If applicable)

Address for Service: 465 Norfolk Rd  
RD 1  
Carterton

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0274481258

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

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I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): 5.6.2 Take and use water	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	R136 (a) there needs to be a bigger allowance for larger properties. Our property is 275 ha with 4 dwellings and under the rule are restricted to 20 cubic meters
	I seek the following decision from WRC (give precise details): →	Add another step for properties above 40ha allow an additional 2 cubic meters per every 10 hectares

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.6.2 Take and use water	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	R137 needs to recognise the water availability for food processing and hygiene MPI requires a set cleaning requirement of plant and premises Make provision for the reconition of the requirements of other regulation
	I seek the following decision from WRC (give precise details): →	Remove the restriction on current permitted takes as Shed plant design have been established for best Hygiene reword (b)the total take shall be no more than the maximum prior to the date of public notification of the PRP (31.07.2015)

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.6.2 Take and use water	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	R137 (b) this should not have a time frame Restricts and complicates the process of determining a permitted activity.
	I seek the following decision from WRC (give precise details): →	Delete "during the three years prior.... Plan (31.07.2015) and add " in that year as determined by Rule 83.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.6.2 Take and use water	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	R137 (f) all washdown water by its use is contaminated
	I seek the following decision from WRC (give precise details): →	Change "washdown" to "cooling"

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

Signature: \_\_\_\_\_

Date: 26/8/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.6.3 Transferring water Permits	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	R143 needs to be permitted to allow for dynamic water use, temporary short term transfer needs to be a Permitted activity to get any worth while benefit
	I seek the following decision from WRC (give precise details): →	Change Controlled to permitted

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.9.2 Allocating Water	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	P115 (d) due to the delayed interference with surface water and the likley hood of Aquifer storage and infiltration rate at different distances from the surface water a pratical time lag should be allowed before 50% reduction
	I seek the following decision from WRC (give precise details): →	P115 (d) Category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows following a period of 10 days of continous river levels at minimum flow and

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Neville Fisher

Organisation name: \_\_\_\_\_  
 (If applicable)

Address for Service: 465 Norfolk rd  
RD 1  
Carterton

Telephone no's:      Work: \_\_\_\_\_      Home: \_\_\_\_\_      Cell: 0274481258

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

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**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <u>6.5 Rural land use</u>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	M13 Water races, this needs to be driven by the original reason for water races being established i.e. To provide water to dry areas for the economical viability of farmers in the region.
	I seek the following decision from WRC (give precise details): →	M13 needs to include the economic drive for water race establishment and operation.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 6.8 Waste reduction and efficient use of water and energy	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	M18 support this.
	I seek the following decision from WRC (give precise details): →	Do not Change

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 6.5 Rural land use	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	M14 needs to reflect the desired outcome and therefore needs the establishment of best practice rather than assume the Current R121 is and only needs education.
	I seek the following decision from WRC (give precise details): →	Wellington Regional Council will develop and implement an education programme including practices, procedures and tools in collaboration with industry, other relevant organisations and stakeholders to support Rule R121: Maintenance of drains.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 6.5 Rural land use	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	M12 support this
	I seek the following decision from WRC (give precise details): →	Do not change

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Signature: \_\_\_\_\_

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**CT and EM Brown**

Submitter Number:

**S13**

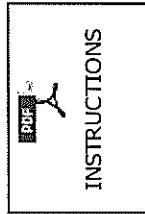


#1520033

513

# Submission on the Proposed Natural Resources Plan for the Wellington Region

## INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:



Send to: regionalplan@gw.govt.nz

### Your details:

Full name: CT & EM Brown

Company name:

Address1: 267 State Highway One

Address2: Waikanae

Address3:

Address4:

Town: Kapiti Coast

Postcode: 5391

Telephone Work:

Telephone Home: 275331129

Telephone Cell:

Email address: [chresmae@gmail.com](mailto:chresmae@gmail.com)

### Trade competition

Yes  I/we could not gain an advantage in trade competition through this submission

No  I/we could gain an advantage in trade competition through this submission.

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

Date:







**I seek the following from WRC (give precise details):**

Identify and recognise stormwater channels in the NRP.  
 Provide for their maintenance by Councils and land owners by making this a permitted activity in the NRP.

Identify and recognise stormwater channels in the NRP.  
 Provide for their maintenance by Councils and land owners by making this a permitted activity in the NRP.

Water bodies that are storm water channels MUST be maintained so that water can move freely.

The protection of property owners rights to restrict the publics access to their properties.

Work to identify natural wetlands in need of restoration should be identified in conjunction with landowners, and resources provided by GWRC to assist landowners in this task.

**Reasons for my submission:**

The Policy P7.b suggests that land should be used for the disposal of stormwater, i.e. floods. This implies that GWRC is happy to see land inundated during floods without it doing anything to avoid, remedy, or mitigate the effects of floods. Stormwater channels need to be identified and recognised in the Natural Resources Plan,(NRP), and they need to be maintained so they are of use during flood events.

The Policy P7.b suggests that land should be used for the disposal of stormwater, i.e. floods. This implies that GWRC is happy to see land inundated during floods without it doing anything to avoid, remedy, or mitigate the effects of floods. Stormwater channels need to be identified and recognised in the Natural Resources Plan,(NRP), and they need to be maintained so they are of use during flood events.

Policy P8.f, should be amended to provide for the maintenance and cleaning of water bodies that are stormwater channels. Fencing and planting of stream and drain edges complicates this process and will create a situation where water channels become blocked and water movement impeded by vegetation.

Policy P9 can be misused by members of the public who seek to travel up rivers for sporting or recreational activities and find their progress slow or difficult to intrude onto farmers land which may have the stream or river running through it.

Policy P15 is a great statement and should take precedence over policies to protect water bodies.

Policy P38 suggests that all natural wetlands are in need of restoration which is not necessarily true. Many of these wetlands are on private property. Demands to restore these sites may become onerous for many landowners.

**My submission on this provision is:**

**Policies**

Policy P7: Uses of land and water		Amend	
Policy P8: Beneficial activities		Oppose	
Policy P9: Public access to and along the coastal marine area and the beds of lakes and rivers		Amend	
Policy P15: Flood protection activities		Support	
Policy P38: Restoration of wetlands		Amend	

<p>Policy P39: Adverse effects on outstanding water bodies</p>	<p>Amend</p>	<p>Policy P39 could be used to prevent access to or through outstanding water bodies by their owners.</p>	<p>Policy P39 should include measures to remedy or mitigate adverse effects,</p>
<p>Policy P59: Industrial point source discharges</p>	<p>Amend</p>	<p>Policy P59 could curtail the spreading of fertilizer as it only provides for avoidance. Provision should be made for the situation where the discharge is occasional or transitory such as dust from fertiliser spreading.</p>	<p>Amend the policy to only include discharges which are ongoing or semi permanent basis.</p>
<p>Policy P63: Improving water quality for contact recreation and Māori customary use</p>	<p>Oppose</p>	<p>Policy P63. Storm water is something that no one person has control over. It is best managed by having a good storm water network to carry it to the sea. Storm water needs to be considered in its own right and not as an interference with other natural processes.</p>	<p>Delete the references to stormwater from the policy.</p>
<p>Policy P73: Minimising adverse effects of stormwater discharges</p>	<p>Support</p>	<p>Policy P73 should be broadened to deal not only with urban areas but also Rural areas where storm water from urban areas often ends up. Hard engineering drain and stream maintenance should be a permitted activity for land owners.</p>	<p>Include the words "and existing" after the word "new" in clause b.</p>
<p>Policy P78: Managing stormwater from large sites</p>	<p>Amend</p>	<p>Policy P78 should also include the protection of productive farm land from inundation, as well as the other issues mentioned.</p>	<p>Modify clause (d) to include productive farm land.</p>
<p>Policy P101: Management of riparian margins</p>	<p>Amend</p>	<p>Policy P101 does not specify where the riparian margins are. Water bodies that function as storm water channels need to be maintained to allow for the swift passage of water in the event of a flood. The exclusion of livestock implies fences which imply access difficulties for mechanical diggers to clean storm water channels.</p>	<p>Insert clause (d) allow access for mechanical diggers to storm water channels.</p>

Rules - Land use

My submission on this provision is:

I seek the following from WRC (give precise details):

Rule R97: Access to the beds of surface water bodies by livestock – permitted activity

Amend

5.4.3.e.(i) Sheep are not necessarily the best livestock to farm where there are wetlands. My farm is cattle only and the wetland is considerable. This is an unnecessary limitation on a farmers ability to use his/her land to the best of their ability. Remove the limitation to sheep only in 5.4.3.e.i



Proposed Natural Resources Plan:

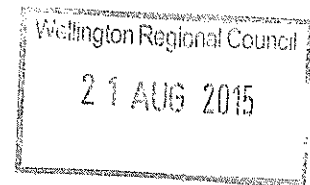
Submitter:

**Egon Guttke**

Submitter Number:

**S14**





Egon Guttke  
6 Glengavel Grove  
Papakowhai  
Porirua

21/8/2015

Greater Wellington Regional Council

Dear Sir/Madam

**Submission on the Draft Natural Resources Plan for the Wellington Region**

Together with my wife, I own a 220 ha block of land that is significantly affected by the provisions of the draft plan.

When we acquired the land in 1992, it was marginal farmland showing some signs of erosion, and had a very low biodiversity due to grazing activities and the impact of pests. We converted around 80 ha to plantation forest, and one of the results has been a much improved water quality in the streams on our property. Flooded creeks are now very rare, due to the forest retaining a large amount of water.

The forest has generated substantial employment and benefits for the local economy

Over the last 20 years, I have - supported by DOC - invested a large amount of time in possum and general pest control. We are also using a local hunter to manage the wild pig population. This resulted in an increase in biodiversity for my land, and e.g. Kereru is now a common sight, were it was initially quite rare.

In a nutshell, I believe that I have been a good custodian for the land and the natural environment. The draft plan is too restrictive and some of the provisions are an obstacle to economic activity in the rural sector. But as an unintended consequence, it also penalises landowners such as myself who have looked after the land (and water) by introducing many onerous rules.

Some of my key concerns relate to the schedules and the mapping of various protection layers for the Waikanae river headwaters above GPS reference 178 1550.60 / 547 5221.92.

**A General Comments**

The draft plan does not provide sufficiently for a balance between the economic activity required for the wellbeing of community and the need for protecting natural resources. Most of the rules are rigidly focused on the protection of the environment, yet ignore that this can take place only in the context of a prosperous community and with the support of local landowners. Forestry is a good example, in that it provides environmental benefits



by reducing erosion, improving water quality and carbon sequestration. Yet at harvest time forestry will potentially have a negative effect on the environment. The provisions for earthworks are such that forestry will now often become uneconomical due to the very high costs introduced – e.g. spoilage from harvesting roads needing to be carted away. The consequence will be that the next best land use is grazing, which has a much more negative impact on the environment

There is often no analysis, why those rules are needed, and this is perhaps best borne out by the very large number of waterways designated as having significant ecosystems (Schedule F). Pretty much all hill country streams are captured in schedule F, showing that there is no need to apply further restrictions in this area, as the current rules have worked well. Ironically, where there is a shortage of clean water or biodiversity, those restrictions do not apply. This generally true for most non hill country areas

The draft plan needs to enable emergency as well as health and safety related work without the rigors of having to obtain resource consent. As shown by the damage caused by the recent heavy rains in the Wanganui region, and also in the Horo hill country, slips may need to be removed immediately from a riverbed irrespective of the spawning period of a fish species.

Water bodies with clean water are given labels such as “significant ecosystems and habitat”, “trout river”, “water protection zone”, “recreational water body” etc – yet there is no evidence that show that further protection of such water bodies is needed. They have good water quality precisely because land owners have looked after them – whether they are private or not. There is another argument, that especially smaller water bodies (streams) with good water quality are proliferating our region and are not rare.

The electronic copy draft plan is really a series of PDF (or word) documents. This makes it very difficult, to search for key words in the plan, e.g. when trying to identify the implications of a definition such as a “sensitive area”

### **C Definitions**

**Erosion prone land** is defined as land with a slope > 20 %. This is much more stringent than the current Regional Soil plan, where erosion prone is defined as : “any land within Area 1 (see definition) with a slope greater than 23 degrees; and any land within Area 2 (see definition) with a slope greater than 28 degrees”

The National Environmental Standard –Plantation Forestry is going to use the New Zealand Land Resource Inventory (NZLRI), a spatial database describing key attributes of the land resources of New Zealand: rock, soil, slope, erosion susceptibility and vegetation. It is used by many district and regional councils and provides more certainty to landowners and better assessment of the risk than a crude slope based approach.

Changing the definition as proposed, will significantly move the goal post by declaring much more land than previously as erosion prone – which will then be covered by more stringent rules. There has been no justification provided nor is there any further detail in

the section 32 reports on this. E.g. how many more ha of land do now fall into the erosion prone category? What are the incremental expected costs to landowners, agriculture and forestry, considering also the implications for district plans and their specific rules regarding erosion prone land?

Taking into account the report by Sorensen (2012) where he states that “most of the region’s soil is intact and there has been a slight increase in stable and inactive land surfaces due to the revegetation of some former erosion scars..”, there is no justification for the change in definition.

**Relief sought:** The definition should not be changed and be consistent with the Regional Soil plan. Alternatively, the erosion susceptibility classification used by Landcare and contained in the draft NES-Plantation Forestry could be used

### C Objectives

#### 0) General

I propose a general statement expressing that measures combating climate change, such as carbon sequestration or the generation of energy from renewable resources, is supported.

#### 1) Objectives O24, O26 & Table 3.4

The objectives can be interpreted as to interfere with private property rights. The headwaters of streams are often entirely on private property. An example are the headwaters of the Waikanae River. Any contact recreation, Maori customary use or taking of food would require the property owner’s agreement. There is no public interest in Objective O24 & O26, where a water body is entirely on private land, and water quality objectives are already expressed elsewhere.

**Relief sought:** Objectives O24 and O26 should be altered to exclude water bodies and headwaters entirely on private land.

The table has a requirement for Mahinga kai and taonga species to be present in appropriate quantities. The objective is unclear, as the species are not listed. The relevant species should be identified. Further, I do not see that this outcome is applicable to water bodies on privately owned land (e.g. the headwaters of the Waikanae River) or which are on publicly owned, protected land (e.g. the Otaki river within the Tararua Forest Park), where the taking of such species is generally not permitted.

**Relief sought:** List Mahinga Kai and taonga species

#### 2) Objective O33

The Objective should reference Schedule C. The objective to restore such sites needs to be tempered with the economic impact of such a restoration

**Relief sought:** insert “(see Schedule C)” following the word “values”

replace “restored” with “and consideration will be given to restoration where practicable”.

3) Objective O35

Where it comes to the restoration of ecosystems and habitats, the economic impact of such a restoration needs to be considered. There cannot be an overriding priority for restoration irrespective of the costs

**Relief sought:** replace “restored” with “and consideration will be given to restoration where practicable”.

**D Policies**

- 4) Policy P7: To The issues listed in the policy are potentially competing with each other, as is to be expected. What is missing is a more general approach to the productive use of land. The policy is written as to protect certain commercial interest, by putting restrictions/costs on other land uses which do not consume water. An example are the earthworks provision. Why would aquaculture or food production be more important than forestry? Forestry delivers substantial benefits with respect to water quality, erosion control, and carbon sequestration, yet is not listed in P7.

**Relief sought:** Forestry should be included in the list of land and water uses.

- 5) Policy P10: Policy 10 is in essence contained in policy P7. If maintained as a separate Policy, then P10 appears to give priority to contact recreation and customary use when competing with other interests. This is not borne out by the RMA, which requires that e.g. economic benefits are also taken into account.

**Relief sought:** delete Policy P10

6) Policy P17

It is not clear, what the policy is trying to achieve. Clause (f) says that the mauri should be enhanced and sustained – yet how do I, as an affected member of the community, know what activity enhances the mauri. The bank of a river is going to be armoured with rocks to reduce erosion of the bank – is this beneficial to the mauri? What are the measures used – and if there are no measures, how do we know that the mauri it is sustained?

I do not think it is appropriate to leave this to an ad hoc interpretation on a case by case basis.

**Relief sought:** Better define what specific properties of a water body are affected by Policy P17

7) Policy P18

In P18 (a) it is proposed to have “particular regard to the values...”. The RMA requires giving consideration to a range of factor when the use of resources is evaluated. The wording appears to give priority to Maori values, and especially, where private ownership of the land is concerned this is not justified.

**Relief sought:** remove the word “particular” from policy P18 (a)

Policy P18 (d) refers to the implementation of kaupapa Maori monitoring. If this is to happen also on private land, than it will require the agreement of landowners, otherwise the monitoring should be restricted to public areas

**Relief sought:** add at the end of P18(d) “for publicly accessible resources”

8) Policy P32

This policy appears to largely duplicate policy P31. It is also in conflict with policy P31 (f). If for example weeds need to be removed from a water body in order to improve the natural habit, then this may well have short term significant effects – which are to be avoided in accordance with P32.

P32 (d) requires the use biodiversity offsetting, where there are residual adverse affects. The will always be residual adverse effects, and this clause should only become effective if there are **significant** residual adverse effects.

**Relief sought:** Remove policy P32

Alternatively: add the word “significant” before the word “residual” in P32 (d)

9) Policy P33

Depending on the species mix present, it may be impossible to avoid the negative effects of activities. Also, some activities (and their impacts) cannot be avoided, e.g. it may be necessary to remove a slip across a river bed, to install a culvert or to undertake flood control measures.

**Relief sought:** following the word “avoided”, the words “where possible” should be inserted at the end of first sentence.

10) Policy P40

If an ecosystem or habitat has significant biodiversity values, then these should be protected, or improved where practical. As it stands the policy ignores the costs of restoration; currently not even the GWRC is eradicating introduced weeds from streams or possums as it is not economically feasible

**Relief sought:** remove reference to restoration from the policy, and add at the end of the policy “.. and improved ,where practical”.

#### 11) Policy P44

The policy makes reference to restoration – who would carry the cost of such a restoration, and what about the effect on private property rights? I suggest to clarify that this does not apply to private land.

**Relief sought:** add the end of policy P40: subject to the consideration of private property rights.

#### E Rules

General: The rules are sometimes overly complex, resulting in unnecessary restrictions, e.g. There are often minimum distances and specified, when really the issue is whether a contaminant will drain into a watercourse, and this is governed as much by the lie of the land (e.g. ridges) as the distance from a water body.

Some rules refer to distances from a “gully”. This should be removed, as pretty much all hill country is covered by gullies – there would be very little land left without any restriction. Where a gully is part of a water body, it will be covered under that term, and where it is not, (a “dry “ gully) then there should be no restriction.

#### 12) Rule R42

The rule is a major change to the status quo. Currently, sediment control measures are only required for bulk earthworks. Forestry requires earthworks which will at times generate some runoff including sediment. The rule implies that this will not be permitted if the suspended solids exceed 50 grams/m<sup>3</sup>. This really only 50 parts/million, or 0.005%. It will be pretty much impossible to achieve, and even a car driving through a ford will have a greater impact. A more practical approach would be to remove the 50gr and 100gr limit and just focus on water quality the zone of reasonable mixing.

The rule does not define any water quality standards with respect to the chemical or bacterial content of the water and this is at least as important as the sediment content.

**Relief sought:** remove reference to 50grams/m<sup>3</sup> and 100grams/cubic meter

#### 13) Rule R67

The rule makes discharge of e.g. clean water from a roof onto land where it may enter an outstanding one of the many rivers in Schedule F1 a non-complying activity, as the rule only refers to the permitted activities under rules R42-R45.

Under rule R48 the discharge of rainwater from a roof is permitted, and this rule should also be referenced in rule R67

**Relief sought:** add rule R48 to clause (b)

14) Rule R71

The current rules operate satisfactorily – there is not pollution from pit latrines in remote areas, and introducing the proposed rules would make it impossible for many land owners to build a batch. When a 20 m distance from a water body was sufficient in the past, why is it now proposed to be extended to 50 meters? There is no justification in the section 32 reports for the proposed change

The key issue with respect to pit latrines is that they should not pollute water, especially drinking water. The rules are very specific, yet do not capture this properly. E.g. if a pit latrine is closer than 50 m to a surface water body or gully, it may still have nil effect if it sits on the other side of a ridge. Rule 71 would also affect many huts operated by the Department of Conservation as the 50m distance requirement from gullies or water bodies would not be met

**Relief sought:** replace rule R71 with the corresponding rule in the operative plan

15) Rule R72

The wording in clause (c) should be altered to say: “the discharge does not drain into a surface water body..”. Otherwise my comments for rule R71 apply

**Relief sought:** replace the wording in clause © by “the discharge does not drain into a surface water body”

16) Rule R99

The wording of the first sentence, especially “where it may enter water from earthworks” is not clear

**Relief sought:** clarify the meaning of the first sentence.

17) Rule R101

The wording of the first sentence, especially “where it may enter water from earthworks” is not clear

**Relief sought:** clarify the meaning of the first sentence.

18) Rule R102 & R103

In general I support making plantation forestry a permitted activity.

Rule R102 applies to forestry on erosion prone land. Rule R103 then stipulates that otherwise, plantation forestry is not a permitted activity. The wording of those two rules and what is intended is unclear.

The requirement for a harvesting plan should only apply for larger blocks of forest – there is no need for a plan when a farmer harvests a shelterbelt or a few hectares of trees. I suggest to only require a harvesting plan for areas exceeding 10 ha, as this currently operates satisfactorily within the Kapiti District.

Relief sought: Make forestry on non erosion prone land a permitted activity  
Clarify the wording of the first sentence in Rule R102 & Rule R103  
Exclude the harvesting of less than 10 ha in a calendar year from the need to submit a harvesting plan to the Wellington Regional Council

19) Rules R112 to R124

There needs to be an exception for emergency or health and safety related work covering these rules. E.g. 5.5.4 (e) and (f) do not allow work at certain periods – yet a culvert or a slip may need to be cleared with urgency during a heavy rainfall event to avoid flooding or risk to life. This is well evidenced by the heavy rain falls in the Wanganui region, and also in the Tararua foothills – it is just not feasible to apply for resource consent, when time is of the essence

**Relief sought:** To insert a provision into the above rules allowing emergency maintenance and repair work.

20) Rule R114

The rule affects not just the construction, but also the use of river crossings. If a river crossing such as a bridge is in existence, then the use of this bridge is surely permitted. If a new bridge is to be build, then either it requires consent, or it is permitted. In both cases the use of the bridge will also be permitted. To include the “use of any river crossings” in the rule is overregulation.

**Relief sought:** remove the words “or use” from rule R114

What is the rationale for a 50 ha catchment limit on the western side of the Ruamahanga river? There is no justification provided in the section 32 report.

It is not clear why a resource consent is required to bridge a small river, but putting in a culvert with some metal on top is a permitted activity. A bridge would be better environmentally, and should be permitted, wherever a culvert is permitted.

**Relief sought:** I suggest to either remove clause (f) or, as a minimum, have a uniform 200ha catchment limit.

Otherwise, I support the approach of enabling landowners to establish small river crossings with a minimum of regulation

21) Rule R115

I do support this rule

22) Rule R116

The rule is in itself inconsistent and is too restrictive: Given the maximum capacity of 20 000 cm<sup>3</sup>, a 20 ha catchment does not make sense. Elsewhere a 200 ha catchment has been used and this would be more appropriate.

Given the catchment restraints, a small dam could only be build in the absolute headwaters of rivers, but there is no reason in the section 32 report, why a small dam should not be permitted further downstream, provided the passage of fish is assured. Small dams can even improve water quality, and reduce sediment downstream.

More importantly, they are essential to provide a water supply for firefighting. Most plantation forests are in hill country, where there are no other sources of water for firefighting. It would be impossible to retain water for firefighting purposes, and this is not just an economical but also a health and safety issue.

**Relief sought:** I request to replace the 20 ha catchment limit by a 200 ha catchment limit. At the same time, it may be possible to restrict the volume of the retained water to significantly below 20000 m3 and use a limit of say 5000 m3.

## **F Other Methods**

### 23) Method M7

The process described includes consultation with “interested parties”.

The effect of labeling a river as “outstanding” has a major impact on properties. Also the assessment of rivers will require the cooperation of land owners, especially where the headwaters are concerned.

I also am concerned about a potential change in criteria without any consultation with the rural community and affected land owners.

The described process removes planning certainty, and can be seen as misleading, as many people will not comment on aspects of the plan where it currently does not affect them, only to find that some time later – because criteria have been changed - they will be affected

**Relief sought:** The words “interested parties” should be changed to “affected parties”.

## **Schedule B & GIS mapping**

The headwaters of the Waikanae River above where it crosses the Mangaone walkway have been in private ownership since before 1890. No customary rights have been exercised since then, and there is no evidence supporting the details listed as taongas for this part of the river.

In fact the language used is very vague and refers e.g. to “certain sites” or “certain ceremonies” rather than identifying the sites and ceremonies. Another taonga appears to be the high quality of the water in context with its use as a source for drinking water for the district. Water quality is a general public good, and the drinking water



supply is protected in the district plan through other means – so there is no reason for its inclusion here

There has been no treaty settlement affecting the headwater of the Waikanae River, and it is not appropriate to affect private property rights in the absence of such a claim

**Relief sought:** exclude the headwaters of the Waikanae River upstream of its crossing with the Mangaone Walkway from Schedule B.

### **Schedule F**

It is not clear how the criteria in Schedule F1 have been derived from Policy 23 in the Regional Policy Statement.

Almost all hill country streams are included in Map 13, showing that for hill country, at least the criterion for Representativeness in Policy 23 is not met. The mapping within the GIS includes all headwaters, although the minimum flows required for the listed species in Schedule F1 will not be achieved in these headwaters

**Relief sought:** to set a minimum flow requirement, and exclude those headwaters and tributaries from Schedule F1, which do not meet this requirement

Schedule F includes the Waikanae River and all tributaries. I am particularly concerned about the headwaters of the Waikanae above GPS reference 1781550.60 / 547 5221.92, and my further comments under this heading relate to this area.

A) At Risk and migratory species: The river here is quite small, and does not meet the criteria shown, simply because the MALF, which is approximately 30 l/sec, is too small. The “Instream Habitat Assessment for the Waikanae River” on Councils website identifies 810 l/sec as the minimum flow required to sustain the indigenous fish habitat. Minimum flows for specific species have been identified in the Cawthron Institute Report “Implications of different minimum flows in the Waimea river” (2013), but it is quite clear that at a MALF of 30 liter/sec or less there is no habit for most of the listed species

This is even worse for the “tributaries” mapped out, as these are often just trickles or ephemerals.

The Waikanae in this area does not contain six or more species of migratory fish, and the fish species listed as having been recorded in the catchment, do not apply to this specific area. Even using Councils own data from the publication “Can Fish Fly”, this specific area does not contain torrentfish, koaro, shortjawed koaro, giant kopu or banded kokopu.

The NIWA fresh fish database has no records that any of “indigenous fish recorded in catchment” are present in the Waikanae River upstream of GPS reference 178 1550.60 / 547 5221.92, so there is no evidence that the criteria related to habit are being met. The NIWA fresh fish database has some catches recorded perhaps 2 kilometers downstream from this point, and it should be noted that here, the water volume has dramatically increased due to four tributaries joining together.

Incidentally, there is dam blocking any fish species perhaps 500 m downstream of GPS reference 178 1550.60 / 547 5221.92. (see the attached photo 1)

- B) High macro invertebrate community health: More than 70% of the catchment of the Waikanae in this area is covered in Plantation forest – so by councils own definition the criterion for high macroinvertebrate health is not being met upstream of GPS reference 178 1550.60 / 547 5221.92. I have attached an image showing the relevant catchment

**Relief sought:** There is no evidence supporting the inclusions of the headwaters of the Waikanae within Schedule F and I do request to remove the headwater of the Waikanae upstream of GPS reference 178 1550.60 / 547 5221.92 from Schedule F1 and the GIS mapping. It may also be appropriate to exclude the area downstream of this point up to where the Waikanae crosses for the first time the Mangaone Walkway as much of the reasoning above also applies. Also, this would reduce the administrative and mapping work involved for Council.

#### **Schedule I:**

The schedule, together with Map 26 shows trout habitats and trout spawning waters. The headwaters of the Waikanae above GPS reference 178 1550.60 / 547 5221.92 do not contain trout, due to the low MALF. Also migration of trout and other species into this area is inhibited by a small dam further downstream (see the attached Photo 1).

**Relief sought:** I do request to remove the headwater of the Waikanae upstream of GPS reference 178 1550.60 / 547 5221.92 from Schedule I and the GIS mapping system. It may also be appropriate to exclude the area downstream of this point up to where the Waikanae crosses for the first time the Mangaone Walkway, as much of the reasoning above also applies. Also, this would reduce the administrative and mapping work involved for Council.

#### **Mapping of the Waikanae River**

Waikanae River has been extended from the operative plan – where it is shown to begin at GPS ref. 178 1286.00 / 547 6476.05. If there is no specific evidence other

than the 1:50 000 maps, then I suggest that for the purposes of this plan the starting point of the Waikanae river - as mapped in the operative plan - is retained.

**Relief sought:** it is requested to retain the starting point of the river as documented in the GIS for the operative plan at GPS ref. 178 1286.00 / 547 6476.05

#### **Map 20**

The schedule shows primary contact recreation rivers. The headwaters of the Waikanae above GPS reference 178 1550.60 / 547 5221.92 are entirely privately owned with no public access, so there is no opportunity for contact recreation by anyone other than the land-owners. Also, the Waikanae here is only a trickle and unsuitable for this purpose. The same applies to the land downstream from that point until it reaches the Mangaone Walkway, where it is joined by several tributaries. It is here where it begins to be accessible and to grow to a size where it could be used for primary contact recreation.

**Relief sought:** I request to remove the Waikanae River upstream from where it crosses the Mangaone Walkway from Map 20

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
 21 AUG 2015  
 #1519624

**Your details**

Full name: Egon Guttke

Organisation name:  
 (If applicable)

Address for Service: 6 Glengavel Grove  
 Papakowhai, Porirua 5024

Telephone no's: Work: Home: 04 2370177 Cell:

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: egon.guttke@paradise.net.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): .....	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	







Legend

- Basemap
- Placenames - Towns
- Placenames - Suburbs
- Placenames - Localities
- Placenames - Bays

Map Services

Active Layers(s)

- Drawn Graphics
- Basemap (24)

Zoom to Selected

Basemap

Slide to change transparency of layer

100%

Draw and Measure

No Tool Selected  
Selected Graphics









Proposed Natural Resources Plan:

Submitter:

**Donald Frampton**

Submitter Number:

**S16**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz ✓

**Your details**

Full name: Donald Robert Frampton

Organisation name: \_\_\_\_\_  
 (If applicable)

Address for Service: 10 Nuhaka Place, Paraparaumu Beach

POSTAL ADDRESS: P O Box 575, Paraparaumu, 5254

EMAIL ADDRESS: terson@xtra.co.nz

Telephone no's: Work: \_\_\_\_\_ Home: 04 2986-932 Cell: 0274-401-271

Contact person: Don Frampton

Address and telephone no (if different from above): \_\_\_\_\_

See Postal & email addresses as above (email preferred)

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: terson@xtra.co.nz

**Trade competition**

- I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]
- I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:
  - I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): <u>SEE MY ATTACHMENT</u>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<u>SEE MY ATTACHEMENT</u>
	I seek the following decision from WRC (give precise details): →	<u>SEE MY ATTACHEMENT</u>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

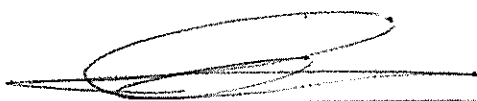
The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:  Date: 13-9-15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Attachment of: Donald Robert Frampton (Don Frampton)

**The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to**

The whole PNRP.

**Submission on the provisions**

Oppose and seek amendment.

**Reasons for the submission**

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation measures (including but not limited to all means of protection - not excluding all means of temporary, portable, permanent, hard or soft wave-energy dampening technologies) in particular, as relates to areas of significant existing development.

This applies both in the coastal marine area and in other areas, including but not limited to beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails



to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.

The reasons in the submission of Coastal Ratepayers United Inc. are supported and adopted.

**Decision sought:**

Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including but not limited to all means of protection - not excluding all means of temporary, portable, permanent, hard or soft wave-energy dampening technologies) activities in the coastal marine area and other areas (including but not limited to beds of rivers and streams), in particular, as relates to areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities as above referred in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities as above referred, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection as above referred) activities to be permitted or controlled activities.

Provide for coastal hazard mitigation (including protection as above referred) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity. By way of example only; there should be no restriction on taking temporary protection actions in the face of a high wave-energy episodic storm event where, (say), sand-bagging could help defend and reduce damage to the dune-line, notwithstanding other temporary or permanent wave-energy dampening options may simultaneously be in play.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc. are supported and adopted in addition to and as they may overlap this submission.



Proposed Natural Resources Plan:

Submitter:

**Paul Douglas**

Submitter Number:

**S17**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION **PAUL DOUGLAS** 517 #152384

NUMBER **2/32** STREET NAME **WARWICK ST**

SUBURB/TOWN **WILTON/WELLINGTON** POSTCODE **6012**

PHONE [ ] EMAIL **blkdoug@gmail.com**

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: **all provisions/sections**  
Please specify the provision/section number: **all provisions/sections**  
My submission on the provision **is**: **is**  
 I support the provision  
 I oppose the provision  
 I wish to have the specific provision amended

Wellington Regional Council  
31 JUL 2015

Reasons for my submission: **The provisions proposed dont properly + adequately take into account rules dealing with natural hazards + contaminants + rely on other documents + plans currently undergoing major overhauls e.g RMA To reject all the provisions + sections of the Natural Resources Plan until such time as the RMA + associated plans/docs have proper + adequate rules dealing with natural hazards + contaminants in all relevant areas incl land + coastal areas.**

I seek the following decision from WRC (give precise details): **To reject all the provisions + sections of the Natural Resources Plan until such time as the RMA + associated plans/docs have proper + adequate rules dealing with natural hazards + contaminants in all relevant areas incl land + coastal areas.**

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)  
**Attendance and wish to be heard at hearing(s)**  
 I/We do wish to be heard in support of my/our submission at hearings. Note: This means that you wish to speak in support of your submission at the hearing(s)  
 I do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court  
 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Trade competition**  
[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]  
 I could not gain an advantage in trade competition through this submission

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

**Publication of details**  
The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: **Paul Douglas** Date: **28/7/2015**

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

**Post your submission to:** Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - 39, Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/Unit Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports can be downloaded from the Wellington Regional Council website or a USB can be obtained free of charge by contacting the Hearings Officer on 04 384 5708 / 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz). Paper copies of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for purchase from the offices of the Wellington Regional Council at the above addresses.

Please contact the Hearings Officer on 04 384 5708 / 0800 496 734 or [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) if you have any questions about the Proposed Natural Resources Plan for the Wellington Region.

### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that:
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

- Offices of the Wellington Regional Council
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

**THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER**

The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and there must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:

- Any person representing a relevant aspect of the public interest;
- Any person who has an interest in the proposal greater than the general public has;
- The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Alan Rice**

Submitter Number:

**S18**





FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION SIS #1523866

NUMBER ALAN STREET NAME RICE

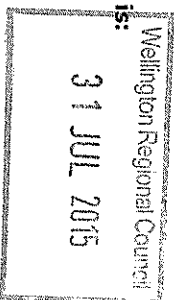
PHONE 6 ELORIO TEE POSTCODE 04

SUBURB/TOWN TAUA EMAIL 04

PHONE 2324896

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:



Please specify the provision/section number:

- My submission on this provision is:
 I support the provision
 I oppose the provision
 I wish to have the specific provision amended

Reasons for my submission: Domestic Fires ie Woodburner

I feel that because we live in a very wind area domestic fires should not be included in your plan. For old people who have those fires should be OK.

I seek the following decision from WRC (give precise details):

Domestic fires
We must always remember to survive
Humans need good warmth and shelter otherwise we die.

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearing(s)
Note: This means that you wish to speak in support of your submission at the hearing(s)

- I/We do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

- Cross out this shaded section if you could not gain an advantage in trade competition through this submission
I/We could not gain an advantage in trade competition through this submission
I/We could gain an advantage in trade competition through this submission
I/We am/am not directly affected by an effect of the subject matter of my submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Signature] Date: 28.07.15

Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142

To Residents of the Wellington Region

Proposed Natural Resources Plan for the Wellington Region

Te Tikanga Taiao o Te Upoko o te Ika a Maui

Notice relating to the Proposed Natural Resources Plan for the Wellington Region

Dear Resident

Submissions invited on the Proposed Natural Resources Plan for the Wellington Region.

Because the natural environment is so important to our social and economic health, rules and guidelines around activities that affect air, land, freshwater and coastal regions are developed and detailed in regional plans. These plans are published by regional councils and, to make sure they meet the pressures that growing communities place on natural resources, they are reviewed every 10 years.

The Wellington Regional Council is now proposing a new plan which replaces the existing regional plans for coast, air quality, freshwater, discharges to land and soil and creates an integrated Natural Resources Plan for the Wellington Region. Many people have been involved and made suggestions about how the new plan should be developed and what changes should be made, including comments on the draft plan which was released for consultation in September 2014.

The Proposed Natural Resources Plan for the Wellington Region may directly affect you or your business and may alter how (or whether) you can undertake activities. This is your chance to tell us what you think.

You can view all the new proposed rules, objectives and policies in the Proposed Natural Resources Plan for the Wellington Region by visiting your local library, local council or the Wellington Regional Council website www.gw.govt.nz/regional-plan-review. You can also make an enquiry or get a submission form from these places.



A copy of the plan is also available on USB drive, by calling freephone 0800 496 734 or emailing regionalplan@gw.govt.nz.

The rules will have legal effect from the date of notification (31 July 2015).

Submissions can be made until 5pm on Friday 25 September 2015.

You can find a list of the types of activities covered in the Proposed Natural Resources Plan for the Wellington Region overleaf. As you will see, there are many areas where our actions and choices affect the environment so the Wellington Regional Council has sent this letter out to all registered NZPost addresses in the region. We want to be sure everyone knows they can have their say.

The public notice of the Proposed Natural Resources Plan for the Wellington Region is also enclosed. It provides further information about how to view the proposed plan or make a submission and explains the process that will be followed after the closing of submissions.

Much of the language in the public notice and submission form is controlled by the requirements of the Resource Management Act. If you have any questions or require further information please contact the Hearings Officer on 04 384 5708 or by email to regionalplan@gw.govt.nz. Further information is also available on the Wellington Regional Council's website at www.gw.govt.nz/regional-plan-review.

Yours sincerely

Te Waari Carkeek, Co-Chair

Chris Laidlaw, Co-Chair

Te Upoko Taiao – Natural Resource Management Committee

# The Proposed Natural Resources Plan regulates the following activities:

## AIR QUALITY

- Outdoor burning
- Domestic fires ~~X~~
- Large scale generators
- Chemical and metallurgical processes
- Cremation and incineration
- Dust generation activities
- Food, animal or plant matter manufacturing and processing
- Fuel storage
- Mobile sources
- Gas, water and wastewater processes
- Drying or kiln processing
- Agrichemicals
- Fumigation
- All other discharges to air

## DISCHARGES TO WATER

- Water discharges
- Stormwater
- Contaminated land and hazardous substances
- Water races and pumped drainage schemes
- Wastewater
- Biofoul cleaning
- All other discharges to water

## WETLANDS AND BEDS OF LAKES AND RIVERS

- Activities in wetlands
- Activities in beds of lakes and rivers
- Reclamation and placement of a dam
- Damming and diversion of water

## WATER ALLOCATION

- Take and use of water
- Transferring water permits
- Bore construction or alteration

## COASTAL MANAGEMENT ACTIVITIES

- Maintenance, repair, additions and alterations to existing structures
- Removal or demolition of structures
- New and replacement structures (including temporary structures)
- Seawalls
- Heritage structures
- Structures in the Commercial Port Area
- Boatsheds and swing moorings
- Occupation
- Surface water and foreshore activities
- General disturbance activities
- Motor vehicles on the foreshore
- Dredging
- Deposition
- Dumping and incineration of waste or other matter
- Reclamation and drainage
- Destruction
- Introduction of plants

## DISCHARGES TO LAND

- Discharge of contaminants
- Biosolids and treated community wastewater
- Drinking water treatment plant waste
- Fertiliser and animal effluent
- Vertebrate toxic agents
- Refuse, silage and compost
- All other discharges to land

## LAND USE

- Cultivation and break feeding
- Livestock exclusion
- Earthworks and vegetation clearance
- Plantation forestry

Public noticed published 31 July 2015

## Proposed Natural Resources Plan for the Wellington Region

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The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

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### SUBMISSIONS

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- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156

The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

- Offices of the Wellington Regional Council
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

- After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and

- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal; and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
**CHIEF EXECUTIVE**

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.



greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiaro

Proposed Natural Resources Plan:

Submitter:

**Don Long**

Submitter Number:

**S19**



**FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

519

#1523868

NAME/ORGANISATION

D O N L O N G

NUMBER

622 MA R I N E D R A Y S B A Y

SUBURB/TOWN

POSTCODE

L O W F E R H U T T

PHONE

5013

EMAIL

04 5 628905

lithonal@xtra.co.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:**

31 JUL 2015

Please specify the provision/section number:

My submission on this provision is:

I support the provision

I oppose the provision

I wish to have the specific provision amended

Reasons for my submission: to protect the natural beach environment at Darys Bay and to advocate for greater enforcement of an existing regulation particularly on summer weekends to protect a vulnerable natural environment

I seek the following decision from WRC (give precise details): continue the existing local body regulation that makes parking on the beach at Darys Bay a parking offence and reinforce this at the WRC level in the Natural Resources Plan

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

**Attendance and wish to be heard at hearing(s)**

I/we do wish to be heard in support of my/our submission at hearing(s)

Note: This means that you wish to speak in support of your submission at the hearing(s)

I/we do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court

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

**Trade competition**

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

I/we could not gain an advantage in trade competition through this submission

~~I/we could gain an advantage in trade competition through this submission~~

I/we am/am-not directly affected by an effect of the subject matter of my submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

**Publication of details**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Signature] Date: 28/7/15

Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission

**Post your submission to:**

Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

**To Residents of the Wellington Region**

**Proposed Natural Resources Plan for the Wellington Region**

**Te Tikanga Taiao o Te Upoko o te Ika a Maui**

**Notice relating to the Proposed Natural Resources Plan for the Wellington Region**

Dear Resident

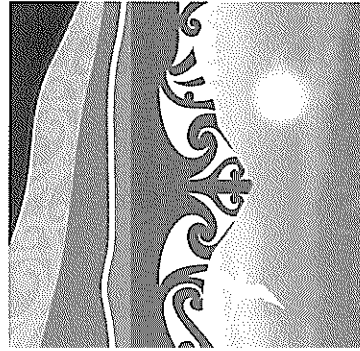
**Submissions invited on the Proposed Natural Resources Plan for the Wellington Region.**

Because the natural environment is so important to our social and economic health, rules and guidelines around activities that affect air, land, freshwater and coastal regions are developed and detailed in regional plans. These plans are published by regional councils and, to make sure they meet the pressures that growing communities place on natural resources, they are reviewed every 10 years.

The Wellington Regional Council is now proposing a new plan which replaces the existing regional plans for coast, air quality, freshwater, discharges to land and soil and creates an integrated Natural Resources Plan for the Wellington Region. Many people have been involved and made suggestions about how the new plan should be developed and what changes should be made, including comments on the draft plan which was released for consultation in September 2014.

The Proposed Natural Resources Plan for the Wellington Region may directly affect you or your business and may alter how (or whether) you can undertake activities. This is your chance to tell us what you think.

You can view all the new proposed rules, objectives and policies in the Proposed Natural Resources Plan for the Wellington Region by visiting your local library, local council or the Wellington Regional Council website [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review). You can also make an enquiry or get a submission form from these places.



A copy of the plan is also available on USB drive, by calling freephone 0800 496 734 or emailing [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz).

The rules will have legal effect from the date of notification (31 July 2015).

**Submissions can be made until 5pm on Friday 25 September 2015.**

You can find a list of the types of activities covered in the Proposed Natural Resources Plan for the Wellington Region overleaf. As you will see, there are many areas where our actions and choices affect the environment so the Wellington Regional Council has sent this letter out to all registered NZPost addresses in the region. We want to be sure everyone knows they can have their say.

The public notice of the Proposed Natural Resources Plan for the Wellington Region is also enclosed. It provides further information about how to view the proposed plan or make a submission and explains the process that will be followed after the closing of submissions.

Much of the language in the public notice and submission form is controlled by the requirements of the Resource Management Act. If you have any questions or require further information please contact the Hearings Officer on 04 384 5708 or by email to [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz). Further information is also available on the Wellington Regional Council's website at [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review).

Yours sincerely

**Te Waari Carkeek, Co-Chair**

**Chris Laidlaw, Co-Chair**

Te Upoko Taiao – Natural Resource Management Committee

# The Proposed Natural Resources Plan regulates the following activities:

## AIR QUALITY

- Outdoor burning
- Domestic fires
- Large scale generators
- Chemical and metallurgical processes
- Cremation and incineration
- Dust generation activities
- Food, animal or plant matter manufacturing and processing
- Fuel storage
- Mobile sources
- Gas, water and wastewater processes
- Drying or kiln processing
- Agrichemicals
- Fumigation
- All other discharges to air

## COASTAL MANAGEMENT ACTIVITIES

- Maintenance, repair, additions and alterations to existing structures
- Removal or demolition of structures
- New and replacement structures (including temporary structures)
- Seawalls
- Heritage structures
- Structures in the Commercial Port Area
- Boatsheds and swing moorings
- Occupation
- Surface water and foreshore activities
- General disturbance activities
- Motor vehicles on the foreshore
- Dredging
- Deposition
- Dumping and incineration of waste or other matter
- Reclamation and drainage
- Destruction
- Introduction of plants

## DISCHARGES TO WATER

- Water discharges
- Stormwater
- Contaminated land and hazardous substances
- Water races and pumped drainage schemes
- Wastewater
- Biofoul cleaning
- All other discharges to water

## WETLANDS AND BEDS OF LAKES AND RIVERS

- Activities in wetlands
- Activities in beds of lakes and rivers
- Reclamation and placement of a dam
- Damming and diversion of water

## WATER ALLOCATION

- Take and use of water
- Transferring water permits
- Bore construction or alteration

Public noticed published 31 July 2015

## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
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### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156

The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

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- In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
- The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
**CHIEF EXECUTIVE**

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Tadeusz Ostapowicz**

Submitter Number:

**S20**





FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

S20

# 1523869

T A D E U S Z O S T A P O W I C Z

NUMBER STREET NAME

38 KOTUKU STREET

SUBURB/TOWN

POSTCODE

ELSDON PORIRUA

5022

PHONE

EMAIL

04 2375240

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:

Please specify the provision/section number:

My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: My concern are domestic fires. Wood burner keeps the home dry and family healthy. Cuts doctor's and hospital's expenditure. Cuts power bills. In emergency burner can be used for cooking!

I seek the following decision from WRC (give precise details): Keep the Home fires going!

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings
I/We do not wish to be heard in support of my/our submission.
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]
I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission
I/we am/am not directly affected by an effect of the subject matter of my submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: T. Ostapowicz Date: 28.7.2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

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Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

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  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
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Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Lara Harris**

Submitter Number:

**S21**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991.

NAME/ORGANISATION

S21

#1523874

Wellington Regional Council

LARA HARRIS

10 AUG 2015

NUMBER STREET NAME

FLAT 11 138 WADDINGTON DRIVE

SUBURB/TOWN

POSTCODE

NAENAE LOWER HUTT

5011

PHONE

EMAIL

577 1786

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:

Please specify the provision/section number:

My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: Section 32.

I seek the following decision from WRC (give precise details): Reasons for accepting submissions.

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings
I/We do not wish to be heard in support of my/our submission.
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

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I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission

I/we am/am not directly affected by an effect of the subject matter of my submission that:

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Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: L Harris

Date: 30 July 2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to:

Freeport 3156
Wellington Regional Council
PO Box 11646
Wellington 6142



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You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freeport 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

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Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Matt McGregor**

Submitter Number:

**S22**

**FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

522

M A T T M C G R E G O R

NUMBER STREET NAME

31 D U D L E Y S T

SUBURBTOWN

POSTCODE

L O W E R H U T T 5 6 1 0

PHONE

EMAIL

0 2 7 2 2 3 1 1 1 5 ma'l@porairua.govt.nz

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**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:**  
**Please specify the provision/section number:**

My submission on this provision is:

- I oppose the provision  
 I wish to have the specific provision amended

Reasons for my submission:

I seek the following decision from WRC (give precise details):

Please continue on separate sheets) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission at hearings  
*Note: This means that you wish to speak in support of your submission at the hearing(s)*  
 I/We do not wish to be heard in support of my/our submission. *Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court*  
 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Trade competition**

- [Cross out this shaded section if you could not gain an advantage in trade competition through this submission]  
 I/We could not gain an advantage in trade competition through this submission  
 I/We could gain an advantage in trade competition through this submission  
 I/We are/am not directly affected by an effect of the subject matter of my submission that:  
 (a) adversely affects the environment; and  
 (b) does not relate to trade competition or the effects of trade competition.

**Publication of details**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature:  Date: 30-07-15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to:

Freeport 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

**To Residents of the Wellington Region**

**Proposed Natural Resources Plan**  
 for the Wellington Region

**Te Tikanga Taiao o Te Upoko o te Ika a Maui**

**Notice relating to the Proposed Natural Resources Plan for the Wellington Region**

Dear Resident

Submissions invited on the Proposed Natural Resources Plan for the Wellington Region.

Because the natural environment is so important to our social and economic health, rules and guidelines around activities that affect air, land, freshwater and coastal regions are developed and detailed in regional plans. These plans are published by regional councils and, to make sure they meet the pressures that growing communities place on natural resources, they are reviewed every 10 years.

The Wellington Regional Council is now proposing a new plan which replaces the existing regional plans for coast, air quality, freshwater, discharges to land and soil and creates an integrated Natural Resources Plan for the Wellington Region. Many people have been involved and made suggestions about how the new plan should be developed and what changes should be made, including comments on the draft plan which was released for consultation in September 2014.

The Proposed Natural Resources Plan for the Wellington Region may directly affect you or your business and may alter how (or whether) you can undertake activities. This is your chance to tell us what you think.

You can view all the new proposed rules, objectives and policies in the Proposed Natural Resources Plan for the Wellington Region by visiting your local library, local council or the Wellington Regional Council website [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review). You can also make an enquiry or get a submission form from these places.

Wellington Regional Council  
 03 AUG 2015

greater WELLINGTON  
 REGIONAL COUNCIL  
 Te Pane Matua Taiao

# 1523875

A copy of the plan is also available on USB drive, by calling freephone 0800 496 734 or emailing [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz).

The rules will have legal effect from the date of notification (31 July 2015).

**Submissions can be made until 5pm on Friday 25 September 2015.**

You can find a list of the types of activities covered in the Proposed Natural Resources Plan for the Wellington Region overleaf. As you will see, there are many areas where our actions and choices affect the environment so the Wellington Regional Council has sent this letter out to all registered NZPost addresses in the region. We want to be sure everyone knows they can have their say.

The public notice of the Proposed Natural Resources Plan for the Wellington Region is also enclosed. It provides further information about how to view the proposed plan or make a submission and explains the process that will be followed after the closing of submissions.

Much of the language in the public notice and submission form is controlled by the requirements of the Resource Management Act. If you have any questions or require further information please contact the Hearings Officer on 04 384 5708 or by email to [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz). Further information is also available on the Wellington Regional Council's website at [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review).

Yours sincerely

Te Waari Carkeek, Co-Chair  
 Chris Laidlaw, Co-Chair  
 Te Upoko Taiao – Natural Resource Management Committee



# The Proposed Natural Resources Plan regulates the following activities:

## AIR QUALITY

- Outdoor burning
- Domestic fires
- Large scale generators
- Chemical and metallurgical processes
- Cremation and incineration
- Dust generation activities
- Food, animal or plant matter manufacturing and processing
- Fuel storage
- Mobile sources
- Gas, water and wastewater processes
- Drying or kiln processing
- Agrichemicals
- Fumigation
- All other discharges to air

## DISCHARGES TO WATER

- Water discharges
- Stormwater
- Contaminated land and hazardous substances
- Water races and pumped drainage schemes
- Wastewater
- Biofoul cleaning
- All other discharges to water

## WETLANDS AND BEDS OF LAKES AND RIVERS

- Activities in wetlands
- Activities in beds of lakes and rivers
- Reclamation and placement of a dam
- Damming and diversion of water

## WATER ALLOCATION

- Take and use of water
- Transferring water permits
- Bore construction or alteration

## COASTAL MANAGEMENT ACTIVITIES

- Maintenance, repair, additions and alterations to existing structures
- Removal or demolition of structures
- New and replacement structures (including temporary structures)
- Seawalls
- Heritage structures
- Structures in the Commercial Port Area
- Boatsheds and swing moorings
- Occupation
- Surface water and foreshore activities
- General disturbance activities
- Motor vehicles on the foreshore
- Dredging
- Deposition
- Dumping and incineration of waste or other matter
- Reclamation and drainage
- Destruction
- Introduction of plants

## DISCHARGES TO LAND

- Discharge of contaminants
- Biosolids and treated community wastewater
- Drinking water treatment plant waste
- Fertiliser and animal effluent
- Vertebrate toxic agents
- Refuse, silage and compost
- All other discharges to land

## LAND USE

- Cultivation and break feeding
- Livestock exclusion
- Earthworks and vegetation clearance
- Plantation forestry

Public noticed published 31 July 2015



greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiaro

## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
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### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156

The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

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  - Any person representing a relevant aspect of the public interest.
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
**CHIEF EXECUTIVE**

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Maxine McMullan**

Submitter Number:

**S23**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

S23

MAXINE MCMULLAN

NUMBER STREET NAME

5 REEVES ST.

SUBURB/TOWN

POSTCODE

WAIKANAHE KARITI COAST 5036

PHONE

EMAIL

04 9046586 mgmcmullan@gmail.com

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:

Please specify the provision/section number:

My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: Clean air and water. Planting.

I seek the following decision from WRC (give precise details):

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings
I/We do not wish to be heard in support of my/our submission.
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Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

I/we could not gain an advantage in trade competition through this submission

I/we could gain an advantage in trade competition through this submission

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- adversely affects the environment; and
does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: M. G. M. Mullan

Date: 29-7-2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to:

Freeport 3156
Wellington Regional Council
PO Box 11646
Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

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Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Hitoshi Yamada**

Submitter Number:

**S24**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

524

HITOSHI YAMADA

NUMBER STREET NAME

20 AMESBURY DRIVE

SUBURB/TOWN

POSTCODE

CHURTON PARK WELLINGTON

6037

PHONE

EMAIL

04 4783781

hitoshi.yamada3@gmail.com

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: Please specify the provision/section number:

My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission:

I seek the following decision from WRC (give precise details):

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

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I/We do not wish to be heard in support of my/our submission.
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[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]
I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission
I/we am/am not directly affected by an effect of the subject matter of my submission that:

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Handwritten Signature] Date: 29/7/2015

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142





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submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freeport 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

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  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Craig Eaton**

Submitter Number:

**S25**



**FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

Wellington Regional Council  
13 AUG 2015

NAME/ORGANISATION SZS #1523886  

M	R	C	R	A	I	G	L	A	M	O	N	T	E	A	T	O	N
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

NUMBER 262 STREET NAME 20 HANKEY ST MT COOK WELLINGTON  
 SUBURB/TOWN MT COOK POSTCODE MT COOK WELLINGTON

PHONE 801 5311 EMAIL NO EMAIL YET

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:**  
**Please specify the provision/section number:**

My submission on this provision is:  
 I **support** the provision  
 I **oppose** the provision  
 I wish to have the specific provision **amended**

Reasons for my submission: I my submission against Rubbish & Garage Round were I Live; Storm water Run-off & waste water & plus Chemical & Metallurgical Processes; Agrichemicals & plus Fumigation too

I seek the following decision from WRC (give precise details):  
no decision; details either.

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

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**Trade competition**

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]  
 I/we **could not** gain an advantage in trade competition through this submission  
 I/we **could gain** an advantage in trade competition through this submission  
 I/we **am/am not** directly affected by an effect of the subject matter of my submission that:  
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**Publication of details**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: C. L. Eaton Date: 28.8.2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

**Post your submission to:**  
 Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

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- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

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THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

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  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Evelyn Chu**

Submitter Number:

**S26**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION 526 #1523891  
EVELYN CHU Wellington Regional Council

NUMBER 13 AUG 2015  
STREET NAME 03 HUTCHINSON ROAD

SUBURB/TOWN NEWTOWN WELLINGTON POSTCODE 6021

PHONE 04 3899-420- EMAIL

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:  
Please specify the provision/section number:

- My submission on this provision is:  
 I support the provision  
 I oppose the provision  
 I wish to have the specific provision amended

Reasons for my submission: Cost of Land, water, air and conservation  
is recommended to help the Environment. We need C.C.C. funding  
to carry out Natural Resources Plan For the Wellington region!!!

I seek the following decision from WRC (give precise details):

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings  
*Note: This means that you wish to speak in support of your submission at the hearing(s)*
- I/We do not wish to be heard in support of my/our submission. *Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court*
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]  
I/we could not gain an advantage in trade competition through this submission  
I/we could gain an advantage in trade competition through this submission  
I/we am/am not directly affected by an effect of the subject matter of my submission that:  
(a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: Evelyn Chu Date: 10/08/2015  
Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142





## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

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- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
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### SUBMISSIONS

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- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freeport 3156  
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The Wellington Regional Council  
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Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

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- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

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  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
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  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
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Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Carlo Jaminola**

Submitter Number:

**S27**

**FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991.

527 #1523894

NAME/ORGANISATION  
 C A R L O J A M I N O L A  
 11 AUG 2015  
 Wellington Regional Council

NUMBER STREET NAME  
 53A CHAELI ROAD

SUBURBTOWN POSTCODE  
 JOHNSONVILLE 6037

PHONE EMAIL  
 0210527497 CMJ\_ME\_RAL@YAHOO.CO.NZ

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:**

Please specify the provision/section number:

- My submission on this provision is:  
 I support the provision  
 I oppose the provision  
 I wish to have the specific provision amended

Reasons for my submission:  
 1. MANAGEMENT STORM WATER  
 2. RAINCE OF FLOODING  
 3. TREE PLANTING

I seek the following decision from WRC (give precise details):  
 WHO CURRENTLY MANAGES THE 3 ITEMS

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

**Attendance and wish to be heard at hearing(s)**

- I/we do wish to be heard in support of my/our submission at hearing(s)  
 Note: This means that you wish to speak in support of your submission at the hearing(s)  
 I/we do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court  
 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Trade competition**

- [Cross out this shaded section if you could not gain an advantage in trade competition through this submission]  
 I/we could not gain an advantage in trade competition through this submission  
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 (a) adversely affects the environment; and  
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**Publication of details**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature:  Date: 29 JULY 2015

Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission

Post your submission to:  
 Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

**To Residents of the Wellington Region**

**Proposed Natural Resources Plan  
 for the Wellington Region**

**Te Tikanga Taiao o Te Upoko o te Ika a Maui**

**Notice relating to the Proposed Natural Resources Plan for the Wellington Region**

Dear Resident  
 Submissions invited on the Proposed Natural Resources Plan for the Wellington Region.

Because the natural environment is so important to our social and economic health, rules and guidelines around activities that affect air, land, freshwater and coastal regions are developed and detailed in regional plans. These plans are published by regional councils and, to make sure they meet the pressures that growing communities place on natural resources, they are reviewed every 10 years.

The Wellington Regional Council is now proposing a new plan which replaces the existing regional plans for coast, air quality, freshwater, discharges to land and soil and creates an integrated Natural Resources Plan for the Wellington Region. Many people have been involved and made suggestions about how the new plan should be developed and what changes should be made, including comments on the draft plan which was released for consultation in September 2014.

The Proposed Natural Resources Plan for the Wellington Region may directly affect you or your business and may alter how (or whether) you can undertake activities. This is your chance to tell us what you think.

You can view all the new proposed rules, objectives and policies in the Proposed Natural Resources Plan for the Wellington Region by visiting your local library, local council or the Wellington Regional Council website [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review). You can also make an enquiry or get a submission form from these places.

Wellington Regional Council  
 11 AUG 2015  
 GREATER WELLINGTON REGIONAL COUNCIL  
 Te Pane Matua Taiao



A copy of the plan is also available on USB drive, by calling freephone 0800 496 734 or emailing [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz).

The rules will have legal effect from the date of notification (31 July 2015).

Submissions can be made until 5pm on Friday 25 September 2015.

You can find a list of the types of activities covered in the Proposed Natural Resources Plan for the Wellington Region overleaf. As you will see, there are many areas where our actions and choices affect the environment so the Wellington Regional Council has sent this letter out to all registered NZPost addresses in the region. We want to be sure everyone knows they can have their say.

The public notice of the Proposed Natural Resources Plan for the Wellington Region is also enclosed. It provides further information about how to view the proposed plan or make a submission and explains the process that will be followed after the closing of submissions.

Much of the language in the public notice and submission form is controlled by the requirements of the Resource Management Act. If you have any questions or require further information please contact the Hearings Officer on 04 384 5708 or by email to [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz). Further information is also available on the Wellington Regional Council's website at [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review).

Yours sincerely

Te Waari Carkeek, Co-Chair  
 Chris Laidlaw, Co-Chair  
 Te Upoko Taiao – Natural Resource Management Committee

# The Proposed Natural Resources Plan regulates the following activities:

## AIR QUALITY

- Outdoor burning
- Domestic fires
- Large scale generators
- Chemical and metallurgical processes
- Cremation and incineration
- Dust generation activities
- Food, animal or plant matter manufacturing and processing
- Fuel storage
- Mobile sources
- Gas, water and wastewater processes
- Drying or kiln processing
- Agrichemicals
- Fumigation
- All other discharges to air

## COASTAL MANAGEMENT ACTIVITIES

- Maintenance, repair, additions and alterations to existing structures
- Removal or demolition of structures
- New and replacement structures (including temporary structures)
- Seawalls
- Heritage structures
- Structures in the Commercial Port Area
- Boatsheds and swing moorings
- Occupation
- Surface water and foreshore activities
- General disturbance activities
- Motor vehicles on the foreshore
- Dredging
- Deposition
- Dumping and incineration of waste or other matter
- Reclamation and drainage
- Destruction
- Introduction of plants

## DISCHARGES TO WATER

- Water discharges
- Stormwater
- Contaminated land and hazardous substances
- Water races and pumped drainage schemes
- Wastewater
- Biofoul cleaning
- All other discharges to water

## WETLANDS AND BEDS OF LAKES AND RIVERS

- Activities in wetlands
- Activities in beds of lakes and rivers
- Reclamation and placement of a dam
- Damming and diversion of water

## WATER ALLOCATION

- Take and use of water
- Transferring water permits
- Bore construction or alteration

Public noticed published 31 July 2015



greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiaro

## Proposed Natural Resources Plan for the Wellington Region

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Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156

The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

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Greg Campbell  
**CHIEF EXECUTIVE**

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Jeffrey Arthur**

Submitter Number:

**S28**





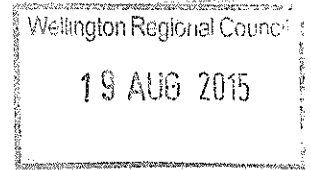
Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiao

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz

528



Your details

Full name: Jeffrey Arthur  
Organisation name: (If applicable)  
Address for Service: 74 Settlement Rd  
RD 1 Greytwn  
Telephone no's: Work: Home: Cell: 0274729911  
Contact person:  
Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: pilot@xtra.co.nz

Trade competition

- I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]
- I/we could gain an advantage in trade competition through this submission. If you could gain an advantage please complete one of the following:
  - I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	"ecosystem", is only mentioned for aquatic system. What about land based ecosystems. The Bee Keeping Industry is very important to the Wairarapa & the whole of NZ. The industry needs protection from any source the could be established next to aparies that can't be shifted or honey processing facilities. Beekeeping is not included as a sensitive activity. Most sprays have been removed from the market, but there may be something that could be established to affect the beekeeping industry & the bees.
	I seek the following decision from WRC (give precise details):	That the Beekeeping industry be protected & a greater area of protection be established around apary sites to reflect the area of harvest of the bees. It will be accepted that people will remove or spray trees on their properties,



	➔	but the establishment of an activity that may have a discharge that could have an affect on bees should be of concern.
--	---	--

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....	My submission on this provision is: ➔	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: ➔	
	I seek the following decision from WRC (give precise details): ➔	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....	My submission on this provision is: ➔	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: ➔	
	I seek the following decision from WRC (give precise details): ➔	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: ➔	
	I seek the following decision from WRC (give precise details): ➔	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Jeffrey Arthur  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 74 Settlement Rd  
 RD 1 Greytwn

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0274729911

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

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Email address: pilot@xtra.co.nz

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	Reasons for my submission: →	Rule 90: Good rule to reduce leeching.
	I seek the following decision from WRC (give precise details): →	

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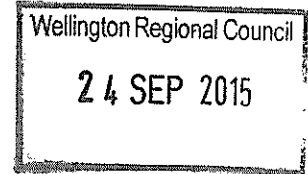
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	Reasons for my submission: →	Noise guidelines in the Wairarapa District Plan needs restructuring according to an Environment Lawyer. Noise levels should be set under the regional plan with exemptions for certain activities
	I seek the following decision from WRC (give precise details): →	That all noise be included under the Regional plan with exemptions for certain activities. as opposed to unless mentioned then the activity is exempt.

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	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	Any shooting range to be constructed in according with Best Management Plans, in accordance with UK & European BMP standards.

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	Reasons for my submission: →	
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

To: Freepost 3156  
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Wellington Regional Council  
**23 SEP 2015**

**Your details**

Full name: Jeffrey Arthur  
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Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0274729911

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	Reasons for my submission: →	There is to be no more contaminated sites
	I seek the following decision from WRC (give precise details): →	Regional Plan remains unchanged in No More contaminated sites

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	Reasons for my submission: →	Regional Plan doesn't fully cover the provision of wind
	I seek the following decision from WRC (give precise details): →	That any discharge to air, land or water, wind & weather conditions be taken into account. Especially in windy areas, eg Wairarapa

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	Reasons for my submission: →	On environmental & human health risk
	I seek the following decision from WRC (give precise details): →	All or proposed shooting ranges made a 'Non Complying activity'. To be listed, as a Non Complying activity within the plan

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	Reasons for my submission: →	Exotic insects that are beneficial to the environment & economy to be protected as indigenous species for the benefit that they bring.
	I seek the following decision from WRC (give precise details): →	Be classified as a sensitive areas where beneficial environments are located. e.g. Bees be given at least a 5km safety margin.

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	Reasons for my submission: →	Dysfunctional District Plan & Councils.
	I seek the following decision from WRC (give precise details): →	Regional Council, to take over & integrate more the duties being performed by District Councils. Especially environmental issues, including noise.

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	Reasons for my submission: →	Due to bias in NZ & USA, & failure to follow BMP, put forward by NZ research & overseas. Also to protect trade links with the EU, to comply with EU food standards
	I seek the following decision from WRC (give precise details): →	Any shooting range to be constructed in according with Best Management Plans, in accordance with UK & European BMP standards.

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



#1520027



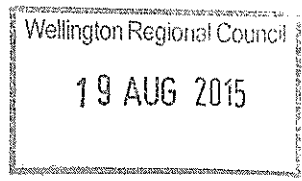
Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
Clause 6 of Schedule 1, Resource Management Act 1991

greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Talao

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz

528



Your details

Full name: Jeffrey Arthur  
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	Reasons for my submission: →	"ecosystem", is only mentioned for aquatic system. What about land based ecosystems. The Bee Keeping Industry is very important to the Wairarapa & the whole of NZ. The industry needs protection from any source the could be established next to aparies that can't be shifted or honey processing facilities. Beekeeping is not included as a sensitive activity. Most sprays have been removed from the market, but there may be something that could be established to affect the beekeeping industry & the bees.
	I seek the following decision from WRC (give precise details):	That the Beekeeping industry be protected & a greater area of protection be established around apary sites to reflect the area of harvest of the bees. It will be accepted that people will remove or spray trees on their properties,

	→	but the establishment of an activity that may have a discharge that could have an affect on bees should be of concern.
--	---	--

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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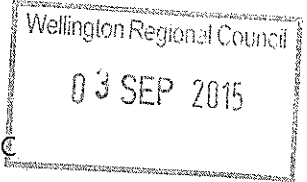
S28

#F1521436

**Darrell Young**

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**From:** Regional Plan  
**Sent:** Friday, 4 September 2015 11:41 a.m.  
**To:** Records  
**Subject:** FW: Submission form (electronic version) - type directly into.DOC  
**Attachments:** Submission form (electronic version) - type directly into.doc



Another submission from Mr Arthur, please can you add this to the system.  
Thanks Sam

---

**From:** Jeff [<mailto:rangie@clear.net.nz>]  
**Sent:** Thursday, 3 September 2015 8:01 a.m.  
**To:** Regional Plan  
**Subject:** Submission form (electronic version) - type directly into.DOC

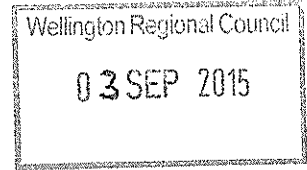
My main concern here seems to be a lack of what 'Best Management Practices' are. The plan needs to be more definitive, with the option for the practices to be amended as Practices & knowledge improves.

Catchment, Containment & Disposal is standard at present, e.g Dairy effluent & run off is caught & sprayed back on paddocks as a Best management practice. The same principle should apply for any discharge or hazardous substance (More so for hazardous substances) That way to conform with the Objective of the plan is to minimise any more contaminated sites or land. By Catching & containing any discharge seems to be the most effective way of doing this. It is also an Internationally accepted method.



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Jeffrey Arthur  
 Organisation name: (If applicable)  
 Address for Service: 74 Settlement Rd  
 RD 1 Greytown

Telephone no's: Work: Home: Cell: 0274729911

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: pilot@xtra.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

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	Reasons for my submission: →	Policy P90 & P95: Discharge of Hazardous Substances & Discharge to land Does not fully comply with Policy 90 & Policy 95 & Policy 96 "Good management Practices"
	I seek the following decision from WRC (give precise details): →	Good management practices, shall include where possible the Capture & Containment of any contaminants followed by the disposal in an approved manner.

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

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	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

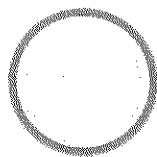
**Powerco**

Submitter Number:

**S29**







**POWERCO**

**SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN  
FOR GREATER WELLINGTON REGIONAL COUNCIL**

25 September 2015

---

**To:** Freepost 3156  
The Proposed Natural Resources Plan  
The Greater Wellington Regional Council  
PO Box 11646, Manners Street  
Wellington 6142

**By Email:** [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

**Name:** Powerco NZ Ltd  
Private Bag 2061  
New Plymouth 4342

**ADDRESS FOR SERVICE:**

**BURTON PLANNING CONSULTANTS LIMITED**  
Level 1, 2-8 Northcroft Street  
PO Box 33-817, Takapuna  
AUCKLAND 0740

**Attention: Maree Drury**

**Phone: (09) 917-4315**

**Fax: (09) 917-4311**

**E-Mail: [mdrury@burtonconsultants.co.nz](mailto:mdrury@burtonconsultants.co.nz)**

**Ref: 15/050**

## 1 INTRODUCTION

- 1.1 Powerco Limited (Powerco) is New Zealand's second largest gas and electricity distribution company and has experience with energy distribution in New Zealand spanning more than a century. The Powerco network spreads across the upper and lower central North Island servicing over 400,000 consumers, which represents 46% of the gas connections and 16% of the electricity connections in New Zealand.
- 1.2 Powerco's electricity networks are in Tauranga, Thames, Coromandel, Eastern and Southern Waikato, Taranaki, Wanganui, Rangitikei, Manawatu and the Wairarapa. Its gas pipeline networks are in Taranaki, Hutt Valley, Porirua, Wellington, Horowhenua, Manawatu and the Hawkes Bay. Consumers are served through Powerco assets including over 27,000 kilometres of electricity lines (including overhead lines and underground cables) and 5,800 kilometres of gas pipelines.
- 1.3 Powerco's gas and electricity networks are recognised in the Wellington Regional Policy Statement (*RPS*) as regionally significant infrastructure. It is, therefore, appropriate that their management is comprehensively addressed in the Proposed Natural Resources Plan for the Wellington Region (*the Proposed Plan*).
- 1.4 Powerco supports the incorporation of all the existing regional plans into one document and seeks to ensure that the document enables ongoing operation, maintenance and upgrading of its gas and electricity assets without any unnecessary constraints. Of particular relevance to this matter, this requires:
- Provision for the ongoing maintenance and upgrading of existing gas and electricity assets;
  - Provision for establishment of new network infrastructure when and where required, having regard to (inter alia) the extent to which any adverse effects have been avoided, remedied or mitigated by route, site and method selection; and
  - Protection of gas and electricity distribution network infrastructure from activities and development within close proximity.
- 1.5 These matters are discussed in more detail as follows.
- 1.6 The map in attachment A shows the extent of Powerco's assets throughout the Greater Wellington Region.

## 2 THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN THAT POWERCO'S SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS:

- 2.1 This submission relates specifically to the following provisions of the Proposed Plan:
- Chapter 3: Objectives 12, 13, 20, 22,40, 41,43, 44, 46, 47, 51, 53, 54

- Chapter 4: Policies 4, 5, 13, 14, 15, 16, 23, 25, 27, 28, 45,48, 58, 67, 73, 90, 97, 98, 102, 103, 126, 132, 138, 139,145
  - Chapter 5: Rules 12, 21, 26, 34, 42, 99, 112, 114, 115, 118, 130, 140, 146, 147, 149, 168, 196, 172,182.
  - Definitions: Good Management Practice, Regionally Significant Infrastructure, Contaminated Land, Bore, Dewatering, Earthworks.
- 2.2 The rationale for Powerco’s submission on each of these matters, the specific provision submitted on and the relief sought is set out in the attached schedule. Amendments to the proposed provisions are shown as deletions in strikethrough and additions in underline.
- 2.3 Powerco also seeks the following general relief:
- That in giving effect to the general and specific relief set out in the attached Schedules ensure that the provisions of the Proposed Natural Resources Plan of the Greater Wellington Regional Council raised by this submission
- (a) Address the relevant provisions in sections 5-8 RMA;
  - (b) Implement the statutory tests in section 32 and the requirements in the First Schedule RMA;
  - (c) Address relevant statutory functions of the consent authority and the related statutory requirements for the Proposed Natural Resources Plan;
  - (d) Address the considerations identified by the Environment Court for planning instruments in decisions such as Long Bay-Okura Great Park Society Inc v North Shore City Council (and subsequent case law);
  - (e) Ensure there is no duplication of the provisions or double jeopardy with more than one rule being required for the same activity;
  - (f) Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission; and
  - (g) Avoid, remedy or mitigate the relevant and identified environmental effects.

- 3     **POWERCO WISHES TO BE HEARD IN SUPPORT OF THIS SUBMISSION**
- 4     **IF OTHERS MAKE A SIMILAR SUBMISSION, POWERCO WOULD BE PREPARED TO  
CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.**
- 5     **POWERCO COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH  
THIS SUBMISSION.**
- 6     **POWERCO ARE DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE  
SUBMISSION THAT-**
- (A) ADVERSELY AFFECTS THE ENVIRONMENT; AND**
- (B) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE  
COMPETITION.**

Dated at TAKAPUNA this 25<sup>th</sup> day of September 2015  
Signature of person authorised to sign on behalf of Powerco

Maree Drury  
**Principal Planner**

Address for Service:

(as per cover sheet)  
BURTON PLANNING CONSULTANTS LIMITED  
PO Box 33-817  
Takapuna, 0740  
Auckland  
Attention: Maree Drury

Phone:           (09) 917-4315  
Fax:             (09) 917-4311  
E-Mail: mdrury@burtonconsultants.co.nz

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<b>Chapter 3- Objectives</b>			
Section 3.2 Beneficial Use and Development. O12	Support	<p><b>Retain O12 without further modification</b>  <i>The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.</i></p>	Powerco seek that Objective 12 be retained without modification. The objective recognises the value of regionally significant infrastructure in the Wellington region.
Section 3.2 Beneficial Use and Development. O13	Support	<p><b>Retain Objective O13 without further modification</b>  <i>The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i></p>	Powerco seek that Objective 13 be retained without modification. The objective recognises the value of regionally significant infrastructure in the Wellington region and the need to protect such infrastructure from reverse sensitivity effects.
Section 3.4 Natural Character, Form and Function O20	Oppose	<p><b>Modify O20 as follows:</b>  <i>The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable appropriately managed so that risks remain acceptable.</i></p>	Objective 20 introduces a subjective judgment when advocating "acceptable risk" In some circumstances a degree of risk may be acceptable and/or the management approach sufficiently precautionary – the focus should be on 'appropriate management' of risk not the risk of a hazard occurring per se. Levels of acceptable risk may vary depending upon the nature of the activity e.g. where significant infrastructure has to traverse areas subject to Natural Hazards.
Section 3.4 Natural Character, Form and Function O22	Support in part	<p><b>Modify Objective O22 as follows</b>  <i>Hard engineering mitigation and protection methods are only used as a last practicable option or where they are the best practicable option</i></p>	Powerco support recognition of hard engineering options where they are the best practicable option.

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 3.8 Air O40	Support	<b>Retain Objective O40 without further modification</b> <i>Human health, property, and the environment are protected from the adverse effects of point source discharges of air pollutants.</i>	Powerco seek that Objective 40 be retained without modification.
Section 3.8 Air O41	Oppose	<b>Modify Objective O41 as follows</b> <i>The adverse effects of odour, smoke and dust on amenity values and people's well-being are <del>reduced</del> are avoided, remedied, or mitigated</i>	The RMA requires that adverse effects are avoided, remedied or mitigated. There may be circumstances where the nature of the land use is such that odour effects cannot be reduced e.g are already applying the BPO. The need for a general reduction across the region for these matters for all discharges has not been appropriately justified. A reduction requirement is likely to pose potential issues for all new discharges
Section 3.9 Soil O43	Support	<b>Retain O43 without further modification</b> <i>Contaminated land is managed to protect human health and the environment</i>	Objective 43 focuses on the appropriate management of contaminated land to protect human health and the environment from adverse effects.
Section 3.10 Land Use O44	Oppose	<b>Modify Objective O44 as follows</b> <i>The adverse effects on soil and water from land use activities are <del>minimised</del> avoided, remedied, or mitigated</i>	The RMA requires that adverse effects are avoided, remedied or mitigated. There may be circumstances where past land use effects on soil and water cannot be reduced to the smallest possible amount but must be managed, e.g some contaminated land where there may need to be controls on the future use of the land.

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 3.11 Discharges O46	Oppose	<p><b>Modify Objective O46 as follows.</b>  <i>Discharges to land are managed to reduce the <u>adverse effects of runoff or leaching of contaminants to water</u></i></p>	<p>Objective 46 should focus on the management of adverse effects of discharges to land. In some cases historical contamination of land results in leaching of contaminants to groundwater which cannot be reduced until natural attenuation has occurred. Where there are no adverse effects of allowing natural attenuation, reduction of offsite migration may not be necessary.</p>
3.11 Discharges O47	Support in part	<p><b>Modify Objective O47 as follows</b>  <i>The amount of sediment-laden runoff entering water is reduced <u>as far as practicable</u>.</i></p>	<p>It is unclear whether this objective refers to sediment laden water from each individual discharge or over the whole region. It may not always be possible to demonstrate a reduction in sediment concentrations in short term discharges associated with short term and minor construction activities, however good management practice can be applied. The suggested amendment is supported if reduction is to occur for every individual discharge.</p>
Section 3.11 Discharges O51	Oppose	<p><b>Modify Objective O51 as follows</b>  <i>The discharge of hazardous substances is managed to <u>avoid adverse effects on protect human health, property and the environment</u></i></p>	<p>Objective 51 needs to be amended to reflect that management cannot always result in complete protection but should have the objective of avoiding adverse effects e.g existing contaminated sites which continue to discharge hazardous substances cannot "protect" the environment.</p>



**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 3.13 Coastal Management O53	Support	<b>Retain Objective O53 without further modification</b> Use and development in the coastal marine area has a functional need or operational requirement to be located there	Objectives 53 and 54 are supported as they recognise the functional need and operational requirement for some industries including electricity distribution and gas pipelines to be located within the CMA to service wharfs, ports, commercial buildings e.g Powerco has infrastructure on Kumutoto Wharf and Clyde Quay.
Section 3.13 Coastal Management O54	Support	<b>Retain Objective O54 without further modification</b> Use and development makes efficient use of any occupied space in the coastal marine area	As per above
<b>Chapter 4 – Policies</b>			
Section 4.1 Policy 4: Ki uta ki tai and integrated catchment management	Oppose	<b>Modify Policy 4 as follows:</b> Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall may include: (a) consideration of alternative <u>practicable</u> locations and methods for undertaking the activity <del>that would have less adverse effects, and including where relevant, a location outside of the</del> <del>(b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and</del> (b) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and (c) using <b>good management practices</b> for reducing the adverse effects of the activity, and (d) designing the activity so that the scale or footprint of the activity is as small as practicable.	There is repetition within this policy which can be rationalised. The policy also needs to maintain focus on effects rather than prescribing methods. Powerco recommends that Policy 4 be redrafted to give recognition of best practicable option provisions in the RMA.

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.1 Policy P5: Review of existing consents</p>	<p>Oppose</p>	<p>(e)Adoption of the best practicable option.</p> <p><b>Modify Policy P5 as follows:</b>  <i>The conditions of existing resource consents for discharges of contaminants to fresh or coastal water, and to take and use water, may be reviewed pursuant to section 128 of the Resource Management Act 1991 where evidence can be produced of adverse effects attributable to the exercise of the consent</i></p>	<p>Although the integrated collaborative planning model is commended, the uncertainty placed on existing consent holders is not welcomed.</p> <p>Industries and services make significant investment decisions on the basis of the certainty of access to and use of resources as granted through resource consents. Although it is recognised that section 128 RMA allows for a review of those conditions by Council there is the potential for several plan change processes to be initiated through Waitaha committee initiatives during the term of a typical consent. This will reduce certainty to existing consent holders and affect investment decisions.</p> <p>Powerco seeks that the frequency and scope of the effect of plan changes on existing consent limits is limited to only address section 128(a)(i) matters i.e. where an adverse effect on the environment can be clearly demonstrated to be the result of the exercise of an individual consent.</p>
<p>Section 4.2 Beneficial use and development Policy 12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</p>	<p>Support</p>	<p><b>Retain Policy 13 without further modification</b>  <i>The use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate</i></p>	<p>Retain recognition of the value of regionally significant infrastructure and in particular the recognition that significant infrastructure has to be upgraded to meet demands and it is appropriate this should be generally enabled.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.2 Beneficial use and development Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities</p>	<p>Support in part</p>	<p><b>Modify Policy 14 as follows:</b> <i>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects.</i></p>	<p>Reverse sensitivity is not the only concern associated with incompatible development in close proximity to significant infrastructure. Direct effects, such as damage or restriction of access to infrastructure, encroachment of sensitive activities can also compromise the safe operation, maintenance and upgrade of infrastructure and Policy 14 should be amended to acknowledge this. Further, Policy 8 of the Operative Regional Policy Statement for the Wellington Region is not confined to reverse sensitivity, but deals with effects more generally arising from incompatible development. Policy 14, therefore, needs to be amended to appropriately give effect to the RPS.</p>
<p>Section 4.2 Beneficial use and development Policy P15: Flood protection activities</p>	<p>Support</p>	<p><b>Retain Policy 15 without further modification:</b> <i>The use, maintenance and ongoing operation of existing catchment based flood and erosion risk management activities which manage the risk of flooding to people, property, infrastructure and communities are beneficial and generally appropriate</i></p>	<p>Retain recognition of the importance of flood and erosion protection structures to regionally significant infrastructure and allow for new erosion and/or flood protection structures or other works when regionally significant infrastructure is at risk.</p>
<p>Section 4.2 Beneficial use and development Policy P16: New flood protection and erosion control</p>	<p>Support</p>	<p><b>Retain Policy 16 without further modification</b> <i>The social, cultural, economic and environmental benefits of new catchment based flood and erosion risk management activities are recognised.</i></p>	<p>As per above</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 4.4 Natural Form and Function	Support	<p><b>Retain Policy 23 without further modification</b></p> <p>The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa will be restored overtime by:</p> <ul style="list-style-type: none"> <li>(a) managing activities to reduce sedimentation rates and pollutant inputs, and</li> <li>(b) managing erosion-prone land and riparian margins in their catchments, and</li> <li>(c) undertaking planting and pest management programmes in harbour and lake habitats and ecosystems</li> </ul>	The policy recognises management for significant values and time required to reduce sediment rates and pollution input.
Section 4.4, 4.4.2 Natural character Policy P24: Natural character	Support	<p><b>Retain Policy 25 without further modification</b></p> <p>Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</p> <ul style="list-style-type: none"> <li>(a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and</li> <li>(b) the presence or absence of structures and buildings, and</li> <li>(c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and</li> <li>(d) whether it is practicable to protect natural character from inappropriate use and development through:</li> <li>(i) using an alternative location, or form of development that would be more appropriate to that location, and</li> <li>(ii) considering the extent to which functional need or existing use limits location and development options</li> </ul>	Powerco supports Policy 25 as it recognises functional need or existing use limits on location and development options. It is recommended that the policy be retained without amendment

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.4, 4.4.4 Natural hazards Policy P27: High hazard areas</p>	<p>Support in part</p>	<p><b>Retain Policy 27 but with the following modification</b> Use and development, including hazard mitigation methods, in high hazard areas shall be avoided except where:</p> <ul style="list-style-type: none"> <li>(a) they have a functional need or operational requirement or there is no practicable alternative to be so located, and</li> <li>(b) the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is <u>low acceptable</u>, and</li> <li>(c) the development does not cause or exacerbate natural hazards in other areas, and</li> <li>(d) interference with natural processes (coastal, fluvial and lacustrine processes) is minimised, and</li> <li>(e) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise, are taken into account.</li> </ul>	<p>Powerco supports Policies P27 and 28. The policies recognise functional needs or operational requirements and adopt a risk based approach to development and protection of infrastructure which is supported. However, the threshold requirement of low risk is not considered appropriate. Any activity that has a functional need to locate in such a high hazard area should only need to demonstrate that the risk posed is acceptable – that may include allowing for certain levels of damage to structures. The alternative could end up requiring substantial over investment in over designing structures.</p>
<p>Section 4.4, 4.4.4 Natural hazards Policy P28: Hazard mitigation measures</p>	<p>Support</p>	<p><b>Modify Policy 28 as follows</b> Hard engineering mitigation and protection methods shall be avoided except where it is necessary to protect existing development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor <u>or it is for regionally significant infrastructure</u>.</p>	<p>It is important to recognise that regionally significant infrastructure may need to be protected by hard engineering works and the effects of such works may be more than minor in some circumstances yet the wider community benefits could be affected if such works were to otherwise fail the policy test. It is therefore considered appropriate that regionally significant infrastructure be appropriately recognised, otherwise there is a potential conflict with Policy 139.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>4.6 Sites with significant values 4.6.3 Sites with significant mana whenua values Policy P45: Managing adverse effects on sites with significant mana whenua values</p>	<p>Oppose</p>	<p><b>Modify Policy 45 as follows</b>  <i>In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided. If the site cannot be avoided or the activity is already established within the site, minor effects associated with maintenance activities are allowed for but more than minor adverse effects on the significant mana whenua values must be evaluated through a cultural impact assessment undertaken by the relevant iwi authority or iwi authorities. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Māori as recommended in the cultural impact assessment by:</i></p> <ul style="list-style-type: none"> <li>(a) <i>avoiding more than minor adverse effects, and</i></li> <li>(b) <i>where more than minor adverse effects cannot be avoided, remedying them, and</i></li> <li>(c) <i>where more than minor adverse effects cannot be remedied, mitigating them, and</i></li> <li>(d) <i>receiving written consent of the iwi authority.</i></li> </ul> <p><i>Where more than minor adverse effects on significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects in sites with significant mana whenua values is inappropriate.</i></p>	<p>Powerco may have existing assets near or within sites of significant mana whenua value or new sites of significant mana whenua value may be discovered near gas or electricity assets. As such the policy needs to reflect the need for maintenance and potential for minor disturbance to those sites.</p>
<p>Section 4.6.4 Sites with significant historic heritage value Policy P46: Managing adverse effects on sites with significant historic heritage value</p>	<p>Oppose</p>	<p><b>Modify Policy 46 as follows</b>  <i>More than minor adverse effects on the significant historic heritage values identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), Schedule E4 (archaeological sites) and Schedule E5 (freshwater heritage) shall be avoided, remedied or mitigated by managing activities so that:</i></p> <ul style="list-style-type: none"> <li>(a) <i>significant historic heritage values are not lost, damaged or destroyed, and</i></li> <li>(b) <i>effects are of a low magnitude or scale, or effects are reversible, and</i></li> <li>(c) <i>interconnections and linkages between sites are not significantly altered or lost, and</i></li> </ul>	<p>The intent of Policy 46 is supported however there needs to be recognition of existing infrastructure affixed to or associated with historical heritage structures such as Clyde Quay and maintenance and inspection requirements on that gas distribution line. These activities are unlikely to create more than minor adverse effects as allowed for by the policy.</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(d) previous damage to significant historic heritage values is remedied or mitigated where relevant, and</p> <p>(e) previous changes that have significant historic heritage value in their own right are respected and retained, and</p> <p>(f) adjacent significant historic heritage values are unlikely to be adversely affected, and</p> <p>(g) unique or special materials and/or craftsmanship are retained, and</p> <p>(h) the activities do not lead to cumulative adverse effects on historic heritage.</p> <p>(i) there is recognition of the need to maintain, replace or alter existing regionally significant infrastructure affixed to or otherwise dependent on heritage structures</p>	
Section 4.7 Air Quality Policy 58 Industrial discharges	Support	<p><b>Retain Policy 58 without further modification</b> Industrial point source discharges and fugitive emissions into air will be minimised by using good management practices.</p>	Powerco support Policy 58 as the focus is on managing point source and fugitive discharge through good management practices
Section 4.7 Air Quality Policy 59 Industrial point source discharges	Support	<p><b>Retain Policy 59 without further modification</b> The significant adverse effects from industrial point source discharges of hazardous air pollutants beyond the boundary of the property where the discharge is occurring, including any noxious or dangerous effects on human health or the environment, shall be avoided</p>	Powerco support management of significant adverse effects beyond site boundaries.
Section 4.8 Discharges to land and Water Policy P67: Minimising effects of discharges	Support in part	<p><b>Modify Policy 67 as follows</b> The adverse effects of discharges of contaminants to land and water will be minimised by:</p> <p>(a) avoiding the production of the contaminant, and/or</p> <p>(b) reusing, recovering or recycling the contaminant, and/or</p> <p>(c) minimising the volume or amount of the contaminant in the discharge, and/or</p> <p>(d) using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge where appropriate, and</p>	Powerco support Policy 67 as it provides a range of options that include treatment of contaminants prior to discharge and receiving environment standards after mixing in river or stream. However the focus in (c) should be on the contaminants not the volume of the discharge per se.

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 4.8.3 Stormwater Policy 73 Minimising adverse effects of stormwater discharges	Support	<p>(e) <i>irrespective of actions taken in accordance (a) to (d) above, where a discharge is a point source discharge to a river or stream, the discharge achieves the water quality standards in Policy P71 after reasonable mixing.</i></p> <p><b>Retain Policy 73 without further modification</b> The adverse effects of stormwater discharges shall be minimised, including by:</p> <ul style="list-style-type: none"> <li>(a) <i>using good management practice, and</i></li> <li>(b) <i>taking a source control and treatment train approach to new activities and land uses, and</i></li> <li>(c) <i>implementing water sensitive urban design in new subdivision and development, and</i></li> <li>(d) <i>progressively improving existing stormwater, wastewater, road and other public infrastructure, including during routine maintenance and upgrade</i></li> </ul>	Powerco supports recognition of good management practices.
Section 4.8.6 Contaminated land, hazardous substances and landfills Policy P90: Discharges of hazardous substances	Oppose	<p><b>Modify Policy 90 as follows</b> The risk associated with the discharge of a hazardous substance to land (including accidental discharges), fresh water, including groundwater, or coastal water from the use, and storage and transport of hazardous substances shall be managed by the use of good management practices.</p>	Powerco supports the general intent of Policy 90, particularly its adherence to good management practice. It is recommended that this policy be amended to focus on the management of risk at locations where they hazardous substances are stored and used and to avoid duplication of controls provided by the Land Transport Act and HSNO
Section 4.8.10 Earthworks and Vegetation Clearance. Policy 97: Managing sediment discharges	Support	<p><b>Retain Policy 97 without further modification</b> The discharge of sediment to surface water bodies and coastal water from earthworks activities shall be minimised by using a source control approach. Good management practices shall be used in site management, erosion and sediment control design operation and maintenance in order to minimise the adverse effects of sediment-laden stormwater discharges. Effects that cannot be minimised may be appropriately offset.</p>	Powerco support use of good management practices and source control methods provided addition of good management practice guidelines requested (see definitions section)



**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.8.10 Earthworks and Vegetation Clearance. Policy 98 Accelerated soil erosion</p>	<p>Support</p>	<p><b>Retain Policy P98 without further modification</b> Earthworks, vegetation clearance and plantation forestry harvesting activities that have the potential to result in significant accelerated soil erosion, or to lead to off-site discharges of silt and sediment to surface water bodies, shall use measures, including good management practice, to:</p> <ul style="list-style-type: none"> <li>(a) minimise the risk of accelerated soil erosion, and</li> <li>(b) control silt and sediment runoff, and</li> <li>(c) ensure the site is stabilised and vegetation cover is restored</li> </ul>	<p>As per above</p>
<p>Section 4.8.12 Activities in beds of lakes and rivers Policy 102: Reclamation or drainage of the beds of lakes and rivers</p>	<p>Support</p>	<p><b>Retain Policy 102 without further modification</b> The reclamation or drainage of the beds of lakes and rivers and natural wetlands shall be avoided except where the reclamation or drainage is:</p> <ul style="list-style-type: none"> <li>(a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or associated with a qualifying development within a special housing area, or</li> <li>(b) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or</li> <li>(c) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or associated with the creation of a new river bed and does not involve piping of the river, and</li> <li>(d) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or</li> <li>(e) the reclamation or drainage is of an ephemeral flow path.</li> <li>(f) For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.</li> </ul>	<p>It is consistent with section 5 of RMA to support the development, operation, maintenance and upgrade of regionally significant infrastructure and to exclude most piping and covering of streams for crossing from the definition of reclamation in this policy. This will ensure the majority of upgrade and maintenance activities within stream beds are recognised.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.8.12 Activities in beds of lakes and rivers Policy 103: Management of gravel extraction</p>	<p>Support</p>	<p><b>Retain Policy 103 without further modification</b> The extraction of gravel, sand or rock from the beds of rivers shall be managed so that: (a) the extraction does not result in an increase in flooding or erosion either at the site of extraction or across the wider river catchment, including any erosion of existing structures, and (b) the flow of sediment and gravel to the coast is not reduced to the extent it would contribute to coastal erosion, and (c) the rate of gravel extraction does not exceed the natural rates of gravel deposition, unless this is required to manage aggradation.</p> <p><b>Modify Policy 126 as follows</b></p> <p>Localised land subsidence or significant adverse effects of dewatering on existing groundwater users or the flows, levels or quality of surface water shall be minimised.</p>	<p>Powerco has assets through the Hutt River where gravel extraction occurs and hence recognition that extraction should not impact on existing structures is supported.</p>
<p>Section 4.9 Taking, using, damming and diverting water Section 4.9.4 Managing Adverse effects Policy 126: Site dewatering</p>	<p>Oppose</p>	<p><b>Retain Policy 132 without further modification</b> Use and development in the coastal marine area shall: (a) have a functional need, or (b) have an operational requirement to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or (c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area, and in respect of (a), (b) and (c): (d) only use the minimum area necessary, and (e) be made available for public or multiple use where appropriate, and</p>	<p>Site dewatering may be required by Powerco when trenching but usually only occurs for less than one day. As a result Powerco considers the policy should be directed at significant adverse effects as short term effects will be less than minor and adverse effects of dewatering on existing groundwater users or the flows, levels or quality of surface water can be minimised.</p> <p>Powerco support Policy 132 in that it recognises the functional and operational requirements of some services to locate within or adjacent to the Coastal Marine Area.</p>
<p>Section 4.10.1 Primary coastal policies Policy 132: Functional need and efficient use</p>	<p>Support</p>	<p><b>Retain Policy 132 without further modification</b> Use and development in the coastal marine area shall: (a) have a functional need, or (b) have an operational requirement to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or (c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area, and in respect of (a), (b) and (c): (d) only use the minimum area necessary, and (e) be made available for public or multiple use where appropriate, and</p>	<p>Powerco support Policy 132 in that it recognises the functional and operational requirements of some services to locate within or adjacent to the Coastal Marine Area.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.10.2 Structures Policy P138: Structures in sites with significant values</p>	<p>Support</p>	<p>(f) result in the removal of structures once redundant, and (g) concentrate in locations where similar use and development already exists where practicable.</p> <p><b>Retain Policy P138 without further modification</b> New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where: (a) the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or (b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or (c) the structure will provide for navigational safety, or (d) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and in respect of (a) to (d): (e) there are no practicable alternative methods of providing for the activity.</p>	<p>Powerco supports Policy 138 in that it recognises the need to enable development, operation, maintenance and upgrade of regionally significant infrastructure within sites identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features).</p>
<p>Section 4.10.2 Structures Policy P139: Seawalls</p>	<p>Support</p>	<p><b>Retain Policy 139 without further modification</b> The construction of a new seawall is inappropriate except where the seawall is required to protect: (a) existing, or upgrades to, infrastructure, or (b) new regionally significant infrastructure, and in respect of (a) and (b): (c) there is no reasonable or practicable alternative means, and (d) suitably located, designed and certified by a qualified, professional engineer, and</p>	<p>Powerco seek assurance that existing infrastructure and regionally significant infrastructure at risk of sea level rise and severe weather events can be protected by the construction or extension of seawalls as required.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.10.2 Structures Policy 145: Reclamation, drainage and destruction</p>	Support	<p>(e) <i>designed to incorporate the use of soft engineering options where appropriate.</i></p> <p><b>Retain Policy P145 without further modification</b>  <i>Reclamation, drainage or destruction in the coastal marine area shall be avoided except where:</i></p> <p>(a) <i>the reclamation, drainage or destruction is associated with the development, operation, maintenance and upgrade of regionally significant infrastructure, and</i>                      (b) <i>there are no other locations outside the coastal marine area for the activity associated with the reclamation, drainage or destruction, and</i>                      (c) <i>there are no practicable alternative methods of providing for the associated activity.</i></p>	<p>Powerco supports recognition of the potential need to undertake reclamation, drainage and destruction in order to develop, operate maintain or upgrade regionally significant infrastructure.</p>
<b>Chapter 5 - Rules</b>			
<p>Section 5.1.4 Large Scale Combustion Activities Rule R12: Emergency power generators – permitted activity</p>	Support	<p><b>Retain Rule 12 without further modification</b>  <i>The discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (a) applies from the combustion of diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:</i></p> <p>(a) <i>the electricity network is disrupted through weather, accidents, or any unforeseen circumstances, or</i>                      (b) <i>the person operating the equipment is undertaking necessary maintenance or testing of the device, or</i>                      (c) <i>the electricity connection is not available</i>  <i>is a permitted activity, provided the following conditions are met:</i>                      (d) <i>the discharge into air shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and</i></p>	<p>Powerco supports recognition the need for emergency generators including generators of up to 2MW during disruption of the electricity network. It is not realistic to seek resource consent during an emergency power situation.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.1.5 Chemical and metallurgical processes Rule 21: Thermal metal spraying – permitted activity</p>	<p>Support</p>	<p>(e) the discharge shall not at any time increase the concentration of PM10 (calculated as a 24-hour mean) by more than 2.5µg/m3 in any part of a polluted airshed</p> <p><b>Retain Rule 21 without further modification</b></p> <p>The discharge of contaminants into air from thermal spraying of metal including the melting of metal or metal alloy is a permitted activity, provided the following conditions are met:</p> <p>(a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and there is no emission of hazardous air pollutants as identified in Schedule L2 (air pollutants) beyond the boundary of the property, and</p> <p>(b) the discharge is through control equipment that achieves a particulate emission rate of no more than 30mg/m3 (Standard Temperature and Pressure, dry gas basis and 12% CO2 by volume). The control equipment shall be maintained at all times by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and available to the Wellington Regional Council on request.</p>	<p>Powerco supports this rule as it allows for welding and repair of pipelines.</p>
<p>Section 5.1.7 Dust generating activities Rule 26: Abrasive blasting outside an enclosed area – permitted activity</p>	<p>Support</p>	<p><b>Retain Rule 26 without further modification</b></p> <p>The discharge of contaminants into air from dry or wet abrasive blasting outside an enclosed area is a permitted activity, provided the following conditions are met:</p> <p>(a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and the operation of a mobile abrasive blasting unit used at one property is no more than 10 days in any 12 month period, and</p> <p>(b) abrasive blasting shall only be undertaken when it is impracticable to remove or dismantle or transport a fixed object or structure to be cleaned in an abrasive blasting booth, and</p>	<p>Powerco supports retention of Rule 26 as it allows for cleaning of storage tanks, pipelines and other outdoor infrastructure.</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(d) if the blasting is dry abrasive blasting, the blasting materials shall only be garnet, sodium bicarbonate, crushed glass, or agricultural materials including crushed corn cobs or walnuts, and</p> <p>(e) if the blasting is wet abrasive blasting, the blasting shall only use water, and</p> <p>(f) the free silica content of a sample of the blasting material shall not exceed 5% by weight, and</p> <p>(g) all work areas and surrounding areas are kept clean and substantially free of accumulations of deposited material and other debris</p>	
<p>Section 5.1.11 Gas, water and wastewater processes Rule 34: Gas, water and wastewater</p>	Support	<p><b>Retain Rule 34 without further modification</b> The discharge of contaminants into air from the storage, conveyance and pumping of gas, water and wastewater is a permitted activity, provided the following condition is met: (a) the discharge shall not cause offensive or objectionable odour at the boundary of a sensitive activity.</p>	Powerco supports recognition of minor gas discharges within Rule34.
<p>Section 5.2 Discharges to Water</p>	Support	<p><b>Rule R42: Minor discharges – permitted activity</b> The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretion, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met: (a) where the discharge may enter groundwater, the discharge is not located within 50m of a bore used for water abstraction for potable supply or stock water, and (b) where the discharge enters a surface water body or coastal water, the concentration of total suspended solids in the discharge shall not exceed: (i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies),</p>	Powerco supports the rule on the basis that it applies only to contaminated land as currently defined in this plan.

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), except when the background total suspended solids concentration in the receiving water is greater than 50g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or</p> <p>(ii) 100g/m<sup>3</sup> where the discharge enters any other water, except when the background total suspended solids concentration in the receiving water is greater than 100g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%, and</p> <p>(c) if the discharge is from dewatering, the discharge is not from contaminated land, and</p> <p>(d) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>(e) the discharge shall not give rise to the following effects after the zone of reasonable mixing:</p> <p>(i) a change in the pH of ±0.5pH unit, or</p> <p>(ii) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</p> <p>(iii) any conspicuous change in the colour or visual clarity, or</p> <p>(iv) any emission of objectionable odour, or</p> <p>(v) the fresh water is unsuitable for consumption by farm animals, or</p> <p>(vi) any significant adverse effects on aquatic life</p>	
Section 5.4 Land Use Section 5.4.4 Earthworks and	Support	<p><b>Retain Rule R99 without further modification</b> The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks of a contiguous</p>	Support recognition of earthworks for construction, repair or maintenance of existing infrastructure as a permitted activity.

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>vegetation clearance Rule R99: Earthworks</p>		<p>area up to 3,000m<sup>2</sup> per property per 12 month period is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and</li> <li>(b) earthworks will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the earthworks occurs, and</li> <li>(c) work areas are stabilised within six months after the completion of the earthworks.</li> <li>(d) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters: <ul style="list-style-type: none"> <li>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in colour or visual clarity, or</li> <li>(iii) any emission of objectionable odour, or</li> <li>(iv) the rendering of fresh water unsuitable for consumption by animals, or</li> <li>(v) any significant adverse effect on aquatic life</li> </ul> </li> </ul>	
<p>Section 5.5 Wetlands and beds of lakes and rivers Section 5.5.5 Activities in beds of lakes and rivers Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates)</p>	<p>Support</p>	<p><b>Retain Rule R112 without further modification</b></p> <p>The maintenance, repair, replacement, upgrade or use of a structure or a part of a structure (excluding the Barrage Gates) that is fixed in, on, under, or over the bed of a river or lake, including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</li> <li>(f) the resulting structure is contained within the form of the existing structure, or</li> </ul>	<p>Support recognition of activities in bed and banks of water bodies for replacement, maintenance, repair and removal of existing infrastructure as a permitted activity</p>



**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.5 Wetlands and beds of lakes and rivers Section 5.5.5 Activities in beds of lakes and rivers Rule R114: River crossing structures</p>	<p>Support</p>	<p>(g) the resulting structure, excluding any cable, pipe or duct and including any deposition, adds no more to the existing structure than whichever is the lesser of: (i) 5% of the plan or cross-sectional area of the structure in the river or lake bed, or (ii) 1m in horizontal projection and 1m in vertical projection measured from the structure as it was on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed.</p> <p><b>Retain Rule R114 without further modification</b> The placement or use of a river crossing structure, including, but not limited to, weirs, fords and small bridges, excluding culverts and a river crossing that dams a river, that is fixed in, on, under, or over the bed of a river including any associated: (a) disturbance of the river or lake bed, and (b) deposition on the river or lake bed, and (c) diversion of water, and (d) discharge of sediment to water is a permitted activity, provided the following conditions are met: (e) the activity shall comply with the beds of lakes and rivers general conditions specified above in section 5.5.4, and (f) the river crossing that has any part of the structure fixed in or on the bed has a catchment area above the crossing of not more than: (i) 200ha in any catchment in the region on the eastern side of the Ruamāhanga River, or (ii) 50ha in any catchment in the region on the western side of the Ruamāhanga River, and (g) the formed crossing shall be no wider than what is required for the purpose of the crossing and the total area of the structure in or on the bed of the river shall not exceed 20m<sup>2</sup>, and (h) the activity does not occur within a site identified in Schedule C (mana whenua).</p>	<p>Support recognition of activities in bed and banks of water bodies for replacement, maintenance, repair and removal of existing infrastructure as a permitted activity</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.5 Wetlands and beds of lakes and rivers</p> <p>Section 5.5.5 Activities in beds of lakes and rivers</p> <p>Rule R115: Culverts</p>	<p>Support</p>	<p><b>Retain Rule R115 without further modification</b></p> <p>The placement or use of a culvert that is fixed in, or on, the bed of a river including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except condition (f) (not altering the natural course of the river), and the activity does not occur within a site identified in Schedule C (mana whenua), and</li> <li>(f) where multiple culverts are placed side by side, the total cross-sectional area of the multiple culverts shall not be less than that of a single culvert which complies with this rule, and</li> <li>(g) the culvert, associated fill and culvert placement shall comply with the following dimensions: <ul style="list-style-type: none"> <li>(i) a maximum culvert length of 20m, and</li> <li>(ii) for circular culverts a culvert diameter of 0.3m to 1.2m (inclusive), and</li> <li>(iii) for non-circular culverts a width and height of 0.3m to 1.2m each (inclusive), and</li> <li>(iv) a culvert diameter, or width that is at least as wide as the river bed at the point at which the culvert is installed (and which complies with (h)(ii) and (h)(iii) above)</li> <li>(v) a maximum fill height of 2m above the top of the culvert unless a spillway is constructed to enable the passage of a 5% annual exceedance probability (20 year return period) flood event without the fill being overtopped, and</li> </ul> </li> </ul>	<p>Support recognition of use of culverts when required for infrastructure transmission, access and maintenance as a permitted activity.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(i) a minimum culvert installation depth below the bed of 20% of the width of the culvert, and</p> <p>(j) the culvert shall be positioned so that its alignment and gradient are the same as the river, and</p> <p>(k) the culvert shall be constructed to allow:</p> <p>(i) the flow from a 5% annual exceedance probability (20 year return period) flood event without overtopping, unless the overtopping flows to a specifically designed spillway, and</p> <p>(ii) the flow from a two year return period flood event without any flow impediment, and</p> <p>(l) the culvert inlet and outlet shall be protected against erosion, and</p> <p>(m) all practicable steps shall be taken to minimise the release of sediment during construction, and</p> <p>(n) the culvert shall be constructed and maintained to avoid any aggradation or erosion of the bed, including any erosion at the inlet and outlet of the culvert, and</p> <p>(o) the culvert shall be constructed and maintained to avoid causing any flooding on any neighbouring properties.</p>	
<p>Section 5.5 Wetlands and beds of lakes and rivers</p> <p>Section 5.5.5 Activities in beds of lakes and rivers</p> <p>Rule R118: Removing or demolishing structures – permitted activity</p>	<p>Support</p>	<p><b>Retain Rule R118 without further modification</b></p> <p>The removal or demolition of a structure or a part of a structure that is fixed in, on, under, or over any river or lake bed, including any associated:</p> <p>(a) disturbance of the river or lake bed, and</p> <p>(b) deposition on the river or lake bed, and</p> <p>(c) diversion of water, and</p> <p>(d) discharge of sediment to water</p> <p>is a permitted activity, provided the following conditions are met:</p>	<p>Support recognition of need to remove structures or parts of structures in river beds and banks as part of operating network utilities.</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</p> <p>(f) the removal or demolition of the structure disturbs less than 10m<sup>3</sup> of the bed of the river or lake, and</p> <p>(g) it results in the complete removal of the structure from the river or lake bed, or the complete removal of that part of the structure requiring removal from the river or lake bed, and</p> <p>(h) no explosives shall be used in the demolition of the structure, and</p> <p>(i) the removal or deposition shall not result in the diversion of water from a natural wetland.</p>	
Section 5.5.8 Damming and Diverting Water Rule R130: Diversion of groundwater	Support	<p><b>Retain Rule R130 without further modification</b></p> <p>Diversion of groundwater is a permitted activity, provided the following conditions are met:</p> <p>(a) there shall be no flooding or erosion of any neighbouring property, and</p> <p>(b) there shall be no lowering of water levels in any river, lake, or natural wetland, and</p> <p>(c) there shall be no lowering of groundwater levels on any neighbouring property.</p>	Powerco supports recognition of groundwater diversion sometimes required during construction where there are no long term adverse effects on adjoining properties.
Section 5.6 Water Allocation Rule R140 Dewatering	Oppose	<p><b>Modify Rule R140 as follows</b></p> <p>The take of water and the associated diversion and discharge of that water for the purpose of dewatering a site, including but not limited to, maintenance, excavation, construction or geotechnical testing, is a permitted activity, provided the following conditions are met:</p> <p>(a) the take continues only for the time required to carry out the work but does not exceed one month, and</p> <p>(b) the take and diversion and discharge is not from, onto or into contaminated land or potentially-contaminated land, <u>except</u></p>	<p>The use of permitted activity for short term construction dewatering activities required by infrastructure companies, including regionally significant infrastructure and for trenching is considered consistent with sustainable management of physical resources.</p> <p>Powerco is concerned that the rule is somewhat confusing in that the note purports to provide for discharges of dewatering water via Rule 42, yet discharge is also provided</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p><del>where the discharge quality from the site has been shown to meet the relevant industry good practice guide,</del>            and(c) <u>the discharge is onto or into land including to any natural or man-made stormwater drainage system, where the discharge has been minimised to the greatest extent practicable, in a manner that does not give rise in the receiving waterbody to any or all of the following:</u></p> <ul style="list-style-type: none"> <li>• <u>the production of any conspicuous oil or grease films, scum, foams, of floatable or suspended material,</u></li> <li>• <u>any conspicuous change in the colour or visual clarity,</u></li> </ul> <p><u>(d) the take does not cause ground subsidence, and</u>  <u>(e) the take does not deplete water in a water body beyond the time of the take, and</u>  <u>(f) there is no flooding beyond the boundary of the property.</u>  <u>Note: Discharges to water, or onto or into land where it may enter water related to dewatering are provided for by Rule R42.</u></p> <p><b>Introduce a new rule (Rule 140A) as a single restricted discretionary activity default rule for dewatering not meeting the permitted activity conditions.</b></p>	<p>for in R140. Diversion is also provided for in R130. This needs to be clarified.            Powerco is also concerned that the default rule from R42 (discharge) is to a non-complying activity and the take rule is discretionary. As a consequence the pathway for dewatering is uncertain.            Powerco would like to see a clear single permitted activity rule and single default rule, to a restricted discretionary activity, for construction dewatering that involves, take, diversion and discharge.            Powerco also considers there is no effects based reason to require consent for the take, diversion and discharge of dewatering water if the quality of that water can be shown to meet relevant industry good practice guide. It is considered that the Council should be producing some form of good practice guidance on these matters rather than a separate cascade to R42 for the discharge it may be appropriate to incorporate the sediment parameters into this rule or alternatively have a s107 type requirement. Hence amendments to Rule 140 are sought as outlined.</p>
Section 5.6.4 Bore construction or alteration	Support in part	<p><b>Retain Rule R146 subject to the following deletion as follows</b>  <u>The use of land and the associated diversion and discharge of water or contaminants for the drilling, construction or alteration of a geotechnical investigation bore is a permitted activity, provided the following conditions are met:</u></p>	<p>Support provision of geotechnical investigation bores as a permitted activity. Not all bores will or should be required to be in accordance with Rule 54 e.g. test pit to ascertain ground stability or groundwater</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Rule R146: Geotechnical investigation bores</p>		<p>(a) the bore is not located within a community drinking water supply protection area shown on Map 26, Map 27a, Map 27b, or Map 27c, and</p> <p>(b) there is compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and</p> <p>(c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and</p> <p>(d) there is no flooding beyond the boundary of the property.</p> <p>Note: For contaminated land site investigation bores Rule R54 also applies</p>	<p>depth for underground infrastructure construction. As a consequence the note should be deleted.</p>
<p>New Rule 147 Well pointing for dewatering/diversion - permitted activity</p>	<p>New Rule</p>	<p><b>Add new Rule 146A Well pointing for dewatering/diversion as follows</b></p> <p><u>The temporary use (up to two months) of well pointing for dewatering of tank pits or other underground infrastructure excavations or cavities, associated with the installation, replacement or removal of underground infrastructure, is a permitted activity subject to meeting the following conditions:</u></p> <p><u>The diversion shall not change the water level regime or direction of flow of the aquifer after completion of the works; and</u></p> <p>(a) <u>The discharge shall be either:</u></p> <ol style="list-style-type: none"> <li>i. <u>collected for reuse; or</u></li> <li>ii. <u>discharged to land so that runoff or the accumulation of contaminants does not occur; or</u></li> <li>iii. <u>discharged onto land including to any natural or man-made stormwater drainage system, where the discharge has been minimised to the greatest extent practicable, in a manner that does not give rise in the receiving waterbody to any or all of the following:</u> <ul style="list-style-type: none"> <li>• <u>the production of any conspicuous oil or grease films, scum, foams, of floatable or suspended material;</u></li> <li>• <u>any conspicuous change in the colour or visual clarity.</u></li> </ul> </li> </ol>	<p>Powerco wish to ensure that any excavation it undertakes for the replacement or installation of underground gas or electricity assets or drainage infrastructure does not trigger a bore consent. The current definition of bore would appear not to capture such activities as such activities are not for the purpose of investigating, abstracting or discharging, rather those matters are incidental or consequential to the intent, which is to facilitate construction/replacement of infrastructure.</p> <p>There is no rule that provides for the short term use of well pointing during excavation for the purposes of below ground infrastructure construction and maintenance. The Proposed Plan definition of bore appears to potentially capture the use of well pointing as a technique and this is not considered practical due to the short term nature of the activity, and low impacts of well pointing and construction methods employed.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.6.4 Bore construction or alteration                      Rule R147: Drilling, construction or alteration of any bore – controlled activity</p>	<p>Oppose</p>	<p><b>Modify Rule R147 as follows</b>                      The use of land and the associated diversion and discharge of water or contaminants for drilling, construction or alteration of a bore (other than a geotechnical investigation bore permitted in Rule R146 and/or Well pointing as outlined in Rule 146A) is a controlled activity, provided the following conditions are met:</p> <p>(a) the bore is not associated with hydrocarbon exploration or production, and</p> <p>(b) the bore is constructed and operated in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</p> <p>Matters of control</p> <ol style="list-style-type: none"> <li>1. Compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</li> <li>2. Bore location, size (including diameter of the bore casing) and depth</li> <li>3. Bore screening depth and type</li> <li>4. Backflow prevention methods</li> <li>5. Information requirements including bore logs, piezometric levels, groundwater tests, and bore construction details</li> <li>6. Management of the effects of any discharge of contaminants</li> </ol>	<p>As a consequence a new definition of bore is suggested (see definitions section below) and new permitted activity rule is suggested.</p> <p>Modification of existing rule 147 is required in recognition of proposed new rule 146A as outlined above.</p>
<p>Section 5.7 Coastal Management                      Section 5.7.3 Maintenance, repair, additions and alterations to existing structures                      Rule 149: Maintenance or repair of structures</p>	<p>Oppose in part</p>	<p><b>Retain Rule R149 with the following modifications:</b>                      The maintenance or repair of a structure and the maintenance repair and replacement of any services attached to a structure in the coastal marine area, including any associated:</p> <ol style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> <li>(b) disturbance of the foreshore or seabed, and</li> <li>(c) deposition in, on or under the foreshore or seabed, and</li> <li>(d) discharge of contaminants, and</li> </ol>	<p>This rule requires clarification as it is unclear whether it applies to services attached to structures. Powerco has gas lines attached to wharfs. It is recommended that rule 149 retains permitted activity status for the maintenance, repair, addition, alteration and replacement of the electricity lines and other services on such structures.</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.7 Coastal Management Section 5.7.7 Heritage structures Rule 168: Alteration of structures identified in Schedule E2 or Schedule E3 – permitted activity</p>	<p>Oppose in part</p>	<p>(e) diversion of open coastal water is a permitted activity, provided the following conditions are met: (f) the maintenance and repair of the structure or service is contained within the form of the existing structure and there is no increase in length, width, or height of the existing structure (except for increases for the purposes of replacement, removal and alterations of existing services attached to structures) aerial telecommunications cables where these activities will not result in increases in design voltage and the new or altered cables will not be tower in height above the foreshore or seabed, and (g) for structures identified in Schedule E1 (heritage structures) the materials used for maintenance and repair of the structure and/or service shall match the existing structures in form and appearance, and (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p><b>Modify Rule R168 as follows</b> The alteration of a structure or service attached to a structure identified in Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids) in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants is a permitted activity, provided the following conditions are met: (e) the alteration is contained within the form of the existing structure and there is no increase in the length, width, or height of the existing structure, and (f) the altered components should be of original or similar material, texture, form and design as the original it replaces, and</p>	<p>Powerco supports both the alteration and replacement of existing services attached to structures identified in Schedule E2 and E3 as per the submission point above. If Powerco suggested wording for Rule 149 is adopted, Rule 168 may not be required or the rules could be combined.</p>



**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(g) the number of components altered should be substantially less than existing number of components, and</p> <p>(h) the alteration does not include the partial or total demolition of any structure, and</p> <p>(i) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p>	
<p>Section 5.7 Coastal Management Section 5.7.7 Heritage structures Rule R169: Additions or alterations to structures identified in Schedule E1 or Schedule E2 – restricted discretionary activity</p>	<p>Support in part</p>	<p><b>Retain Rule R169 without further modification</b></p> <p>The addition or alteration to a structure identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds) and the associated use of the addition in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> <li>(b) disturbance of the foreshore or seabed, and</li> <li>(c) deposition in, on or under the foreshore or seabed, and</li> <li>(d) discharge of contaminants</li> </ul> <p>that is not permitted by Rule R168, is a restricted discretionary activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(e) the structure is not a seawall, and</li> <li>(f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</li> </ul> <p>Matters for discretion</p> <ol style="list-style-type: none"> <li>1. Use of the structure</li> <li>1. Effects on public access</li> <li>2. Effects on public open space and visual amenity</li> <li>3. Effects of disturbance, deposition and discharge associated with construction</li> </ol>	<p>If this rule refers solely to the addition and alteration of the structure itself and services attached to these structures are addressed by way of the above stated modifications to the permitted activity Rules 149 and 168 then Rule 169 can be supported.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>4. <i>Effects on the historic heritage values of structures identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds)</i></p> <p>5. <i>Lighting and noise</i></p> <p>6. <i>Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas</i></p> <p>Note</p> <p><i>Additions or alterations to seawalls are either a controlled activity under Rule R165, a discretionary activity under Rule R166 or a non-complying activity under Rule R167</i></p>	
<p>Section 5.7 Coastal Management Section 5.7.7 Heritage structures Rule R172: Removal, demolition or replacement of structures or parts of structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity</p>	<p>Support in part</p>	<p><b>Retain Rule R172 without further modification</b></p> <p>The removal, demolition or replacement of a structure or part of a structure identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids) and the associated use of a structure in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> <li>(b) disturbance of the foreshore or seabed, and</li> <li>(c) deposition in, on or under the foreshore or seabed, and</li> <li>(d) discharge of contaminants</li> </ul> <p>that is not permitted by Rule R168 or Rule R170 or controlled under Rule R157 or discretionary restricted under Rule R153 is a discretionary activity.</p>	<p>If this rule refers solely to the addition and alteration of the structure itself and services attached to these structures are addressed by way of the above stated modifications to the permitted activity Rules 149 and 168 then Rule 172 can be supported.</p>

**Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.7 Coastal Management, Section 5.7.10 Occupation Rule R182: Occupation of space by a structure owned by a network utility operator – permitted activity</p>	<p>Support</p>	<p><b>Retain Rule R182 without further modification</b>  <i>The occupation of space in the common marine and coastal area by a structure existing before the date of public notification of the Proposed Natural Resources Plan (31.07.2015) owned by a network utility operator is a permitted activity.</i></p>	<p>Rule 182 is supported as it recognises the needs of network utilities.</p>
<p><b>Definitions</b></p>			
<p>Definitions</p>	<p>Support in part</p>	<p><b>Retain Definition of Good Management Practice subject to the following amendment as follows:</b>   <b>Good management practice:</b>  <i>Practices, procedures or tools (including rules) that are effective at achieving the desired performance while providing for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Some examples of Good management practice guidelines can be found on the Wellington Regional Council's website <a href="http://www.gw.govt.nz/good-management-practice/">http://www.gw.govt.nz/good-management-practice/</a></i></p>	<p>The definition recognises that good management practice can evolve, and there is recognition of existing guidelines. However, the Council website does not contain an exhaustive list of all good management practice guidelines and this should be recognised in the wording of the definition.</p>
<p>Definitions</p>	<p>Oppose</p>	<p><b>Modify Definition of Regionally Significant Infrastructure as follows:</b>   <b>Regionally Significant Infrastructure</b>  <i>Regionally significant infrastructure includes:</i> <ul style="list-style-type: none"> <li>• <i>pipelines for the distribution or transmission of natural or manufactured gas or petroleum</i></li> <li>• <i>strategic facilities to the telecommunication network, as defined in section 5 of the Telecommunications Act 2001</i></li> </ul> </p>	<p>The definition is currently unclear as to whether it includes the local distribution network within facilities for the generation and transmission of electricity where it is supplied to the electricity distribution network. Alternative wording is suggested in order to make it clear that the local distribution network is also identified as regionally significant infrastructure.</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<ul style="list-style-type: none"> <li>• <i>strategic facilities to the radio communications network, as defined in section 2(1) of the Radio Communications Act 1989</i></li> <li>• <i>the national electricity grid</i></li> <li>• <del><i>facilities for the generation and transmission of electricity where it is supplied to the electricity distribution network, including the national grid</i></del></li> <li>• <i>Facilities for the generation and/or transmission of electricity where it is supplied to the national electricity grid and/or the local distribution network. This includes supply within the local electricity distribution network.</i></li> <li>• <i>the local authority water supply network and water treatments plants</i></li> <li>• <i>the local authority wastewater and stormwater networks, systems and wastewater treatment plants</i></li> <li>• <i>the Strategic Transport Network</i></li> <li>• <i>Wellington City bus terminal and Wellington Railway Station terminus</i></li> <li>• <i>Wellington International Airport</i></li> <li>• <i>Masterton Hood Aerodrome</i></li> <li>• <i>Paraparaumu Airport</i></li> <li>• <i>Commercial Port Area within Wellington Harbour (Port Nicholson) and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines.</i></li> </ul>	<p>In this respect the definition in the Proposed Plan is inconsistent with the definition of Regionally Significant Infrastructure contained in the RPS, which includes:</p> <ul style="list-style-type: none"> <li>• <i>facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Governance Rules 2003.</i></li> </ul> <p>The RPS definition, by way of reference to the Electricity Governance Rules and the broader reference to 'network' (rather than 'electricity distribution network') clearly includes Powerco's electricity network and it is clear from the Staff s42a Reports prepared in relation to the RPS that this was the intent (refer page 143, Volume 2 Staff Report: Proposed Regional Policy Statement for the Wellington Region 2009)</p> <p>In the event that GWRC does not agree that Powerco's electricity network is regionally significant infrastructure, additional policy guidance would be required to enable the ongoing development, operation, maintenance and upgrade of Powerco's network. This could either be in the form of amendments to existing objectives and policies relating to 'regionally significant infrastructure' to ensure they apply to Powerco's strategically important electricity</p>

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
Definitions	Support in part	<p><b>Retain Definition of Contaminated Land subject to the following amendment as follows:</b></p> <p><i>Contaminated Land:</i>  <i>Land that has a hazardous substance in or on it that –</i>                      (a) <i>has significant adverse effects on the environment; or</i>                      (b) <i>is reasonably likely to have significant adverse effects on the environment.</i></p> <p><i>For the purposes of this Plan Note: Contaminated land means that land identified same as Category III – Contamination Confirmed land in the Selected Land Use Register for the Wellington Region</i></p>	<p>This definition of contaminated land lacks clarity. Following confirmation from GWRC<sup>1</sup> it is understood that the definition of contaminated land seeks to only include Category III confirmed contaminated sites of which there are approximately 100 in the GWRC area. As such the RMA definition of contaminated land needs further clarification in the Proposed Plan.</p>
Definitions	Support	<p><b>Retain Definition of Bore subject to the following amendment as follows:</b></p> <p><b>Bore</b>  <i>A structure or hole (but not including temporary well pointing ( up to 2 months) in the ground constructed for the purpose of:</i></p> <ul style="list-style-type: none"> <li>• <i>investigating or monitoring the conditions below the ground surface,</i></li> <li>or</li> <li>• <i>abstracting liquid substances from the ground, or</i></li> <li>• <i>discharging liquid substances into the ground.</i></li> </ul>	<p>As an alternative to providing for an explicit rule for well pointing and where it is associated with excavations of short duration it is considered practical to exclude well pointing from the definition of bore.</p>

<sup>1</sup> Pers comm Paul Denton GWRC 31/8/15

Schedule 1: Specific submissions of Powerco to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
Definitions	Support	<p><b>Retain Definition of Dewatering as follows:</b></p> <p><b>Dewatering</b>  <i>The abstraction of groundwater so as to lower the water table for the period of time required to enable maintenance, excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table.</i></p>	Retain.
Definitions	Support	<p><b>Retain Definition of Earthworks as follows:</b></p> <p><b>Earthworks</b>  <i>The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is stabilised. Earthworks includes blading, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking.</i></p> <p><i>Earthworks do not include:</i></p> <ul style="list-style-type: none"> <li>(a) cultivation of the soil for the establishment of crops or pasture, and</li> <li>(b) the harvesting of crops, and</li> <li>(c) thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</li> <li>(d) the construction, repair or maintenance of: <ul style="list-style-type: none"> <li>(i) pipelines, and</li> <li>(ii) electricity lines, and</li> <li>(iii) telecommunication structures or lines, and</li> <li>(iv) radio communication structures, and</li> <li>(v) firebreaks or fence lines</li> </ul> </li> <li>(e) repair or maintenance of existing roads and tracks, and</li> <li>(f) maintenance of orchards and shelterbelts, and</li> <li>(g) domestic gardening, and</li> <li>(h) repair, sealing or resealing of a road, footpath or driveway.</li> </ul>	Retain definition in its entirety including recognition that earthworks do not include cable and pipe laying and maintenance and the construction, repair or maintenance of pipelines, and electricity lines.



Proposed Natural Resources Plan:

Submitter:

**Hamish Trolove**

Submitter Number:

**S31**





# Submission on the Proposed Natural Resources Plan for the Wellington Region



## INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

### INSTRUCTIONS

Send to: regionalplan@gw.govt.nz

#### Your details:

Full name: Hamish Trolove  
Company name:  
Address1: 188 Whites Line East  
Address2: Waiwhetu  
Address3:  
Address4:  
Town: Lower Hutt  
Postcode: 5010  
Telephone Work: 04 9381630  
Telephone Home: 04 9381630  
Telephone Cell:  
Email address: [zedd@actrix.co.nz](mailto:zedd@actrix.co.nz)

#### Trade competition

Yes I/we could **not** gain an advantage in trade competition through this submission

I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we are **not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

#### Attendance and wish to be heard at hearing(s)

I/we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

Yes

I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

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

Date:

15 Sept 2015

**Introduction**

The Whaitua committees

**My submission on this provision is:**

There needs to be some mechanism to ensure good scientific information is provided to the Whaitua Committees and that it is heeded. Also there needs to be some mechanisms and controls in place to ensure the committees do not become dominated by Selfish Interests.

**Reasons for my submission:**

It is great that GW is seeking guidance from the communities on this, but I am worried about how these committees could easily be dominated by selfish interests, and demands that the science does not support.

**I seek the following from WRC (give precise details):**

Implementation of some sort of controls on the Waitua Committees and a Science based Veto / overview to ensure their decisions and demands are in the best interests of all stakeholders (including the environment).



**Objectives**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

<p><b>O7 Provision of water for livestock</b></p>	<p>This needs to be balanced against the appropriate use of the land. For instance providing sufficient water for the needs of dairy farms in dry lands that are not appropriate for dairy farming is a poor use of a limited water resource and will have detrimental effects on the soil as well as increasing the climate change effects for that land.</p>	<p>I am concerned about the uncontrolled growth of dairying in lands that are unsuitable for the activity. Once incumbent they will demand more water than is appropriate for the region and for the level of economic benefit they generate compared to the environmental costs they create.</p>
<p><b>O13 Protection of Renewable Energy Development</b></p>	<p>This is good to see.</p>	<p>I am pleased to see a wise approach is being proposed.</p>
<p><b>O22 Engineering Structures are a final resort</b></p>	<p>This is a wise approach. Fairly often the cheapest and most effective solutions are a change of practice and other "human solutions".</p>	<p>Errr...Keep up this level of thinking.</p>



I seek the following from WRC (give precise details):

Reasons for my submission:

My submission on this provision is:

Policies

<p>P7 Beneficial Use</p>	<p>Some colleagues and I did a quick study not so long ago looking at the relative benefits of various industries compared to their climate change effects and energy consumption. It was primarily focused on the Aluminium Smelter but one of the comparisons was Dairy farming and processing. This turned out to be almost as poor as the smelter for returning benefit to NZ for the environmental and energy cost of the activity. I would expect the same to apply for irrigation for dairy compared to benefit generated. The beneficial use needs to reflect what the actual benefit is taking account of all social and environmental costs.</p>	<p>Beneficial Use for irrigation (in particular) is properly measured against environmental costs including soil degradation, nutrient leaching, and climate change effects due to land use change.</p>
<p>P12 and P24</p>	<p>Care needs to be taken around what is truly a beneficial use – particularly irrigation in dry lands.</p>	<p>Dairy is one of the greatest contributors to New Zealand's growth in emissions. Strong measures are required to curb this. Similarly Transport developments also need to take into account their role in growing New Zealand's emissions of Climate Change gases.</p>
<p>P29 Recognising Climate Change</p>	<p>Great. Nicely put.</p>	<p>Provide policies and activities that have much stronger control of activities that will increase emissions of Climate Change gases.</p>
<p>P42 Connectivity</p>	<p>There needs to be a link to more activities to address the root causes of Climate Change (land use change, Energy, type of agriculture) rather than just mitigating the effects.</p>	<p>Recognition that some structures will be providing valuable habitat and it may be worth leaving them in place in special circumstances.</p>
<p>P47 Appropriate Demolition (applies to Coastal Waters Policies Too)</p>	<p>It is great to see recognition of the need for ecological connectivity.</p> <p>Is there value in leaving derelict structures in place if they are providing useful protective habitats without causing any other environmental problems?</p>	<p>It occurs to me that dive wrecks and artificial reefs provide good habitats and so there is a potential for other similar structures in rivers, and lakes potentially providing the same sort of ecological benefit.</p>



<p><b>P54 Open Fires</b></p>	<p>I can't believe that in this day and age open fires are still allowed.</p>	<p>open fires are inefficient and also generate toxic compounds because of the incomplete combustion caused by quick chilling of the gases and vapours. Ban open fires in all airsheds</p>
<p><b>P56 Outdoor burning</b></p>	<p>Agricultural burning should be managed by providing a service where the waste can be picked up and disposed of more usefully in a biogas digester, bioenergy plant, wood pellet plant, or to add organic material to a landfill for landfill gas generation.</p>	<p>Agricultural burning is such a waste of a good bioenergy feed stock. Surely there are better ways of dealing with it. Think about growing services that can make use of agricultural wastes they would otherwise be burned.</p>
<p><b>P60 Agricultural Spraying</b></p>	<p>How can good management practices be enhanced so that they are implemented more often?</p>	<p>I grew up in Nelson and could see the spray drift from the orchards. It is small wonder they are all contaminated sites now. There needs to be much stronger control of this activity and encouragement of point application methods. Stronger policies that ensure the good practices are implemented correctly at all times, and that point application techniques are used as a preference.</p>
<p><b>P63 Stormwater management</b></p>	<p>What provision can be made to enhance the use of mechanisms that hold up the peak discharge of stormwater and thereby dampen the flows – esp in built up areas?</p>	<p>As more areas are paved or properties become dominated by roof area, so the runoff peaks become more serious with associated erosion and property damage. It would be nice to see provision in the policies for encouraging things that will provide some “hold-up” for the water, and allow it to be discharged in a more controlled and gentle fashion. This may include things like rainwater storage tanks, “bowls” in streams, and the ability for streams to spread out and slowdown rather than being constrained between tight banks that are designed to get the water away as fast as possible. Provision of policies that encourage stormwater storage particularly in built up areas.</p>
<p><b>P68 Recreational craft waste water</b></p>	<p>I am surprised to see that recreational craft are allowed to “shit is the sea”. Surely there are enough facilities and good technologies available now that mean wastewater can be discharged at a marina.</p>	<p>Remove the dispensation for recreational craft to dump wastewater. There should be no exceptions.</p>
<p><b>P87 Vessels – waste water</b></p>	<p>See above. There should not be a minimum size.</p>	<p>Change the policy to be ships and boats of all sizes.</p>

<p>P95 Discharges to land</p>	<p>There needs to be recognition of the effects that some discharges have on soils where they create climate changing gases.</p>	<p>Climate change gases can be emitted from soils when supplied with some nutrients and compounds. This needs to be recognised.</p> <p>The policy needs to recognise that some discharges can cause the soil to begin emitting climate changing gases at a higher rate than they would do otherwise.</p>
<p>P96, P97, P98 Land use change</p>	<p>The policy also needs to identify and mitigate the climate changing effects of Land use change.</p>	<p>Recognise the effects of land use change and land cover changes on the region's Climate change emissions profile.</p> <p>This particularly relates to dairy conversion which as a significant negative impact on New Zealand's climate change emissions. Any forest clearance will lead to higher emissions activities and loss of carbon sequestration ability. This needs to be recognised.</p>
<p>P104 Trout Habitat</p>	<p>Trout are an introduced species. Does anyone know what effect they have had on the natural NZ river ecosystem? Is it appropriate to protect them? Maybe this needs to be studied by eliminating them from one catchment.</p>	<p>Investigate the actual ecological effects of trout having been introduced. Basically get some science behind this rather than the opinions of anglers.</p>
<p>P111 Animal needs</p>	<p>This needs to be balanced by considering what are appropriate quantities and type of animals to have on the land. ie not catering for dairy in naturally dry lands.</p>	<p>Adjust the policy to make reference to appropriate stocking rates and animal types. Appropriate to the natural conditions ie without irrigation and other artificial interventions.</p>
<p>P114 Priority order</p>	<p>Adjust the priority order to: a, c (other values), b(stock)</p>	<p>Reorder the priority list to put stock below other values.</p>
<p>P118</p>	<p>It is good to see "efficient use" is stated</p>	
<p>P119 Unused allocation</p>	<p>Unused water allocation should be permanently reallocated to the natural environmental allocation.</p>	<p>Change the policy to put unused water allocations into the environment's allocation.</p> <p>By reallocating to the environmental allocation, so the environmental health can be improved and the resilience of all other user's supplies can be enhanced.</p>
<p>P121 Allocation</p>	<p>Allocations and river health need to recognise the probable effects of climate change on flows and variability.</p>	<p>Build in flexibility and clauses that can reduce the allocation to agriculture as climate change effects increase the need for resilience in the natural water systems.</p>

**P 130 Bores**

Include specific mention of Ground Source Heatpumps and the need to ensure any bores associated with them do not compromise the integrity of aquifers and water bodies.

I was involved in writing the Best Practice guide for Ground Source Heat Pumps a while ago. Knowing the care and attention that is required to install a Ground Source Heat Pump properly without ruining ground water supplies, and the lack of skill and care present in the heat pump installation industry, I am very concerned about the negative effects of this technology. If I had it my way I'd ban them.

Put in a mention of bores for ground source heat pumps, and put some really strong controls around this. The USEPA has some good rules around these activities.

**P132 Removal of Structures**

Is there value in leaving derelict structures in place if they are providing useful protective habitats without causing any other environmental problems?

It occurs to me that dive wrecks and artificial reefs provide good habitats and so there is a potential for other similar structures in rivers, and lakes potentially providing the same sort of ecological benefit.

**P138 Structures**

There is no mention of marine energy devices

Marine Energy devices in some cases are below the surface and so could potentially be sited in such places and provide a benefit to their local community. Include a comment about marine energy devices (at least those that are below the water surface)

**Rules - Air quality**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

R2 Frost protection Devices

I thought they were just big electricity wasting fans?

Puzzlement.

Is that right? I was not aware they had any emissions.

R32 (E)

There needs to be some monitoring of spray drift and contamination around the property – cost to the property owner doing the spraying.

Include continuous monitoring of spray drift onto neighbouring areas.

Concern that the good practices are not followed.



I seek the following from WRC (give precise details):

Reasons for my submission:

My submission on this provision is:

Rules - Land use

R102 Forestry

This is not quite related but still... There needs to be some reference to Carbon Sink forestry and the beneficial'ness of this activity

At present carbon sink forestry does not make financial sense however it probably will in a few years time IF proper mechanisms are put in place to encourage natural carbon sequestration. This plan needs to be aware of this possibility.

Include a statement on Carbon Sink forests – esp their desirability in erosion prone land (seeing as they are permanent forests.)



**Rules - Wetlands and beds of lakes and rivers**

**P126 Dams**

**My submission on this provision is:**

This probably does not quite belong here but...  
There needs to be provision for removal of silt from dams in order to refurbish them or lengthen their life.

**Reasons for my submission:**

I seek the following from WRC (give precise details):

Refurbishing an old dam and lengthening the life of a dam is A statement in the rules about the suitability of silt removal from old dams as part of refurbishment or dam maintenance.  
better than building a new one right?





**Other methods**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

**MI7 Waste reduction**

**Fabulous – plenty of this is needed.**



Proposed Natural Resources Plan:

Submitter:

**Wellington Recreational Marine Fishers  
Association**

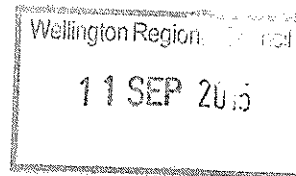
Submitter Number:

**S32**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Jim Mikoz  
 Organisation name: Wellington Recreational Marine Fishers Association  
 (If applicable)  
 Address for Service: 3 Ruskin Rd , Newlands, Wellington

PLEASE NOTE AS WE COULD NOT ADD FURTHER BOXES OTHER SUBMISSIONS WERE MADE ON EXTRA FORMS  
 THIS IS FORM 1 OF 4

Telephone no's: Work: \_\_\_\_\_ Home: 04 9384692 Cell: 0212323861

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

PAGE 1 OF 4 WRMFA SUB TO NATURAL RESOURCES PLAN

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: j-mikoz@paradise.net.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule P Category a & b, Rule 4.9.4 Policy P121 (b)	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The effects of climate change are not being correctly described in the plan. Climate change is here now as we have deeper low pressure systems that cause the sea level to raise a lot further than twenty years ago. This impact has not been realised by a scientific expert called to give a talk on climate change or the PCE who also gave a talk but failed to mention how air pressure was impacting on coasts and aquifers. With deeper low pressure systems it is raising sea levels and in doing so increasing the head of water acting on the submarine fresh water springs in Wellington Harbour. This is then causing a greater quantity of sea water to enter the aquifer base shingles. The description "salt water inclusion shall be prevented into the

		aquifers" is obviously an inadequate description as from that there can be no management tool introduced to manage the effects of climate change. If this is not understood then an opportunity should be made to get WRC staff up to speed on this subject.
	I seek the following decision from WRC (give precise details): →	Science has a lot of catching up to do. The WRC will have to obtain a greater knowledge as these low pressure system will cause an increase in salt water inclusion into the base of the Hutt Ground Water aquifer. It will require a far better Policy P121 than what has been presented and a management plan that displays a wider knowledge than what has been presented. There is not enough detail as air pressure is already impacting on ground water supplies in other parts of the country.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule O	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The Plan must make provision to agree with the provisions about to come out of the NZ National Policy Statement on Plantation Forests
	I seek the following decision from WRC (give precise details): →	In the section "requirements for a plantation forestry harvest plan" must include the NZ National Policy Statement on Plantation Forests guidelines.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule N	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The stormwater strategy fails to describe what are "the adverse, acute, chronic and cumulative effects of stormwater discharges on fresh and coastal waters." The strategy fails to acknowledge policy 21 to 23 on the NZ Coastal Policy Statement that all councils are required by law to follow in their management of stormwater.
	I seek the following decision from WRC (give precise details): →	This whole section must be rewritten to give it meaning and delete cop out phrases such as "identify other relevant objectives for which the stormwater will be managed" The words "describe how" and "identify options". The words "maintain or improve receiving water quality" The receiving water has not been defined as a stream, river or the sea. The comment to "minimise the adverse effects of wastewater interaction with stormwater" yet this has been happening all over Wellington, Porirua and the Hutt Valley for years. I am on WCC and HCC waste water community forums and WCC stormwater forums and for years all we get is finger pointing as the Schedule N lacks the tools to get councils to sort themselves out.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Map 27b	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The Waiwhetu area has a separate ground water supply but it is not included. Somes Island also has a bore for its water supply but it is not included
	I seek the following decision from WRC (give precise details): →	Make an accurate map as this map is inadequate

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

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

Signature: Jim Mikoz

Date: 10.9.2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule K map 24	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Makara Point break missing
	I seek the following decision from WRC (give precise details): →	Correct the map

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule I map 22	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The Catch Pool stream no longer has continual access to the sea for trout. If there were any trout remaining in the stream it would be a miracle as many have died every year for the past fifteen years in the stone pools past the causeway and eaten by seagulls. As with every freshwater fish DOC and Mfish found they do not stay in dirty water when any stream floods. There is no access for trout to migrate into this stream so the description that this stream is a trout spawning water is technically incorrect. Makara Stream has trout in it as we have caught 1kg trout at the stream mouth. Also there was a scientific study made of this stream identifying it held large trout.
	I seek the following decision from WRC (give precise details): →	Delete the Catch Pool stream as a trout spawning stream and add the Makara Stream

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F2c map 18	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The area from Makara to Lyall Bay has many species of birds.
	I seek the following decision from WRC (give precise details): →	Forest and Bird may know the birds in this area. Not sure if it is technically correct to describe this area has no indigenous birds in a WRC Natural Plan. There is an obvious lack of research here that needs to be corrected.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F2b map 17 and map 15 map 1	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The lakes do not have the English name in brackets as other co named areas has. It is not consistent to include Maori and English names for some areas and not others. The most recent resource consent to mine sand from the area did not have Maori names.
	I seek the following decision from WRC (give precise details): →	Include the English names

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule u Makara Stream Rule R193	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The WRC engineers demonstrated they have not the marine knowledge or the management skills required to keep the Makara Stream mouth clear. Whenever the WRC puts machinery into the stream mouth it is obvious the WRC site engineers have done absolutely no research as to where the shingle comes from. We know the shingle arrives from the south and not

		<p>from the north or from the stream. It is a money wasting exercise for WRC to push the shingle south as this could never be described as managing our natural resources in a sustainable way. The shingle arrives back into the stream mouth almost before the engineers would have sat back down in their officers. Anyone with a little marine knowledge knows that what these WRC engineers are doing is crazy and unscientific. But to speak out and advise the WRC is immediately greeted by misinformation and finger pointing in an attempt to hide their lack of marine knowledge to keep the Makara Stream mouth clear. This continual abuse from WRC staff when advised of an enviromental issue they demonstrate they have no knowledge of must stop. The WRC must either do their own research or accept our combined marine knowledge of the coastal forces at work.</p> <p>The WRC illogical and confrontation practice of shifting the large logs found along the beach to above the high water mark is in breach of the NZCPS. Placing the huge logs where boat owners launch their boats down the beach when the stream mouth is closed is in breach of the NZCPS and the WRC must stop this practice. The law and regulations require once the logs are shifted they must be removed as they are no longer beach debris. In other areas the WRC prevents land owners from protecting their dwellings from the sea or a river by quoting WRC rules and regulations. The WRC flood protection engineers by shifting the logs up and along the Makara Beach are in complete breach of WRC existing rules that are quoted to others.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Makara Stream mouth clearing lacks a method that can be supported by science and common sence. Have a meeting, look at the quantity of shingle, and decide on a Makara Stream mouth clearing method that acknowledges that when the single is pushed into the sea it will immediately come back in the next north-westerly. Years ago there was a shingle extraction works at the stream mouth removing the shingle that came around the coast from the south. It is time that the shingle at the Makara Stream mouth be reduced considerably. We are entering a period where for the next ten years the intensisty of northwesterly storms will increase along with very heavy rain falls that will severly block the stream mouth. The present WRC management plan for the Makara Stream will prove to be inadequate and not fit for the purpose as expected sever flooding will result costing insurance companies and home owners thousands of dollars.</p> <p>When the WRC places the logs to then prevent boat owners from accessing the sea over the beach it is in breach of its own rules. This breach has resulted in serious threats and confrontation which has involved the police. As the WRC is the major contributing party and in breach of its own rules any confrontation bringing Police action will result in the WRC being involved in court action. This poorly worded schedule for clearing the Makara Stream mouth must not remain in its present form.</p>



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Jim Mikoz

Organisation name: Wellington Recreational Marine Fishers Association

Address for Service: 3 Ruskin Rd, Newlands,  
 Wellington

FORM 2 OF 2

Telephone no's: Work: Home: 04 9384692 Cell: 0212323861

Contact person: Jim Mikoz

Address and telephone no (if different from above):

FORM 2 OF 4

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: j-mikoz@paradise.net.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Schedule J Significant geological features in the coastal marine area. Policies 8.1 Policy WH.P1 Minimum flows and water levels in the Wellington harbour and Hutt Valley Whaitia (Aquifer). Rule WH.R1, Rukle WH.R2, Rule WH.R4, Table 8.3, Figure 8.2 Tables 8.2 and 8.3, Map 30	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The Wellington Harbour submarine fresh water springs are missing. In the coastal marine area these springs should have been called areas of significant conservation value years ago. They were missed out of the WRC Regional Coastal Plan. The NIWA bathometric chart has a few but has too many errors and omissions to be taken seriously. The NIWA chart did not include the springs identified on LINZ marine charts of Wellington Harbour or those described on Google World maps. The springs have been described in the book Regard Landscapes by Graeme Stevens in 1974 and were also the subject of masters by Steven Harding in 2000 titled "The Characteristics of the Waiwhetu Artesian Aquifer beneath Wellington Harbour including the

		<p>spatial distribution and causes of submarine spring discharge." I described the history of how some of the springs were formed in a story in the NZ Fishing Coast to Coast magazine titled "The Springs of life dead and buried?" The history of the springs must not be lost through being omitted from a WRC publication describing natural resources ever again. I described how before water was piped to Eastbourne those with boats about to travel to the Sounds would fill their fresh water tanks from the water rising from the springs. The Wellington Harbour has the most marine species (54) over 500 grams than any other harbour in NZ as this life is supported by the mysid shrimps found living in the interface of freshwater and seawater. The springs were also described in the chapter titled "Artesian water" "Summary of scientific and technical studies of Wellington Harbour" by Lisa Northcote prepared for the East Harbour Environmental Association. This chapter recorded the scientific studies that had been made first Booth in 1974, Heath 1974, Stevens 1974, Truebridge 1978 and many others over those years.</p> <p>I recorded the fresh water plume from the springs in a number of photos which have now been placed in the NZ National Library records. I also recorded the GPS position of the springs that had never been recorded before. When John Terris was the Hutt City Mayor I asked when the Buick Street water fountain was built could he include a schematic diagram of where the Hutt Ground Water comes from and also include the fact that Wellington Harbour has a number of submarine fresh water springs. The schematic diagram stands alongside the fountain today.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Record that the Wellington Harbour has a number of submarine freshwater springs from off Petone Beach to alongside Somes Island, into Evans Bay and around the Falcon Shoals. The artisan water rising in the springs at Seatoun years ago provided early Maori with a freshwater supply. The Figure 8.2 and tables 8.2 and 8.3 have serious errors and are totally incorrect. Rule WH.R1 Matters of Discretion Section 7 clearly states "Prevention of salt water intrusion into the aquifer". Yet nowhere in this or any other section in the 500 odd pages of the Proposed Natural Resources Plan has the submarine fresh water springs known to exist in Wellington Harbour been mentioned. The whole of 8.1 Policies and Map 30 is totally unacceptable the springs must be included in this plan. All Rules in this section are inadequate and fail to describe the importance of this water supply to Wellingtons water supply. Wellington uses seventy five percent of the artesian water supply and Policy 8.1 must include a management plan that prevents any further artesian water loss in Wellington Harbour caused by ignorance of the water loss already escaping into the Harbour waters.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F5</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>Under the heading Habitat is the description saltmarsh this is no longer the description to use. Refer to the 2010 NZCPS. Saltmarsh has been replaced with term "intertidal zone" and as this is going to be developed into the regions Natural Resources Plan the term saltmarsh, where ever it is, must be replaced with the Government approved term "intertidal zone" as required by the 2010 NZCPS.</p> <p>The NZCPS requires councils to acquire the knowledge to both describe the intertidal zone and provide detail of its function to marine life. Describing it has "been severely depleted" without a description of what it was or its function and values today is not good enough.</p> <p>The general description of the intertidal zone is woefully inadequate to be included in what you are building into a Natural Resources Plan. The intertidal zone is twenty percent more productive that the sea and seven times more productive than the land. There is only a description of the "pressures" on the intertidal zone and nothing about the values other than the plants "stabilise sediments". Then that wording is not correct as "sediment" is not transported by "tidal flows" but by river flows into the intertidal zone.</p> <p>Ten years ago the WRC, DOC and Landcare NZ had no data base that named an intertidal native plant and today there has not been a study to describe the function of these plants. The description that "reed and herb fields grow in the upper margins of most NZ estuaries" is not correct on two counts. What you call "reed and herb fields" grow almost down to the stream mouths and that there are intertidal plants in all estuaries in NZ. There is no description of the function of the "reed and herb fields."</p> <p>Schedule F5 is called "Habitats with significant indigenous biodiversity</p>

		values" so the general description of the intertidal zone has to be of a lot higher standard than what a primary school child would produce. This WRC description of the intertidal plants has to change. The poor planting method and design in the lower reaches of the Waiwhetu Stream and Moera Estuary was as a result of the lack of intertidal knowledge by the WRC to provide guidance to the contractor. I attended a number of the WRC public meetings where this became a major topic and we fully described the intertidal zone values but nothing we said has been included yet pages and pages were written up. This is a Natural Resources Plan for the Wellington Region not a note book in a school class room so there has to be a far better description of the intertidal zone than this half pie effort.
	I seek the following decision from WRC (give precise details): ➔	Replace the word saltmarsh with the "intertidal zone". Acquire the marine and inter tidal knowledge to describe the values of the "intertidal zone" to both freshwater and marine species. There are far too many errors in the description "General descriptor". Rewrite this to a far higher standard to prove the WRC knows something about the "intertidal zone". What has been written is a school room description of the intertidal zone which is not good enough for the Natural Resources Plan for the Wellington Region.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F5 Inanga spawning habitat. 5.7.2 Coastal Management general conditions L inanga spawning.	My submission on this provision is: ➔	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: ➔	There is a poorly researched misconception that inanga only spawn in the Wellington region in late summer to autumn. This is not true we captured an inanga in January in the Makara Stream intertidal zone with ripe running roe, which is at the very point of spawning. This was identified by both Andrew Stewart and Clive Roberts at Te Papa and is now held in the Te Papa records. Fish do not spawn triggered by mans calendar but on water temperature and water conditions. In some seasons with low rain fall the water will be warmer while at other times with high rain falls the water will become dirty and all native fish will head out to sea as both Mfish and DOC discovered in their study of Maui Dolphins.
	I seek the following decision from WRC (give precise details): ➔	Correct spawning times to 1 <sup>st</sup> Jan to 31 May We have a huge fluctuation of water temperatures over the summer months and we have already proved inanga spawn in the early summer months. They may spawn in August up north when the water temperature would suit them but not here as the water would be too cold.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Map 6,15 and 17	My submission on this provision is: ➔	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: ➔	It would appear our submission to the Draft Natural Resources Plan has not been read. We advise again the Lake Kohangapiripiri has two spelling versions. Is it Konhangapiripiri or Kohangapiripiri Lake?
	I seek the following decision from WRC (give precise details): ➔	When you decide on what spelling version you want to stick with please include the English names of these lakes namely Pencarrow and Fitzroy which they have been called since the beginning of the twentieth century.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Jim Mikoz

Date: 10.9.2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F4	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>The Moera Estuary is missing. It cost the region hundreds of thousands of dollars to build and in the Hutt News the WRC described the estuary was going to provide spawning habitat for native freshwater fish. The estuary quickly proved to be an environmental disaster because as soon as the muddy water from the Hutt River flowed into it a mud bank was made blocking any water flow to the sea. Then as the tide went out it became obvious no one had taken into account the water level at the inlet pipe as at low tide water could no longer enter and instead flowed out of the estuary. The estuary built to provide spawning habitat for freshwater fish became a death trap. A planting project along the banks also proved a disaster contributing to the mud bank as the grass around the newly planted reeds was heavily poisoned which exposed the dirt that was washed away in the first rainfall. While you would have obvious reasons for not including this estuary in F4 it is not your call to selectively name only a few estuaries and not others. The Moera Estuary should be repaired not hidden from the Plan. The repair would not take much work just a bit of common sence and marine knowlege through the planning stage.</p> <p>The Shandon Estuary is missing. The Wisers road maps of Wellington depict this estuary as a wide mouth estuary when in fact it has access restricting large gates preventing fish travelling into this estuary most times. There is no fish ladder and this estuary although on display in the map as having a large entrance that is not true although it opens up into a large estuary. This estuary must be included to enable a management plan to be constructed that recognises the function of reeds to native freshwater fish. At present this estuary is heavily poisoned by WRC staff.</p>
	I seek the following decision from WRC (give precise details): →	This is a Natural Resources Plan and the above estuaries identified as missing are all important and must be included. The Waikanae Estuary listed as having important habitat and special native plants requires a special management plan as DOC aerial spray weed killer over the whole estuary every year in some misguided belief that chemicals only settle on weeds.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F3a	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The management plan requires another section. There must be another section called "Environmental factors to consider". If this had been included in the plans to construct the Moera Estuary then it would have been realised the inlet pipe would have been above the Hutt River waters at low tide. This would have seen the inlet pipe in another position as in the current position when the river is in flood the pipe catches mud and sticks which fill the estuary with debris. This would have been basic knowlege to those with flood protection skills if they had been consulted before the pipe went in.
	I seek the following decision from WRC (give precise details): →	Insert "Environmental factors to consider". This will list a range of requirements from sea level through all tide ranges, major river flow channels, the effects of air pressure that can raise or lower sea levels past projected heights. The list will also set out to include projected sea levels based on climate change predictions. The list will also include rain fall patterns over the last ten years for that area. Schedule should provide a great deal more information than what is on display in F3a.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F1a	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Yellow eyed mullet missing including spawning habitat and spawning times also missing. Information on grey mullet spawning habitat and spawning times missing. This information is well known to commercial and experenced recreational fishers.
	I seek the following decision from WRC (give precise details): →	Include yellow eyed mullet and spawning habitat and times. Include grey mullet spawning times and the habitat they use.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule E1 & map 8	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	All reference to the barracks and the heavy gun battery above the hills south of Makara above Cheese Rock Point is completely missing. The guns were part of Fort Opau that included a large barracks cut into the hills and a description of its history is on the internet. No reference has been made to the huge amount of work that went into creating a flat area on the hills or constructing the site. At the Fort Opau Barrack site there are a number of display boards describing the history of the barracks. There is now a safe and walker friendly track from the designated car park over a style, past the public toilet, installed for the public use to the site. The track passes the Meridian wind turbine that overlooks Makara Beach along a ridge with a road that farm vehicles use. From the car park Meridian has installed a display board as all the West Wind turbines are visible. Along from the concrete structure that housed the gun battery are the water tanks, observation and radar post they used. The view from the battery has to be the best and only view of the South West coast looking into Te Ikaamru Bay then Ohau Point to the South. To the north Pipinui Point juts out and the hills at Pukerua Bay and out to Kapiti Island can be clearly seen. Fort Opau was constructed in 1941 with two six inch guns by our forefathers to provide a look out and deterrent to any German or Japanese raiders that would have gone through Cook Strait.
	I seek the following decision from WRC (give precise details): →	Include in Schedule E 1 and Map 8 this site overlooks the south west coast at Makara. It qualifies as a "significant historic heritage site" along side the Pukerua Bay Machine Gun Posts, the Mana Esplanade Machine Gun Posts, The Worser Bay tank Obstacles.

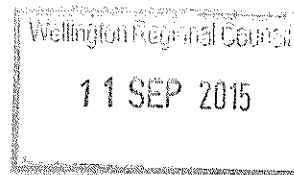
The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Jim Mikoz

Organisation name:  
 (If applicable) Wellington Recreational Marine Fishers Association

Address for Service: 3 Ruskin Rd, Newlands,  
Wellington

Telephone no's: Work: \_\_\_\_\_ Home: 04 9384692 Cell: 0212323861

Contact person: Jim Mikoz

Address and telephone no (if different from above): \_\_\_\_\_

FORM 3 OF 4

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: j-mikoz@paradise.net.nz

**Trade competition**

- I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:
- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Objective 3.7 Sites with Significant Values. Objective 034 Significant historic heritage values are protected from inappropriate modification, use and development. Schedule E1 and Map 8 lists "Historic heritage structures"	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	There is no reference to the concrete look out post and barracks over looking Moa Point.. The site is highly visible and can be seen from those who arrive into Wellington by plane. It was constructed by our forefathers to provide a look out and deterrent to any German or Japanese raiders that would have gone through Cook Strait . The site is managed by the WCC who have contractors removing the graffiti weekly and have painted the building grey.
	I seek the following decision from WRC (give precise details):	Include in Schedule E 1 and Map 8 this site that overlooks the entrance to Wellington Harbour. It qualifies as a "significant historic heritage site" along site the Pukerua Bay Machine Gun Posts, the Mana Esplanade Machine

	→	Gun Posts, The Worsor Bay tank Obstacles.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Objective 3.7 Sites with Significant Values. Objective 034 Significant historic heritage values are protected from inappropriate modification, use and development. Schedule E1 and Map 8 lists "Historic heritage structures"</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>All reference to the massive heavy gun site and barracks called Fort Balance above Point Gordon is missing from Schedule E1 and Map 8. Fort Balance was built in 1885 against the threat of a Russian expansion in the Pacific. It is listed as Historic Place Category 1 in July 1990 with a list number 5074. It is also an early example of the use of concrete as a building material. The Fort formed an integral part in the WW2 Wellington Harbour defences which involved the moving of the submarine boom between Point Gordon and Ward Island with every ship movement into Wellington Harbour. The majority of the site has been preserved intact with written instructions preserved on the walls of the entrance passages and gun emplacements. In Schedule E4 the "Mine field and foreshore Defences at Point Gordon" are only partly described as there is no mention in Schedule E2 of the wharf that was constructed between Ward Island and Eastbourne that also formed a submarine boom through the WW2 to block off any ship movements down that side of the Wellington Harbour.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Correct Schedule E1, Map 8 and Schedule E2 to include Fort Balance and the history of the site. While it is no longer visible there was once a wharf that went from Ward Island to Eastbourne as another section of the anti submarine system.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Schedule E3 and Map 10</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>The Light House at Ohau Point is missing</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Correct Schedule E3 and Map 10</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Schedule E2</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>Both the old wharf and the new wharf built by Meridian to unload Wind turbine sections at Oteranga Bay are missing. The old wharf was built to unload wool bales before roads were constructed to Makara and although it remains it has broken up a far bit and is now unusable although a section remains. The wharf is an example of the lack of marine knowledge at the time as it was not positioned to take advantage of the off shore reefs. The Meridian Wharf was built where we the WRMFA had suggested through the Resource Consent process to take advantage of an off shore reef which would and did give it protection in heavy swells. Meridian did not require resource consent to build the wharf as we the WRMFA had recommended the site after the public notification of the resource consent. We had met with Meridian senior management to ask that a wharf be built to lessen the impact on the marine environment from their resource consent proposal to build break water walls and causeways in either Ohau or Oteranga Bay. We also asked that after they had used the wharf that it be removed so that it also did not end up like the other wharf, Meridian agreed to our request and all that remains today is the road to where the wharf was.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Include in Schedule E2 "Historic heritage wharves and boat sheds" the wharves at Oteranga Bay.</p>

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Jim Mikoz

Date: 10.9.2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule E2	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Burnham Wharf is missing from Schedule E2. This wharf once unloaded all the bitumen brought into Wellington. The wharf is the only site for JetA1 fuel to be unloaded. The product is then piped into storage tanks in Miramar before being piped to the Wellington Airport Terminal to be loaded into the jet planes.
	I seek the following decision from WRC (give precise details): →	Include this wharf in schedule E2.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule E3 and Map 10	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The Light House above Pencarrow Head is missing from this schedule. This light house should be included and an explanation as to why it is not working included. This light house along with old wharf at Oteranga Bay was another example of what happened when the Wellington Harbour Board refused to allow local marine knowledge into their major capital projects. The light house on the hill had to be replaced as often the Wellington Harbour entrance is covered in a thick sea fog and the light on the hill was not visible then. The lower Light House is the working light house.
	I seek the following decision from WRC (give precise details): →	Include in Schedule E3 and Map 10 Historic Navigation Aids the upper Light House at Pencarrow Head.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F4 and Schedule B	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>The Kohangapiripiri and Kohangatera Lakes estuaries are missing. They were once a major estuary with 1945 aerial photos taken in February showing water flowing to the sea. I hope the group the WRC has brought together has a goal to restore the water flows into and out of these lakes outlets which was destroyed when sand was removed from the lakes outlet and replaced with large stones. The WRC aim should be to restore the intertidal zones of the lakes and provide access and water flows into the lakes to allow migration paths for native freshwater fish and eels. These paths would also restore major spawning grounds for the marine specie yellow eyed mullet which disappeared from Wellington Harbour when their spawning habitat was cut off to the sea.</p> <p>The importance and history of the fish caught in these lakes is identified in Schedule B Taranaki Whanui kit e Upoko o te Ika a Maui Section Te Taonga Nui a Kiwa. They describe the fish caught as eels, mullet, kahawai and whitebait. They also describe planting karaka groves and the value of raupo stands that were used by them in summer camps. When the WRC granted resource consent thirty years ago to mine the lakes outlets of sand they lacked of a scientist with intertidal, marine and freshwater knowledge as the lakes outlets were replaced with rocks. The lakes water immediately disappeared into the rocks destroying the fish's traditional access to the sea and back again. The management of these lakes still lack a sustainable plan to restore the access to the lakes for fish. While the WRC produced a Lake Management Plan years ago those who now manage these lakes have done nothing to restore fishes access to the lakes. The lakes still remain the WRC biggest environmental disaster of all times.</p>
	I seek the following decision from WRC (give precise details): →	This 2015 Natural Resources Plan must include the importance of these estuaries to the fish that trationally would have used the waters in these lakes. The WRC must step up and include in this Plan a time line when the waters into and out of the lakes is going to be restored to what they were thirty five years ago. It is all very well for the WRC to appoint a management group for these lakes but what have they done so far to restore the lakes waters and why is the group allowed to hide behind closed doors?

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule A1	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The Makara Stream is missing from schedule A1. This stream has a mysid shrimp identified by Dr Gerard P Closs of Otago University as being the specie called Tenagomysis novae-zealandiae which I had sent him a photo of. He sent me the 2010 paper written by Adrian W.T Lift, Aparna Laf and Gerard P Closs titled Life history and reproduction of two abundant mysid shrimps in an intermittently open NZ estuary which had identified we have five known specie and one still to be identified. We had established that yellow eyed mullet return to the intertidal zone at night to feed on the almost transparent mysid shrimps. Their research proved scientifically the value of the intertidal zone to marine species as the paper describes a mean density of 595 individuals per square metre which is a massive food source for marine species. In a study I carried out to identify the food sources of yellow eyed mullet we captured a number bursting with mysid shrimps. T
	I seek the following decision from WRC (give precise details): →	Include the Makara Stream in A1 in recognition of its unique ecosystems.

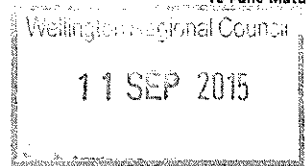
The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule A3	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Delete the word saltmarsh from this section. The Pauatahanui and Waikanae rivers and streams have not got salt marshes but intertidal zones. Conform to the requirements of the NZCPS and delete all references to saltmarsh and rename these zones intertidal zones.
	I seek the following decision from WRC (give precise details): →	Conform to the requirements of the NZCPS and delete all references to saltmarsh and rename these zones intertidal zones.



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Jim Mikoz  
 Organisation name: Wellington Recreational Marine Fishers Association  
 (If applicable)  
 Address for Service: 3 Ruskin Rd, Newlands,  
Wellington

FORM 4 OF 4

Telephone no's: Work: \_\_\_\_\_ Home: 04 9384692 Cell: 0212323861

Contact person: Jim Mikoz

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: j-mikoz@paradise.net.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule F2 Habitats for indigenous birds	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	There are 13 pages naming the birds found in rivers, lakes and in the coastal marine area but there is no description of the 54 different marine species that are found in Wellington Harbour that weigh over 500 grams. Without these marine specie driving up bait fish there would be hardly any birds as they would not have a food source. Everything is connected and the fish are equally important.
	I seek the following decision from WRC (give precise details): →	Introduce an extra section to the Schedule F2 that names the marine species.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 3.7 Sites with Significant Values. Objective 034 Significant historic heritage values are protected from inappropriate modification, use and development. Schedule E1 and Map 8 lists "Historic heritage structures"</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>Missing from this list is the Wrights Hill Fortress built in 1940 and designed to have three 9.2 135 ton guns that could send shells 18 miles as far as Plimmerton and across Cook Strait yet it is not mentioned anywhere in the Plan. This is serious error as these guns were the main weapon of defence in Wellington through the WW2 war years. Available on the internet is the history which now records in 1988 the Karori Lions Club began rescuing the site after the guns were sold and the site covered over in 1960. A group formed a Wright Hills Fortress Restoration Society Inc with the object "to restore and preserve the Wright Hill Fortress as an historical monument for the benefit of the community."</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>The Wrights Hill Fortress is also a concrete structure and must be included in schedule E1 and Map 8 with a similar description that I have just copied off the internet.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.2.6 Wastewater Rule R61, R62, 4.8.4 Wastewater</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>There are chemicals in wastewater that are not being managed or covered by a Rule. Over the last few years there has been an increase in the use of endocrine chemicals by humans and councils have not developed a process to remove them or measure their concentration at sample stations. Through the WCC waste water process I brought the issue to the attention of WCC managers who believed the already dissolved chemicals are piped to the land fill in the solid waste to be mixed with green waste to produce a commercial and garden fertiliser. That process failed as Fonterra will not take any product off a farm that has had human waste distributed on it as the endocrine chemicals can be detected in the meat overseas and the smell was not acceptable to local residents. However the chemicals are being discharged out of wastewater pipes almost on the shore contaminating near shore water where marine species are known to spawn. The result is an increasing number of fish are being caught with cists and deformities that overseas research has linked to the chemicals. The chemicals within the fertiliser are now transferred into the vegetables which we eat causing science to describe there is an increase in male reproduction difficulties.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>At present there is no requirement to measure or set an acceptable level of endocrine chemical being discharged from council waste water pipes. As there is no rule describing the discharge of endocrine chemical to land or the sea the Plan must recognise this is a major issue and address it with a stand alone rule.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.2. Discharges to water. 5.2.2 (b) (i &amp; ii), and the 21 other times the term "zone of reasonable mixing" occurs without a definition.</p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>The term "zone of reasonable mixing" makes no sense and cannot be defined as freshwater and seawater do not readily mix. The term "zone of reasonable mixing" should be replaced with the term "Agreed sampling method" which is the description that we have agreed to with HCC, MWH Ltd and Wellington Water.</p> <p>The term "zone of reasonable mixing" has appeared throughout the plan twenty one times but there lies a major problem as the WRC has not described what a reasonable mixing zone is and would not be able to. There has been a failure by councils to use the correct Government approved method to take wastewater samples for years. At WCC stormwater and Wellington Water wastewater community forums we have listened to hours of finger pointing as to who or what is responsible for the Wellington South Coast beaches to being closed to wastewater contamination after heavy rain falls.</p> <p>Throughout the WCC resource consent to discharge wastewater into Lyall Bay both the WCC and WRC used the wrong MofE guideline as they called for wastewater samples to be collected at least half a meter below the surface of the sea in locations protected from the prevailing winds which found in practice to be only seawater. Through the HCC wastewater resource consent process we found they were going to use the wrong</p>

		<p>guidelines as the WCC had done and asked the Minister for the Environment Hon Amy Adams for advice. Her reply stated they were using the wrong guidelines and quoted the correct guidelines to use which described collecting waste water samples 0 to 15 centimetres below the sea surface. The WCC had believed at the RC that by taking waste water samples half a meter below the sea surface it would support their belief that 4000 litres a second of wastewater would mix with seawater inside 200 metres. Overseas research proved the WCC were wrong as in a wide open sea such as the Cook Strait the wastewater spreads out as a thin surface slick to be pushed by winds either onto beaches or out to sea for miles. This failure to correctly collect wastewater samples can be linked to the seriously flawed 2003 and 2009 resource consent conditions introduced to suit another agenda. We took the WCC to the NZ Environment Court to prove the resource consent had been corrupted with misinformation and our concerns were supported by the Judge.</p> <p>The error in the WCC RC conditions has resulted in Wellington Water never collecting a sample containing any wastewater yet the south coast beaches have been closed with wastewater a number of times. Wellington Water has now no history to support a claim that they do not need to build a UV plant as they cannot prove their plant is not discharging wastewater onto the Wellington South Coast beaches. We have been working with Wellington Water and WRC to introduce a logical method to collect samples at the right location and from the sea surface as wastewater or freshwater floats on sea water.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Change the term "zone of reasonable mixing" to "Agreed sampling method". Describing that freshwater and seawater mix is not true as they do not readily mix. Also every situation will be different and managing the environment with woolly terms such as 'reasonable mixing' has no place in a future WRC Natural Resources Plan. The MPI are developing a National Environmental Standard for Plantation Forestry and have described how the erosion of land impacts on fish passage and spawning yet the Plan lacks this information which further proves the term "zone of reasonable mixing" has no place in this document.</p> <p>The word "mixing" is the wrong description as freshwater has a specific density of 1.0 and seawater has a specific density of 1.2 and the two waters can travel together and never mix for twenty miles or more. A "zone of reasonable mixing" can never be defined as without at least fifteen knots of wind wastewater will not mix with seawater for days. Even wastewater discharged into a stream can be seen to have lighter density than freshwater and float on the stream surface.</p> <p>At the HCC pre hearing meetings for their resource consent application and discussions we have had with Wellington Water we have agreed on a solution to the "mixing zone" definition and called it "Agreed sampling method." At all the stormwater discharge points Wellington Water have identified and at the scour valves the HCC and MWH Ltd have identified samples will be taken 30 metres either side of the pipe where possible at a depth of 0 to 15 centimetres.</p> <p>The reasons being at one side will be the audit as wind pushes surface water in front of it and the wastewater will flow downwind while on the other side there will be clean water. This will also prove if the wastewater is coming from the Wellington Water outfall pipe in Lyall Bay or from interconnections in the WCC stormwater pipes. At each site the wind direction and speed will also be recorded as a strong off shore wind will push the contaminating product straight out to sea which will quickly break down by the wind. It would be in Wellington Water best interest to accurately record the data as at present the data that has been recorded since 2003 by WCC, Capacity and Wellington Water is meaningless.</p>

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Jim Mikoz

Date: 10.9.2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule 6 Other Methods 6.7 Contaminated land	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	In Grenada North up Jamaica Drive and into Caribbean Rd there is a park that is unusable because of the chemicals rising to the surface. The park was once a land fill that can no longer be used now. The chemicals called leachate are rising to the surface all over the park and the landfill drainage system is directed into the Takapu Stream producing a heavy red slurry after heavy rain. Both WRC and the WCC were notified of the discharge and supplied with photos. The WCC carried out a video inspection of the pipe until a blockage prevented further research and no repairs were ever carried out. Through the media another stream in Tawa was found to be discharging chemical leachate but no repairs were carried out. The WRC has failed to comply with this 6.7 Contaminated land Method M16
	I seek the following decision from WRC (give precise details): →	The WRC has for years failed to comply with Method M16. Either the provision has two meanings either that the WRC will work with councils (WCC) to remedy the discharge or if it is too hard to repair the WRC will devolve all responsibility and write up meaningless provisions in the Natural Resources Plan. Which of course is unacceptable so come on WRC restore the park to a useable state.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule E1 and Map 8	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Missing in the Schedule E1 and in Map 8 is the reason why there is a large concrete base both sides of the Seton Nossiter Park. The concrete bases once supported the main trunk railway line north that once went through Johnsonville. The reason for the structure is not on display so the history of this structure must be included in this section of the Natural Resources Plan as the public is using this park in increasing numbers.
	I seek the following decision from WRC (give precise details): →	Include in schedule E1 and in Map 8 the reason why there is a large concrete base both sides of the Seton Nossiter Park.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule 6.2 Natural hazards Method M4 Sea level rise	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>The Method M4 "Sea level rise" explanation is totally unacceptable and lacks any links to data regularly collected by the Metrological Service. Climate change has little to do with tidal predictions as it is air pressure that is now fluctuating 87 hectapascals a lot different to the 50 hectapascals that we experienced between pressure systems twenty years ago. Air pressure is directly related to sea levels as for every hectapascals the sea level changes one centimetre. The WRC will have to up skill as the information they are working with in Method M4 could never be used to advise local authorities of anything related to the effects of climate change.</p> <p>Climate change is causing an increase in storm surges and this will require the WRC to gain a better understanding of what causes them so that they can predict them. The flooding of the Seaview Industrial, residents alongside the Waiwhetu Stream and the wash out of the main trunk railway line along the Hutt Road should have been predicted at least twenty fours before it arrived. To prove such surges have nothing to do with tides the warning NIWA gave to residents and Seaview industrial workers was to watch out for the next high tide but nothing happened proving tides have little to do with storm surges.</p> <p>Obviously the Metrological Service is not providing the WRC with data before their eyes as they failed to advise WRC, Police or property owners of the advancing storm surges. It would not be hard for the WRC to develop the skill to be able to warn residents and industry that a storm surge is expected. Before the Seaview flood occurred the Metrological Service watched an approaching low pressure system travel over the top of the South Island which as normal produced a southerly wind. The wind then pushed the already high sea level over the road at Seaview flooding the industrial area. This failure cost the users of the buildings and their insurance companies many millions of dollars.</p> <p>The WRC must acquire a far greater knowledge of how climate change is</p>

		affecting the Wellington Region now and be in a position to provide adequate warning of such storm surges in future. Storm surges are to become common but they are predicable but you will never be able to predict them looking at a tide chart or a history of sea levels. The belief that a panel of International Climate Change experts can help the WRC with their obligation "to manage climate change related coastal hazards" may be alright for preventing disasters in fifty years time but the WRC will also have to manage the effects that are here now.
	I seek the following decision from WRC (give precise details): →	We are entering period in our weather pattern where storm surges will become regular and predictable at least twenty four hours in advance. The words in this Method M4 describe the WRC will never acquire the necessary skills to predict storm surges and this must be corrected immediately. The WRC will be unwise to use "The latest international peer-reviewed science and measurements" as New Zealand is subjected to a weather pattern that is unique. Low pressure systems coming out of the Coral Sea try and rise over the long line of mountains from one end of the country to the other with a gap in the middle of the 3000 km long coast line called the Cook Strait. The low pressure systems not only cause heavy rain but they cause the sea levels to rise under them while miles away under a high pressure system the sea level will fall below predictions. Waiting for "at least ten years" to do something is not realistic as the WRC should obtain the knowledge now to predict storm surges like the one that flooded the Seaview industrial area the data required is presented to the WRC every day, all the WRC has to do is understand how to read it. This whole of 6.2 Natural Hazards, Method M4, "Sea level rise" must be rewritten to reflect what is happening now not in "at least every ten years" time. A new Method M4 will have to formulated describing that the WRC is developing a plan to enable storm surges to be predicted with a twenty four hour warning.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.7.14 Coastal Management, Rule R200 and Map 44	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Rule R200 is being continually abused as within and into the Hutt River Map 44 boundaries dredge waste in the form of mud is pushed over the side of the mud and rock platform at the end of the Hutt River within inches of the river boundaries. The mud is then carried into the Hutt River water when a strong south-westerly wind arrives. Once in the Hutt River the mud travels with the outgoing tide towards Petone Beach smothering shell fish beds in mud. The effect is unacceptable as after a southerly millions of shell fish wash up on Petone Beach dead.
	I seek the following decision from WRC (give precise details): →	Clearly another method to dispose of the mud from the sand extraction process plant at the end of the Hutt River must be found. It is unacceptable for the WRC to be knowingly in breach of Rule 5.7.14.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.7.2 Coastal Management General Conditions Diversion (h) Note	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Diversion (h) carries a Note regarding stream bank protection. The wording is a contradiction and has led to some massive stream bank planting errors by WRC staff. The words "vegetative bank protection works that are limited to the banks of a river and do not extend into the active channel are not considered to alter the course of the river for the purpose of this condition". This wording has to be set out a lot clearer so that WRC staff stop ripping out native intertidal plants any more. For years WRC staff planted plants on the top of the Waiwhetu Stream banks and in a flood they would all disappear out to sea. The wording must make it clear native flax, raupo and toetoe are to be planted at the bottom of the stream banks to protect the stream banks. This will return the native plants back into the stream where they once lived. The wording must include the words native intertidal plants. At a public meeting called by the Porirua City Council at Tawa to restore the Porirua Harbour the WRC representative presented a WRC booklet on stream management and on the cover was a stream with native plants above the stream and the banks were clearly being under mined by the stream. The WRC representative described himself as an expert on stream management yet he did not know what he was promoting was madness until the whole room told him so and began describing how the WRC had ripped out the newly planted plants that they had planted the week before.
	I seek the following	This sort of stream mismanagement by the WRC has to stop. Native plants

	decision from WRC (give precise details): →	protect the banks from the water not the other way around and we are losing far too much dirt to allow this mismanagement of streams and rivers to continue in our region. Reword this Note to encourage stream banks are to be protected with native plants. If there is someone in the WRC who thinks native plants block water flow ask them to take a look at the massive toetoe in the Makara Stream that have been there for at least thirty five years and hardly makes any difference to water flows.
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Proposed Natural Resources Plan:

Submitter:

**Porirua Harbour and Catchment  
Community Trust**

Submitter Number:

**S33**





## Proposed Natural Resources Plan

### Submission from the Porirua Harbour and Catchment Community Trust

#### General

The Trust supports most of provisions in the proposed plan. In particular, we strongly support and endorse the Whaitua process for the Porirua Harbour and Catchment, and we will make further submissions in due course on the detailed amendments resulting from that process.

#### Comments on Particular Provisions

##### 3.4 - Natural Character

We strongly support Objective 018 –

“The ecological, recreational, mana whenua, and amenity values of estuaries including their sensitivity as low energy receiving environments are recognised, and their health and function is restored over time”

This objective is particularly important to the Porirua Harbour system

##### 3.6 - Biodiversity, aquatic ecosystem health and mahinga kai

We strongly support Objective 025 and its components covering water quality, flows, water levels, and coastal and aquatic habitats; the restoration of aquatic system health and mahinga kai; and improvement in water body and coastal marine health.

We support this objective and its components as critical reference points from which policies and rules for the Porirua Harbour and catchment should be derived.

##### 3.11 - Discharges

We submit that the wording used on Objectives 046 and 047 is weak and needs to be strengthened. It is not sufficient simply to just *reduce run off or leaching of contaminants or reduce sediment inflow or to reduce the amount of sediment laden run off*. We want to see some stronger language and targets such as those in the Porirua Harbour Strategy and Action Plan where Objective 1 is to *reduce sediment inputs to harbour and waterways to more natural levels* with a target of reducing sediment inputs by 50% by 2021, and sediment inputs to 1mm/year by 2031.

A related objective in the Porirua Harbour Strategy is *to significantly improve harbour water clarity and harbour flushing capacity*.

Objective O50 says *discharges of wastewater to fresh water are progressively reduced*. We submit that “*reduced*” should be changed to “*eliminated*”.

#### **Policy 4.1 – Integrated Catchment Management**

This is a critical policy. We would like to see P1 strengthened as follows:

*Land and water resources shall be managed to:*

- *Reflect te uta ki tai* (which perhaps needs to have a translated definition showing it is a concept that, as we understand it, equates to integrated catchment management from the mountains to the sea);
  - *Improve and maintain the health of bio physical resources and systems and of catchment and aquatic processes.*

*The following principles of integrated catchment management will be used:*

*a, b, c, d, e as already listed.*

#### **Policies P8 and P9 - Beneficial Activities, and Public Access**

We strongly support the activities in this list but we consider that the inclusion of artworks (l) is a little out of place here and should be repositioned to Policy P9 (Public Access) – which we also strongly support.

#### **Natural Form and Function – Policies P22, P23 and P 24**

We strongly support these policies, especially P23 which includes *Restoring Te Awarua o Porirua Harbour*.

As mentioned in our comments on Objective 3.11, we consider the sub policies of managing activities to reduce sedimentation rates and pollutant inputs, managing erosion prone land and riparian margins, and undertaking planting and pest management programmes should have stronger supporting language such as:

- (a) *progressively reducing and maintaining minimal sedimentation and pollutant inputs,*
- (b) *managing erosion prone land and riparian margins to achieve (a) and*
- (c) *undertaking planting and pest management programmes in harbour and lake habitats and ecosystems to minimise ecological degradation and achieve measurable improvements in ecological health.*

#### **Policy P31 – Biodiversity, Aquatic ecosystem health and mahinga kai**

We strongly support these policies and sub policies and note that they use strong language such as minimise and avoid which, although taken from the RMA, could easily be used in other policies such as those mentioned above.

## **Policy P 37 – Values of Wetlands**

This is a significant and important policy set for Te Awarua o Porirua and we strongly support it. However, all the sub policies appear to be equal. We consider the one relating to recreation should be made subsidiary to the other natural resources ones.

## **Policy P 65 – Minimising Effects of Nutrient Discharges**

We strongly support this policy and its provisions.

### **4.8.2 – Discharges to Water**

We strongly support Policies P67 (minimising effects of discharges) and P 68 (inappropriate discharges to water)

### **4.8.3 – Stormwater**

We consider the adverse effects of stormwater (such as nutrient level increases, flushing sediment and contaminants) should be spelt out so it is clear what the sub policies will be targeted at. We also consider that sub policy (d) needs to be strengthened by linking the progressive improvement of stormwater and wastewater to measurable improvements in ecological health and harbour water quality (which would potentially add another dimension to the rules in Section 5.2.3).

### **4.8.5 – Earthworks and vegetation clearance and 4.8.6 – Livestock access and riparian management**

We strongly support these policies.

## **4.9 – Taking, using, damming and diverting water**

We question the application that, that as of right, 20,000 litres per day can be extracted from streams in the sensitive parts of the Porirua Harbour catchment. This is particularly so in the Horokiri Stream alongside Paekakariki Hill Road. We have had numerous anecdotal comments that the amount of water reaching the inlet was much less than it used to be – principally because of the explosion of lifestyle blocks which means that this catchment area has a growing number of houses, swimming pools and gardens that pump water from the stream regularly. Our concern is that this cumulative ‘take’ does not adversely affect the natural flushing of the inlet from its tributary streams. Each lifestyle block is accorded the same legal take as the farms that existed before subdivision (1970’s to 1980’s).

The plan states that Minimum Flows be maintained. We would like to know how this is decided for the Pauatahanui Inlet streams.

#### **4.10.1 – Primary coastal policies**

We strongly support the policies in this section, especially those relating to recreational values (P133), and public open space values (P134).

#### **5.1.13 – Ground based and aerial spraying**

We consider that what constitutes aerial spraying and what doesn't need to be clearly defined. There does not seem to be such a definition in the plan. For example, is spraying from a quad bike aerial spraying? The *Growsafe* requirements mentioned apply realistically to larger farms, but would not be applicable to the many smaller rural land uses in the Porirua Harbour and, particularly, the Pauatahanui Inlet catchments.

#### **5.2.3 - Rules for Stormwater**

We strongly support these as drafted but would like to see them extended by including a link to receiving water quality monitoring and standards.

#### **5.4.3 – Livestock exclusion and 5.4.4 – Earthworks and vegetation clearance**

We strongly support these rules but question how well they will work for catchments like those feeding the Pauatahanui Inlet. The Plan seems to have been built on the assumption that rural areas are large farms – which is no longer the case in most of the Porirua harbour catchment. No doubt the Whaitua process will address these issues, but in the meantime we would like to see some specific protections controlling the relatively intensive lifestyle land use, which has more septic tanks, more animals and more runoff of nutrients and wastewater, not to mention nutrient run off from land uses such as golf courses.

#### **5.5.3 – Activities in wetlands and 5.5.4 – Activities in beds of lakes and rivers and 5.5.8 – Damming and diverting water**

We strongly support these rules.

#### **5.7.2 – Coastal management general conditions**

We do not know the origin of these general conditions, and would like this to be made clear – perhaps by referencing it somewhere such as in Schedule N (i).

#### **9 – Te Awarua o Porirua Whaitua**

We would also like to know the origin and reasoning for the adoption of these policies.

## **Schedule A – Outstanding water bodies**

We question whether “Pauatahanui Saltmarsh” and “Pauatahanui Tidal Flats” in Schedule A refer to the whole Inlet or just the area around the Pauatahanui Stream.

We consider that all the saltmarsh and tidal flats of the Pauatahanui Inlet should be included in Schedule A and, in order to make this explicit, we request that the wording in Schedule A be amended to specify:

- “Pauatahanui Inlet Saltmarsh” and
- “Pauatahanui Inlet Tidal Flats”.



Proposed Natural Resources Plan:

Submitter:

**Wendy Barry**

Submitter Number:

**S34**





#1524695

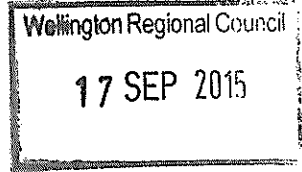


**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

**greater WELLINGTON**  
REGIONAL COUNCIL  
Te Pane Matua Taiao

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Wendy Barry  
Organisation name: \_\_\_\_\_  
(If applicable)  
Address for Service: 42 Downes Street, Titahi Bay, Porirua 5022

Telephone no's: Work: 2371475 Home: 2360142 Cell: 0272206225

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: wendybarry@hotmail.com

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
If you could gain an advantage please complete one of the following:

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I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R199	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This is a natural resource that needs to be better protected. Cars driving over the fossilised forest will eventually lead to irreparable damage.
	I seek the following decision from WRC (give precise details): →	Keep this rule in the final plan, but ensure there is adequate consultation and communication with the local community. It will create a big backlash if people feel like it has come out of the blue.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
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- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: 17/09/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**D Wood**

Submitter Number:

**S38**



538

#1531023

**SUBMISSION on the proposed Natural Resources Plan for the Wellington Region**To: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz) OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142GREATER WELLINGTON  
REGIONAL COUNCIL

Name	D L Wood	23 OCT 2015 RECEIVED
Farm Name	Paharakeke	
Physical Address	R & 2 Featherston	
Phone Number	06 30 778 76	
Email Address	D. P. Wood. @ slingshot.co.nz	

**Communication from GWRC:** I prefer email OR hardmail – choose one**Trade competition:** I could not gain an advantage in trade competition through the submission**Hearing:** I wish to be heard and would consider jointly appearing with other submitters**Support:** I support Wairarapa Federated Farmers submission**INTRODUCTION – Key Points about farm/business**

<b>Farm Type</b>	e.g. Sheep, Beef, Arable, Dairy, agricultural business
<b>Farm size (area)</b>	hectares
<b>Main Waterways</b>	
<b>GW Soil plan or Farm Plan</b>	Yes No
<b>Environmental investments</b>	
<b>QE2 or Retirement Blocks</b>	
<b>General Comments</b>	e.g. if you like the partnership approach with council staff on the ground, say so



## STOCK EXCLUSION

### Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

### My submission is: ~~support~~/oppose

### I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

### **Stock Exclusion Comments and Reasons**

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos*  
*For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?*

Proposed Natural Resources Plan:

Submitter:

**Timothy Caughley**

Submitter Number:

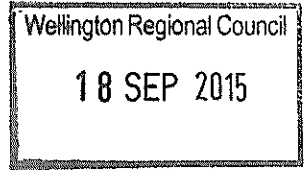
**S39**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
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To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Timothy Bruce Caughley

Organisation name: \_\_\_\_\_  
 (If applicable)

Address for Service: \_\_\_\_\_  
 29 Rosetta Rd, Raumati

Telephone no's: Work: \_\_\_\_\_ Home: 2994103 Cell: \_\_\_\_\_

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

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Email address: tcaughley@gmail.com

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

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**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: T. Caughley

Date: 17 September, 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



## **Attachment**

**The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to**

The whole PNRP.

### **Submission on the provisions**

Oppose and seek amendment.

### **Reasons for the submission**

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.

This applies both in the coastal marine area and in other areas, including beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.



Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.

The reasons in the submission of Coastal Ratepayers United Inc. are supported and adopted.

**Decision sought:**

Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas (including beds of rivers and streams), including especially for areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.

Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc. are supported and adopted in this submission.



Proposed Natural Resources Plan:

Submitter:

**Andrew Carman**

Submitter Number:

**S40**

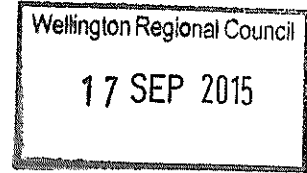


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To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

#1524715



**Your details**

Full name: Andrew Francis Carman  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 15 Todman St, Brooklyn, Wellington, 6021

Telephone no's: Work: \_\_\_\_\_ Home: 04 9711107 Cell: 027 2490452

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

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Email address: afcarman@gmail.com

**Trade competition**

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**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.1.14	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I am concerned at the ongoing use of methyl bromide gas at CentrePort for fumigation. This odourless gas is a neurotoxin and causes ozone depletion. It is disgraceful that this continues to be released into the open at CentrePort, posing an unacceptable risk to port workers, the nearby city population, and the ozone layer.  At the very least CentrePort should urgently implement recapture technology across all uses of the gas (so long as any continuing use is actually required), and not wait until 2020 as currently planned. In addition it should be used in conjunction with a lachrymator or something to give it a pungent smell, so

		that any accidental releases (and indeed deliberate releases, until recapture is fully implemented) can be readily detected by those exposed to it. Monitoring at the CentrePort boundary is necessarily fragmentary, and does nothing to protect or warn those inside the boundary.
	I seek the following decision from WRC (give precise details): →	CentrePort is majority owned by GWRC, who as should be insisting that CentrePort urgently undertakes these actions, as a responsible employer and a good corporate citizen.

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	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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[Note: This means that you wish to speak in support of your submission at the hearing(s).]
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[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**KapAg Ltd**

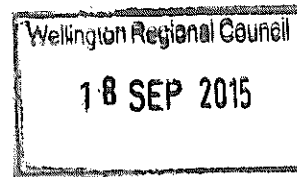
Submitter Number:

**S41**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



### Your details

Full name: Terry Parminter  
 Organisation name: KapAg Ltd  
 (If applicable)  
 Address for Service: PO Box 354  
 Paraparaumu, 5254

Telephone no's: Work: 021 902656 Home: Cell: 021902656

Contact person: Above

Address and telephone no (if different from above): N/A

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: terry.parminter@kapag.nz

### Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Re rule R83. In the Section 32 report: discharges to land on page 29 it states that Proposed rule R83 (h) requires the use of the Dairy Effluent Storage Calculator by a company that is part of "an accredited programme for effluent system design and build". The Section 32 report also references the "Dairy effluent storage: A guide on how dairy effluent storage assessments will be rolled out in the Wellington region", GWRC September 2012. The guide encourages farmers to work with companies that are registered as part of the Farm Dairy Effluent Design Accreditation Programme or with individuals that have completed and passed the Massey University short course on "Farm Dairy Effluent: System Design and Management".

		There is a difference in expectations between the Proposed Plan as interpreted in the Section 32 report and the guidelines issued in 2012. The difference in who may carry out the assessments, reduces the pool of available qualified people, increases the costs for farmers, reduces the accessibility of people.
	I seek the following decision from WRC (give precise details): →	Either R83(h) or the Section 32 report, should make it clear that to meet the condition, the people qualified to use the Dairy Effluent Storage Calculator include both accredited companies AND individuals that have passed the Massey University short course on farm dairy effluent system design.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Terry Parminter

Date: 18<sup>th</sup> September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission]

## Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Jon Terry**

Submitter Number:

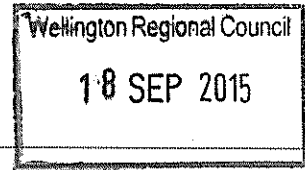
**S42**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Jon Andrew Terry

Organisation name:  
 (If applicable)

Address for Service: Gato Negro House, 2 Rhodes St, Newtown 6021, Wellington

Telephone no's: Work: Home: Cell: 021 1681176

Contact person: Jon Terry

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: jon.terry.nz@gmail.com

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following decision from WRC (give precise details): →	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

Date: 18 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

## Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Paula Lynch**

Submitter Number:

**S43**



Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
 18 SEP 2015

Your details

Full name: Paula Lynch  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 49 Wharemauku Road  
 Raumati

Telephone no's: Work: \_\_\_\_\_ Home: 04 902 0114 Cell: 021 965 966

Contact person: Paula Lynch

Address and telephone no (if different from above): \_\_\_\_\_

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: warwick@thewyattfamily.net

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	See Attachment
	I seek the following decision from WRC	See Attachment



	(give precise details): →	
--	------------------------------	--

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	See Attachment
	I seek the following decision from WRC (give precise details): →	See Attachment

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	See Attachment
	I seek the following decision from WRC (give precise details): →	See Attachment


The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	See Attachment
	I seek the following decision from WRC (give precise details): →	See Attachment

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:  Date: 18/9/2015  
 [Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

**Penelope O'Neill**

Submitter Number:

**S44**

**FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

544 #1525088

NAME/ORGANISATION

P E N E L O P E A N N O V E I L L

NUMBER STREET NAME

43A EA T W E I L L A V E N U E

SUBURB/TOWN

POSTCODE

P A R A P A R A V U U B E A C H 5032

PHONE

EMAIL

027426714 p a n e i l l e t a i o . c o . n z

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is/are:**  
**Please specify the provision/section number:**

My submission on this provision is:

- I support the provision
- I oppose the provision
- I wish to have the specific provision amended

Wellington Regional Council  
 21 SEP 2015

Reasons for my submission: I have had a horrific winter with my neighbour burning

with wood untreated timber and other in their 1950's original fire place. Kapiti and Wellington Council have no powers to stop them. I want a ban on all old open.

Domestic fireplaces. The smoke has got into my home and I now suffer from Asthma.

I seek the following decision from WRC (give precise details): That all old open Domestic

fire places banned in Kapiti and Wellington. It could be only woodburners

with proper flues allowed. Christchurch banned fireplaces. Why

can't we. Kapiti in the winter have many still night and the air is polluted

Please continue on separate sheets(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

**Attendance and wish to be heard at hearing(s)**

I/We do wish to be heard in support of my/our submission at hearings  
 Note: This means that you wish to speak in support of your submission at the hearing(s)

I/We do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court

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

**Trade competition**

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

I/We could not gain an advantage in trade competition through this submission

I/We could gain an advantage in trade competition through this submission

I/We am/am not directly affected by an effect of the subject matter of my submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Publication of details**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

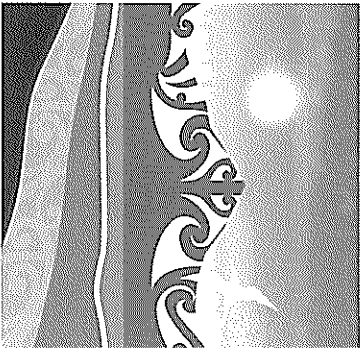
Signature: P. Williams Date: 15/09/2015

Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142

**To Residents of the Wellington Region**

**Proposed Natural Resources Plan**  
 for the Wellington Region  
 Te Tikanga Taiao o Te Upoko o te Ika a Maui



greater WELLINGTON REGIONAL COUNCIL  
 Te Pane Matua Taiao

**Notice relating to the Proposed Natural Resources Plan for the Wellington Region**

Dear Resident

Submissions invited on the Proposed Natural Resources Plan for the Wellington Region.

Because the natural environment is so important to our social and economic health, rules and guidelines around activities that affect air, land, freshwater and coastal regions are developed and detailed in regional plans. These plans are published by regional councils and, to make sure they meet the pressures that growing communities place on natural resources, they are reviewed every 10 years.

The Wellington Regional Council is now proposing a new plan which replaces the existing regional plans for coast, air quality, freshwater, discharges to land and soil and creates an integrated Natural Resources Plan for the Wellington Region. Many people have been involved and made suggestions about how the new plan should be developed and what changes should be made, including comments on the draft plan which was released for consultation in September 2014.

The Proposed Natural Resources Plan for the Wellington Region may directly affect you or your business and may alter how (or whether) you can undertake activities. This is your chance to tell us what you think.

You can view all the new proposed rules, objectives and policies in the Proposed Natural Resources Plan for the Wellington Region by visiting your local library, local council or the Wellington Regional Council website [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review). You can also make an enquiry or get a submission form from these places.

A copy of the plan is also available on USB drive, by calling freephone 0800 496 734 or emailing [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz).

The rules will have legal effect from the date of notification (31 July 2015).

**Submissions can be made until 5pm on Friday 25 September 2015.**

You can find a list of the types of activities covered in the Proposed Natural Resources Plan for the Wellington Region overleaf. As you will see, there are many areas where our actions and choices affect the environment so the Wellington Regional Council has sent this letter out to all registered NZPost addresses in the region. We want to be sure everyone knows they can have their say.

The public notice of the Proposed Natural Resources Plan for the Wellington Region is also enclosed. It provides further information about how to view the proposed plan or make a submission and explains the process that will be followed after the closing of submissions.

Much of the language in the public notice and submission form is controlled by the requirements of the Resource Management Act. If you have any questions or require further information please contact the Hearings Officer on 04 384 5708 or by email to [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz). Further information is also available on the Wellington Regional Council's website at [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review).

Yours sincerely

Te Waari Carkeek, Co-Chair  
 Chris Laidlaw, Co-Chair  
 Te Upoko Taiao – Natural Resource Management Committee

# The Proposed Natural Resources Plan regulates the following activities:

## AIR QUALITY

- Outdoor burning
- Domestic fires
- Large scale generators
- Chemical and metallurgical processes
- Cremation and incineration
- Dust generation activities
- Food, animal or plant matter manufacturing and processing
- Fuel storage
- Mobile sources
- Gas, water and wastewater processes
- Drying or kiln processing
- Agrichemicals
- Fumigation
- All other discharges to air

## DISCHARGES TO WATER

- Water discharges
- Stormwater
- Contaminated land and hazardous substances
- Water races and pumped drainage schemes
- Wastewater
- Biofoul cleaning
- All other discharges to water

## WETLANDS AND BEDS OF LAKES AND RIVERS

- Activities in wetlands
- Activities in beds of lakes and rivers
- Reclamation and placement of a dam
- Damming and diversion of water

## WATER ALLOCATION

- Take and use of water
- Transferring water permits
- Bore construction or alteration

## COASTAL MANAGEMENT ACTIVITIES

- Maintenance, repair, additions and alterations to existing structures
- Removal or demolition of structures
- New and replacement structures (including temporary structures)
- Seawalls
- Heritage structures
- Structures in the Commercial Port Area
- Boatsheds and swing moorings
- Occupation
- Surface water and foreshore activities
- General disturbance activities
- Motor vehicles on the foreshore
- Dredging
- Deposition
- Dumping and incineration of waste or other matter
- Reclamation and drainage
- Destruction
- Introduction of plants

## DISCHARGES TO LAND

- Discharge of contaminants
- Biosolids and treated community wastewater
- Drinking water treatment plant waste
- Fertiliser and animal effluent
- Vertebrate toxic agents
- Refuse, silage and compost
- All other discharges to land

## LAND USE

- Cultivation and break feeding
- Livestock exclusion
- Earthworks and vegetation clearance
- Plantation forestry

Public noticed published 31 July 2015



greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiao

## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports can be downloaded from the Wellington Regional Council website or a USB can be obtained free of charge by contacting the Hearings Officer on 04 384 5708 / 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz). Paper copies of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for purchase from the offices of the Wellington Regional Council at the above addresses.

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### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:

Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to: Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

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THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

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- After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
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- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
**CHIEF EXECUTIVE**

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

# Proposed Natural Resources Plan:

Submitter:

**Claire Jones**

Submitter Number:

**S45**



**FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991 #1525114

NAME/ORGANISATION

545

Wellington Regional Council  
21 SEP 2015

CLAI RE JONES

NUMBER: 54 STREET NAME: HUIA STREET

SUBURB/TOWN: WAIKANA E POSTCODE: 5036

PHONE: 0429 387 38 EMAIL:

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:**

**Please specify the provision/section number:** Coastal Management Activities - Motor vehicles on the foreshore

My submission on this provision is:

- I **support** the provision
- I **oppose** the provision
- I wish to have the specific provision **amended**

Reasons for my submission: The rules relating to vehicles on beaches are not being complied with. In our local area, the Waikanae Estuary is a scientific reserve. There are several groups planting and enhancing the environment. The vehicles are more apparent at whitebaiting season. This time of year clashes with our coastal birds pairing off and nesting.

I seek the following decision from WRC (give precise details): Either the rules should be amended and made stronger or the rules should be made more public with more signage. more profile in our local papers, more patrols of the beaches and stronger penalties for breaking the law. Educating the public is important.

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

**Attendance and wish to be heard at hearing(s)**

- I/We **do** wish to be heard in support of my/our submission at hearings  
*Note: This means that you wish to speak in support of your submission at the hearing(s)*
- I/We **do not** wish to be heard in support of my/our submission. *Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court*
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Trade competition**

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

I/we **could not** gain an advantage in trade competition through this submission  
I/we **could** gain an advantage in trade competition through this submission

I/we **am/am not** directly affected by an effect of the subject matter of my submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Publication of details**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: E. Jones Date: 16.9.15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

**Post your submission to:** Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142





## Proposed Natural Resources Plan for the Wellington Region

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You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

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  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.



Proposed Natural Resources Plan:

Submitter:

**Kintyre Meats/Kintyre Trust**

Submitter Number:

**S46**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
 18 SEP 2015

**Your details**

Full name: Norris Everton

Organisation name: KINTYRE TRUST / KINTYRE MEATS LTD  
 (If applicable)

Address for Service: 530 GLADSTONE Road  
CARTERTON

Telephone no's: Work: 06 372 7882 Home: \_\_\_\_\_ Cell: 021 500 672

Contact person: Norris Everton

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: norris@cabernet.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2 Interpretation 2-1-3 Rules	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I <b>wish to have the specific provision amended</b>
	Reasons for my submission: →	The rules may also make some activities prohibited which means no Resource Consent application can be made for that activity.....  It is likely in the future that some form of prohibited activity aided by advances in science may be able to comply.
	I seek the following decision from WRC (give precise details): →	All activity should carry an automatic application right.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Waitua chapters 2 - 1 - 5 ..	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Waitua Chapters 7 to 11 ... contain catchment specific provisions..... These provisions will continue to be developed over time and be included as plan changes and variations.  Any proposed future changes that lead to a significant impact on the continued viability of commercial / industrial activity need an opportunity of submission and appeal..
	I seek the following decision from WRC (give precise details): →	Existing use conditions to continue as of right within any consent renewal process. Optional submission and appeal opportunity to be included.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 3 - 2 Beneficial Use and Development	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	06 .. Sufficient water ... for the health needs of people. 07 .. Fresh water ..... for reasonable needs of livestock. 08 .. The social economic cultural and environmental benefits ..... are recognised and provided for within Plans allocation framework.  With 'beneficial use and development' water dependant industry is an economic benefit .
	I seek the following decision from WRC (give precise details): →	Provision within the Plans allocation framework identifying industry.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4 Policies . 4.2 Beneficial use and development.	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Cultural social and economic benefits of using land and water for..... ( c ) industrial processes and commercial uses associated with the 'potable water supply network'.  This does not provide for industrial and commercial activity dependant on water take consents other than 'potable water supply networks'.
	I seek the following decision from WRC (give precise details): →	Amend to clarify industrial and commercial reliant on supply independent from ' potable water supply networks'.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
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- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

Date:

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4 - 8 - 9 Land Use Policy P 96 Managing Land Use	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>A limit target and or allocation framework will be established through the Whaitua committee process and incorporated into the plan through a future plan change or variation.</p> <p>Existing water dependant industry is exposed to change that may impact upon their economic viability.</p>
	I seek the following decision from WRC (give precise details): →	Existing use provisions to continue as of right within any consent renewal process with an opportunity of submission and appeal.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4 - 9 - 1 Minimal flows P 111 Water take at minimal flows and water levels.	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>Water take at minimal flows and water Levels.                      The take and use of water shall not occur..... with the exception that water is available below minimal flows.                      ( c ) as authorised by resource consents in accordance with Policy P 108 Integrated Ground and Surface Water.</p> <p>The effect appears to provide continuance to existing resource consents. However this appears to contradict the intent of policy.</p>
	I seek the following decision from WRC (give precise details): →	To alter and clarify to ensure existing water dependant industry is provided continued access. Differential provision to 'irrigators' that seek access mainly at times of low rainfall and when the water resource is stressed.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4 - 9 - 1 Minimum flow P 112 Priorities in drought and serious water shortage.	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>In times of drought and serious water shortages ..... water takes shall be limited to that required for fire fighting .. human health .. animal drinking water .. rootstock protection.</p> <p>Other values and priorities need to include water dependant industry ahead of 'irrigators' that seek supply at times of drought and water shortage. Animal slaughter facilities are an essential service and at times of drought demand for their services increase..</p>
	I seek the following decision from WRC (give precise details): →	To alter to ensure water dependant industry have a priority. Also provision to ensure animal slaughter facilities have adequate access to water.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4 - 9 - 2 Allocating water P 114 Priorities when demand exceeds supply	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>When the total take and use of water allocated by resource consents above minimal flows or water levels exceed the 'core' allocation amount .....</p> <p>..... allocated according to the following priorities in order of importance.</p> <p>a . health needs of people.                      b . stock drinking water.                      c . other values.</p> <p>'Other values' need to be identified to include industry. Industries dependant on water cannot continue to exist unless the resource is available 365 days a year. Unlike ' irrigators' that demand water only at times of low rainfall and when the resource is stressed. Animal slaughter facilities are an essential service and at times of drought demand for their services increase.</p>

	I seek the following decision from WRC (give precise details): ➔	To determine 'order of importance' and amend accordingly to include a provision to recognise consent holders that exist solely dependant on a reliable daily access to a water source. Also provision to ensure animal slaughter facilities continue to have adequate access to water.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4 - 9 - 2 Minimum flows P 115 Authorising take below minimum flows and lake levels.	My submission on this provision is: ➔	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I <b>wish to have the specific provision amended</b>
	Reasons for my submission: ➔	<p>The take and use of water maybe authorised ..... for,</p> <p>a . the health needs of people.....</p> <p>b . the water used by industry from a 'community drinking water supply' for a period of seven years from / .....(31/07/2015) and</p> <p>Clarification required and provision for existing water dependant industry currently sourcing from consented takes and not 'community drinking water supply'..</p> <p>No explanation provided for seven year limit..</p>
	I seek the following decision from WRC (give precise details): ➔	<p>To amend to identify water dependant industry that exists solely on the basis of a reliable daily water source .</p> <p>Include a provision for industry currently sourcing from consented takes.</p> <p>Delete seven year limit.</p>





Proposed Natural Resources Plan:

Submitter:

**Zane Oosten**

Submitter Number:

**S47**

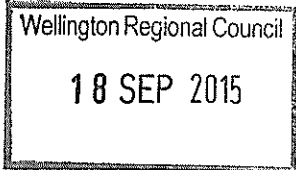


**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Zane Oosten

Organisation name: \_\_\_\_\_  
 (If applicable)

Address for Service: 52 Holloway Road, Aro Valley, Wellington

Telephone no's: Work: \_\_\_\_\_ Home: 976 6161 Cell: \_\_\_\_\_

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

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Email address: \_\_\_\_\_

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
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I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 2.2	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think it is important to define climate change in the plan
	I seek the following decision from WRC (give precise details): →	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	That a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	That the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



Proposed Natural Resources Plan:

Submitter:

**Peter Clayworth**

Submitter Number:

**S48**

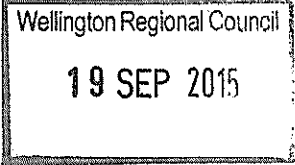




Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz



### Your details

Full name: Peter Neil Clayworth

Organisation name:  
(If applicable)

Address for Service: 51 Balfour Street, Vogeltown

Wellington 6021

Telephone no's: Work: 43893991 Home: 43893991 Cell: 212977097

Contact person: Peter Clayworth

Address and telephone no (if different from above):

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: peterclayworth@hotmail.com

### Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/	My submission on this provision is: <input checked="" type="radio"/>	I wish to have the specific provision amended
---	--	---

section number): Section 2.2	Reasons for my submission: ①	I think it is important to define “climate change” in the plan.
	I seek the following decision from WRC (give precise details): ①	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.” (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: ①	I wish to have the specific provision <b>amended</b>
	Reasons for my submission: ①	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): ①	That a separate objective be created for climate change, and that it states: “The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: ①	I wish to have the specific provision <b>amended</b>
	Reasons for my submission: ①	I think the potential threats from climate change require wider definition, and recognition, in the plan.

	I seek the following decision from WRC (give precise details): <input type="radio"/>	That the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: <input type="radio"/>	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: <input type="radio"/>	
	I seek the following decision from WRC (give precise details): <input type="radio"/>	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

I/We do not wish to be heard in support of my/our submission

[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

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

Signatur

Date:

e:

---

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: <input type="radio"/>	<b>I support the provision</b> <b>I oppose the provision</b> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: <input type="radio"/>	
	I seek the following decision from WRC (give precise details): <input type="radio"/>	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: <input type="radio"/>	<b>I support the provision</b> <b>I oppose the provision</b> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: <input type="radio"/>	
	I seek the following decision from WRC (give precise details): <input type="radio"/>	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: <input type="radio"/>	<b>I support the provision</b> <b>I oppose the provision</b> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: <input type="radio"/>	
	I seek the following decision from WRC (give precise details): <input type="radio"/>	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: <input type="radio"/>	<b>I support the provision</b> <b>I oppose the provision</b> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: <input type="radio"/>	
	I seek the following decision from WRC (give precise details): <input type="radio"/>	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: <input type="radio"/>	<b>I support the provision</b> <b>I oppose the provision</b> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: <input type="radio"/>	

	I seek the following decision from WRC (give precise details): ①	
--	--	--

Proposed Natural Resources Plan:

Submitter:

**Janis Freegard**

Submitter Number:

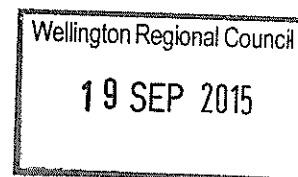
**S49**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



### Your details

Full name: Janis Freegard

Organisation name:  
 (If applicable)

Address for Service: 51 Balfour St., Vogeltown, Wellington 6021

Telephone no's: Work: 816-3923 Home: 389-3991 Cell: 022 127 8446

Contact person:

Address and telephone no (if different from above):

### Electronic communication

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Email address: janis.freegard@actrix.co.nz

### Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Clarification of what is meant by "climate change".
	I seek the following decision from WRC (give precise details): →	The term "climate change" to be defined as "a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." as per the UN Framework Convention on Climate Change 1992

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	It is important to distinguish between adverse effects arising from natural hazards and those arising from climate change
	I seek the following decision from WRC (give precise details): →	Create a separate objective for climate change, as follows: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Improve recognition of threats from climate change in the plan.
	I seek the following decision from WRC (give precise details): →	Amend policy P29 as follows: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

Date:

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Keri Molloy**

Submitter Number:

**S50**





The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 3.4 Natural Form and Function Objective 020.	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition and recognition in the plan
	I seek the following decision from WRC (give precise details): →	That a separate objective be created for climate change and that it states: "The risk, residual risk and adverse effects of climate change on people, ecosystems and infrastructure are recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 4.4.4 Natural Hazards Policy, P 29: Climate Change	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think the potential threats from climate change require wider definition and recognition in the plan.
	I seek the following decision from WRC (give precise details): →	That the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

Date: September 19 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]



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The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Charles Barrie**

Submitter Number:

**S51**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
**19 SEP 2015**

**Your details**

Full name: Charles William Barrie  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 156 Owhiro Bay Parade, Wellington

Telephone no's:      Work: \_\_\_\_\_      Home: \_\_\_\_\_      Cell: 0274301906  
 Contact person:    Charles Barrie  
 Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: koboldgardener@gmail.com

**Trade competition**

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:
  - I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following decision from WRC (give precise details): →	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	hat the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: CB

Date: 19/9/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**Wellington Fish and Game Association  
(Wairarapa)**

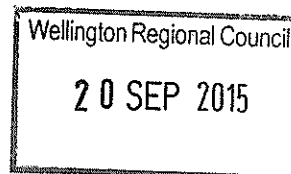
Submitter Number:

**S52**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: ofWairarapa branch of the Wellington fish and Game Association  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 113 South Belt Masterton

Telephone no's: Work: 06 378221906 Home: 3786351 Cell: \_\_\_\_\_

Contact person: John Pansters

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: jmpansters@slingshot.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule 5 Sites of significance specifically the Kourarao Dam and the inlet stream. Rule 97	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I am writing on behalf of our club of 40 members to support the landowners surrounding the dam and inlet stream. Our club members have fished the Dam for the last 60 years and have gained acces to fish the Dam with the consent of the landowners. As a club we have a small boathouse situated on Mr Blackwoods farm where the club dingy is stored for the benefit of club members. The dam is an unique and renown trout fishery and also contains perch and tench which are targetted at different times by our members. The fishery is the only still water fishery with good shoreline fishing for good quality rainbow trout available in the southern North Island and as such is visited by anglers from the Wellington region and further afield. It is also

		<p>used as a competition anglers as avenue for competition and our local club have run childrens fishing competitions there in the past. The inlet stream is sourced by a number of springs which provides a constant supply of cool clear water and the inlet stream also provides the only spawning area for the fish. The water is high quality and is a significant factor in maintaining the fishery. The most common method of fishing for our members is flyfishing and for this to be effective the banks of the dam should be free from casting restrictions such as the proposed fence. Since the Trust have taken over the management of the dam and the water levels have been maintained at a higher level the Dam has improved as a fishery and is well on the way to returning to the trophy fishery it was in the 80,s and 90's. As a club we are concerned that the Dam remains accessible for recreational purposes and that the water quality is maintained for the aquatic and considerable bird life that currently exists.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>The club supports the proposal to fence the inlet stream. In our view this can only improve the spawning habitat and water quality and much of the stream is already fenced. Our club currently keeps the bottom end of the stream open where it enters the dam as it has a tendency to choke and could stop spawning fish passage up the stream</p> <p>We would like the dam perimeter to remain free from the fencing requirement as this would significantly restrict the ability to flyfish from the shore and restrict the ability to use the boathouse. The Dam has significant usage as a recreational facility from our club members and the general public and the requirement to fence would compromise this recreational amenity. I have personally fished the Dam for the last 35yrs and during that time have never seen cattle grazing near the Dam with the exception of the southern tip of the waterway. It is my understanding that Mr Blackwould would undertake not to graze the land surrounding the Dam with cattle and we would support this undertaking on his behalf.</p>

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	
	<p>I seek the following decision from WRC (give precise details): →</p>	

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	
	<p>I seek the following decision from WRC (give precise details): →</p>	

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<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	
	<p>I seek the following decision from WRC (give precise details): →</p>	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

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The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Christine Edwards**

Submitter Number:

**S53**







greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Teino

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 8142

Or email: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Wellington Regional Council  
**20 SEP 2015**

**Your details**

Full name: Christine Ann Edwards

Organisation name: (If applicable)

Address for Service: 21 Rosetta Rd  
Maumati,  
Paraparauumu

Telephone no's: Work: / Home: / Cell: 021 74 8424

Contact person: Chris as above

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: christineannedwards@gmail.com

**Trade competition**

- I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]
- I/we could gain an advantage in trade competition through this submission.  
If you could gain an advantage please complete one of the following:
  - I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

*Please see attachment \**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Robert A Edwards Date: 20/9/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

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From Christine Edwards  
21 Rosetta Rd

Rauumati;

Paraparaumu 5032

Attachment ~~\*~~

The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to

The whole PNRP.

### Submission on the provisions

Oppose and seek amendment.

### Reasons for the submission

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.

This applies both in the coastal marine area and in other areas, including beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Christine Edwards

Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.

The reasons in the submission of Coastal Ratepayers United Inc. are supported and adopted.

**Decision sought:**

Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas (including beds of rivers and streams), including especially for areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.

Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

CE

Christine  
Edwards

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc. are supported and adopted in this submission.

AK.



Proposed Natural Resources Plan:

Submitter:

**Suzanne Hall**

Submitter Number:

**S54**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

Full name: Suzanne Hall MNZM

Organisation name:  
 (If applicable)

Address for Service:  
 Level 1, 321 Karangahape Rd, Newton, Auckland 1010

Telephone no's: Work: Home: Cell: 0274994797

Contact person: Suzanne Hall

Address and telephone no (if different from above):

### Electronic communication

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Email address: Suzanne@beintent.com

### Trade competition

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I/we **could** gain an advantage in trade competition through this submission.  
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	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following decision from WRC (give precise details): →	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	: I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	: that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**The Oil Companies**

Submitter Number:

**S55**



Wellington Regional Council  
21 SEP 2015

**SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN  
FOR GREATER WELLINGTON REGIONAL COUNCIL**

25 September 2015

---

**To:** Freepost 3156  
The Proposed Natural Resources Plan  
The Greater Wellington Regional Council  
PO Box 11646, Manners Street  
Wellington 6142

**By Email:** [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

**Name:** Z Energy Ltd  
PO Box 2091  
WELLINGTON

BP Oil Ltd  
PO Box 99 837  
Auckland

Mobil Oil NZ Ltd  
PO Box 1709  
AUCKLAND

*(the Oil Companies)*

**ADDRESS FOR SERVICE:** BURTON PLANNING CONSULTANTS LIMITED  
Level 1, 2-8 Northcroft Street  
PO Box 33-817, Takapuna  
AUCKLAND 0740

**Attention:** Maree Drury

**Phone:** (09) 917-4315  
**Fax:** (09) 917-4311  
**E-Mail:** [mdrury@burtonconsultants.co.nz](mailto:mdrury@burtonconsultants.co.nz)

## **1 INTRODUCTION**

- 1.1 Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited (*the Oil Companies*) receive, store and distribute refined petroleum products.
- 1.2 The Oil Companies core business relates to the operation and management of their individual service station networks, commercial refuelling facilities and bulk storage (Terminal) facilities at ports and airports and associated pipelines. The Oil Companies also supply petroleum products to individually owned businesses. Hydrocarbons are the principal substance managed by the Oil Companies.
- 1.3 Within the Greater Wellington Region, the Oil Companies own, operate and/or supply the bulk fuel terminals, service stations and truck stops and supply various commercial activities.
- 1.4 Under the Resource Management Act 1991 (RMA), the Oil Companies bulk storage facilities and pipeline infrastructure are a significant physical resource that must be sustainably managed, and any adverse effects on that infrastructure must be avoided, remedied or mitigated.
- 1.5 The Oil Companies seek to ensure that the provisions of the Proposed Natural Resources Plan do not unreasonably and/or unnecessarily restrict the Oil Companies' development and maintenance activities and oil industry standardised procedures

## **2 THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN THAT THE OIL COMPANIES SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS:**

- 2.1 This submission relates specifically to the following provisions of the Proposed Plan:
  - Chapter 3: Objectives 12, 13, 20, 40, 41, 43, 44, 46, 51, 53, 54.
  - Chapter 4: Policies 4, 5, 13, 14, 15, 16, 23, 25, 27, 28, 48, 58, 59, 67, 68, 70, 73, 79, 89, 90, 95, 97, 98, 102, 126, 130, 132, 138, 139, 145.
  - Chapter 5: Rules 12, 21, 26, 32, 33, 42, 48, 49, 54, 55, 56, 57, 69, 99, 112, 114, 130, 140, 147, 149, 168, 169, 172, 182.
  - Definitions: Good Management Practice, Regionally Significant Infrastructure, Contaminate Land, Bore, Dewatering, Earthworks.
- 2.2 The rationale for the Oil Companies submission on each of these matters, the specific provision submitted on and the relief sought is set out in the attached schedule.



Amendments to the proposed provisions are shown as deletions in strikethrough and additions in underline.

2.3 The Oil Companies also seek the following general relief:

That in giving effect to the general and specific relief set out in the attached Schedules ensure that the provisions of the Proposed Natural Resources Plan of the Greater Wellington Regional Council raised by this submission

- (a) Address the relevant provisions in sections 5-8 RMA;
- (b) Implement the statutory tests in section 32 and the requirements in the First Schedule RMA;
- (c) Address relevant statutory functions of the consent authority and the related statutory requirements for the Proposed Natural Resources Plan;
- (d) Ensure there is no duplication of the provisions or double jeopardy with more than one rule being required for the same activity.
- (e) Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission
- (f) Avoid, remedy or mitigate the relevant and identified environmental effects.

**THE OIL COMPANIES WISH TO BE HEARD IN SUPPORT OF THIS SUBMISSION**

**IF OTHERS MAKE A SIMILAR SUBMISSION, THE OIL COMPANIES WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.**

**THE OIL COMPANIES COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.**

**THE OIL COMPANIES ARE DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT-**

**(A) ADVERSELY AFFECTS THE ENVIRONMENT; AND**

**(B) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.**

Dated at TAKAPUNA this 25<sup>th</sup> day of September 2015

Signature of person authorised to sign on behalf of The Oil Companies

Maree Drury  
Principal Planner

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(as per cover sheet)

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**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<b>Chapter 3- Objectives</b>			
Section 3.2 Beneficial Use and Development. O12	Support	<p><b>Retain O12 without further modification</b>  <b>Objective O12</b>  <i>The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.</i></p>	The Oil Companies seek that Objective 12 be retained without modification. The objective recognises the value of regionally significant infrastructure in the Wellington region.
Section 3.2 Beneficial Use and Development. O13	Support	<p><b>Retain Objective O13 without further modification</b>  <i>The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i></p>	The Oil Companies seek that Objective 13 be retained without modification. The objective recognises the value of regionally significant infrastructure in the Wellington region and protect such infrastructure from reverse sensitivity effects.
Section 3.4 Natural Character, Form and Function O20	Oppose	<p><b>Modify O20 as follows:</b>  <i>The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable appropriately managed so that risks remain acceptable.</i></p>	Objective 20 introduces a subjective judgment when advocating "acceptable risk" In some circumstances a degree of risk may be acceptable and/or the management approach sufficiently precautionary – the focus should be on 'appropriate management' of risk not the risk of a hazard occurring per se. . Levels of acceptable risk may vary depending upon the nature of the activity.
Section 3.8 Air O40	Support	<p><b>Retain Objective O40 without further modification</b>  <i>Human health, property, and the environment are protected from the adverse effects of point source discharges of air pollutants.</i></p>	The Oil Companies seek that Objective 40 be retained without modification.

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 3.8 Air O41	Oppose	<p><b>Modify Objective O41 as follows</b>  <i>The adverse effects of odour, smoke and dust on amenity values and people's well-being are reduced, are avoided, remedied, or mitigated</i></p>	<p>The RMA requires that adverse effects are avoided, remedied or mitigated. There may be circumstances where the nature of the land use is such that odour effects cannot be reduced e.g are already applying the BPO. The need for a general reduction across the region for these matters for all discharges has not been appropriately justified. A reduction requirement is likely to pose potential issues for all new discharges</p> <p>Objective 43 focuses on the appropriate management of contaminated land to protect human health and the environment from adverse effects.</p>
Section 3.9 Soil O43	Support	<p><b>Retain O43 without further modification</b>  <i>Contaminated land is managed to protect human health and the environment</i></p>	
Section 3.10 Land Use O44	Oppose	<p><b>Modify Objective O44 as follows</b>  <i>The adverse effects on soil and water from land use activities are minimised, avoided, remedied, or mitigated</i></p>	<p>Act requires that adverse effects are avoided, remedied or mitigated. There may be circumstances where past land use effects on soil and water cannot be reduced to the smallest possible amount but must be managed, e.g some contaminated land where there may need to be controls on the future use of the land</p>
Section 3.11 Discharges O46	Oppose	<p><b>Modify Objective O46 as follows.</b>  <i>Discharges to land are managed to reduce the adverse effects of runoff or leaching of contaminants to water</i></p>	<p>Objective 46 should focus on the management of adverse effects of discharges to land. In some cases historical contamination of land results in leaching of contaminants to groundwater which cannot be reduced until natural attenuation has occurred. Where there are no adverse effects of allowing natural attenuation, reduction of offsite migration may not be necessary.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 3.11 Discharges O51	Oppose	<p><b>Modify Objective O51 as follows</b>  <i>The discharge of hazardous substances is managed to avoid adverse effects on protect human health, property and the environment</i></p>	<p>Objective 51 needs to be amended to reflect that management cannot always result in complete protection but should have the objective of avoiding adverse effects e.g existing contaminated sites which continue to discharge hazardous substances cannot "protect" the environment.</p>
Section 3.13 Coastal Management O53	Support	<p><b>Retain Objective O53 without further modification</b>  <i>Use and development in the coastal marine area has a functional need or operational requirement to be located there</i></p>	<p>Objectives 53 and 54 are supported as they recognise the functional need and operational requirement for some industries including petroleum energy to be located within the CMA for transport and distribution.</p>
Section 3.13 Coastal Management O54	Support	<p><b>Retain Objective O54 without further modification</b>  <i>Use and development makes efficient use of any occupied space in the coastal marine area</i></p>	<p>As per above</p>

**Chapter 4- Policies**

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.1 Policy 4: Ki uta ki tai and integrated catchment management</p>	<p>Oppose</p>	<p><b>Modify Policy 4 as follows:</b>  <b>Policy P4: Minimising adverse effects</b>  <i>Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall may include:</i>                      (a) <i>consideration of alternative practicable locations and methods for undertaking the activity that would have less adverse effects, and including where relevant, a location outside of the</i>                      (b) <del>locating the activity away from</del> <i>areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and</i>                      (b) <i>timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and</i>                      (c) <i>using good management practices for reducing the adverse effects of the activity, and</i>                      (d) <i>designing the activity so that the scale or footprint of the activity is as small as practicable.</i>                      (e) <i>Adoption of the best practicable option.</i></p>	<p>There is repetition within this policy which can be rationalised. The policy also needs to maintain focus on effects rather than prescribing methods. The Oil Companies recommend that Policy 4 be redrafted to give recognition of best practicable option provisions in the RMA.</p>
<p>Section 4.1 Policy P5: Review of existing consents</p>	<p>Oppose</p>	<p><b>Modify Policy P5 as follows:</b>  <i>The conditions of existing resource consents for discharges of contaminants to fresh or coastal water, and to take and use water, may be reviewed pursuant to section 128 of the Resource Management Act 1991 where evidence can be produced of adverse effects attributable to the exercise of the consent</i></p>	<p>Although the integrated collaborative planning model is commended, the uncertainty placed on existing consent holders is not welcomed. Industries and services make significant investment decisions on the basis of the certainty of access to and use of resources as granted through resource consents. Although it is recognised that section 128 RMA allows for a review of those conditions by Council there is the potential for several plan changes processes to be initiated through Whaitua committee initiatives during</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
			<p>the term of a typical consent term. This will reduce certainty to existing consent holder and affect investment decisions.</p> <p>The Oil companies seek that the frequency and scope of the effect of plan changes on existing consent limits is limited to only address section 128(a)(i) matters i.e. where an adverse effect on the environment can be clearly demonstrated to be the result of the exercise of an individual consent.</p>
<p>Section 4.2 Beneficial use and development Policy 12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</p>	<p>Support</p>	<p><b>Retain Policy 13 without further modification</b> <i>The use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate</i></p>	<p>Retain recognition of the value of regionally significant infrastructure and, in particular the recognition that significant infrastructure has to be upgraded to meet demands and it is appropriate this should be generally enabled.</p>
<p>Section 4.2 Beneficial use and development Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities</p>	<p>Support in part</p>	<p><b>Modify Policy 14 as follows:</b> <i>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects.</i></p>	<p>Reverse sensitivity is not the only concern associated with incompatible development in close proximity to significant infrastructure. Direct effects, such as damage or restriction of access to infrastructure, encroachment of sensitive activities can also compromise the safe operation, maintenance and upgrade of infrastructure and Policy 14 should be amended to acknowledge this. Further, Policy 8 of the Operative Regional Policy Statement for the Wellington Region is not confined to reverse sensitivity, but deals with effects more generally arising from incompatible development. Policy 14, therefore, needs to be amended to appropriately give effect to the RPS.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 4.2 Beneficial use and development Policy P15: Flood protection activities	Support	<p><b>Retain Policy 15 without further modification:</b>  <i>The use, maintenance and ongoing operation of existing catchment based flood and erosion risk management activities which manage the risk of flooding to people, property, infrastructure and communities are beneficial and generally appropriate</i></p>	<p>Retain recognition of the importance of flood and erosion protection structures to regionally significant infrastructure and allow for new erosion and/or flood protection structures or other works when regionally significant infrastructure is at risk.                      As per above</p>
Section 4.2 Beneficial use and development Policy P16: New flood protection and erosion control	Support	<p><b>Retain Policy 16 without further modification</b>  <i>The social, cultural, economic and environmental benefits of new catchment based flood and erosion risk management activities are recognised.</i></p>	As per above
Section 4.4 Natural Form and Function	Support	<p><b>Retain Policy 23 without further modification</b>  <i>The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa will be restored overtime by:</i></p> <ul style="list-style-type: none"> <li>(a) <i>managing activities to reduce sedimentation rates and pollutant inputs, and</i></li> <li>(b) <i>managing erosion-prone land and riparian margins in their catchments, and</i></li> <li>(c) <i>undertaking planting and pest management programmes in harbour and lake habitats and ecosystems</i></li> </ul>	<p>Recognises management for significant values and time required to reduce sediment rates and pollution input.</p>
Section 4.4, 4.4.2 Natural character Policy P24: Natural character	Support	<p><b>Retain Policy 25 without further modification</b>  <i>Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</i></p> <ul style="list-style-type: none"> <li>(a) <i>the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and</i></li> <li>(b) <i>the presence or absence of structures and buildings, and</i></li> </ul>	<p>The Oil Companies support Policy 25 as it recognises functional need or existing use limits on location and development options. It is recommended that the policy be retained without amendment</p>



**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.4, 4.4.4 Natural hazards Policy P27: High hazard areas</p>		<p>(c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and whether it is practicable to protect natural character from inappropriate use and development through:</p> <p>(d) using an alternative location, or form of development that would be more appropriate to that location, and considering the extent to which functional need or existing use limits location and development options</p> <p>(f) <b>Retain Policy 27 but with the following modification</b> Use and development, including hazard mitigation methods, in high hazard areas shall be avoided except where:</p> <p>(a) they have a functional need or operational requirement or there is no practicable alternative to be so located, and</p> <p>(b) the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is <u>low acceptable</u>, and</p> <p>(c) the development does not cause or exacerbate natural hazards in other areas, and</p> <p>(d) interference with natural processes (coastal, fluvial and lacustrine processes) is minimised, and</p> <p>(e) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise, are taken into account.</p>	<p>The Oil Companies support Policies P27 and 28. The policies recognise functional needs or operational requirements and adopts a risk based approach to development and protection of infrastructure which is supported. However the threshold requirement of low risk is not consider appropriate. Any activity that has a functional need to locate in such a high hazard area should only need to demonstrate that the risk posed is acceptable – that may include allowing for certain levels of damage to structures. The alternative could end up requiring substantial over investment in over designing structures.</p>
<p>Section 4.4, 4.4.4 Natural hazards Policy P28: Hazard mitigation measures</p>	Support	<p><b>Modify Policy 28 as follows</b> Hard engineering mitigation and protection methods shall be avoided except where it is necessary to protect existing development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor <u>or it is for regionally significant infrastructure.</u></p>	<p>It is important to recognise that regionally significant infrastructure may need to be protected by hard engineering works and the effects of such works may be more than minor in some circumstances but wider community benefits could be adversely affected if such works did not occur. It is therefore considered appropriate that</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.6.4 Sites with significant historic heritage value Policy P46: Managing adverse effects on sites with significant historic heritage value</p>	<p>Oppose</p>	<p><b>Modify Policy 48 as follows</b>  <i>More than minor adverse effects on the significant historic heritage values identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), Schedule E4 (archaeological sites) and Schedule E5 (freshwater heritage) shall be avoided, remedied or mitigated by managing activities so that:</i></p> <ul style="list-style-type: none"> <li>(a) <i>significant historic heritage values are not lost, damaged or destroyed, and</i></li> <li>(b) <i>effects are of a low magnitude or scale, or effects are reversible, and</i></li> <li>(c) <i>interconnections and linkages between sites are not significantly altered or lost, and</i></li> <li>(d) <i>previous damage to significant historic heritage values is remedied or mitigated where relevant, and</i></li> <li>(e) <i>previous changes that have significant historic heritage value in their own right are respected and retained, and</i></li> <li>(f) <i>adjacent significant historic heritage values are unlikely to be adversely affected, and</i></li> <li>(g) <i>unique or special materials and/or craftsmanship are retained, and</i></li> <li>(h) <i>the activities do not lead to cumulative adverse effects on historic heritage.</i></li> <li>(i) <u><i>there is recognition of the need to maintain, replace or alter existing regionally significant infrastructure affixed to or otherwise dependent on heritage structures</i></u></li> </ul>	<p>regionally significant infrastructure be recognised, otherwise there is a potential conflict with Policy 139.</p>
			<p>The intent of Policy 46 is supported however there needs to be recognition of existing infrastructure affixed to or associated with historical heritage structures such as the wharf line fixed to Point Howard and Seaview Wharf (Map 9 Schedule E2, Point Howard Wharf) and maintenance and inspection requirements on that wharf line. These activities are unlikely to create more than minor adverse effects as allowed for by the policy.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 4.7 Air Quality Policy 58 Industrial discharges	Support	<p><b>Retain Policy 58 without further modification</b>  <i>Industrial point source discharges and fugitive emissions into air will be minimised by using good management practices.</i></p>	<p>The Oil Companies support Policy 58 as the focus is on managing point source and fugitive discharge through <b>good management practices</b></p>
Section 4.7 Air Quality Policy 59 Industrial point source discharges	Support	<p><b>Retain Policy 59 without further modification</b>  <i>The significant adverse effects from industrial point source discharges of hazardous air pollutants beyond the boundary of the property where the discharge is occurring, including any noxious or dangerous effects on human health or the environment, shall be avoided</i></p>	<p>The Oil Companies support management of significant adverse effects beyond site boundaries.</p>
Section 4.8 Discharges to land and Water Policy P67: Minimising effects of discharges	Support	<p><b>Modify Policy 67 as follows</b>  <i>The adverse effects of discharges of contaminants to land and water will be minimised by:</i></p> <ul style="list-style-type: none"> <li>(a) <i>avoiding the production of the contaminant, and/or</i></li> <li>(b) <i>reusing, recovering or recycling the contaminant, and/or</i></li> <li>(c) <i>minimising the volume or amount of the contaminant in the discharge, and/or</i></li> <li>(d) <i>using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge where appropriate, and</i></li> <li>(e) <i>irrespective of actions taken in accordance (a) to (d) above, where a discharge is a point source discharge to a river or stream, the discharge achieves the water quality standards in Policy P71 after reasonable mixing.</i></li> </ul>	<p>The Oil Companies support Policy 67 as it provides a range of options that include treatment of contaminants prior to discharge and receiving environment standards after mixing in river or stream. However the focus in (c) should be on the contaminants not the volume of the discharge per se. For example for the discharge of bund testing waters it would be difficult to reduce the volume of that discharge because certain volumes are required to be used to provide an appropriate bund test, what can be minimised is any entrainment of contaminants. It is therefore considered appropriate that the policy reflect that.</p>
Section 4.8 Discharges to land and Water Policy : Inappropriate discharges to water	Oppose	<p><b>Modify Policy 68 as follows</b>  <i>Discharges to fresh and coastal water of:</i></p> <ul style="list-style-type: none"> <li>(a) <i>untreated wastewater, except as a result of extreme weather-related overflows or wastewater system failures or from recreational boating activities, and</i></li> <li>(b) <i>animal effluent from an animal effluent storage facility or from an area where animals are confined, and</i></li> </ul>	<p>The Oil Companies seek clarification within this policy to ensure it only addresses point source discharges from the operational areas of the site where contaminated discharges may reach water. It should not include discharges from low risk areas of industrial sites such as office blocks or ground soakage in landscape areas. Stormwater</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(c) <i>untreated industrial or trade waste from at risk operational areas of sites, and</i></p> <p>(d) <i>untreated organic waste or leachate from storage of organic material shall be avoided</i></p>	<p>from low risk areas may not be treated prior to discharge when guideline values can be met (e.g MFE 1998: Environmental Guidelines for water discharges from petroleum sites) and receiving water quality standards are able to be met.</p>
<p>Section 4.8 Discharges to land and Water Policy 70 Managing point source discharges for aquatic ecosystem health and mahinga kai</p>	<p>Oppose</p>	<p><b>Modify Policy 70 as follows:</b></p> <p>Where an objective in Table 3.4, Table 3.5, Table 3.6 or Table 3.8 of Objective O25 is not met, point source discharges to water shall be managed in the following way:</p> <p>(a) <i>for an existing activity that contributes to the objective not being met, the discharge is only appropriate if:</i></p> <p>(i) <i>the application for resource consent includes a defined programme of work for upgrading the activity and/or discharge quality, in accordance with good management practice, within the term of the resource consent, and</i></p> <p>(ii) <i>conditions on the resource consent require the reduction of adverse effects of the activity in order to improve water quality in relation to the objective within the term of the consent, and for a new activity, the discharge is only appropriate if the activity would not cause the affected fresh water body or area of coastal water to become any worse in relation to the objective.</i></p> <p>(b) <i>In assessing the appropriateness of a new or existing discharge, the ability to offset residual adverse effects may be considered.</i></p> <p><b>Retain Policy 73 without further modification</b></p> <p>The adverse effects of stormwater discharges shall be minimised, including by:</p> <p>(a) <i>using good management practice, and</i></p> <p>(b) <i>taking a source control and treatment train approach to new activities and land uses, and</i></p> <p>(c) <i>implementing water sensitive urban design in new subdivision and development, and</i></p>	<p>The Oil Companies seek inclusion of improved treatment methods as an option for managing the quality of point source discharges as well as upgrades to the activity itself to reduce contaminants in point source discharges. This will provide recognition that in some cases treatment is the best practicable option.</p>
<p>Section 4.8.3 Stormwater Policy 73 Minimising adverse effects of stormwater discharges</p>	<p>Support in part</p>		<p>The Oil Companies support recognition of good management practices however, request inclusion of guideline documents applicable to the oil industry as per submission on <b>good management practice</b> in definitions section below.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
Section 4.8.3 Stormwater Policy 79: Managing land use impacts on stormwater	Support	<p>(d) progressively improving existing stormwater, wastewater, road and other public infrastructure, including during routine maintenance and upgrade</p> <p><b>Retain Policy 79 without further modification</b> Land use, subdivision and development, including stormwater discharges, shall be managed so that runoff volumes and peak flows:</p> <p>(a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and</p> <p>(b) do not cause new or exacerbate existing risk to human health or safety, or exacerbate the risk of inundation, erosion or damage to property or infrastructure, including by retaining, as far as practicable, pre development hydrographs and overland flow paths in new subdivision and development.</p>	<p>Policy 79 is only supported while there is recognition in section (b) (our emphasis) <b>including by retaining, as far as practicable, pre development hydrographs and overland flow paths in new subdivision and development.</b></p> <p>There may be instances where new developments and the associated increasing impervious surfaces cannot retain predevelopment hydrographs but still represent good management practice e.g the development of contaminated land where retention may be an issue in terms of the underlying contaminants. .</p>
Section 4.8.6 Contaminated land, hazardous substances and landfills Policy 89 Contaminated land, hazardous substances and landfills	Support	<p><b>Retain Policy 89 without further modification</b> The discharge of hazardous substances from contaminated land, including closed landfills, is managed so that the significant adverse effects on fresh water, including groundwater, coastal water, and air is minimised</p>	<p>The Oil Companies support management of contaminated land to avoid <b>significant</b> adverse effects on water and air</p>
Section 4.8.6 Contaminated land, hazardous substances and landfills Policy P90: Discharges of hazardous substances	Oppose	<p><b>Modify Policy 90 as follows</b> The risk associated with the discharge of a hazardous substance to land (including accidental discharges), fresh water, including groundwater, or coastal water from the use, and storage and transport of hazardous substances shall be managed by the use of good management practices.</p>	<p>The Oil Companies supports the general intent of Policy 90, particularly its adherence to good management practice. However, transport of hazardous substances is controlled through the Land Transport Act and HSNO and does not require further regulation in regional plans. Adopting good management practices on all roads to</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
Section 4.8.8 Discharges to land Policy 95: Discharges to land	Oppose	<p><b>Modify Policy 95 as follows</b></p> <p><i>The discharge of contaminants to land shall be managed by:</i></p> <ul style="list-style-type: none"> <li>(a) <i>ensuring the discharge does not result in more than minor adverse effects to soil health, and</i></li> <li>(b) <i>avoiding discharges that would create contaminated land, and</i></li> <li>(c) <i>not exceeding the natural capacity of the soil to treat, use or remove the contaminant, and</i></li> <li>(d) <i>not exceeding the available capacity of the soil to absorb and infiltrate the discharge, and</i></li> <li>(e) <i>minimising effects on public health and amenity, and</i></li> <li>(f) <i>not resulting in a discharge that enters water</i> <p><i>ensuring the discharge does not result in more than minor adverse effects on water.</i></p> </li></ul>	<p>address accidental discharges is likely to involve significant costs which is unlikely to be in proportion to the risks posed by such spills. It is recommended that this policy be amended to focus on the management of risk at locations where they hazardous substances are stored and used and to avoid duplication of controls provided by the Land Transport Act and HSNO</p> <p>The Oil Companies support recognition of no more than minor effect adverse effects on soil health and not exceeding the natural capacity of the soil to treat contaminant, and minimising effects on public health and amenity. However all discharges to land have the capacity to result in a discharge which enters water as contaminants may travel into groundwater. The policy should be amended to reflect management of adverse impacts on water rather than a blanket prohibition on contaminants entering water.</p>
Section 4.8.10 Earthworks and Vegetation Clearance. Policy 97: Managing sediment discharges	Support	<p><b>Retain Policy 97 without further modification</b></p> <p><i>The discharge of sediment to surface water bodies and coastal water from earthworks activities shall be minimised by using a source control approach.</i></p> <p><i>Good management practices shall be used in site management, erosion and sediment control design operation and maintenance in order to minimise the adverse effects of sediment-laden stormwater discharges.</i></p> <p><i>Effects that cannot be minimised may be appropriately offset.</i></p>	<p>The Oil Companies support use of good management practices and source control methods provided addition of good management practice guidelines requested (see definitions section)</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.8.10 Earthworks and Vegetation Clearance. Policy 98 Accelerated soil erosion</p>		<p><b>Retain Policy P98 without further modification</b>                      Earthworks, vegetation clearance and plantation forestry harvesting activities that have the potential to result in significant accelerated soil erosion, or to lead to off-site discharges of silt and sediment to surface water bodies, shall use measures, including good management practice, to:</p> <ul style="list-style-type: none"> <li>(a) minimise the risk of accelerated soil erosion, and</li> <li>(b) control silt and sediment runoff, and</li> <li>(c) ensure the site is stabilised and vegetation cover is restored</li> </ul>	<p>As per above</p>
<p>Section 4.8.12 Activities in beds of lakes and rivers Policy 102: Reclamation or drainage of the beds of lakes and rivers</p>	<p>Support</p>	<p><b>Retain Policy 102 without further modification</b>                      The reclamation or drainage of the beds of lakes and rivers and natural wetlands shall be avoided except where the reclamation or drainage is:</p> <ul style="list-style-type: none"> <li>(a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or</li> <li>(b) associated with a qualifying development within a special housing area, or</li> <li>(c) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or</li> <li>(d) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or</li> <li>(e) associated with the creation of a new river bed and does not involve piping of the river, and</li> <li>(f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or</li> <li>(g) the reclamation or drainage is of an ephemeral flow path.</li> </ul> <p>For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.</p>	<p>It is consistent with section 5 of RMA to support the development, operation, maintenance and upgrade of regionally significant infrastructure and to exclude most piping and covering of streams for crossing from the definition of reclamation in this policy. This will ensure the majority of upgrade and maintenance activities within stream beds are recognised.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.9 Taking, using, damming and diverting water Section 4.9.4 Managing Adverse effects Policy 126: Site dewatering</p>	<p>Oppose</p>	<p><b>Modify Policy 126 as follows</b>  <i>Localised land subsidence or significant adverse effects of dewatering on existing groundwater users or the flows, levels or quality of surface water shall be minimised.</i></p>	<p>Site dewatering by the Oil Companies for service station tank replacement, if required, usually only occurs for less than 5 -10 days. As a result the Oil Companies consider the policy should be directed at significant adverse effects as short term effects will be less than minor and adverse effects of dewatering on existing groundwater users or the flows, levels or quality of surface water can be minimised.</p>
<p>Section 4.9.7 Constructing and managing bores Policy P130: Bores</p>	<p>Support</p>	<p><b>Retain Policy 130 without further modification</b>  <i>Bores, including new bores, shall:</i>                      (a) <i>be sited to ensure adequate separation from existing bores, avoid an over-concentration of bores in a particular area (except where intensive investigation is required on a site for geotechnical, contamination or other investigative purposes), and to minimise adverse effects on the reliability of supply from properly constructed, efficient and fully functioning existing bores, and</i>                      (b) <i>be constructed, and bore logs and other records be prepared, in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and</i>                      (c) <i>be used in a manner that prevents:</i>                      (i) <i>contaminants from entering the bore from the land surface, and</i>                      (ii) <i>the waste of water.</i></p>	<p>The Oil Companies support recognition in the policy of multiple bores constructed over a site for the purpose of geotechnical investigations for monitoring and land contamination investigations.</p>
<p>Section 4.10.1 Primary coastal policies Policy 132: Functional need and efficient use</p>	<p>Support</p>	<p><b>Retain Policy 132 without further modification</b>  <i>Use and development in the coastal marine area shall:</i>                      (a) <i>have a functional need, or</i>                      (b) <i>have an operational requirement to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or</i></p>	<p>The Oil Companies support Policies 132 in that they recognise the function and operational requirements of some industries to locate within or adjacent to the Coastal Marine Area.</p>



Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.10.2 Structures Policy P138: Structures in sites with significant values</p>	<p>Support</p>	<p>(c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area, and in respect of (a), (b) and (c): (d) only use the minimum area necessary, and (e) be made available for public or multiple use where appropriate, and (f) result in the removal of structures once redundant, and (g) concentrate in locations where similar use and development already exists where practicable.</p> <p><b>Retain Policy P138 without further modification</b> New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where: (a) the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or (b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or (c) the structure will provide for navigational safety, or (d) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and in respect of (a) to (d): (e) there are no practicable alternative methods of providing for the activity.</p>	<p>The Oil Companies support Policy 138 in that it recognise the function and operational requirements of regionally significant infrastructure within or adjacent to the Coastal Marine Area.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 4.10.2 Structures Policy P139: Seawalls</p>	<p>Support</p>	<p><b>Retain Policy 139 without further modification</b>  <i>The construction of a new seawall is inappropriate except where the seawall is required to protect:</i>                      (a) <i>existing, or upgrades to, infrastructure, or</i>                      (b) <i>new regionally significant infrastructure,</i>  <i>and in respect of (a) and (b):</i>                      (c) <i>there is no reasonable or practicable alternative means; and</i>                      (d) <i>suitably located, designed and certified by a qualified,</i>                      (e) <i>professional engineer, and</i>  <i>designed to incorporate the use of soft engineering options where appropriate.</i></p>	<p>The Oil Companies seek assurance that existing infrastructure and regionally significant infrastructure at risk of sea level rise and severe weather events such of the Bulk fuel terminals at Seaview can be protected by the construction or extension of seawalls as required.</p>
<p>Section 4.10.2 Structures Policy 145: Reclamation, drainage and destruction</p>	<p>Support</p>	<p><b>Retain Policy P145 without further modification</b>  <i>Reclamation, drainage or destruction in the coastal marine area shall be avoided except where:</i>                      (a) <i>the reclamation, drainage or destruction is associated with the development, operation, maintenance and upgrade of regionally significant infrastructure, and</i>                      (b) <i>there are no other locations outside the coastal marine area for the activity associated with the reclamation, drainage or destruction, and</i>                      (c) <i>there are no practicable alternative methods of providing for the associated activity.</i></p>	<p>The Oil Companies support recognition of the potential need to undertake reclamation, drainage and destruction in order to develop, operate maintain or upgrade regionally significant infrastructure.</p>
<p><b>Chapter 5 - Rules</b></p>			
<p>Section 5.1.4 Large Scale Combustion Activities Rule R12: Emergency power generators – permitted activity</p>	<p>Support</p>	<p><b>Retain Rule 12 without further modification</b>  <i>The discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (a) applies from the combustion of diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:</i>                      (a) <i>the electricity network is disrupted through weather, accidents, or any unforeseen circumstances, or</i></p>	<p>The Oil Companies support recognition the need for emergency generators including generators of up to 2MW during disruption of the electricity network. It is not realistic to seek resource consent during an emergency power situation.</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.1.5 Chemical and metallurgical processes                      Rule 21: Thermal metal spraying – permitted activity</p>	<p>Support</p>	<p>(b) the person operating the equipment is undertaking necessary maintenance or testing of the device, or                      (c) the electricity connection is not available                      is a permitted activity, provided the following conditions are met:                      (d) the discharge into air shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and                      (e) the discharge shall not at any time increase the concentration of PM10 (calculated as a 24-hour mean) by more than 2.5µg/m3 in any part of a polluted air shed</p> <p><b>Retain Rule 21 without further modification</b>                      The discharge of contaminants into air from thermal spraying of metal including the melting of metal or metal alloy is a permitted activity, provided the following conditions are met:                      (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and                      (b) there is no emission of hazardous air pollutants as identified in Schedule L2 (air pollutants) beyond the boundary of the property, and                      (c) the discharge is through control equipment that achieves a particulate emission rate of no more than 30mg/m3 (Standard Temperature and Pressure, dry gas basis and 12% CO2 by volume). The control equipment shall be maintained at all times by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and available to the Wellington Regional Council on request.</p>	<p>The Oil Companies support this rule as it allows for welding and repair of pipelines.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.1.7 Dust generating activities Rule 26: Abrasive blasting outside an enclosed area – permitted activity</p>	<p>Support</p>	<p><b>Retain Rule 26 without further modification</b>  <i>The discharge of contaminants into air from dry or wet abrasive blasting outside an enclosed area is a permitted activity, provided the following conditions are met:</i></p> <ul style="list-style-type: none"> <li>(a) <i>the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and</i></li> <li>(b) <i>the operation of a mobile abrasive blasting unit used at one property is no more than 10 days in any 12 month period, and</i></li> <li>(c) <i>abrasive blasting shall only be undertaken when it is impracticable to remove or dismantle or transport a fixed object or structure to be cleaned in an abrasive blasting booth, and</i></li> <li>(d) <i>if the blasting is dry abrasive blasting, the blasting materials shall only be garnet, sodium bicarbonate, crushed glass, or agricultural materials including crushed corn cobs or walnuts, and</i></li> <li>(e) <i>if the blasting is wet abrasive blasting, the blasting shall only use water, and</i></li> <li>(f) <i>the free silica content of a sample of the blasting material shall not exceed 5% by weight, and</i></li> <li>(g) <i>all work areas and surrounding areas are kept clean and substantially free of accumulations of deposited material and other debris</i></li> </ul>	<p>The Oil Companies support retention of Rule 26 as it allows for cleaning of storage tanks, pipelines and other outdoor infrastructure.</p>
<p>Section 5.1.9 Fuel Storage Rule 32: Petroleum storage or transfer facilities – permitted activity</p>	<p>Oppose</p>	<p><b>Modify Rule 32 as follows:</b>  <i>The discharge of contaminants into air from the storage or transfer of petroleum products including but not limited to, volatile organic compounds, solvent vapours, ventilation of solvents and displacement of solvents is a permitted activity, provided the following conditions are met:</i></p> <ul style="list-style-type: none"> <li>(a) <i>the discharge does not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and</i></li> </ul>	<p>The rule specifies that there shall be no emission of hazardous air pollutants as identified in Schedule L2 beyond the boundary of a property. Schedule L2 includes Benzene, Toluene, Ethyl Benzene and Xylene (BTEX). The Oil Companies submit that every fuel terminal and service station will occasionally have BTEX beyond the site boundary (even driving a vehicle into a service station or any site, will result in BTEX</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		(b) <i>there is no emission of hazardous air pollutants as identified in Schedule L2 (air pollutants) beyond the boundary of the property that does, or is likely to, cause adverse effects on human health, ecosystems or property</i>	beyond the site boundary). Furthermore BTEX is present as ambient background from vehicles on the roading network. And hence it is difficult to determine source of BTEX. If petrol can be smelt, which may be the case during vehicle or tank filling, then BTEX is likely to be present, the key matter is whether the levels are dangerous or represent a health risk. The Oil Companies do not consider it reasonable to seek a zero tolerance of hazardous air pollutants beyond the boundary around storage facilities or the likes of the airport. As a result the Oil Companies seek amendment which introduces an effects threshold test for any "beyond the boundary" discharges. Such an approach is consistent with wording in other Regional Plans.
Section 5.1.10 Mobile sources Rule 33: Mobile source emissions – permitted activity	Support	<b>Retain Rule 33 without further modification</b> <i>The discharge of contaminants into air from a mobile source is a permitted activity</i>	The Oil companies support recognition of mobile discharges, especially in relation to matter raised in relation to rule 32 above.
Section 5.2 Discharges to Water	Support	<b>Retain Rule 42: Minor discharges – permitted activity</b> <i>The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretion, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met:</i> <b>(a)</b> <i>where the discharge may enter groundwater, the discharge is not located within 50m of a bore used for water abstraction for potable supply or stock water, and</i>	The Oil Companies support the rule on the basis that it applies only to contaminated land as currently defined in this plan.

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(b) where the discharge enters a surface water body or coastal water, the concentration of total suspended solids in the discharge shall not exceed:</p> <p>(i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), except when the background total suspended solids concentration in the receiving water is greater than 50g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or</p> <p>(ii) 100g/m<sup>3</sup> where the discharge enters any other water, except when the background total suspended solids concentration in the receiving water is greater than 100g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%, and</p> <p>(c) if the discharge is from dewatering, the discharge is not from contaminated land, and</p> <p>(d) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>(e) the discharge shall not give rise to the following effects after the zone of reasonable mixing:</p> <p>(i) a change in the pH of <math>\pm 0.5</math>pH unit, or</p> <p>(ii) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</p> <p>(iii) any conspicuous change in the colour or visual clarity, or</p> <p>(iv) any emission of objectionable odour, or</p>	

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
Section 5.2.3 Stormwater Rule R48: Stormwater from an individual property	Oppose	<p>(v) the fresh water is unsuitable for consumption by farm animals, or</p> <p>(vi) any significant adverse effects on aquatic life</p> <p><b>Modify Rule 48 as follows</b></p> <p>The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, from an individual property is a permitted activity, provided the following conditions are met:</p> <p>(a) the discharge is not into a site identified in Schedule A (outstanding water bodies), and</p> <p>(b) the discharge is not from, onto or into contaminated land, unless the stormwater does not come in contact with the contaminated land <del>except where stormwater quality from the site has been shown to meet the relevant industry good practice guide--and</del></p> <p>(c) the discharge is not from a local authority stormwater network, a port, airport or state highway, and</p> <p>(d) the discharge shall not contain wastewater, and</p> <p>(e) the concentration of total suspended solids in the discharge shall not exceed:</p> <p>(i) 50g/m3 where the discharge enters a site or habitat identified in Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), except when the background total suspended solids in the receiving water is greater than 50g/m3, in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or</p> <p>(ii) 100g/m3 where the discharge enters any other fresh or coastal water, except when the background total suspended solids in the receiving water is greater than 100g/m3 in which case the decrease in water clarity</p>	<p>Rule 48 and 49 require clarification. Rule 48 addresses operational stormwater from individual properties into land where it may enter a surface water body. Rule 49 addresses stormwater to land where it may enter groundwater. For stormwater to enter surface water from land disposal it must have first entered groundwater, hence the distinction between these two rules is unclear. Further, both rules exclude contaminated land (as per PNRP definition). The Oil companies have submitted on the definition of contaminated land used in the PNRP in the definitions sections below. The oil companies seek amendment of the rules as outlined to allow for discharges from contaminated land where they can be shown to meet industry standards and "good management practices" and the stormwater is not sourced from any contaminated soils or will not mobilise any contaminants in such soils. For example stormwater from a service station will primarily be from impervious surfaces, concrete forecourt, and roofed areas, there is generally no contact with any contaminated soil, if there is any on such a site. It is therefore important to clarify the application and interpretation of this in the rule.</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>after the zone of reasonable mixing shall not exceed 33%, and</p> <p>(f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>(g) the discharge shall not give rise to the following effects beyond the zone of reasonable mixing:</p> <ul style="list-style-type: none"> <li>(i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in the colour or visual clarity, or</li> <li>(iii) any emission of objectionable odour, or</li> <li>(iv) the fresh water is unsuitable for consumption by farm animals, or</li> <li>(v) any significant adverse effects on aquatic life.</li> </ul> <p>Note In respect of stormwater discharges from earthworks activities refer to Rules R99 and R101.</p>	<p>Such a change will provides consistency between management of stormwater (which can contain contaminants) and management of discharges to land from contaminated land (Rule 55) which provides a permitted activity rule subject to discharge quality controls.</p>
5.2.3 Stormwater Rule R49: Stormwater to land	Oppose	<p><b>Modify Rule 49 as follows</b></p> <p>The discharge of stormwater onto or into land, including where contaminants may enter groundwater, from an individual property is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) the discharge is not from, onto or into contaminated land, unless the stormwater does not come into contact with the contaminated land except where stormwater quality from the site has been shown to meet the relevant industry good practice guide, and</li> <li>(b) the discharge shall not cause or exacerbate the flooding of any other property.</li> </ul>	As above.
5.2.4 Contaminated land and hazardous substances Rule R54: Site investigation	Support in part	<p><b>Modify Rule 54 as follows</b></p> <p>The use of land to assess the concentration of hazardous substances that may be present in the soil and any associated discharge into air is a permitted activity, provided the following conditions are met where the scale of the activity necessitates:</p>	Investigation of contaminated land is to be encouraged. However it is not clear if such a rule is required in its present form. It is important to enable investigations to be undertaken if contaminated land is to be



**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(a) <i>the assessment is undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011), and</i></p> <p>(b) <i>the assessment is reported in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011), and</i></p> <p>(c) <i>a copy of the report is provided to the Wellington Regional Council two months after the completion of the assessment</i></p>	<p>identified and managed appropriately. However not all site sampling will or needs to comply with the Guidelines. There are often one off samples taken by operators and through the due diligence process that may not constitute a full investigation as envisaged in terms of the MFE Guidelines. The obtaining of such information should not trigger consent. Where there are more detailed investigations (as required under the NES) then those reports are required to be provided to District Councils in any event. The GWRC should ensure that it has a process in place with its Districts to ensure it is obtaining those relevant reports so it can also keep its register up to date.</p> <p>The rule addresses discharges to air but does not include any reference to any other discharges. Reliance is then placed on the minor discharge rule. A rule that complemented that process would assist. A permitted activity status is appropriate where the scale of the investigation is very restricted or those guidelines are followed.</p> <p>The rule appears to address passive discharges, historic contamination of land and the discharges that may emanate from them. The intent of providing a rule for passive discharges is supported. However, there are a number of concerns with the proposed rule.</p>
<p>5.2.4 Contaminated land and hazardous substances Rule 55: Discharges from contaminated land</p>	<p>Oppose</p>	<p><b>Modify Rule R55 as follows</b>  <i>The discharge of contaminants onto or into land from contaminated land where the discharge may enter water is a permitted activity provided <u>the discharge complies with conditions 1 and 2 below, or otherwise complies with condition 3: the following conditions are met:</u></i>  <del>(a) a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional</del></p>	

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>Council within two years after the date of public notification of the Proposed Natural Resources Plan (31-07-2015), and</p> <p>(b) the site investigation report concludes that:</p> <p>(i) the concentration of contaminants in groundwater meets the Drinking-Water Standards New Zealand 2005 (Revised 2008) for potable water for 90% of species; and</p> <p>(ii) the concentration of contaminants in groundwater, at the property boundary, or at the location of existing bores, or at any point where the groundwater exits to the surface meets the Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of species.</p> <p>(1) There has been a detailed site investigation<sup>1</sup> supplied to Council in accordance with Rule 54 and the detailed site investigation prepared in accordance with (i) above.</p> <p>(a) finds that the discharge of contaminants is highly unlikely to be a risk to human health or the environment at present or in the future; or</p> <p>(b) determines that the concentration of contaminants in groundwater:</p> <p>(i) either 50 metres from the source (i.e. the notional boundary) or at the property boundary ( whichever is the lesser distance); and</p> <p>(ii) anywhere a surface water or bore used for abstraction of water (excluding monitoring bores) intersects or lies within (b)(i).</p> <p>Does not breach the following standard:</p> <ul style="list-style-type: none"> <li>Where the discharge is to groundwater identified on the planning maps as used for drinking water purposes or defined as a sensitive aquifer, either the Drinking Water Standards of New Zealand 2005 (Revised 2008) or, where ambient water</li> </ul>	<p>Firstly condition (a) sets a time limit by which site investigations are to be completed, i.e. prior to 31 July 2017. After that date regardless of whether the discharge will comply with the discharge quality conditions the activity will require a consent. As some contaminated sites are not discovered yet or no change to their land use proposed, (a) is not practical. It is appropriate that the provisions encourage further investigation and not impose an unnecessary high hurdle for subsequent reporting. It will generate unnecessary and inappropriate requirements for consents.</p> <p>Additionally (b)(i) states that drinking water standards apply regardless to groundwater characteristics, uses, sensitivity or capacity, and no point of compliance with the drinking water standard is specified. Importantly, the drinking water standard referenced does not exist ie. Drinking-Water Standards New Zealand 2005 (Revised 2008) for potable water for 90% of species, is a mixture of NZ drinking water standard and the ANZECC guidelines. Similarly (ii) applies ANZECC standards at inappropriate sites e.g. the property boundary and existing bores, whereas they should apply instream only.</p>

<sup>1</sup> Detailed Site Investigation as defined in the NES Contaminated Land.

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p><i>quality is naturally less than this standard it is not being degraded; or</i></p> <ul style="list-style-type: none"> <li><i>Where the discharge is a to groundwater not identified on the planning maps for drinking water or as a sensitive aquifer: the Australia and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC) Guidelines ( 2000) at the level of protection for 80% of species, except for benzene where the level of protection is 90% of species (i.e. 1mg/l).</i></li> <li><i>2. The discharge of contaminants onto or into land from contaminated land that has previously held resource consent for discharges and where the risk has been assessed and found to be within acceptable levels without control mechanisms and that all the consent conditions have been met to the satisfaction of Council.</i></li> </ul>	<p>As a result to Oil Companies seek redrafting of this rule. While it is recognised that the Council intend to focus on those contaminated sites that are likely to have significant adverse effects, the Oil Companies consider that a conservative screening threshold that will promote a risk assessment and establishes a permitted baseline for screening purposes is appropriate. Such a rule proposed by the Oil Companies is set up to primarily have a boundary control (the point at which control will be lost) although it is also proposed that a 50m notional boundary from the source of contaminants which will likely be useful on large lot areas.</p> <p>The rule also sets up a provisions that allows a SQEP to determine whether there are risks to human health or the environment and a report (that will likely be prepared in accordance with NES) can include additional matters to satisfy discharge requirements under the Plan.</p> <p>The Oil Companies have also introduced a permitted activity provision or close out rule for any consents that are issued under the Plan. This is particularly useful to enable consents to be surrendered when they may still be above the specified conservative</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.2.4 Contaminated land and hazardous substances Discharges from contaminated land</p>	<p>Oppose</p>	<p><b>Modify Rule 56 as follows</b> <i>The use the land, and discharge of contaminants onto or into land from contaminated land where the discharge may enter water that is not permitted by Rule R54 or Rule R55 is a <u>restricted discretionary</u> activity</i></p>	<p>screening threshold but pose not risk to the environment or human health.</p> <p>It is considered that full discretionary activity status for such operations is not required. Rather restricted discretionary activity rules, subject to discharge standards after - treatment (if required) and volumes of take is a reasonable approach and consistent with onsite treatment of discharges from contaminated sites.</p> <p>Matters for discretion may include:</p> <ul style="list-style-type: none"> <li>• adequacy of DSI, SMP and/or RAP,</li> <li>• how the activity is to be managed, monitored and reported on,</li> <li>• method to minimise adverse effects;</li> <li>• duration and review of consent conditions</li> </ul>
<p>Section 5.2.4 Contaminated land and hazardous substances Rule 57: Discharge of hazardous substances</p>	<p>Oppose</p>	<p><b>Modify Rule 57 as follows</b> <b>activity</b> <i>The discharge of a hazardous substance into water or onto or into land where it may enter water that is not permitted by Rule R36, Rule R37, Rule R42, Rule R46 and Rule R87 or controlled under Rule R47 and Rule R87 or Rule R88 or discretionary under Rule R38 and Rule R93 is a <u>discretionary non-complying</u> activity.</i></p>	<p>It is considered that full discretionary activity status for such operations is all that is required to manage potential adverse effects. For example it is not considered appropriate that a dewatering discharge for a tank removal (that does not meet R42) where there may be some existing contamination should be considered a non-complying</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
			<p>activity. The Plan should be encouraging the replacement of underground infrastructure to avoid other potential issues. Furthermore the Oil Companies support a single default rule for dewatering takes and discharge.</p>
<p>Section 5.3.2 Discharges to Contaminants Rule 69: Minor contaminants</p>	<p>Oppose</p>	<p><b>Modify Rule 69 as follows</b>  <i>The discharge of contaminants onto or into land that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited under any other rule in this Plan is a permitted activity provided the following conditions are met:</i>                      (a) <i>the contaminant shall not enter water, unless there has been on site treatment to a level which meets limits outlined in Rule 55 and</i>                      (b) <i>the contaminant shall not cause an adverse effect beyond the boundary of the property, and</i>                      (c) <i>the contaminant is not a hazardous substance</i></p>	<p>Distinction needs to be made between contaminants that are discharged to land and treated prior to discharge to water. For example operational waters due to cleaning components of infrastructure e.g. pipes, tanks, may be discharged to land (i.e. within a bunded compound), then be captured and treated and then discharge to stormwater. As a result there are no effects based reason why these discharges should not be permitted.</p> <p>There appears to be a conflict with rule R42 which also deals with discharges to land. While the introduction to the second appears to clarify which rules apply (so that there is no duplication) the application of the relevant rules sets is far from clear.</p> <p>Ensure there is no duplication of the provisions or double jeopardy with more than one rule being required for the same activity.</p> <p>Support recognition of earthworks for construction, repair or maintenance of existing infrastructure as a permitted activity.</p>
<p>Section 5.4 Land Use Section 5.4.4 Earthworks and</p>	<p>Support</p>	<p><b>Retain Rule 99 without further modification</b>  <i>The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks of a contiguous</i></p>	<p>Ensure there is no duplication of the provisions or double jeopardy with more than one rule being required for the same activity.</p> <p>Support recognition of earthworks for construction, repair or maintenance of existing infrastructure as a permitted activity.</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>vegetation clearance Rule R99: Earthworks</p>		<p>area up to 3,000m<sup>2</sup> per property per 12 month period is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and</li> <li>(b) earthworks will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the earthworks occurs, and</li> <li>(c) work areas are stabilised within six months after the completion of the earthworks.</li> <li>(d) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters: <ul style="list-style-type: none"> <li>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in colour or visual clarity, or</li> <li>(iii) any emission of objectionable odour, or</li> <li>(iv) the rendering of fresh water unsuitable for consumption by animals, or</li> <li>(v) any significant adverse effect on aquatic life</li> </ul> </li> </ul>	
<p>Section 5.5 Wetlands and beds of lakes and rivers Section 5.5.5 Activities in beds of lakes and rivers Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates)</p>	Support	<p><b>Retain Rule 112 without further modification</b></p> <p>The maintenance, repair, replacement, upgrade or use of a structure or a part of a structure (excluding the Barrage Gates) that is fixed in, on, under, or over the bed of a river or lake, including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</li> <li>(f) the resulting structure is contained within the form of the existing structure, or</li> </ul>	<p>Support recognition of activities in bed and banks of water bodies for replacement, maintenance, repair and removal of existing infrastructure as a permitted activity</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.5 Wetlands and beds of lakes and rivers Section 5.5.5 Activities in beds of lakes and rivers Rule R114: River crossing structures</p>		<p>(g) the resulting structure, excluding any cable, pipe or duct and including any deposition, adds no more to the existing structure than whichever is the lesser of: (i) 5% of the plan or cross-sectional area of the structure in the river or lake bed, or (ii) 1m in horizontal projection and 1m in vertical projection measured from the structure as it was on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed.</p> <p><b>Retain Rule 114 without further modification</b></p> <p>The placement or use of a river crossing structure, including, but not limited to, weirs, fords and small bridges, excluding culverts and a river crossing that dams a river, that is fixed in, on, under, or over the bed of a river including any associated: (a) disturbance of the river or lake bed, and (b) deposition on the river or lake bed, and (c) diversion of water, and (d) discharge of sediment to water is a permitted activity, provided the following conditions are met: (e) the activity shall comply with the beds of lakes and rivers general conditions specified above in section 5.5.4, and (f) the river crossing that has any part of the structure fixed in or on the bed has a catchment area above the crossing of not more than: (i) 200ha in any catchment in the region on the eastern side of the Ruamāhanga River, or (ii) 50ha in any catchment in the region on the western side of the Ruamāhanga River, and (g) the formed crossing shall be no wider than what is required for the purpose of the crossing and the total area of the structure in or on the bed of the river shall not exceed 20m<sup>2</sup>, and (h) the activity does not occur within a site identified in Schedule C (mana whenua).</p>	<p>Support recognition of activities in bed and banks of water bodies for replacement, maintenance, repair and removal of existing infrastructure as a permitted activity</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p><i>Rule R115: Culverts – permitted activity</i></p> <p>The placement or use of a culvert that is fixed in, or on, the bed of a river including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except condition (f) (not altering the natural course of the river), and</li> <li>(f) the activity does not occur within a site identified in Schedule C (mana whenua), and</li> <li>(g) where multiple culverts are placed side by side, the total cross-sectional area of the multiple culverts shall not be less than that of a single culvert which complies with this rule, and</li> <li>(h) the culvert, associated fill and culvert placement shall comply with the following dimensions: <ul style="list-style-type: none"> <li>(i) a maximum culvert length of 20m, and</li> <li>(ii) for circular culverts a culvert diameter of 0.3m to 1.2m (inclusive), and</li> <li>(iii) for non-circular culverts a width and height of 0.3m to 1.2m each (inclusive), and</li> <li>(iv) a culvert diameter, or width that is at least as wide as the river bed at the point at which the culvert is installed (and which complies with (h)(ii) and (h)(iii) above)</li> <li>(v) a maximum fill height of 2m above the top of the culvert unless a spillway is constructed to enable the passage of a 5% annual exceedance probability (20 year return period) flood event without the fill being overtopped, and</li> </ul> </li> <li>(i) a minimum culvert installation depth below the bed of 20% of the width of the culvert, and</li> </ul>	



Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(j) the culvert shall be positioned so that its alignment and gradient are the same as the river, and</p> <p>(k) the culvert shall be constructed to allow:</p> <p>(i) the flow from a 5% annual exceedance probability (20 year return period) flood event without overtopping, unless the overtopping flows to a specifically designed spillway, and</p> <p>(ii) the flow from a two year return period flood event without any flow impediment, and</p> <p>(l) the culvert inlet and outlet shall be protected against erosion, and</p> <p>(m) all practicable steps shall be taken to minimise the release of sediment during construction, and</p> <p>(n) the culvert shall be constructed and maintained to avoid any aggradation or erosion of the bed, including any erosion at the inlet and outlet of the culvert, and</p> <p>(o) the culvert shall be constructed and maintained to avoid causing any flooding on any neighbouring properties.</p>	
<p>Section 5.5.8 Damming and Diverting Water Rule R130: Diversion of groundwater</p>	<p>Support</p>	<p><b>Retain Rule 130 without further modification</b></p> <p>Diversion of groundwater is a permitted activity, provided the following conditions are met:</p> <p>(a) there shall be no flooding or erosion of any neighbouring property, and</p> <p>(b) there shall be no lowering of water levels in any river, lake, or natural wetland, and</p> <p>(c) there shall be no lowering of groundwater levels on any neighbouring property.</p>	<p>The Oil Companies support recognition of groundwater diversion sometimes required during construction where there are no long term adverse effects on adjoining properties.</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.6 Water Allocation Rule R140 Dewatering</p>	<p>Oppose</p>	<p><b>Modify Rule 140 as follows</b>  <i>The take of water and the associated diversion and discharge of that water for the purpose of dewatering a site, including but not limited to, maintenance, excavation, construction or geotechnical testing, is a permitted activity, provided the following conditions are met:</i></p> <p>(a) <i>the take continues only for the time required to carry out the work but does not exceed one month, and</i></p> <p>(b) <i>the take and diversion and discharge is not from, onto or into contaminated land or potentially-contaminated land, <del>except where the discharge quality from the site has been shown to meet the relevant industry good practice guide.</del></i></p> <p>and(c) <i>the discharge is onto or into land including to any natural or man-made stormwater drainage system, where the discharge has been minimised to the greatest extent practicable, in a manner that does not give rise in the receiving waterbody to any or all of the following:</i></p> <ul style="list-style-type: none"> <li>• <i>the production of any conspicuous oil or grease films, scum, foams, or floatable or suspended material;</i></li> <li>• <i>any conspicuous change in the colour or visual clarity.</i></li> </ul> <p>(d) <i>the take does not cause ground subsidence, and</i></p> <p>(e) <i>the take does not deplete water in a water body beyond the time of the take, and</i></p>	<p>The use of permitted activity for short term construction dewatering activities required by infrastructure companies, including regionally significant infrastructure and oil companies is considered consistent with sustainable management of physical resources.</p> <p>The Oil Companies are concerned that the rule is somewhat confusing in that the note purports to provide for discharges of dewatering water via Rule 42, yet discharge is also provided for in R140. Diversion is also provided for in R130. This needs to be clarified.</p> <p>The Oil Companies are also concerned that the default rule from R42 (discharge) is to a non-complying activity and the take rule is discretionary. Further R42 does not refer to potentially contaminated land. As a consequence the pathway for dewatering is uncertain.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(f) <i>there is no flooding beyond the boundary of the property. Note: Discharges to water, or onto or into land where it may enter water related to dewatering are provided for by Rule R42.</i></p> <p>Introduce a new rule (Rule 140A) as a single restricted discretionary activity default rule for dewatering not meeting the permitted activity conditions.</p>	<p>The Oil Companies would like to see a clear single permitted activity rule and single default rule, to a restricted discretionary activity, for construction dewatering that involves, take, diversion and discharge and makes clear that construction excavations are not bores.</p> <p>The Oil Companies also consider there is no effects based reason to require consent for the take, diversion and discharge of dewatering water if the quality of that water can be shown to meet relevant industry good practice guide. It is considered that the Council should be producing some form of good practice guidance on these matters. Rather than a separate cascade to R42 for the discharge it may be appropriate to incorporate the sediment parameters into this rule or alternatively have a s107 type requirement. Hence amendments to Rule 140 is sought as outlined.</p>
<p>Section 5.6.4 Bore construction or alteration Rule R146: Geotechnical investigation bores</p>	<p>Support in part</p>	<p><b>Retain Rule 146 subject to the following deletion as follows</b> <i>The use of land and the associated diversion and discharge of water or contaminants for the drilling, construction or alteration of a geotechnical investigation bore is a permitted activity, provided the following conditions are met:</i> (a) <i>the bore is not located within a community drinking water supply protection area shown on Map 26, Map 27a, Map 27b, or Map 27c, and</i></p>	<p>Support provision of geotechnical investigation bores on contaminated land as a permitted activity. Not all bores will or should be required to be in accordance with Rule 54. For example a test pit to ascertain groundwater depth (for a tank pull) and where a sample of soil may be taken. As a consequence the note should be deleted.</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
New Rule 147 Well pointing for dewatering/diversion - permitted activity	New Rule	<p>(b) there is compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and</p> <p>(c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and</p> <p>(d) there is no flooding beyond the boundary of the property.</p> <p>Note: For contaminated land site investigation bores Rule R54 also applies</p> <p><b>Add new Rule 146A Well pointing for dewatering/diversion as follows</b></p> <p><u>The temporary use (up to two months) of well pointing for dewatering of tank pits or other underground infrastructure excavations or cavities, associated with the installation, replacement or removal of underground infrastructure, is a permitted activity subject to meeting the following conditions:</u></p> <p><u>The diversion shall not change the water level regime or direction of flow of the aquifer after completion of the works; and</u></p> <p>(e) <u>The discharge shall be either:</u></p> <ol style="list-style-type: none"> <li><u>i. collected for reuse; or</u></li> <li><u>ii. discharged to land so that runoff or the accumulation of contaminants does not occur; or</u></li> <li><u>iii. discharged onto land including to any natural or man-made stormwater drainage system, where the discharge has been minimised to the greatest extent practicable in a manner that does not give rise in the receiving waterbody to any or all of the following:</u> <ul style="list-style-type: none"> <li><u>• the production of any conspicuous oil or grease films; seum, foams, or floatable or suspended material;</u></li> <li><u>• any conspicuous change in the colour or visual clarity;</u></li> </ul> </li> </ol>	<p>The Oil Companies wish to ensure that any excavation they undertake for the replacement or installation of underground petroleum storage systems or drainage infrastructure does not trigger a bore consent. The current definition of bore would appear not to capture such activities as such activities are not for the purpose of investigating, abstracting or discharging, rather those matters are incidental or consequential to the intent, which is to facilitate construction/replacement of infrastructure. However as part of the process of tank replacement it is sometimes necessary to install well points to lower groundwater levels to facilitate the tank installation and these could be considered bores. Other times a submersible pump will be placed in the excavation.</p> <p>There is no rule that provides for the short term use of well pointing during excavation for the purposes of below ground infrastructure construction and maintenance. The PNRP definition of bore appears to</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.6.4 Bore construction or alteration Rule R147: Drilling, construction or alteration of any bore – controlled activity</p>	<p>Oppose</p>	<p><b>Modify Rule 147 as follows</b>  <i>The use of land and the associated diversion and discharge of water or contaminants for drilling, construction or alteration of a bore (other than a geotechnical investigation bore permitted in Rule R146 and/or Well pointing as outlined in Rule 146A) is a controlled activity, provided the following conditions are met:</i>                      (a) <i>the bore is not associated with hydrocarbon exploration or production, and</i>                      (b) <i>the bore is constructed and operated in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</i>                      Matters of control                      1. <i>Compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</i>                      2. <i>Bore location, size (including diameter of the bore casing) and depth</i>                      3. <i>Bore screening depth and type</i>                      4. <i>Backflow prevention methods</i>                      5. <i>Information requirements including bore logs, piezometric levels, groundwater tests, and bore construction details</i>                      6. <i>Management of the effects of any discharge of contaminants</i></p>	<p>potentially capture the use of well pointing as a technique and this is not considered practical due to the short term nature of the activity (usually between 5-10 days) , and low impacts of well pointing and construction methods employed.                      As a consequence a new definition of bore is suggested (see definitions section below) and new permitted activity rule is suggested.                      Modification of existing rule 147 is required in recognition of proposed new rule 146A as outlined above.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
<p>Section 5.7 Coastal Management Section 5.7.3 Maintenance, repair, additions and alterations to existing structures Rule 149: Maintenance or repair of structures</p>	<p>Oppose in part</p>	<p><b>Retain Rule 149 without further modification</b>  <u>The maintenance or repair of a structure and the maintenance repair and replacement of any services attached to a structure in the coastal marine area, including any associated:</u></p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> <li>(b) disturbance of the foreshore or seabed, and</li> <li>(c) deposition in, on or under the foreshore or seabed, and</li> <li>(d) discharge of contaminants, and</li> <li>(e) diversion of open coastal water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(f) the maintenance and repair of the structure or service is contained within the form of the existing structure and there is no increase in length, width, or height of the existing structure (except for increases for the purposes of replacement, removal and alterations of existing services attached to structures)</li> <li>aerial telecommunications cables where these activities will not result in increases in design voltage and the new or altered cables will not be lower in height above the foreshore or seabed, and</li> <li>(g) for structures identified in Schedule E1 (heritage structures) the materials used for maintenance and repair of the structure and/or service shall match the existing structures in form and appearance, and</li> <li>(h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</li> </ul>	<p>This rule requires clarification as it is unclear whether it applies to services attached to structures. Point Howard Wharf is identified in Schedule E1 heritage structure map 8 and Seaview wharf is part of commercial port area map 34. A Wharf line goes under Point Howard wharf to Seaview wharf and services oil terminals in the Seaview area. It is recommended that rule 149 retains permitted activity status for the maintenance, repair, addition, alteration and replacement of the wharfline and other services on such structures.</p>
<p>Section 5.7 Coastal Management Section 5.7.7 Heritage structures Rule 168: Alteration of structures identified in Schedule E2 or</p>	<p>Oppose in part</p>	<p><b>Modify Rule 168 as follows</b>  <u>The alteration of a structure or service attached to a structure identified in Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids) in the coastal marine area, including any associated:</u></p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> </ul>	<p>The Oil Companies support both the alteration and replacement of existing services attached to identified in Schedule E2 and E3 as per the submission point above. If the Oil companies suggested working for Rule 149 is adopted, Rule 168</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
Schedule E3 – permitted activity		<p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the alteration is contained within the form of the existing structure and there is no increase in the length, width, or height of the existing structure, and</p> <p>(f) the altered components should be of original or similar material, texture, form and design as the original it replaces, and</p> <p>(g) the number of components altered should be substantially less than existing number of components, and</p> <p>(h) the alteration does not include the partial or total demolition of any structure, and</p> <p>(i) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p>	<p>may not be required or the rules could be combined.</p>
Section 5.7 Coastal Management Section 5.7.7 Heritage structures Rule R169: Additions or alterations to structures identified in Schedule E1 or Schedule E2 – restricted discretionary activity	Support in part	<p><b>Retain Rule 169 without further modification</b></p> <p>The addition or alteration to a structure identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds) and the associated use of the addition in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the common marine and coastal area, and</p> <p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants</p>	<p>If this rule refers solely to the addition and alteration of the structure itself and services attached to these structures are addressed by way of the above stated modifications to the permitted activity Rules 149 and 168 then Rule 169 can be supported.</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>that is not permitted by Rule R168, is a restricted discretionary activity, provided the following conditions are met:                      (e) the structure is not a seawall, and                      (f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p>Matters for discretion</p> <ol style="list-style-type: none"> <li>1. Use of the structure</li> <li>1. Effects on public access</li> <li>2. Effects on public open space and visual amenity</li> <li>3. Effects of disturbance, deposition and discharge associated with construction</li> <li>4. Effects on the historic heritage values of structures identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds)</li> <li>5. Lighting and noise</li> <li>6. Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas</li> </ol> <p>Note                      Additions or alterations to seawalls are either a controlled activity under Rule R165, a discretionary activity under Rule R166 or a non-complying activity under Rule R167</p>	
<p>Section 5.7 Coastal Management                      Section 5.7.7 Heritage structures Rule R172:                      Removal, demolition or replacement of structures or parts of structures identified in Schedule E1, Schedule</p>	<p>Support in part</p>	<p><b>Retain Rule 172 without further modification</b>                      The removal, demolition or replacement of a structure or part of a structure identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids) and the associated use of a structure in the coastal marine area, including any associated:                      (a) occupation of space in the common marine and coastal area, and</p>	<p>If this rule refers solely to the addition and alteration of the structure itself and services attached to these structures are address by way of the above stated modifications to the permitted activity Rules 149 and 168 then Rule 172 can be supported.</p>



Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
E2 or Schedule E3 – discretionary activity		<p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants</p> <p>that is not permitted by Rule R168 or Rule R170 or controlled under Rule R157 or discretionary restricted under Rule R153 is a discretionary activity.</p>	
Section 5.7 Coastal Management, Section 5.7.10 Occupation Rule R182: Occupation of space by a structure owned by a network utility operator – permitted activity	Support	<p><b>Retain Rule 182 without further modification</b></p> <p>The occupation of space in the common marine and coastal area by a structure existing before the date of public notification of the Proposed Natural Resources Plan (31.07.2015) owned by a network utility operator is a permitted activity.</p>	Rule 182 is supported as it recognises the needs of network utilities.
<b>Definitions</b>			
Definitions	Support in part	<p><b>Retain Definition of Good Management Practice subject to the following amendment as follows:</b></p> <p><b>Good management practice:</b>  <i>Practices, procedures or tools (including rules) that are effective at achieving the desired performance while providing for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Some examples of good management practice guidelines can be found on the Wellington Regional Council's website <a href="http://www.gw.govt.nz/good-management-practice/">http://www.gw.govt.nz/good-management-practice/</a></i></p>	<p>The definition recognises that good management practice can evolve, and there is recognition of existing guidelines. However guidelines particular to the oil industry are not included in the document listed at <a href="http://www.gw.govt.nz/good-management-practice/">http://www.gw.govt.nz/good-management-practice/</a>.</p> <p>The Oil Companies seek inclusion of the following good management practice guidelines within the WRC web site as follows:</p> <p><b>Point source discharges</b>  MFE 1998 Environmental Guidelines for Water  Discharges from</p>

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
			<p>Petroleum Industry Sites in New Zealand Prepared by a Joint Working Group of the Ministry for the Environment, local authorities and petroleum marketing companies</p> <p><b>Hazardous substances/Contaminated Land</b></p> <p>MFE 2011: Contaminated land management guidelines No. 1: Reporting on contaminated sites in New Zealand (revised 2011)</p> <p>MFE 2004; Contaminated land management guidelines No. 5: Site investigation and analysis of soils (revised 2011)</p>
<p><i>Definitions</i></p>	<p>Support</p>	<p><b>Retain Definition of Regionally Significant Infrastructure as follows:</b></p> <p><b>Regionally significant Infrastructure</b></p> <p><i>Regionally significant infrastructure includes:</i></p> <ul style="list-style-type: none"> <li>· pipelines for the distribution or transmission of natural or manufactured gas or petroleum</li> <li>· strategic facilities to the telecommunications network, as defined in section 5 of the Telecommunications Act 2001</li> <li>· strategic facilities to the radio communications network, as defined in section 2(1) of the Radio Communications Act 1989</li> <li>· the national electricity grid</li> <li>· facilities for the generation and transmission of electricity where it is supplied to the electricity distribution network, including the national grid</li> <li>· the local authority water supply network and water treatment plants</li> </ul>	<p>Retain</p>

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<ul style="list-style-type: none"> <li>• the local authority wastewater and stormwater networks, systems and wastewater treatment plants</li> <li>• the Strategic Transport Network</li> <li>• Wellington City bus terminal and Wellington Railway Station terminus</li> <li>• Wellington International Airport</li> <li>• Masterton Hood Aerodrome</li> <li>• Paraparaumu Airport</li> <li>• Commercial Port Area within Wellington Harbour (Port Nicholson) and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines.</li> </ul>	
Definitions	Support in part	<p><b>Retain Definition of Contaminated Land subject to the following amendment as follows:</b></p> <p>Contaminated Land: Land that has a hazardous substance in or on it that – (a) has significant adverse effects on the environment; or (b) is reasonably likely to have significant adverse effects on the environment.</p> <p>For the purposes of this Plan, <u>Note</u>: Contaminated land means that land identified same as Category III – Contamination Confirmed land in the Selected Land Use Register for the Wellington Region</p>	This definition of contaminated land lacks clarity. Following confirmation from GRWC <sup>2</sup> it is understood that the definition of contaminated lands seeks to only include Category III confirmed contaminated sites of which there are approximately 100 in the GRWC area. As such the RMA definition of contaminated land needs further clarification in the PNRP and its relationship to <i>potentially contaminated land</i> in this plan clarified.
Definitions	Support	<p><b>Retain Definition of Bore subject to the following amendment as follows:</b></p> <p><b>Bore</b> A structure or hole (<u>but not including temporary well pointing (up to 2 months) in the ground constructed for the purpose of:</u></p> <ul style="list-style-type: none"> <li>• investigating or monitoring the conditions below the ground surface, or</li> </ul>	As alternate to providing for an explicit rule for well pointing and where it is associated with excavations, of short duration it is considered practical to exclude well pointing from the definition of bore.  Clarify that a construction excavation is not a hole and hence within bore definition if it

<sup>2</sup> Pers comm Paul Denton GRWC 31/8/15

Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan

Reference	Support/ Oppose	Decision Sought	Reasons
		<ul style="list-style-type: none"> <li>• abstracting liquid substances from the ground, or</li> <li>• discharging liquid substances into the ground.</li> </ul>	intercepts groundwater, and that they do not require consent.
Definitions	Support	<p><b>Retain Definition of Dewatering as follows:</b>  <b>Dewatering</b>                      The abstraction of groundwater so as to lower the water table for the period of time required to enable maintenance, excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table.</p>	Retain.
Definitions		<p><b>Retain Definition of Earthworks as follows:</b>  <b>Earthworks</b>                      The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is stabilised. Earthworks includes blading, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking.                      Earthworks do not include:                      (a) cultivation of the soil for the establishment of crops or pasture, and                      (b) the harvesting of crops, and                      (c) thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and                      (d) the construction, repair or maintenance of:                      (i) pipelines, and                      (ii) electricity lines, and                      (iii) telecommunication structures or lines, and                      (iv) radio communication structures, and                      (v) firebreaks or fence lines</p>	Retain definition in its entirety including recognition that earthworks do not include cable and pipe laying and maintenance and the construction, repair or maintenance of: Pipelines, and electricity lines.

**Schedule 1: Specific submissions of the Oil Companies to the Greater Wellington Regional Council Proposed Natural Resources Plan**

Reference	Support/ Oppose	Decision Sought	Reasons
		<p>(e) repair or maintenance of existing roads and tracks, and                      (f) maintenance of orchards and shelterbelts, and                      (g) domestic gardening, and                      (h) repair, sealing or resealing of a road, footpath or driveway.</p>	



Proposed Natural Resources Plan:

Submitter:

**Kaitiaki o Ngahere**

Submitter Number:

**S56**

## Submission on the Proposed Natural Resources Plan for the Wellington Region

### INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:



Send to: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

#### Your details:

Full name: Bradley Myer  
Company name: Kaitiaki o Ngahere  
Address1: PO Box 54

Address2:

Address3:

Address4:

Town: Nelson

Postcode: 7010

Telephone Work:

Telephone Home:

Telephone Cell:

Email address: [brad@kaitiaki restoration.co.nz](mailto:brad@kaitiaki restoration.co.nz)

21636140

#### Trade competition

- I/we could not gain an advantage in trade competition through this submission

I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.  
I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

#### Attendance and wish to be heard at hearing(s)

I/we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal

any decision made by the Wellington Regional Council to the Environment Court.]

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

Date: 21/09/2015

Wellington Regional Council

21 SEP 2015





Proposed Natural Resources Plan:

Submitter:

**Samuel Clark**

Submitter Number:

**S57**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Samuel Robin Thorne Clarke  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 14 Fernlea Avenue, Karori, Wellington

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0278124539

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: clarke.srt@gmail.com

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following decision from WRC (give precise details): →	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: SRTC

Date: 21/9/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

## Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Blended Fuel Solutions NZ Ltd**

Submitter Number:

**S58**





Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Simon Harry ARNOLD  
 Organisation name: Blended Fuel Solutions NZ Ltd  
 (If applicable)  
 Address for Service: Box 16 135 Te Horo 5544

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0272481753

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: simon.arnold@arnold.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R8	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Fails to explicitly include blends (that was intended by Beca 2012). In the interests of removing ambiguity.
	I seek the following	Amend text to " ... from the combustion of diesel or kerosene or blends

	decision from WRC (give precise details): →	outside a polluted airshed is a permitted activity ..."
--	--	---


The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Rule R11	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The use of the term "petroleum distillates" is ambiguous. Beca (2012) intended to capture the heavy fuels with particular discharges to air in this rule, and referred to "Coal, LFO and petroleum distillates of higher viscosity" throughout their report.
	I seek the following decision from WRC (give precise details): →	Replace "petroleum distillates" with "petroleum distillates of higher viscosity" in the rule heading and text.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: 

Date: 21 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

**Rail Heritage Trust of New Zealand**

Submitter Number:

**S59**



# Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz

## Your details

Full name: Michael Mellor

---

Organisation name: (If applicable) Rail Heritage Trust of New Zealand

---

Address for Service: PO Box 593

---

Wellington 6140

---

Telephone no's: Work: 04 498 3089 Home: Cell:

---

Contact person: Michael Mellor/Barry O'Donnell

---

Address and telephone no (if different from above):

---

## Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: railheritage@railheritage.org.nz

---

## Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

## Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule E5	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	We support the inclusion of the Belmont viaduct abutments; Ladle Bend Bridge; Pakuratahi Bridge; Water drop tower as significant heritage features, noting that the bridges and the Rimutaka Rail Trail are included in the Upper Hutt District Plan, and the bridges and the Water drop tower are within the Rimutaka Incline Historic Area listed by Heritage New Zealand, but the descriptions of these three sites need amending, as below.
	I seek the following decision from WRC (give precise details): →	Amending these descriptions as follows: Ladle Bend and Pakuratahi Bridges are described as being on the Rimutaka Incline, but that is not the case: the Incline is on the eastern/southern side of Summit, and these bridges are on the western approach to the Incline rather

		than on the incline itself; The Water drop tower was built as a vertical underground drainage shaft, and has only taken the appearance of a tower because the adjacent embankment has been washed away. Water drop shaft, as used in the description, is a better way to describe it
--	--	---

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Signature:** Michael Mellor

**Date:** 22 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Michael Cohr**

Submitter Number:

**S60**

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Michael Cohr

Organisation name:  
 (if applicable)

Address for Service: 143 paierau road RD1 Masterton

Telephone no's: Work: Home: 063704400 Cell: 0212808519

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: thecohrs@xtra.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	rule 94 I do not agree with this restriction it will have a significant impact on my cropping area.
	I seek the following decision from WRC (give precise details): →	That no restriction is placed on cultivation within a certain distance of a waterway.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Rule 97. livestock exclusion from waterways I do not believe is necessary in drains etc
	I seek the following decision from WRC (give precise details): →	remove the rule or amend to only drains greater than 2 metres wide

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	rule 104. i am concerned that the definition of wetland/waterway is too broad and will reduce the activities without consent
	I seek the following decision from WRC (give precise details): →	Wetland is better defined and excludes designated duckshooting dams

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	105 rule. it appears to restrict the planting around a pond to indigenous wetland species but the ducks etc are not indigenous species so we should not be restricted
	I seek the following decision from WRC (give precise details): →	Duck ponds can be planted with some agreed trees species that foster support good hunting

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

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	Reasons for my submission: →	Drain cleaning restrictions be reviewed as they appear restrictive
	I seek the following decision from WRC (give precise details): →	review with farm working group for a practical outcome

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	wetland area needs to be better defined so that we do not impose restrictions on ponds/dams when they are effectively man made. I would not support restrictions as to activities structures etc
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**David and Pip Blackwood**

Submitter Number:

**S61**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: David & Pip Blackwood Mike & Julia Murray

Organisation name: (If applicable)

Address for Service: Hinewaka 456 Te Wharau Rd Kouratahi 458 Te Waharau Rd  
RD 3, RD 3,  
Masterton. Masterton.

Telephone no's: Work: 06 372 7615 Home: 06 372 7615 Cell:

Contact person: David Blackwood

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: blackwood@wizbiz.net.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

- I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
Schedule C5: Kourarau Steam and Reservoir	Reasons for my submission: →	The Kourarau Dam(reservoir) is owned by Trust House and we, the combined submitters, are the adjacent landowners. The dam has multiple values to the community. It is a man made structure, built in the late 1920s as part of the Kourarau Hydro Electric Power Scheme. It provided the first electricity in the Wairarapa and is still operational today. The dam is a major recreational facility in the Wairarapa with users including fisherman, non-motorised boat use and picnickers. At present there is little public access at the north eastern end of the dam. As landowners we allow controlled public access on our properties. The inclusion of the Reservoir in Schedule 5 restricting stock access will mean fencing as the only practical way to



		implement this. Due to the closeness of farm access roads next to the dam, building and maintaining a fence will be very difficult. The land adjacent to the dam, on the western side, is a farm laneway and, as such, is used mainly for stock transit. Also on the western side there are two houses and a full range of farm buildings close to the dam. Of concern, should the dam be fenced off from stock, would be the uncontrolled rank grass and weeds that would grow and the fire risk this poses, especially with continued public access. As landowners we would have to seriously consider banning public access. Naturally, we are very concerned with maintaining a high standard of water quality in the stream and dam. We would welcome working with local iwi and the Regional Council on a management plan for the stream and will happily fence off remaining sections of the stream that are, at present, not fenced. Including the Reservoir in Schedule C5, severely restricts the multiple amenity values of this Wairarapa asset.,
	I seek the following decision from WRC (give precise details): →	We seek the WRC to amend Schedule C5 " Kourarau Stream & Reservoir" to exclude the Reservoir and to read only the Kourarau Stream.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
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If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Wellington Civic Trust**

Submitter Number:

**S62**



Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council

23 SEP 2015

Your details

Full name:

Organisation name:  
(If applicable)

WELLINGTON CIVIC TRUST

Address for Service:

PO Box 10183, Wellington 6143

Telephone no's:

Work:

Home:

Cell:

021 665 155

Contact person:

Sylvia Allan

Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address:

sylvia.allan@ihug.co.nz

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

The Wellington Civic Trust (the Trust) appreciates the opportunity to make a formal submission on the Proposed Natural Resources Plan (NRP) for the Wellington Region. The Trust acknowledges that some of its comments on the draft have been addressed. However some remain and are outlined below.

The Wellington Civic Trust was founded in 1981 and has among its objectives:

- To promote a civic environment whereby the City of Wellington, its surroundings, and its adjacent countryside becomes a resource for the use, benefit and enjoyment of all Wellington citizens;
- To stimulate public interest in and care for the beauty, history and character of the City of Wellington and its surroundings and adjacent countryside and coastline and its dignity as the Capital City;

- To create or improve features of beauty or interest in and about the City and its contiguous countryside and coastline.

While the Trust has a wider interest in the region and its sustainable management, its key focus is the Wellington City urban area and nearby surroundings, including the coast and coastal marine area (CMA). The Trust supports a compact city with effective public transport which contains and, as far as is practicable, minimises adverse effects on the wider natural environment.

These submissions are made on the basis of that focus.

The Trust notes the important role of the Whaitua committees in the Management of water resources in the region. The Trust has a particular interest in the Wellington Harbour and Hutt Valley Whaitua and seeks that sufficient resources are made available for it to urgently advance its important work of ensuring water quality is generally improved in accordance with the National Policy Statement for Freshwater Management, given that Wellington City and the Hutt Valley contain the region's largest and most intensely developed urban areas. We look forward to seeking these national policies implemented more effectively both within and beyond the confines of this Plan.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 2 – Definition of Lambton Harbour  Map 32	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This definition, in association with Map 32, effectively extends the Lambton Harbour area to include wharfs and CMA to the north. This has consequences in terms of planning for this area.
	I seek the following decision from WRC (give precise details): →	The Civic Trust supports the extension as provided for in the definition and map in general terms subject to the careful management of development in the area.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 2 – Definition of "Whaitua"	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The reference to "designated area" in this definition is confusing as "designated area" has a specific meaning in the RMA. This point was made in the Trust's submission on the draft Plan and it is disappointing that we have to make it again.
	I seek the following decision from WRC (give precise details): →	Replace "designated area" with "specified area" or "defined area".

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Objectives O10, O19, O23, O34, O53 to O56	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	These objectives are particularly supported.
	I seek the following decision from WRC (give precise details): →	Retain the specified objectives with their current wording.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Objective O57	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>This objective is the only one that specifically applies to the Lambton Harbour area (as extended through the Plan definition and maps). The only guidance for development in this area is that it is “compatible” within its surroundings and the Central Area of Wellington City.</p> <p>The concept of “compatibility” is generally endorsed in this context, but given the more detailed policy (subject of a later submission), the sensitive nature of the location (including the extension into the Lambton Harbour North area), and the lack of clarity in the Plan on how the objectives relate to each other, it is possible that Objective O57 could result in very intensive development. The Trust seeks that Objective O57 incorporates reference to O55 and O56.</p>
	I seek the following decision from WRC (give precise details): →	Reword Objective O57 by adding at the end of the objective “..... and has particular regard to Objective O55 and O56”.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Policies P46, P47	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The Trust is supportive of this approach to historic heritage values, and the conjunctive nature of the limitations on demolition in this policy. The Trust however notes that some items currently protected in the Regional Coastal Plan no longer have protection and opposes this reduction in protection.
	I seek the following decision from WRC (give precise details): →	Retain the policies unchanged (and expand Schedules E1/E2 as requested in a later submission).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Policies P55, P58, P59, P60	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The Trust is generally supportive of the approach in these policies, which are in addition to the general ambient health and safety policy in P52. However, it considers that the amenity policy, P55, is not sufficiently embedded in relation to particular risk areas covered by P59 and P60. The city's urban areas, particularly Wellington's Central Area receives discharges from industrial activities and fumigant use which reduces its amenity in certain places at certain times.
	I seek the following decision from WRC (give precise details): →	<p>In Policy P59, add mention of amenity as follows “.... including <u>adverse effects on amenity, and</u> any noxious or dangerous effects ....”.</p> <p>In Policy P60, add mention of amenity as follows “property, <u>amenity</u>, and the environment ....”.</p>



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Policies P73 to P79	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The Trust recognises that a comprehensive approach to stormwater management is needed and that monitoring and education are essential components.
	I seek the following decision from WRC (give precise details): →	Retain policies unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Policy P142	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This is a detailed and comprehensive policy which the Trust can generally support. However, there appears to be a policy gap in relation to the recognition of the Wellington Waterfront Framework 2001 in this Plan. This has been reconfirmed in recent years by WCC and remains a core document for the harbour area south of Bunny St as Wellington's acknowledged "jewel in the crown". The harbour area north of Bunny St may have different characteristics but have strong visual and functional relationships between each other and across land and sea, and any GWRC / WCC divide as to planning intent and urban design principles risks undermining the optimum development of both areas. Omitting clear reference to the Waterfront Framework risks further concern from citizens who, reasonably enough, see their harbour in a holistic "character of the city" sense rather than in a technical / administrative sense split between two different councils. While there is a reference to design guides in Policy 142(j) and there is a design guide in Wellington City District Plan for the Lambton Harbour North area, there is no design guide for the remainder of the Lambton Harbour area. Rather, there is reference to (but not incorporation of) the Framework in the District Plan. It is unlikely that that document would be regarded as "contained within" the District Plan.
	I seek the following decision from WRC (give precise details): →	Include specific mention of the Wellington Waterfront Framework 2001 in Policy P142(j).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Schedule E1 and E2 – Historic Heritage Structures and Historic Heritage Wharves and Boatsheds	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>The schedules have retained some of the items in the Regional Coastal Plan, but not all. The Section 32 analysis relating to the items in the Regional Coastal Plan, including mapped items in Lambton Harbour, is critical of the information on which they were identified.</p> <p>However, it needs to be acknowledged that most, if not all, of the items in the present coastal plan have been through two statutory planning processes already over time and therefore</p>


		<p>have their own integrity and recognition which may not be acknowledged by people in the category of "conservation architect, historian and archaeologist" who have lately been brought in to advise GW and who comprise one opinion only. Missing from the list is Harbour Board Gates 1899 on Queens Wharf (which may have been shifted), and part of the Westport Chambers facade (Circa Theatre – which is no longer listed on the District Plan).</p> <p>Wharves and wharf edges and reclamation edges which are still in place are however missing. Parts of these areas are picked up by the comprehensive listing of Queens Wharf, Ferry Wharf, Railway Wharf, Taranaki Street Wharf and Waterloo Quay Wharf. However, the wharf and reclamation edge protection, which reflects the harbour edge at the time the Lambton Harbour waterfront was handed over to the city for public use, it is not included.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>The Civic Trust seeks that the parts of the wharf edges and reclamation edges which are currently protected under the Regional Coastal Plan are also recognised and incorporated as part of the sites of historic heritage values in the Proposed Plan.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p>Schedules F1 and F4 – Kaiwharawhara Stream</p>	<p>My submission on this provision is: →</p>	<p><input checked="" type="checkbox"/> I <b>support</b> the provision  <input type="checkbox"/> I <b>oppose</b> the provision  <input type="checkbox"/> I wish to have the specific provision <b>amended</b></p>
	<p>Reasons for my submission: →</p>	<p>The Trust supports the inclusion of the Kaiwharawhara Stream and estuary within these schedules. The Trust has a particular interest in the northern gateway approach to Wellington City, of which the Kaiwharawhara reclamation area and Kaiwharawhara Stream is a part. The Trust considers that this area should be the subject of a joint planning exercise for its future between the City and Regional Councils, to ensure its long-term sustainable management. It is disappointing that such a joint planning exercise has not been undertaken prior to the development of this Plan - especially given the continuing and close working relationships that GWRC has with the transport entities (CentrePort, KiwiRail and NZTA) operating in this area. Someone has to take leadership in this, and GWRC with its harbour and land transport accountabilities, is well positioned to do so on the basis of clear and strong commitments to integrate its planning regimes.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain the listing as recognition of this important area.</p>

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:  Date: 22/09/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

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Proposed Natural Resources Plan:

Submitter:

**Warwick Wyatt**

Submitter Number:

**S63**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
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To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
**23 SEP 2015**

**Your details**

Full name: WARWICK STANLEY WYATT

Organisation name: \_\_\_\_\_  
 (if applicable)

Address for Service: 21 MARRAM WAY  
PEKA PEKA  
MARAKANAR

Telephone no's: Work: \_\_\_\_\_ Home: 04 2937563 Cell: 0274336001

Contact person: WARWICK WYATT

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: warwick@thewyattfamily.net

**Trade competition**

- I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]
- I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:
- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	See Attachment
	I seek the following decision from WRC (give precise details): →	See Attachment

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	See Attachment
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	Reasons for my submission: →	See Attachment
	I seek the following decision from WRC (give precise details): →	See Attachment

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	Reasons for my submission: →	See Attachment
	I seek the following decision from WRC (give precise details): →	See Attachment

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#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: 23-09-2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



## **Attachment**

### **The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to**

The whole PNRP.

### **Submission on the provisions**

Oppose and seek amendment.

### **Reasons for the submission**

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.

This applies both in the coastal marine area and in other areas, including beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.

The reasons in the submission of Coastal Ratepayers United Inc are supported and adopted.

### **Decision sought:**

Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas

(including beds of rivers and streams), including especially for areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.

Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc are supported and adopted in this submission.



Proposed Natural Resources Plan:

Submitter:

**Richard McIntosh**

Submitter Number:

**S64**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
 23 SEP 2015

**Your details**

Full name: Richard McIntosh  
 Organisation name: (If applicable)  
 Address for Service: 41 Holloway Rd, Aro Valley, Wellington

Telephone no's: Work: Home: 04 3849821 Cell: 022 0289009

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: wairoastream@yahoo.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following decision from WRC (give precise details): →	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to:  (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Richard McIntosh

Date: 23/9/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Mike Weir**

Submitter Number:

**S65**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
 23 SEP 2015

Your details

Full name: Mike Weir  
 Organisation name: (If applicable) 21 Olliver Grove, Waikanae 5036  
 Address for Service:

Telephone no's: Work: Home: 049048078 Cell:

Contact person:

Address and telephone no (if different from above):

Electronic communication

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Email address: m.v.weir@paradise.net.nz

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

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Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I consider the Plan in relation to the coastal hazard issue is seriously defective in terms of not being in accord with the provisions of the Resource Mangement Act and the NZ Coastal Policy Statement 2010
	I seek the following decision from WRC (give precise details): →	See attachment

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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**Attendance and wish to be heard at hearing(s)**

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	See attachment
	I seek the following decision from WRC (give precise details): →	See attachment

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



## **Attachment**

### **The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to**

The whole PNRP.

### **Submission on the provisions**

Oppose and seek amendment.

### **Reasons for the submission**

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.

We consider the Plan in relation to the whole coastal hazard issue is seriously defective in terms of compliance with the Resource Management Act and the NZ Coastal Policy Statement 2010.

This applies both in the coastal marine area and in other areas, including beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.

The reasons in the submission of Coastal Ratepayers United Inc are supported and adopted.

**Decision sought:**



Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas (including beds of rivers and streams), including especially for areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.

Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc are supported and adopted in this submission.

Mike and Veronica Weir  
21 Olliver Grove  
Waikanae 5036

23 September 2015

Proposed Natural Resources Plan:

Submitter:

**GBC Winstone**

Submitter Number:

**S66**

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

**Your details**

Full name: GBC Winstone (Attn: Ian Wallace)

Organisation name: P O Box 17 195, Greenlane, Auckland 1546  
(If applicable)

Address for Service: 26 Patrick Street, Petone, Lower Hutt 5012, c/o Allan Planning and Research Ltd

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 021 665 155

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: \_\_\_\_\_

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
If you **could** gain an advantage please complete one of the following:

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I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

In late 2014, Golden Bay Cement and Winstone Aggregates integrated to become GBC Winstone, New Zealand's largest supplier of cement and aggregates. GBC Winstone remains a business unit of Fletcher Concrete and Infrastructure Limited. The merger of GBC Winstone brings together New Zealand's largest cement manufacturer with New Zealand's largest manufacturer and distributor of aggregates and sand to roading, ready mixed concrete, concrete product manufacturers and to building, construction and civil engineering customers. It also runs cleanfill operations.

Within the Wellington Region, GBC Winstone has operations at Belmont, Dry Creek (Haywards), Otaki, Petone, Waikanae and Wainuiomata, as well as a significant bulk cement storage and distribution centre at Aotea Quay, Wellington Port.

Such activities provide essential supplies and services for the economic growth and wellbeing of the Region's communities.

The point-by-point submissions below largely seek to address the complete policy gap in the documentation relating to aggregate supplies and the activity of cleanfilling, both of which will require numerous regional consents (reconsenting and additional consents) for existing and future activities to meet the region's needs. For a range of reasons, many of these activities appear to have become non-complying activities in the Proposed Natural Resources Plan (the Proposed Plan). In the absence of policy recognition of the fundamental importance of such activities to communities for their social and economic wellbeing, it will be difficult for providers to meet the region's needs for such resources at reasonable cost, with flow-on effects into the sustainable management of the Region's physical resources.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 2.2 – Definitions Definition of "Cleanfill material"	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The definition is too limiting in that: a) it does not allow for small components of organic material that may be found in soils or clay and which cannot be separated out b) it does not provide for wet materials that are excavated by means of wet excavation (hydro materials) and therefore contain waste liquids.
	I seek the following decision from WRC (give precise details): →	Modify the definition so that it: a) provides for a small proportion of organic material (say 2% by truckload) in soils and clays and material that is otherwise cleanfill b) clearly excludes wet wastes such as hydro excavated material from item (e) in the definition.

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 2.2 – Definitions Definition of "Bore"	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The definition has corrected the anomaly in the operative plan in that the definition of bore no longer captures quarrying activities.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 2.2 – Definitions Definition of "Natural process"	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This inclusion of "ecological" relationships is confusing and inappropriate in this definition, particularly given how the term is used in policy elsewhere in the Proposed Plan. This could become the basis for protection of vegetation inadvertently.
	I seek the following decision from WRC (give precise details): →	Reword to read "Dynamic natural <u>and</u> physical and ecological relationships; actions and events that are characteristically natural .... that <del>act to</del> shape ...."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 2.2 – Definitions Definition of "Regionally significant infrastructure"	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	There are a number of policy areas in the Proposed Plan which would assist with the establishment, operation, maintenance and replacement of the items listed. Quarry activities, particularly hard rock quarries, will face extreme policy difficulties unless specific policy recognition is provided for them. A modification to the definition is one way of achieving the policy recognition which is the basis for GBC Winstone's submission. The comment equally applies to the region's major landfills and cleanfill facilities.
	I seek the following decision from WRC (give precise details): →	<ul style="list-style-type: none"> <li>• Add either a generic bullet-point which refers to quarries which serve regional or sub-regional areas, or specifically list the hard rock quarries which serve the region's main urban areas.</li> <li>• Add either a generic bullet-point which refers to landfills and cleanfills which serve regional or sub-regional areas, or specifically list these facilities.</li> </ul>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 2.2 – Definitions Definition of "Whaitua"	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The definition includes mention of "designated area". This term has a specific meaning under the RMA and the definition is therefore confusing.
	I seek the following decision from WRC (give precise details): →	Replace the term "designated area" with "specified".

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Objectives under Section 3.2</b> <b>Beneficial use and development</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	There is no objective which recognises or supports the development or provision of aggregate supplies or other key infrastructure which are social and economic necessities in the modern world (including cleanfills and sanitary landfills). Such provision is made at regional or sub-regional level and should be enabled for through an objective. The importance of these facilities is at least equivalent to some types of renewable energy generation facilities and some of the other items covered in regionally significant infrastructure within the region.
	I seek the following decision from WRC (give precise details): →	Either add a new objective which relates to RPS Objective 31, or add "major quarry and cleanfill sites" to the definition of regionally significant infrastructure, or develop an alternative means of recognising and providing for such facilities under this heading in a similar way to the provision made in Objectives O12 and O13.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Section 4.2 Policy P4</b> <b>Minimising adverse effects</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The term minimise is used extensively in the Proposed Plan. It is inconsistent with Section 5 RMA which requires activities to "avoid, remedy or mitigate". Item (a) and (c) in this policy are particularly opposed. Item (a) far exceeds the RMA's requirement to consider alternative locations or methods; item (e) may have unforeseen consequences by concentrating adverse effects; and the construction of the policy requires that <b>all</b> items, plus more, be considered.
	I seek the following decision from WRC (give precise details): →	Should the term remain in the Proposed Plan, remove items (a) and (e) and change all "ands" to "ors". To assist the interpretation of this policy, a definition of "Practicable" should be added, in Section 2 of the Proposed Plan.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Section 4.2</b> <b>Policy P7</b> <b>Beneficial use and development</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Item (g) is generally supported because it provides for part of the Region's aggregate needs. However, the use of land for other aggregate supplies (including hard rock quarrying and land-based gravel extraction) should be recognised, as should the use of land for cleanfills and landfills. At present the Proposed Plan does not give effect to the RPS in this respect. Similarly the RPS recognises the need to protect such resources for the future, so reverse sensitivity is a key consideration.
	I seek the following decision from WRC (give precise details): →	Retain item (g) but add a reference to sand and other materials. Provide new items to address the matters referred to above. Alternatively such provision could be made within the suite of policy provisions in Policy P12 to P14.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policies P44 and P45</b> <b>Sites with significant mana whenua values</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>These policies set out the basis for management of such places. Winstone Aggregates currently operates sand extraction activities which assist with flood management in one area identified in Schedule C4. These policies set a very high bar for the continuation of the existing activity.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Include policy recognition of established activities and any wider beneficial components of such activities.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P102</b> <b>Reclamation or drainage of the beds of lakes and rivers</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>This policy does not allow for the operation, development or management of large quarry activities or cleanfills where reclamation of tributaries may be necessary as a means of operating or managing the activity in a way that minimises the effects of the activity. The policy sets an unreasonably high bar for some activities that are necessary for the social and economic wellbeing of the community.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Add reference to quarry activities and major cleanfills in item (d) either by modifying the definition of "regionally significant infrastructure" or by specific mention, and delete items (f) and (g).</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Policy P103 Management of gravel extraction</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This policy is generally supported. However, the use of various terms can lead to confusion. The changes requested are intended to clarify this policy.
	I seek the following decision from WRC (give precise details): →	<ul style="list-style-type: none"> <li>• Add "materials" after "gravel, sand or rock" in the introduction to the policy.</li> <li>• In (b) replace "sediment and gravel" with "material".</li> <li>• Reword (c) to state: "The rate of gravel extraction does not exceed the natural rate of gravel deposition, unless this is required to manage aggradation".</li> </ul>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>All policies that refer to Schedule F</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The policies refer specifically to Schedule F, indicating specific lists of items. Schedule F however has a paragraph at the start that suggests (and in practice may provide) that any other place that meets the RPS criteria referred to may be included in Schedule F. This preamble is unnecessary and confusing in interpreting the various policies and adds uncertainty to the Plan.
	I seek the following decision from WRC (give precise details): →	Delete the first paragraph in Schedule F (see also later submission on this point).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Interpretation sections Rules 5.1 to 5.7</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	It is not clear that the rules marked coastal also apply in other parts of the region beyond the coastal marine areas in 5.1 to 5.6. This is in contrast to Section 2.1 where it is clear what the intention is. It is unlikely that people would always look at Section 2.1  In 5.7, Coastal Management, it is not stated whether these rules apply in the CMA or the coastal environment. It does appear that the rules apply only in the coastal marine areas, although some of the conditions apply beyond this area. It would be much more efficient for this to be made clear at the start of the section then to be stated in every rule.
	I seek the following decision from WRC (give precise details): →	Modify all Interpretation sections in Rules 5.1 to 5.6 to incorporate a similar provision as in the last sentence in the second paragraph in Section 2.1.  Clarify the extent of application of the rules in 5.7, Coastal Management.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rules R27 and R28 Air quality rules	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The rules provide for activities that are undertaken by the submitter and the permitted activity status is supported.
	I seek the following decision from WRC (give precise details): →	Retain these rules unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R41 Air discharge default rule	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The default status of fully discretionary activities which do not meet standards or are not provided for in rules, is supported.
	I seek the following decision from WRC (give precise details): →	Retain the rule unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R53 Stormwater discharge default rule	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The default status of fully discretionary for activities which do not meet standards or are not provided for in rules, is supported.
	I seek the following decision from WRC (give precise details): →	Retain the rule unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R67 Discharges inside sites of significance	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This rule needs to include a note to the effect that discharges associated with dredging for flood protection or erosion mitigation is provided for under Rules R200 and R201, otherwise this may be regarded as the more specific rule.
	I seek the following decision from WRC (give precise details): →	Add a note following Rule R67 to the effect set out above.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R93 Discharges to land default rule	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The default status of fully discretionary for activities which do not meet standards or are not provided for in rules, is supported.
	I seek the following decision from WRC (give precise details): →	Retain the rule unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R101 Default rule for earthworks and vegetation clearance	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	While GBC Winstone generally supports the discretionary default activity, the vegetation clearance rule requires a reference to erosion prone land in order to make sense of it. The parent rule, Rule 100, applies only in such circumstances, so the default rule should do the same.
	I seek the following decision from WRC (give precise details): →	Add reference to vegetation clearance on erosion prone land, rather than a general provision in this rule.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R122 Vegetation removal in rivers and lakes	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This activity allows for minor vegetation clearance and management in rivers and tributaries.
	I seek the following decision from WRC (give precise details): →	Retain the rule unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R127 Reclamation of beds of rivers	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This non-complying status of this activity, in the absence of any policy which would support quarry, cleanfill and landfill activities, will mean that consents, even high in catchment and modified areas would be very difficult (if not technically impossible) to achieve.
	I seek the following decision from WRC (give precise details): →	Delete (a) from Rule R127. This would allow for steam piping activities to be considered as discretionary activities under Rules R129 and R135 (accepting that diversion would be involved).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R195 Disturbance or damage inside sites of significance	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The explanation needs to include a note to the effect that dredging for flood protection or erosion mitigation and associated disturbance and damage is covered in Rules R200 and R201.
	I seek the following decision from WRC (give precise details): →	Add a note following Rule R195 to the effect set out above.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  New rule sought	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	At present it appears that riverbed gravel extraction for flood protection purposes would be a discretionary activity under Rule R129. However, the ancillary discharges may make the activity non-complying in many areas where such activities are undertaken under Rule R67. A new rule applying in the region's riverbeds which is similar to Rule R201 in intent (and which includes ancillary activities such as takes and discharges) should be included in Section 5.5.
	I seek the following decision from WRC (give precise details): →	Add a new rule in Section 5.5 with the above purposes.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Schedule F Ecosystems and habitats with significant indigenous biodiversity values	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The first paragraph refers to RPS Policy 23, leaving open the interpretation that this is not a fully inclusive listing and that provisions which refer to this schedule could also be applied to items which are not listed on this schedule. I.e. any item which meets RPS Policy 23 would be incorporated under Schedule F whether it is listed or not.
	I seek the following decision from WRC (give precise details): →	Delete the first paragraph under the heading of Schedule F.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Schedule G Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	There is a fundamental problem in item 3 under this heading where mitigation or offset is required to "demonstrate that positive effects on biodiversity are additional to what would have occurred without [the action]". A similar situation exists in relation to item 4. Item 6 requires "no net loss" in an offset, which is not appropriate in all circumstances, and "preferably a net gain". These go well beyond the RMA and are therefore ultra vires the RMA, which is not a "no adverse effects" statute.
	I seek the following decision from WRC (give precise details): →	Delete items 3, 4(a) and 6 in Schedule G.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  General submission – Alternative relief	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The submission form has been designed in a way that is inflexible.
	I seek the following decision from WRC (give precise details): →	In relation to the above submissions, GBC Winstone recognises that there may be alternative relief and in appropriate circumstances seeks suitable alternative relief.

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

22/09/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

**Bevan Marten**

Submitter Number:

**S67**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

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Address and telephone no (if different from above): \_\_\_\_\_

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: Bevan.Marten@vuw.ac.nz

### Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.8.5 (P87)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	GWRC GMPs on sewage from vessels should reflect the widely-accepted international standard represented by MARPOL Annex IV. This Annex has been in force since 2003 and has been ratified by 135 states representing 91% of world shipping tonnage. New Zealand is not a party to this Annex, but aspects of the RMA Marine Pollution Regs reflect it.
	I seek the following decision from WRC (give precise details): →	Vessels targeted: P87(a) should be updated to target vessels of 400 gross tonnage and over, as well as any vessel certified to carry more than 15 persons (MARPOL, Annex IV, reg 2.1).

		Relevant distance: clause P87(A) should also be updated to reflect MARPOL Annex IV, reg 11. This could be done by recommending that untreated sewage is discharged outside the coastal marine area (ie more than 12 nautical miles from the nearest land), and treated sewage is discharged outside the harbour and pilotage limit.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.8.5 (P86)	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	GWRC should work towards the provision of adequate waste reception facilities at all ports and marinas in our region.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: B J MARTEN

Date: 24 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]



## Publication of details

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Sophie Mormede**

Submitter Number:

**S68**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

Full name: Sophie Mormede

Organisation name:  
 (If applicable) \_\_\_\_\_

Address for Service: 188B Oriental Parade, Wellington

Telephone no's: Work: 04 386 0513 Home: \_\_\_\_\_ Cell: 02102675254

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: sophie.mormede@gmail.com

### Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): schedule F2c (birds coastal)	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I <b>wish to have the specific provision amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	Add the entire south coast as critical for little blue penguins nesting, and add the dotterel colony. At the moment these areas are not represented.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): schedule F5	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	missing Moa Point
	I seek the following decision from WRC (give precise details): →	add Moa point for area of importance with regards to giant kelp forest

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): method M22	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	need to include community groups as well as mana whenua and agencies
	I seek the following decision from WRC (give precise details): →	engage with mana whenua, agencies, AND community groups that have governance responsibilities and INTEREST in the coastal marine area".

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): rule 127	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	applaud the decision to make piping of streams non compliant. Please conserve
	I seek the following decision from WRC (give precise details): →	

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[Note: This means that you wish to speak in support of your submission at the hearing(s).]
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[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Sophie Mormede

Date: 24/9/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): policy P7	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	aquaculture is not only beneficial and its economic value must be balanced against the environmental impacts
	I seek the following decision from WRC (give precise details): →	amend accordingly

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): policy P7	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	policy P7 goes against policy P67.
	I seek the following decision from WRC (give precise details): →	A water body should not be seen as a cleaning, dilution or disposal means of wastewater

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy P3	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	needs clarified
	I seek the following decision from WRC (give precise details): →	The precautionary approach should be clarified in favour of the environment

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	





Proposed Natural Resources Plan:

Submitter:

**Friends of Taputeranga Marine Reserve  
Trust**

Submitter Number:

**S69**



24 SEP 2015

## Proposed Natural Resources Plan for the Wellington Region (31.07.2015)

To whom it may concern,

We would like to provide some feedback on the above-mentioned plan, currently out for consultation.

The Friends of Taputeranga Marine Reserve Trust was formed in October 2009 to help ensure that the full range of the Marine Reserve's potential benefits could be realised and to give the community both a voice and an involvement in its future. The initiative for the Trust has come from individuals who have either been involved in the establishment of the marine reserve or who have provided crucial support for it from within the local and wider Wellington communities. The Trustees represent or have had experience in marine science, the local community, commercial and recreational diving, central and local government, conservation and marine users. The Trust works closely with the Department of Conservation and the other groups or individuals with a major stake in the marine reserve, including the community. We will only make comments on the parts of the plan, which we feel are within the remit of the Trust and have therefore not commented on the air quality chapter. Below are comments on specific sections of the plan.

We have been involved in a previous version of this plan. We would like to note that although we asked for tracked changes documents, this was not considered. We also note that the numbering of policies and rules have also changed, with no map to be able to compare the present document with previous versions and comments. Finally we note that most of those comments we made seem to not have been heard, and we attach our previous submission for your attention. Below are some general points on the document presently open for consultation.

On behalf of the Friends of Taputeranga Marine Reserve Trust

Sophie Mormede

[www.taputeranga.co.nz](http://www.taputeranga.co.nz)

Contact us via [enquiries@taputeranga.org.nz](mailto:enquiries@taputeranga.org.nz) or me directly at [sophie.mormede@gmail.com](mailto:sophie.mormede@gmail.com)

Policy P3: need to clarify what the precautionary approach is towards, which is the natural environment through minimizing the impact on the environment. It seems trivial but the fisheries act had the precautionary principle, which was successfully challenged in court by fishers saying it was precautionary towards economic interests and not towards fish population for example.

Policy P7: the economic and social benefits of aquaculture are recognized, but must be balanced against environmental impacts. Some aquaculture practices have a huge negative environmental impact and blanket support should not be provided like that.

Policy P32 is still missing “minimize” as another option after “avoid” and before “remedy” of adverse effects. Same as P42 etc.

Policy P67 is against policy P7 which states the use of fresh water body as cleaning, dilution and disposal of waste water. That part of P7 should be removed or softened.

Policy P73 on stormwater should also include a catchment-based approach to stormwater management (present in P74 but obviously missing in P73).

Rule 127: We applaud that piping of streams is deemed a non-compliant activity and all efforts should be made to daylight currently piped streams.

Rule 153, removal or destruction of a marine structure, should be balanced against leaving it there to rot.

Rule 191: beach grooming should be at least a Discretionary or Restricted Discretionary activity (if not non compliant) within the marine reserve area and other sites of significance. The supra-littoral zone is vitally connected to the intertidal, with significant nutrient interchanges for many small marine and shoreline animals.

Schedule F2c (birds-coastal) should also include the entire south coast, critical for penguins in particular, and dotterels in some places, and make shore-based activities non-compliant.

Method M22 on coasts: “engage with mana whenua, agencies, AND community groups that have governance responsibilities and INTEREST in the coastal marine area”. We support the will to have a general plan, but wish community organizations such as ours to be involved in the process. Not to do so would be contrary to the governance trend in New Zealand as voluntary groups are sought out to carry more of the conservation load.

Schedule F5: Add Moa Point to the giant kelp beds (in particular in the bay across from the dog pound).

**Greater Wellington Regional Plan: Working document for discussion  
(August 2013)**

To whom it may concern,

Thank you for the opportunity to provide comments on the working document mentioned above. Hopefully they will not all be superseded by new versions yet. We would like to congratulate the Greater Wellington Regional Council on a very inclusive process with stakeholders and are looking forward to working in collaboration with the Regional Council on developing this plan further.

The Friends of Taputeranga Marine Reserve Trust was formed in October 2009 to help ensure that the full range of the Marine Reserve's potential benefits could be realised and to give the community both a voice and an involvement in its future. The initiative for the Trust has come from individuals who have either been involved in the establishment of the marine reserve or who have provided crucial support for it from within the local and wider Wellington communities. The Trustees represent or have had experience in marine science, the local community, commercial and recreational diving, central and local government, conservation and marine users. The Trust works closely with the Department of Conservation and the other groups or individuals with a major stake in the marine reserve, including the community. We will only make comments on the parts of the plan, which we feel are within the remit of the trust and have therefore not commented on the air quality chapter. Below are comments on specific sections of the plan.

We would like to be involved in the further development of the final document, and potentially in the Wellington catchment Whaitua.

On behalf of the Friends of Taputeranga Marine Reserve Trust

Sophie Mormede

[www.taputeranga.co.nz](http://www.taputeranga.co.nz)

Contact us via [enquiries@taputeranga.org.nz](mailto:enquiries@taputeranga.org.nz) or me directly at [sophie.mormede@gmail.com](mailto:sophie.mormede@gmail.com)

- **Objectives**
  - If objectives are changed, can further documents be track-changes or documented for clarity
  - 3.10 Objective RP.019 Why is there no specific Wellington Harbour? We should have one that's replicating it: RP.019a The regionally significant amenity, recreational, ecological and cultural

values of Wellington Harbour are protected, maintained and enhanced.

- 3.15: water bodies and coastal water should be defined in the glossary, to specifically include the harbours.
- RP.033: should have a minimum time constraint and quality level to improving the water body over time even if the Whaitua then can make it more stringent.
- RP.048: "The benefits of environmentally sustainable aquaculture are recognized", need to define environmentally sustainable, some would argue that anything but mussel farming is highly damaging to the environment.

- **General policies**

- Policy GP.P5:
  - Does it include stormwater or only sewage? Should it?
  - (a) why 2025 and who specifies what high ground water table levels are, and why dispensation at high ground water table levels?
  - (c) why not with community as well as tangata whenua?
- Policy GP.P7
  - (d): surely the removal of dangerous or derelict structures {...} is only carried out provided the environmental impact of removing the structure is lesser than that of leaving the structure in place?
- Policy GP.P8:
  - (k): the use of fresh water body as cleaning, dilution and disposal of waste water goes against GP.P5. It should be removed
- Policy GP.P11
  - (a) surely minimized too? (as well as avoided, remedied or mitigated for adverse effects on the environment)
- Policy GP.P15:
  - (a) should also cover underwater vegetation and cover (not just land cover)
  - (b) should also include animal life currently there or potentially recolonising (as well as physical processes)
- Policy GP.P16: Include in the high natural character not only landscape but also marine scape (seascape?) and cover, and also support of wildlife (current or potential)
- Policy GP.P22: there's no marine environments in schedule D, this policy should also include the water bodies in schedule C such as the marine reserve, or move those to schedule D?
- Policy GP.P27:
  - need to clarify there (and everywhere else) that coastal water bodies include the harbour.
  - Add (l) minimized adverse effects on the health consumption quality of seafood / mahanga kai for harvest

- Policy GP.P33: Wellington harbour should have policies such as GP.P29 and GP.P31 which Porirua harbour also has (GP.P30 probably not relevant for Wellington harbour)
- Policy GP.P38:
  - (a) Might want to change the wording from free of pollutants to something more achievable. With the modern detection capacity there will always be pollutants measured.
  - (c) How do you want to achieve this since the limits are set by MPI.
  - (c) Recreational gathering should also be considered there. Should be enough to support recreational gathering as well as Maori customary harvest.
- Policy GP.P43: The work is only halted while the archeological discovery is recorded? And then it can be wiped out regardless of value? Should there not be more protection?
- Policy GP.P45: add to the policy “and it cannot be restored at a reasonable cost”.

- **Land and water**

- General comments:
  - How are the targets in schedule H going to be monitored? How often, where, and by whom. How will we ensure statistical robustness: enough replicates to make sure we are measuring a change or something on the other side of a threshold.
  - In terms of process, there should be at least a minimum standard to be met within a specified timeframe, which the whaitua might decide to make tighter. In other words an agreed worst-case outcome for the entire region.
- Policy LW.P5: should have an equivalent for the discharges to the harbour and coast. Even though they are qualified as high energy environments, there are limits to what should be discharged there, particularly near beaches for coastal discharges.
- Policy LW.P12
  - (a) should have a similar equivalent to schedule C marine habitats, sediments in the marine environment is also a problem.
- Policy LW.P19
  - (c) should include sediments as well as contaminants
- Policy LW.P20
  - (b) What is a rainfall event of medium intensity? Technically it means half the time it rains it's ok to have discharges of raw sewage in water bodies? And if we consider long term rainfall events then it would become more than half the time it rains with the increase in storm events? Can we have a hard number? Reduce to 5 events a year or something?

- Policy LW.P22: Anything in schedules C and D should be specifically mentioned and given priority
- Policy LW.P23
  - (c) add schedule C
- Policy LW.P29: should have a best practice plan in place that can and will be checked (increased compliance check costs)
- Policy LW.P43:
  - (b) should have plan by the owner, the onus should be on the owner and not the Council.
- Rule LW.R1:
  - (d) (i) add marine reserve
- Rule LW.R23
  - (c) should it not be like fertilizer and be about the capacity of the land to use the compost rather than a fixed nitrogen loading value?
- Rule LW.R25
  - (b) (i) add within 10m of a bordering property, thinking mostly about organic farms etc. Could also be applicable to LW.R23 (a)
- Rule LW.R32:
  - (c) how is the coastal marine area defined? High water mark or other? Should be in the glossary at the start.
- Rule LW.R37:
  - (b) add sediment as well as contaminant, or define contaminant to include sediment (throughout)
- Rule LW.R51:
  - Add condition (c) asking for methods of erosion and sediment control (as per condition 6 below in rule LW.R52).
  - Maybe add conditions similar to those of rules on livestock
- Rule LW.R53:
  - Why is the threshold 3000m<sup>2</sup> when the one above is 1500m<sup>2</sup>, should it not be the same? Also should it not be in m<sup>3</sup> and not m<sup>2</sup>?
  - Why is it that only rule LW.R53 should be prepared in accordance with the Erosion and Sediment Control Guidelines? Should it not be applicable to all rules on earthworks?
- Rule LW.R64:
  - (j) Surely the activity should comply with the General Conditions for activities in significant wetlands, otherwise they have no more protection than natural wetlands. This comment applies also to rule LW.R67 for outstanding wetlands (condition h).
- Activities in beds of lakes and rivers
  - This is section 67.52, it doesn't seem to have a rule number associated with it
  - Section (i) chapeau (i) and (ii) are more lenient than the regulations for cattle (e.g. rule LW.R46)!



- would suggest chapeau (i) is way too lenient: sediments for 12 hours a day for 5 consecutive days might well kill all the biota there.
    - Chapeau (ii) should at least be as per cattle rule: no more than 33% change in colour or clarity 50m away from the site. Currently it's 30% 24h after the completion of the activity
  - Water allocation (section 6.53): general comment: this does not tackle the issue of the allocation of water over the entire course of a stream or river, or a bore. It only limits what each individual can take. A holistic approach is likely needed to avoid running out of water at the other end.
    - For example rule LW.R94 (d) the 50% could be taken by a single user? Or why would the last user on the river be penalized?
  - Rule LW.R90
    - (a) should have the installation of a water meter in order to be consistent with rule LW.R91 and also be controllable.
- **Coastal management**
  - Policy CM.P3:
    - Add (e) to have a whole of life plan for new structures, including maintenance and disposal
  - Policy CM.P5: need to clarify what the precautionary approach is towards, which is the natural environment through minimizing the impact on the environment. It seems trivial but the fisheries act had the precautionary principle, which was successfully challenged in court by fishers saying it was precautionary towards economic interests and not towards fish population for example.
  - Policy CM.P6: what does that mean? Is that a blank check statement?
  - Policy CM.P39: the economic and social benefits of aquaculture are recognized, but must be balanced against environmental impacts. Some aquaculture practices have a huge negative environmental impact and blanket support should not be provided like that.
  - Coastal management rules
    - General point for all rules: any activity in the marine reserves have got to comply with DoC Marine Reserves act as well, including the need for documentation etc. This might be best put in schedule K, with something in the introduction here
    - Also anywhere rules apply to areas identified in schedules (C2c, C4, C5, O) and sometimes B should also apply to schedule D, or at least marine reserves. For example dredging should not be permitted in marine reserves (CM.R42).
  - Rule CM.R18:
    - Add (m) that the removal of the structure has a lower combined environmental and social impact than leaving the

structure where it is (essentially to rot away). There are times when removing structures just doesn't make sense.

- Rule CM.R31: is beach grooming a permitted activity in Houghton Bay? Princess Bay is listed but not Houghton bay.

- **Schedule C5**

- Giant kelp: add Moa Point

- **Schedule H**

- Maximum etc is misleading if there's only been one point. See general comments about statistical robustness and replicates etc
- E-coli limits (and pathogens): add in shellfish too?
- Table H1.2
  - Do not have low flow and moderate flow but fixed volumes. A small river at high flow might be used for recreation yet a large river at low flow might not be used for recreation. The aim was contact but I think it's flawed.
  - Make sure small rivulets are preserved, they might be the most used by small children.
  - Should have pathogen markers for where there is likely wastewater treatment contamination, since they treat for e-coli but might not treat other pathogens which pose a human health risk
- Table H5.1
  - Should have targets for C4 schedule (marine areas) with sediment and clarity targets at least.
  - "Taonga species are present in quantities, size and of a quality that is appropriate for the area": how are you going to define these, monitor these, and have any impact on these? Catch limit is of MPI resort, and is the most important factor for quantity and size. Quality could indeed include pollution etc which the Council might have an impact on...

- **Schedule K**

- As discussed above, should be something here about the Marine Reserves Act and the need to obtain further permits for specific activities from DoC.
- 1. It should be made clear that impacts of disturbance should be minimized. For example not drag an anchor point along the seabed when you can float it. It has happened.
- 10. Discharge of sediment, as discussed above is too lenient and should be aligned with cattle rules for example. In effect have no more than 33% 50m away from the source, rather than (or as well as) just more more than 30% 24 hours after the completion of the activity.

- 16. (b) make it clear that detrimental to wildlife includes marine wildlife. Studies have showed that marine bioluminescence has been impacted by city lights. We have no idea what that does to the marine environment.
- 17. Pertains to the noise in the coastal area created by the Commercial port area. Why is there not a similar rule for noise created by the airport, or is it somewhere else? Why do the rules differ: 7am to 11pm for port and 6am to midnight for the airport (?).



Proposed Natural Resources Plan:

Submitter:

**David Wilson**

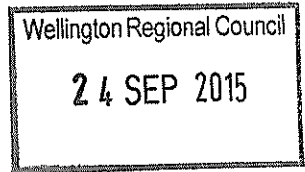
Submitter Number:

**S70**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: David Wilson  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 14 Queen St, Blenheim 7240

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 022 169 3569  
 Contact person: \_\_\_\_\_  
 Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: david.wilson@e2environmental.com

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R48 and Rule 49	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	If a stormwater treatment system is used to achieve permitted activity then this system will need to be maintained to continue to achieve this status. If the system was not maintained properly any non-compliance notice would have to show that treatment system wasn't working which under the proposed rule could require monitoring and sampling (for non-visual contamination like dissolved heavy metals). If there was a maintenance requirement as part of the permitted activity rules then non-compliance would easier to prove.
	I seek the following decision from WRC	Insert additional condition: Any stormwater treatment and discharge system is operated and maintained

	(give precise details): →	in accordance with the system design specification for maintenance or, if there is no design specification, the requirements of Auckland Council Technical Publication 10.
--	------------------------------	--

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 49	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This rule does not provide protection to groundwater drink sources
	I seek the following decision from WRC (give precise details): →	Insert additional conditions: The discharge is located at least 1 m above the seasonal high water table that can be reasonably inferred for the site at the time the discharge system is constructed The discharge is not within 50 m of a bore used for water abstraction The discharge does not, in groundwater, render fresh water unsuitable or unpalatable for consumption by animals or humans

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy P74(d) and Rule 50	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The timing requirements of this rule may mean the "whaitua-specific objectives" referred to in Rule 51 might not have not been developed. So therefore any stormwater management plans prepared for application could not address these objectives.
	I seek the following decision from WRC (give precise details): →	Consents issued under Rule 50 should not be limited to 5 years, they need to allow time for the whaitua objectives to be completed so that stormwater management plans can developed in accordance with these objectives. Perhaps 2 years after the notification of the whaitua objectives.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 52	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	These sites should be required to prepare stormwater management plans as required of local authority stormwater network
	I seek the following decision from WRC (give precise details): →	Insert condition 2 from Rule 51 into this Rule

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]



## Publication of details

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Objectives O46 to O51	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policies P73 to P79 (excluding P74(d) as discussed above)	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Sport Fly Fishing NZ Incorporated**

Submitter Number:

**S71**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council  
 24 SEP 2015

**Your details**

Full name: Tony Houpt

Organisation name: Sport Fly Fishing NZ Inc  
 (If applicable)

Address for Service: \_\_\_\_\_  
P.O. Box 14006 Wellington

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Telephone no's:      Work: 0275435293                      Home:                      Cell:

Contact person:      Tony Houpt (President)

Address and telephone no (if different from above):                      1230 Moonshine Road, RD1 Pauatahanui, Wellington

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: Tony.Houpt@xtra.co.nz

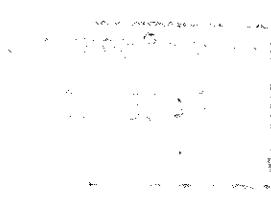
**Trade competition**

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:
  - I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule C5 and specifically the specification of Kourarau Dam and inlet stream as a Category 1 site of natural significance	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I <b>wish to have the specific provision amended</b>
	Reasons for my submission: →	Sport Fly Fishing NZ has recently introduced a competition based on Lake Kourarau as part of its regional competitions to select teams to represent the country at international fly fishing competitions. The lake is unique in that it offers conditions closer to those our anglers will come across in in many lake edge competitions in the international circuit in that it has readily accessible, clear banks from which to fish. No other lake in the North Island offers such an opportunity for clear bank fishing to cruising fish that is readily accessible and can be managed to accommodate the competition. Having fences close to the lake shore would be extremely detrimental to our members being able to fish the lake successfully and to

		<p>apply the lessons learned to overseas competitions. As an added bonus, the condition of the fish in the lake is great and they are not easy to catch.</p> <p>The addition of the lake to the competition circuit is quite recent and follows the successful reintroduction of trout to the dam some 3 years ago subsequent to Genesis upgrading the dam/water outflow, leading to a higher stable lake level being maintained. We note that other clubs in the lower North Island have also used the dam as a competition venue, based on the success of our event.</p> <p>Now the fish are again using the inlet stream at the South end to successfully spawn and restock the lake. Successful spawning is an essential aspect of maintaining the fishery and so we support restricting livestock from accessing the inlet stream, its delta at the South end of the lake and the marshy area adjacent thereto to prevent cattle from encroaching into these areas.</p> <p>We appreciate the work done by the local branch of Fish and Game who keep the lower end of the inlet stream clear at its delta to allow fish to successfully enter the stream to spawn, noting that it is not stock that cause the issues of blocked passages, but rather natural events such as falling trees and storm damage.</p> <p>We observe that the current farm management practice of using the paddocks adjacent to the dam as an accessway to paddocks beyond the dam are very unlikely to lead to animals getting into the lake.</p>
	I seek the following decision from WRC (give precise details): →	We request the the Kourarau reservoir be removed from schedule C5.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**John Morrison**

Submitter Number:

**S72**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION S.72

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

JOHN MORRISON

NUMBER STREET NAME

29 FIELD WAY

SUBURB/TOWN

WAIKANAHE

POSTCODE

5036

PHONE

0274367922

EMAIL

john-morrison@xtfa.co.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: Please specify the provision/section number:

Wellington Regional Council  
25 SEP 2015

My submission on this provision is:

- I support the provision
 I oppose the provision
 I wish to have the specific provision amended

Reasons for my submission: IF THIS SEEMS UNFOCUSSED IT IS BECAUSE YOUR WEBSITE IS IMPENETRABLE. HOW CAN I FIND WHAT IS PROPOSED TO CONTROL THE WAIMENA STREAM AT WAIKANAHE? MY CONCERN IS THAT THE TRIGGERS ARE NOT SENSITIVE ENOUGH

I seek the following decision from WRC (give precise details): 1) IDENTIFY TRIGGER FOR INTERVENTION WHICH PROTECT AGAINST EXCESSIVE DUNE DESTRUCTION 2) REQUIRE INTERVENTION WITHIN A FASTER TIME FRAME THAN AT PRESENT

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings
 I/We do not wish to be heard in support of my/our submission.
 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]
I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission
I/we am/am not directly affected by an effect of the subject matter of my submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Handwritten Signature]

Date: 22/9/15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142



Proposed Natural Resources Plan:

Submitter:

**Conrad Edwards**

Submitter Number:

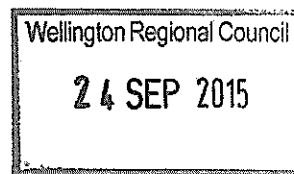
**S73**



Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



Your details

Full name: Conrad John Toussaint Edwards

Organisation name:  
 (If applicable)

Address for Service: 32 Richard Street, Titahi Bay, Porirua 5022

Telephone no's: Work: 04 590 6755 Home: 04 236 6193 Cell: 021 843 467

Contact person: Conrad Edwards

Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: conrad@conradedwards.net

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):                  Motor vehicles in the fossil forest at Titahi Bay. This is Rule R199, plus Rules R190, R191, R196 and R198, Map 35 and Schedule J, and Policy P149.</p> <p>Other rules on issues other than motor vehicle access have similar confusion in locaiton of the fossil forest.</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>Cars should be allowed on Titahi Bay beach while protecting the fossil forest.</p> <p>There a long and colourful history of cars on the beach. More importantly, it provides a means for families to most enjoy the beach. In summer especially, its allows many of the poorer residents of wider Porirua access to first class recreation. As a local, I sense that most of the complaints about cars on the beach are parochial – local white, well-off people who do not like the poorer people from other Porirua suburbs enjoying and cluttering 'their' beach. I am local, white and maybe relatively well-off, but I think the diversity and opportunity that car access to the beach allows and</p>

		<p>encourages is fantastic. Finally, car access is needed for boaties to launch and retrieve their craft, and for boatshed owners to access their sheds, at least when large or heavy items need moving.</p> <p>This needs to be made clear in the set of rules relating to it. In the current draft rules, there are confusing and inconsistent references to restrictions imposed on vehicle access to Titahi Bay beach, expressed differently in different rules:</p> <ul style="list-style-type: none"> <li>• R190: "on any exposed Titahi Bay fossil forest shown on Map 35"</li> <li>• R191 "the area of fossil forest shown on Map 35" plus "within the Titahi Bay fossil forest shown on Map 35"</li> <li>• R196 "within the area of Titahi Bay shown on Map 35" and then "within a site or habitat identified in [...] Schedule J (geological features)" which describes the area as "Titahi Bay fossil forest - Titahi Bay foreshore and nearshore, Porirua" without reference to Map 35.</li> <li>• R198 "inside a site or habitat identified in [...] Schedule J" (again)</li> <li>• R199 [the] "part of the foreshore shown on Map 35 as containing remnants of fossilised forest and any part of the remaining foreshore where any fossil forest is exposed"</li> </ul> <p>Policy P149 restates it in yet another way: "in areas containing remnants of fossil forest shown on Map 35".</p> <p>Map 35 itself is entitled "Titahi Bay Fossil Forest (indicative)" and shows a crude arc spanning the entire beach. It does indicate that the version is not complete, and that detailed information is on the GIS copy. At 24 September 2015, the overlays were not visible on the referenced website, so I cannot comment on them. I note however that the three primary references behind the map do not support a crude 'whole beach' approach:</p> <ul style="list-style-type: none"> <li>* The WRC paper DOC 1371613 simply says that "The stumps closest to the surface are intermittently uncovered by storm erosion and are visible around the mid to low tide mark."</li> <li>* Begg 1996 says "beneath the sands of Titahi Bay at Arnold Park" which is at the South end of the beach (and gives a precise grid reference).</li> <li>* Campbell, 1996 I could not source but it is cited by Hayward 2009 who summarises as "Protruding from the intertidal sand in the middle of the beach".</li> </ul> <p>I can thus see no evidence that the whole of Titahi Bay beach is fossil forest. As a local beach walker for some 25 years, my observation is that the forest is very localised, and only occasionally exposed.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Clarify that the the plan and rules should make clear that cars are allowed to drive on Titahi Bay beach except where they could damage the fossil forest, which is where it is exposed at that time.</p> <p>Amend the provisions to make this clear and unambiguous, and in particular:</p> <p>(a) It should be made absolutely clear what Map 35 will portray when it is no longer indicative. This should be known areas of fossil forest, i.e. areas of the beach where fossil remnants have been observed. This is NOT the whole foreshore as the crude indicative version implies.</p> <p>(b) Schedule J, or any of the rules, should not redefine the area of fossil forest in different words. Rather it should cross reference Map 35, by adding "as shown in Map 35" or similar.</p> <p>(c) The fossil forest remnants are usually deeply covered by sand, but sometimes become visible as the sand shifts after storms and at lower tides. All rules referring to the fossil forest (directly or via Map 35 or schedule J) should be clear that it is the exposed, currently (at the time) visible parts of the forest where activities are precluded.</p> <p>It needs to be made clear too that car access to Titahi Bay beach is permitted to launch and retrieve boats, and for boatshed owners to access their sheds.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	
	<p>I seek the following decision from WRC (give precise details):</p>	



	→	
--	---	--

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Conrad Edwards

Date: 24 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission]

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Conrad John Toussaint Edwards

Organisation name: (If applicable)

Address for Service: 32 Richard Street, Titahi Bay, Porirua 5022

Telephone no's: Work: 04 590 6755 Home: 04 236 6193 Cell: 021 843 467

Contact person: Conrad Edwards

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: conrad@conradedwards.net

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission. If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):                  Motor vehicles in the fossil forest at Titahi Bay. This is Rule R199, plus Rules R190, R191, R196 and R198, Map 35 and Schedule J, and Policy P149.</p> <p>Other rules on issues other than motort vehicle access have similar confusion in locaiton of the fossil forest.</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I <b>support</b> the provision  <input type="checkbox"/> I <b>oppose</b> the provision  <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b></p>
	<p>Reasons for my submission: →</p>	<p>Cars should be allowed on Titahi Bay beach while protecting the fossil forest.</p> <p>There a long and colourful history of cars on the beach. More importantly, it provides a means for families to most enjoy the beach. In summer especially, its allows many of the poorer residents of wider Porirua access to first class recreation. As a local, I sense that most of the complaints about cars on the beach are parochial – local white, well-off people who do not like the poorer people from other Porirua suburbs enjoying and cluttering 'their' beach. I am local, white and maybe relatively well-off, but I think the diversity and opportunity that car access to the beach allows and</p>

		<p>encourages is fantastic. Finally, car access is needed for boaties to launch and retrieve their craft, and for boatshed owners to access their sheds, at least when large or heavy items need moving.</p> <p>This needs to be made clear in the set of rules relating to it. In the current draft rules, there are confusing and inconsistent references to restrictions imposed on vehicle access to Titahi Bay beach, expressed differently in different rules:</p> <ul style="list-style-type: none"> <li>• R190: "on any exposed Titahi Bay fossil forest shown on Map 35",</li> <li>• R191 "the area of fossil forest shown on Map 35" plus "within the Titahi Bay fossil forest shown on Map 35"</li> <li>• R196 "within the area of Titahi Bay shown on Map 35" and then "within a site or habitat identified in [...] Schedule J (geological features)" which describes the area as "Titahi Bay fossil forest - Titahi Bay foreshore and nearshore, Porirua" without reference to Map 35.</li> <li>• R198 "inside a site or habitat identified in [...] Schedule J" (again)</li> <li>• R199 [the] "part of the foreshore shown on Map 35 as containing remnants of fossilised forest and any part of the remaining foreshore where any fossil forest is exposed"</li> </ul> <p>Policy P149 restates it in yet another way: "in areas containing remnants of fossil forest shown on Map 35".</p> <p>Map 35 itself is entitled "Titahi Bay Fossil Forest (indicative)" and shows a crude arc spanning the entire beach. It does indicate that the version is not complete, and that detailed information is on the GIS copy. At 24 September 2015, the overlays were not visible on the referenced website, so I cannot comment on them. I note however that the three primary references behind the map do not support a crude 'whole beach' approach:</p> <ul style="list-style-type: none"> <li>* The WRC paper DOC 1371613 simply says that "The stumps closest to the surface are intermittently uncovered by storm erosion and are visible around the mid to low tide mark."</li> <li>* Begg 1996 says "beneath the sands of Titahi Bay at Arnold Park" which is at the South end of the beach (and gives a precise grid reference).</li> <li>* Campbell, 1996 I could not source but it is cited by Hayward 2009 who summarises as "Protruding from the intertidal sand in the middle of the beach".</li> </ul> <p>I can thus see no evidence that the whole of Titahi Bay beach is fossil forest. As a local beach walker for some 25 years, my observation is that the forest is very localised, and only occasionally exposed.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Clarify that the the plan and rules should make clear that cars are allowed to drive on Titahi Bay beach except where they could damage the fossil forest, which is where it is exposed at that time.</p> <p>Amend the provisions to make this clear and unambiguous, and in particular:</p> <p>(a) It should be made absolutely clear what Map 35 will portray when it is no longer indicative. This should be known areas of fossil forest, i.e. areas of the beach where fossil remnants have been observed. This is NOT the whole foreshore as the crude indicative version implies.</p> <p>(b) Schedule J, or any of the rules, should not redefine the area of fossil forest in different words. Rather it should cross reference Map 35, by adding "as shown in Map 35" or similar.</p> <p>(c) The fossil forest remnants are usually deeply covered by sand, but sometimes become visible as the sand shifts after storms and at lower tides. All rules referring to the fossil forest (directly or via Map 35 or schedule J) should be clear that it is the exposed, currently (at the time) visible parts of the forest where activities are precluded.</p> <p>It needs to be made clear too that car access to Titahi Bay beach is permitted to launch and retrieve boats, and for boatshed owners to access their sheds.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	
	<p>I seek the following decision from WRC (give precise details):</p>	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Conrad Edwards

Date: 24 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Kairoa Farms Limited**

Submitter Number:

**S74**





**SUBMISSION on the proposed Natural Resources Plan for the Wellington Region**

To: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz) OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

<b>Name</b>	<i>Kairoa Farms Ltd – Neil and Martina Day</i>
<b>Farm Name</b>	<i>Kairoa</i>
<b>Physical Address</b>	<i>727 Belvedere Rd RD1 Carterton 5791</i>
<b>Phone Number</b>	<i>063796938 / 0273036161</i>
<b>Email Address</b>	<i>n.m.day@hotmail.com</i>

**Communication from GWRC:** *I prefer email OR hardmail – choose one Email*

**Trade competition:** *I could not gain an advantage in trade competition through the submission*

**Hearing:** *I wish to be heard and would consider jointly appearing with other submitters - no*

**Support:** *I support Wairarapa Federated Farmers submission*

**INTRODUCTION – Key Points about farm/business**

<b>Farm Type</b>	<i>Dairy</i>
<b>Farm size (area)</b>	<b>154</b> hectares
<b>Main Waterways</b>	
<b>GW Soil plan or Farm Plan</b>	<i>No Refused to sign without amendments being made, and GWRC never came back to us.</i>
<b>Environmental investments</b>	<i>All riparian planting completed, thus troughs and water lines placed, fencing completed. Effluent pond to be completed by 2017.</i>
<b>QE2 or Retirement Blocks</b>	
<b>General Comments</b>	<i>We are finding the current GWRC staff very “green” types, not practical or helpful to contribute to our business. EG We don’t need to plant eucalypts for coppicing for firewood ( which we did as enthusiastic 20 yr olds) in our riparian plantings as they are brittle and provide little shelter in this windy area, not do we want to fence off “8 m on each side of our river and perhaps give that couple of acres over there to the neighbor” and plant multiple wetlands everywhere.</i>

## **STOCK EXCLUSION**

### **Specific Provisions that my submission relates to are:**

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

**My submission is: ~~support~~/oppose**

### **I seek the following changes:**

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

#### **Stock Exclusion Comments and Reasons**

*It would not be practical for hill farms to fence off all waterways.*

*Water races are a fantastic scheme designed to make water available to areas where water is unavailable. Could areas where water races re-enter rivers not be planted with specially designed wetlands thus solving water quality problems.*

## **WETLANDS**

### **Specific Provisions that my submission relates to are:**

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

**My submission is: ~~support~~/oppose**

### **I seek the following changes:**

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

### ***Wetlands Comments and Reasons***

## **FARM EFFLUENT**

### **Specific Provisions that my submission relates to are:**

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

### **My submission is: ~~support~~/oppose**

### **I seek the following changes:**

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

### **Effluent Comment and Reasons**

*A huge cost to individual businesses.*

## SILAGE

### Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body ( stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

**My submission is: support/oppose**

**I seek the following changes:**

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

#### **Silage Comments and Reasons**

*There is a low risk from wilted silage – if properly prepared the amount of leachate is negligible.; costs for impermeable lining would be huge.*

*Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.*

*Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

*There would be much more than just the cost of the lining. The area would be a huge catchment for rainfall, thus the storing of that and the associated dispersal system – would that require power to those sites plus a whole accompanying set of pumps and pipes.*

**CULTIVATION & BREAKFEEDING**

**Specific Provisions that my submission relates to are:**

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

**My submission is: ~~support~~/oppose**

**I seek the following changes:**

Delete the conditions requiring 5m setbacks

**Cultivation/Breakfeeding Comments and Reasons**

## DRAIN CLEANING

### Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
  - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

**My submission is: ~~support~~/oppose**

**I seek the following changes:**

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

#### ***Drain Cleaning Comments and Reasons***

*costs, practicalities, historical modification not recognized. Most of our drains are fenced, cleaning will be necessary as they will be clogged with vegetation and cause flooding.*

## **EARTHWORKS**

### **Specific Provisions that my submission relates to are:**

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m<sup>2</sup> per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

**My submission is: support/oppose**

**I seek the following changes:**

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

#### **Earthworks comments and reasons**

*. operational and farm safety aspects*

*Note the word "contiguous" is important in thinking about impact*



## VEGETATION CLEARANCE on Erosion-Prone Land

### Specific Provisions that my submission relates to are:

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

**My submission is: ~~support~~/oppose**

### I seek the following changes:

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

**Vegetation Clearance comments and reasons** *confusion with different slope triggers.*

## CULVERTS & BRIDGES

### Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m<sup>2</sup> in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

### My submission is: ~~support~~/oppose

### I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m<sup>2</sup> too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

#### **Culverts/Bridges comments and reasons**

*fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.*

*We have 3 days grazing over the river which doesn't justify a \$60-100,000 bridge when we go there once every 24 days.*

## OFFAL PITS, FARM REFUSE DUMPS

### Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

**My submission is: ~~support~~/oppose**

### I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m<sup>3</sup> to 100m<sup>3</sup>
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

### **Offal Pits/Refuse Dumps Comments and Reasons**

*these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.*

## AGRI-CHEMICALS

### Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
  - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
  - notify neighbours the spray plan is available on request
  - get written agreement from adjoining neighbours that notification is not required
  - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

**My submission is: ~~support~~/oppose**

**I seek the following changes:**

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

#### **Agri-chemicals Comments and Reasons**

*provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected.*

*Too complicated when all we want to do is spray a few thistles or ragwort on a sunny, windless day.*

## FERTILISER

### Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

**My submission is:** ~~support~~/oppose

### I seek the following changes:

Amend condition a) to reflect the practicalities of aerial fertiliser application

#### **Fertiliser Application Comments and Reasons**

*e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.*

## STORM WATER

### Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
  - 50g - 100g/m<sup>3</sup> or 20-33% change depending on “significance” of site

**My submission is: support/oppose**

**I seek the following changes:**

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

#### **Stormwater comments and reasons**

*This is totally impracticality, costs, this water is low risk. Would it require a consultants report to get consent?*

**Any other areas of concern – just copy format above**

Proposed Natural Resources Plan:

Submitter:

**Minister of Conservation**

Submitter Number:

**S75**





**RESOURCE MANAGEMENT ACT 1991**

**FORM 5: SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

**TO:** Wellington Regional Council  
**SUBMISSION ON:** Wellington Natural Resources Plan  
**NAME:** Minister of Conservation

**ADDRESS:** Address for service:  
RMA Shared Services  
Department of Conservation  
Private Bag 3072  
Hamilton 3240  
Attn: Rachel Penney

Telephone: 07 858 1583  
Email: rpenney@doc.govt.nz

**TRADE COMPETITION:**

I could **not** gain an advantage in trade competition through this submission.

**SUBMISSION BY THE MINISTER OF CONSERVATION:**

Please refer to Attachment A.

**ATTENDANCE AND WISH TO BE HEARD AT HEARING(S)**

I do wish to be heard in support of my submission.

**SIGNATURE**



.....

...23... / ...9... / ...2015...

Mike Slater  
Deputy Director-General Operations

Date

Pursuant to delegated authority  
On behalf of  
Honourable Maggie Barry ONZM  
Minister of Conservation

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

**Attachment A  
Submission on the Greater Wellington Natural Resources Plan**

The following table sets out the Minister's submission (with reasons) and the decision sought with respect to the Natural Resources Plan.

The general reasons for the submission are that the decisions sought are necessary for the Proposed Natural Resources Plan to achieve the purpose of the Resource Management Act 1991 (RMA), and to give effect to the provisions of the New Zealand Coastal Policy Statement (NZCPS) 2010 and the National Policy Statement of Freshwater Management 2014. Further specific reasons and decisions sought are given in the table below.

The specific parts of the Proposed Natural Resources Plan to which this submission relates, along with the submission (with reasons) and the decision sought, are set out in the table below.

Where any decision sought in the table below seeks specific wording inserted in a specific place, the decision sought includes the following words: 'or words to like effect, in any other appropriate locations in the Proposed Natural Resources Plan'.

The specific provision of the Proposed Natural Resources Plan that my submission relates to (please specify the provision/section number):	My submission on this provision is:		I seek the following decision from WRC (please give precise details)
	Support/ Oppose/ Amend	Reasons for my submission:	
2.1 How to use this plan; second paragraph	Support	<p>The identification of regional coastal plan provisions for the Minister of Conservation's approval is supported.</p> <p>The requirement, unless otherwise stated, that provisions marked with the coastal icon will apply to both the coastal marine area and areas in the coastal environment where Council has jurisdiction is supported as consistent with this requirement of the New Zealand Coastal Policy Statement 2010 (NZCPS).</p>	Retain as notified
Biofouling Definitions	Support	The definitions included for: <b>Anti-Fouling Coating; Biofouling; and In-Water Cleaning</b> are taken from the Anti-fouling and In-water Cleaning Guidelines (June 2013) for Australia and NZ, and are considered appropriate.	Retain as notified

Aquatic Ecosystem Health	Support	The definition captures the matters within the objectives of the National Policy Statement for Freshwater Management 2014 (NPS-FM) relevant to life-supporting capacity, ecosystem processes, indigenous species and their associated ecosystems.	Retain as notified
Biodiversity Offset	Amend	<p>The inclusion of a definition for biodiversity offsets is supported, as it provides clarity for the interpretation of the related plan provisions. However amendments are required to ensure the definition is consistent the Good Practice Guidance on Biodiversity Offsetting in New Zealand.</p> <p>In the first sentence, action should be plural. Biodiversity offsets typically involve multiple actions.</p> <p>The definition as worded implies that it is only 'no net loss' that distinguishes biodiversity offsets from mitigation. This creates difficulties for implementation of the plan, in particular the mitigation hierarchy.</p>	<p><del>A <u>measurable positive conservation</u> outcome resulting from <u>an</u> actions designed to compensate for the <u>residual adverse</u> effects on biodiversity arising from an activity after avoidance, remediation and mitigation measures have been taken. The <u>goal of biodiversity offsets differ from mitigation in so far as offsets require the demonstration of</u> is to achieve <u>no net loss of biodiversity</u> and preferably a net gain of biodiversity on the ground. The principles to be applied when proposing and considering <b>biodiversity offsets</b> are provided in Schedule G (biodiversity offsetting).</del></p>
Category 1 Surface Water Bodies	Support; Amend	<p>Excluding livestock access from the sites listed in Category 1 (as a minimum) is supported as an important method to achieve the objectives and policies in the plan regarding aquatic ecosystem health, and maintain the biodiversity values of these sites.</p> <p>Spatial extent does not necessarily capture the significant values or significant habitats associated with wetlands. All wetlands, including those smaller than 0.1ha, are potentially vulnerable to the impacts of livestock access and should be protected by the rules.</p>	<p>Amend (e) so that significant natural wetlands to which the livestock access rules apply are not restricted to only those greater than 0.1ha.</p> <p>Retain (b), (c), (d), (f)</p>
Category 2 Surface Water Bodies	Support; Amend	Excluding livestock access from the sites listed in Category 2 is supported as an important method to achieve the objectives and policies in the plan regarding aquatic ecosystem health and maintain the biodiversity values of these sites.	<p>Amend (b)</p> <p>(b) within the mapped lowland areas shown on Map 29, rivers that have an <b>active bed width of 1m or wider</b>, and drains greater than</p>

		Rivers identified in Schedule F1 that are also within the mapped lowland areas shown on Map 29 should be captured within Category 2, regardless of their size. These rivers have significant indigenous biodiversity values and livestock access should be controlled to ensure the values are maintained.		1m wide, and <u>water races, and rivers identified in Schedule F1.</u>  Retain (a), (d)
Functional Need	Support	This definition is supported as providing a basis for activities that are required to be located within the coastal marine area.		Retain as notified.
Good management practice	Amend	The amendment is sought to recognise that there are a number of good practice guidelines covering multiple topics and not all are necessarily listed on the GWRC website.		Good management practice guidelines <u>include those <del>can be</del></u> found on the Wellington Regional Council's website <a href="http://www.gw.govt.nz/good-management-practice/">http://www.gw.govt.nz/good-management-practice/</a>
Operational Requirement	Support	This definition provides an appropriate basis to determine whether an activity is required to be located within the coastal marine area.		Retain as notified.
Significant Indigenous Wetland	Amend	The definition of significant indigenous wetlands is supported (noting separate submission points regarding livestock access).		Retain as notified, subject to amendments sought in relation to livestock access rules.  A <b>natural wetland</b> that meets one or more of criteria (a) to (d) listed in Policy 23 of the Regional Policy Statement 2013 being: representativeness; rarity; diversity; ecological context. Identified <b>significant natural wetlands <del>greater than 0.1ha</del></b> from which <b>livestock</b> should be excluded under Rule 98 are listed in Schedule F3 (significant wetlands).
Vertebrate Toxic Agent	Amend	Vertebrate toxic agents are regulated under both the Hazardous Substances and New Organisms Act 1996 and the Agricultural Compounds and Veterinary Medicines Act 1997, and reference should be made to both.		Any substance, whether inorganic, human made or naturally occurring, modified or in its original state, that is used to eradicate, modify or control vertebrate animals including

			NZS8409:2004 is not relevant to the management of vertebrate toxic agents.	possums, rats and mustelids. Vertebrate toxic agents are regulated under the Hazardous Substances and New Organisms Act 1996 and the Agricultural Compounds and Veterinary Medicines Act 1997. and include vertebrate pest control products as identified (but not defined) in NZS8409:2004 Management of Agriculture Wetlands
Objective O1	Support	This objective provides for integrated management of the resources within the region and appropriately reflects the direction within the NPS-FM to have regard to connections between water bodies and between freshwater bodies and coastal water (Policy A1 and B1). It also reflects the direction within the NZCPS regarding integrated management (Policy 4).	Retain as notified	
Objective O4	Amend	The term 'recognised' is not considered to provide direction on what is to be achieved for the resource as a result of management actions. The term 'safe-guarded' gives effect to the NPS-FM (Objective A1 and B1) and is consistent with the NZCPS.	The intrinsic values of aquatic freshwater and marine ecosystems and the life-supporting capacity of water are <u>safe-guarded</u> <del>recognised</del> .	
Objective O5	Support	This objective gives effect to the NPS-FM.	Retain as notified	
Objective O10	Support	This objective is supported as consistent with Section 6(d) of the Act	Retain as notified	
Objective O17	Amend	This objective is supported, however needs a minor amendment to be consistent with the wording in s6(a) of the RMA.	The natural character of the coastal marine area, rivers, lakes, <u>natural wetlands</u> and their margins <del>and natural wetlands</del> is preserved and protected from inappropriate use and development.	
Objective O18	Support	Recognition of the importance of the estuaries of the Region, and an intention to restore these over time, is supported	Retain as notified	

Objective O19	Support	The objective of minimising the interference of use and development on natural processes is supported.	Retain as notified
Natural Hazards Objectives	Amend	<p>Due to the direction given by the NZCPS on the management of coastal hazards, a separate objective giving effect to the NZCPS in relation to coastal hazards is sought.</p> <p>Policy 25(a) NZCPS requires 'avoiding increasing the risk of social, environmental and economic harm from coastal hazards'.</p> <p>This new objective sought should be based on avoiding an increase in risk. As well as people and property it should also incorporate reference to environmental harm.</p>	<p>Insert new objective as follows;</p> <p><u>In areas potentially affected by coastal hazards over at least the next 100 years, increases in risk, residual risk, and adverse effects from coastal hazards, including the effects of climate change on people, property or the environment are avoided.</u></p>
Objective O20	Amend	While the intent of the objective is understood, it is unclear how the acceptability of the risk will be determined, which does not give effect to the NZCPS requirement to avoid increases in risk from coastal hazards.	Insert new objective as above to address coastal hazards. Ensure that coastal hazards are not addressed by this Objective.
Objective O21	Amend	This objective does not provide guidance on what inappropriate development in high hazard areas is and does not give effect to the NZCPS requirement to avoid increases in risk from coastal hazards.	Insert new objective as above to address coastal hazards. Ensure that coastal hazards are not addressed by this Objective.
Objective O22		This Objective is supported as consistent with the requirements of Policy 27 NZCPS.	Retain as notified
Objective O23	Support	This objective gives effect to the direction within NPS-FM Objective A2.	Retain as notified
Objective O25	Support	<p>This region-wide objective for aquatic ecosystem health is supported.</p> <p>Some changes to the tables are sought as outlined in the following submission point.</p>	Retain as notified, subject to changes sought below

<p>Objective O25 All tables</p>	<p>Amend</p>	<p>More specificity is required within the tables where narrative objectives are used. Some of the terms used (such as 'balanced') have no clear ecological meaning or context. The use of 'unacceptable'/'acceptable' is also unclear.</p>	<p>Numeric objectives should be used in preference to narrative objectives, where possible, and words such as 'balanced' and 'unacceptable' replaced with clear, meaningful terms that support the objective.</p> <p>For example, for the indigenous fish objective a measure of state to describe the indigenous community condition (such as a minimum fish index of biotic integrity (IBL)).</p>
<p>Objective O25 Table 3.4</p>	<p>Amend</p>	<p>Additional objectives should be added to Table 3.4 relating to channel water surface area cover by non-indigenous macrophytes and deposited sediment, as these are important for achieving the objective of safeguarding aquatic ecosystem health.</p>	<p>Include an objective relating to channel water surface area cover by non-indigenous macrophytes: &lt;50% macrophyte cover of cross-sectional area or volume, or &lt;50% macrophyte cover of channel water surface area</p> <p>Include a deposited sediment percent cover objective for all outstanding water bodies (Schedule A), rivers and lakes with significant indigenous ecosystem values (Schedule F1): &lt;20% cover of the bed by fine silt or sand &lt;2mm diameter (or within 10% cover of reference condition).</p>
<p>Objective O25 Table 3.8</p>	<p>Amend</p>	<p>Seagrass and saltmarsh, fish, sedimentation rate and mud content are all identified as 'not-applicable' to the open coast. Seagrass can be present in open coastal environments, indigenous fish communities are an important part of the open coast, and sedimentation can have significant impacts on open coastal environments.</p> <p>Vegetated riparian margins are important for a number of reasons, including providing and safe-guarding instream habitat, reducing effects of sediment and nutrient run-off.</p>	<p>Amend the table to include objectives for seagrass and saltmarsh, fish, sedimentation rate and mud content in the open coast.</p>
<p>Objective O27</p>	<p>Support</p>	<p>Retain as notified</p>	<p>Retain as notified</p>



Objective O28	Amend	<p>Although the intent of the Objective is supported, a minor amendment is considered necessary to recognise the values of wetlands.</p> <p>The term 'condition' may not recognise the wide range of values that a natural wetland may hold, such as habitat, natural character, ecosystem services, etc.</p>	Amend as follows: The extent of natural wetlands is maintained or increased and their values are <del>conditioned</del> <u>restored</u> .
Objective O29	Support	The objective is consistent with the regional council's function to maintain indigenous biodiversity (s30(ga) RMA) and the direction to safe-guard indigenous species (NPSFM Objectives A1 and B1).	Retain as notified
Objective O31	Support	The objective gives effect to NPS-FM Objective A2(a) and B4.	Retain as notified
Objective O32	Support	This objective is supported as consistent with Section 6(b) of the Act	Retain as notified
Objective O34	Support	This objective is supported as consistent with Section 6(f) of the Act	Retain as notified
Objective O35	Support	This objective is supported as consistent with Section 6(c) of the Act	Retain as notified
Objective O45	Support Amend	Although this Objective is supported, the coastal marine area is not included in the definition of surface water bodies, and the Plan is required to give effect to the NZCPS, including Policy 21(d).	Retain but amend so that the objective includes the coastal marine area.
Objectives O46-O51	Support	The direction within these policies is supported as appropriate direction for the management of discharges.	Retain as notified
Objective O53	Support	This objective recognises Policy 6(2)(c) & (d) NZCPS, and will ensure that activities without a functional need to be located in the coastal marine area will generally not be located there.	Retain as notified
Objective O54	Support	This objective recognises Policy 6(2)(e) NZCPS.	Retain as notified
Objective O55	Support	This objective is consistent with Policy 18 NZCPS.	Retain as notified

Objective O56	Support	This objective will ensure that effects of new development in the coastal marine area on natural character of the coastal environment will be appropriately managed.	Retain as notified
Objective O58	Support	Requiring the management of underwater noise to maintain the health and well-being of marine fauna is supported.	Retain as notified
Policy P1: Ki uta ki tai and integrated catchment management	Support	This policy provides direction for integrated management of the resources within the region. The policy appropriately reflects the direction within the NPS-FM to have regard to connections between water bodies and between freshwater bodies and coastal water (Policy A1 and B1), and to improve integrated management of fresh water (Objective C1). It also reflects the direction within the NZCPS regarding integrated management (Policy 4).	Retain as notified.
Policy P3: Precautionary Approach	Support	This Policy is consistent with Policy 3 NZCPS.	Retain as notified.
Policy P4: Minimising adverse effects	Support; Amend	The specification of how minimisation will be carried out is supported. It is unclear when uses of the term 'minimisation' in other objectives and policies refer to this policy, and where they do not.	Add advice note to clarify relationship to other policies to resolve potential conflicts.
Policy P8: Beneficial Activities	Support; Amend	The listed activities are supported as they either provide for restoration of ecological values or provide for appropriate activities that should not cause more than minor adverse effects. An amendment is sought to (d) to refer to the removal of animal pests, as this is an important aspect of environmental restoration.	Retain as notified, except for amendment, as follows; (d) Removal of aquatic weeds, <del>and</del> pest plants, <del>and</del> animal pests.
Policy P9: Public Access.	Amend	By focussing on avoiding restrictions to existing public access, this Policy does not fully recognise the direction from the Objective O10 to 'maintain and enhance' this public access. Enhancing public walking	Include policy direction to enable the enhancement of public access when development is proposed.

			access is sought to give effect to the NZCPS, specifically Policy 19(2).	
Policy P22: Ecosystem values of estuaries	Support; Amend		While the avoidance of significant adverse effects on the ecosystem values of estuaries is supported generally, some of the values of the Region's estuaries may meet the criteria in Policy 11(a) NZCPS, which requires that adverse effects on these values are avoided.	Retain policy but ensure that Policy 11 NZCPS is given effect to in policies.
Policy P23: Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa	Support		The direction to restore these waterbodies is supported as consistent with the NZCPS and the NPSFM	Retain as notified.
Policy P24: Outstanding natural character	Support		The direction to preserve outstanding natural character is consistent with Policy 13(a) NZCPS.	Retain as notified.
Policy P25: Natural character	Amend		This policy is supported as appropriate and consistent with Policy 13(b) NZCPS.  Also, (d) introduces a practicability test that undermines the directive intent of the Policy and is not consistent with Policy 13 NZCPS. This requires amendment to ensure that the sub-criteria to (d) are presented in a way that can assist in achieving the high level purpose of this Policy.	Retain Policy and (a) – (c)  Amend (d) as follows;  (d) <del>whether it is practicable the ability to protect natural character from inappropriate use and development</del> through:  (i)...
Policy P26: Natural processes	Support		This Policy will serve to protect natural processes throughout the region.	Retain as notified; clarify
Policy P27: High Hazard Areas	Amend		The NZCPS provides clear direction on the management of coastal hazard risk. Amendment is required to (b), in relation to coastal hazards, to refer to no increase in risk as opposed to low risk.  Incorporate requirement to recognise 100 year time frame.	Amend as follows, or similar;  (b) the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk based approach, is <u>not</u> increased, and reduced if practicable <u>few</u> .

			(e) natural cycles of erosion and accretion, and the potential for natural features to fluctuate in position over <del>time</del> at least a 100 year timeframe, including movements due to climate change and sea level rise, are taken into account.
Policy P28: Hazard Mitigation Measures	Support	This policy is supported as providing appropriate direction on <b>hard engineering</b> works and is not inconsistent with the NZCPS.	Retain as notified.
Policy P29: Climate Change	Amend	The particular regard to climate change and its relation to natural hazard risk is supported.  However, in the case of coastal hazards, the NZCPS requires that a timeframe of at least 100 years is to be applied.	Recognise the 100 year timeframe required by the NZCPS.
Policy P30: Natural Buffers	Amend	Although the intent of this policy is supported, amendments are sought to give effect to Policy 26 NZCPS, and provide, where appropriate, for the protection, restoration or enhancement of these natural buffers, at least in relation to coastal hazards.	<u>Provide for the restoration or enhancement of</u> natural features such as beaches, dunes, or wetlands that buffer development from natural hazards, <u>and ensure the adverse effects of use and development on them are minimised.</u>
Policy P31: Aquatic ecosystem health and mahinga kai	Support	The policy provides appropriate direction regarding the management of effects in relation to aquatic ecosystem health.	Retain as notified
Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai	Support Amend	The policy direction to apply the mitigation hierarchy and consider the use of biodiversity offsets is supported.  The reference to mitigation in relation to Schedule G should be deleted (refer to submission point on Schedule G).	Retain subject to amendments identified in separate submission point.  Proposals for <del>mitigation and biodiversity offsetting</del> will be assessed against the principles listed in Schedule G (biodiversity offsetting).

Policy P33: Protecting indigenous fish habitat	Amend	Although the policy direction is generally supported, there is confusion created by the overall direction to avoid more than minor adverse effects, and the more specific direction in (b) and (c) regarding significant effects.	Amend (b) and (c) to ensure that the Policy requires the avoidance of more than minor adverse effects.
Policy P34 Fish passage	Amend	The policy direction is supported, but it should recognise that there are some particular circumstances where it may be appropriate to create barriers in order to protect indigenous fish and koura populations.	The construction or creation of new barriers to the passage of fish and koura species shall be avoided, <u>except where this is required for the protection of indigenous fish and koura populations.</u>
Policy P35: Restoring fish passage	Support	This policy direction is appropriate for the restoration of fish passage.	Retain as notified
Policy P36: Effects on indigenous bird habitat	Support	While the minimisation of adverse effects on the habitats of indigenous birds is supported generally, some of these taxa are subject to the direction of Policy 11(a) NZCPS, which requires that adverse effects on these are avoided.	Retain policy but ensure that Policy 11 NZCPS is given effect to in policies.
Policy P37: Values of Wetlands	Amend	To provide consistency with Objective 28, the policy should be to maintain or enhance the values of natural wetlands.  The ability to conduct education and scientific research can also be important values of wetlands.	Policy P37: Values of wetlands  Activities in and adjacent to <b>natural wetlands</b> shall be managed to <u>maintain or enhance</u> their values including:  ...  (g) <u>for education and scientific research.</u>
Policy P38: Restoration of wetlands	Support	This policy is supported, as it will provide for the maintenance and enhancement of indigenous biodiversity.	Retain as notified
Policy P39: Adverse effects on outstanding water bodies	Support	This policy provides appropriate direction to achieve Objective O31 and to give effect to the NPS-FM.	Retain as notified

Policy P40: Ecosystems and habitats with significant indigenous biodiversity values	Support	The policy direction provides appropriate direction to give effect to s6(c) RMA and to Objective 35.	Retain as notified
Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values.	Support	The policy direction to apply the mitigation hierarchy, including biodiversity offsetting, is supported subject to some amendments.	Retain policy.
Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values.	Amend	An amendment is sought to reflect the new policy sought below to give effect to Policy 11 NZCPS.	Amend as follows (or similar):  <u>While achieving [new Policy XX to reflect Policy 11 NZCPS]</u> in order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities, other than activities carried out in accordance with a <b>restoration management plan</b> shall avoid these ecosystems and habitats.
Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values.	Amend	As this policy applies to significant sites, the direction regarding biodiversity offsets should be stronger than 'consider'.	Amend as follows (or similar):  If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by:  [(a) – (c)]  (d) <u>managing where residual adverse effects remain, it is appropriate to consider through</u> the use of biodiversity offsets.  Amend as follows:
Policy P41: Managing adverse effects on ecosystems and habitats	Amend	The reference to mitigation in relation to Schedule G should be deleted (refer to submission point on Schedule G).	Proposals for <del>mitigation and biodiversity</del>

with significant indigenous biodiversity values.		The final paragraph of the policy should be simplified to provide clarity and focus on the effects of the activity once the mitigation hierarchy has been applied.	<b>offsetting</b> will be assessed against the principles listed in Schedule G (biodiversity offsetting).
Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values.	Amend	The final paragraph of the policy should be simplified to provide clarity and focus on the effects of the activity, once the mitigation hierarchy has been applied.	Amend as follows:  Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 <u>remain</u> <del>cannot be avoided, remedied, mitigated or redressed through biodiversity offsets</del> , the activity is inappropriate.
Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values.	Amend; New Policy	Although the approach to managing adverse effects on these significant values is supported in some cases, the direction in Policy 11 of the NZCPS is not reflected.  Policy 11 requires that adverse effects are avoided on sites or areas with the values listed in Policy 11(a), and significant adverse effects avoided, and other adverse effects avoided, remedied or mitigated on sites or areas with the values listed in Policy 11(b).  A new policy is required in order to recognise the requirements of Policy 11. Depending on the ability of Council to determine which areas of the coastal environment meet these criteria, this new policy may be able to refer to identified areas, or be criteria based until this work is carried out.  Consequential amendments to other policies will be required.	Include an additional policy implementing Policy 11 NZCPS.  It is unclear whether the schedules, and, if so, which schedules, identify the areas and sites containing the values subject to protection under Policy 11(a) and 11(b) NZCPS. Identification of each, separately, is required in order to inform their management. These should be referred to in the requested new Policy.
Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity	Support	This policy appropriately recognises that interconnectedness of ecosystems and habitats, and in part gives effect to Objective 1. It will provide for consideration of effects on significant sites, including in situations where the significant site is not directly affected. This is	Retain as notified

values		appropriate in order to give effect to the direction in Objective 35.		
Policy P43: Restoration and management plans	Support	This Policy is supported as it provides for the appropriate restoration of these scheduled sites.	Retain as notified	
Policy P48: Protection of outstanding natural features and landscapes	Amend	The NZCPS (Objective 2) refers to preserving the natural character of the coastal environment and protecting natural features and landscape values through recognising the characteristics and qualities that contribute to natural character and natural features and landscapes. By referring to 'characteristics and qualities' this policy will ensure that attention is focussed on the particular features that make the feature or landscape outstanding.	Amend as follows: The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by:  (a) avoiding adverse effects of activities on <u>the characteristics and qualities that contribute to the values of outstanding natural features and landscapes</u> , and  (b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on <u>the characteristics and qualities that contribute to the values of other natural features and landscapes</u> .	
Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes	Amend	Policy P48 requires that adverse effects of activities are avoided on the characteristics and qualities that contribute to the values of outstanding natural features and landscapes, whether the activities are within or adjacent to these features or landscapes.  To ensure that Policy P49 does not introduce a management framework that overrides the requirements of P48, it should be amended to ensure that (a) and (b) are achieved by removing "...be managed by".	Amend as follows: Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall <del>be managed by</del> :  (a) <del>protecting</del> visual and biophysical linkages between the site and the outstanding natural	



				feature or landscape, and  (b) avoid <del>ing</del> adverse cumulative effects on the <u>values</u> the characteristics and qualities that contribute to of an outstanding natural feature or landscape.
Policy P60: Agrichemicals and fumigants	Support	The policy is considered to provide appropriate direction regarding the management of agrichemicals. The reference to good management practice is supported.		Retain as notified
Policy P62: Promoting discharges to land	Support	The policy provides appropriate direction for safe-guarding aquatic ecosystem health.		Retain as notified.
Policy P67: Minimising effects of discharges	Support	The policy requires careful consideration of the approach to managing contaminants and subsequent discharge of these to land and water.		Retain as notified.
Policy P70: Managing point source discharges for aquatic ecosystem health and mahinga kai	Amend	The policy does not clearly specify what the upgrading of the activity required by (a)(i) is to achieve.		Amend Policy to clarify that upgrading of the activity is required to improve water quality in relation to the objective.
Policy P71: Quality of discharges (a)(i)	Support	The QMCI change standard is a good determinant of adverse effects on macroinvertebrate community health resulting from point source discharges.		Retain
Policy P71: Quality of discharges (a)(ii)	Amend	The variability in pH between sites often varies greatly, not necessarily as a result of discharge composition. Differences in periphyton growth and ecosystem metabolism between upstream and downstream may cause changes greater than this too.		Amend the standard for pH to ensure discharges are not changing the pH of the downstream receiving environment as a result of the presence of acid or basic contaminants, or remove the standard and rely on the other standards proposed as well as those identified for inclusion in this submission.

Policy P71: Quality of discharges (a)(iii)	Amend	The degree of acceptable clarity change depends on the instream values that apply to a river of stream at the point of discharge, not on the river type or class. The same applies for temperature, as the susceptibility to temperature effects is likely to be values specific.	In order to be relevant to the instream values, the higher clarity standard of no more than 20% reduction should apply to all waters identified as outstanding water bodies (Schedule A), rivers and lakes with significant indigenous biodiversity values (Schedule F1).  Temperature standards should be based on values, rather than river classes.
Policy P71: Quality of discharges (b) and (c)	Amend	These standards are the national bottom lines from the NOF, and are not appropriate for maintaining instream values, particularly in scheduled sites with significant or outstanding biodiversity values.	For water bodies identified as outstanding (Schedule A) and rivers and lakes with significant indigenous biodiversity values (Schedule F1), more precautionary DO standards should apply.  For example, a 7-day mean minimum DO no lower than 7mg/L and 1-day minimum of no less than 5mg/L.
Policy P71: Quality of discharges	Amend	Additional standards relating to toxicity, biochemical oxygen demand and particulate organic matter should be added, as these relate to different effects for instream water quality and aquatic life.	Include: <ul style="list-style-type: none"> <li>- biochemical oxygen demand (ScBOD<sub>5</sub>) standards that do not allow a discharge to exceed 2mg/L</li> <li>- particulate organic matter (POM) standard at the downstream site to not exceed 5mg/L at flows less than the median</li> <li>- minimum toxicity standards for nitrate and ammonia</li> </ul>
Policy P72: Zone of reasonable mixing	Support	The matters (a), (b) and (f) are important considerations for safeguarding aquatic ecosystem health.	Retain as notified.
Policy P80: Replacing	Support	This Policy sets appropriate direction for replacement discharge	Retain as notified

wastewater discharge consents			consents to meet established objectives.	
Policy P81: Minimising and improving wastewater discharges	Support		This Policy provides appropriate direction for the progressive reduction of the adverse effects of existing wastewater discharges.	Retain as notified
Policy P83: Avoiding new wastewater discharges to freshwater	Support		This Policy provides strong direction for the protection of freshwater values	Retain as notified
Policy P88: Biofoul cleaning	Support		The Policy is consistent with NZCPS Policy 12(1) and 2(b) as they relate to vessels and moveable structures.	Retain as notified
Policy P90: Discharges of hazardous substances	Support		The Policy is considered to provide appropriate direction regarding the management of hazardous substances.	Retain as notified
Policy P97: Managing sediment discharges	Support		The policy direction to first control sediment at the source and then apply good management practices for erosion and sediment control design is supported.	Retain as notified
Policy P98: Accelerated soil erosion	Support		The inclusion of reference to sediment discharge to surface water bodies is supported, as discharges to surface water from activities such as plantation forestry can have adverse effects on aquatic ecosystem health.	Retain as notified
Policy P99: Livestock access to surface water bodies	Support		The policy direction is supported as a first step toward addressing the effects on aquatic ecosystem health of livestock access to surface water bodies and the CMA in the region.	Retain as notified
Policy P101: Management of riparian margins	Support		Policy recognition of the benefits of good riparian management is supported.	Retain as notified
Policy P106: Management of	Support;		The policy direction is supported. However an amendment is required	Amend text as follows or similar;

plants in the beds of lakes and rivers	amend	as it is not currently clear what is meant by 'where they are appropriate'	(b) indigenous plant species are encouraged to be planted where they are appropriate <u>to the ecology of the site</u> and their removal is only enabled where it is necessary to manage flooding and erosion, and...
Policy P112: Priorities in drought and serious water shortage	Amend	The allowance for rootstock protection is not consistent with the other types of water take in this policy which are provided for in section 14(3) of the RMA, and may not give effect to the NPS-FM Objective B1.	Retain or amend to give effect to NPS-FM Objective B1. The issue could be addressed by incorporating rootstock protection into the setting of minimum flows or water levels.
Policy P113: Core allocation for rivers	Support	The maximum allocation amounts are appropriate to provide for aquatic ecosystem health.	Retain as notified
Policy P115: Authorising takes below minimum flows and lake levels	Amend	The general direction within this policy is supported. However it is unclear whether the allowance in (c) will give effect to the NPS-FM Objective B1.	Retain or amend to give effect to NPS-FM Objective B1
Policy P117: Supplementary allocation amounts at flows above the median flow	Support Amend	The direction to provide for flushing flows is important to provide for aquatic ecosystem health. However, supplementary allocation needs to be capped as a percentage of mean annual low flow, or of the flow in the river at the time of take in order to provide a numeric standard to achieve Objective 25.	Include a percentage limit on supplementary flow.
Policy P120: Taking water for storage	Support	The link to Policy 117 (and from there to Objective 25) is appropriate for maintaining aquatic ecosystem health.	Retain as notified
Policy 122: Flow variability	Support	The direction in this policy is supported as flow variability is important to retain a healthy, functioning ecosystem.	Retain as notified
Policy P129: Minimum flows and water levels	Amend	Damming and diverting water can affect the natural flow variability in waterbodies.	Include reference to flow variability and flushing flows, to achieve Objective 25

Policy P132	Support	The recognition of functional need and operational requirement in this Policy is consistent with the NZCPS.	Retain as notified
Policy P138	Support	The avoidance of structures in sites with significant values except for the listed exclusions is supported as appropriate guidance. However, Policy 11 NZCPS may require avoidance of adverse effects on these sites or values.	Retain policy but ensure that Policy 11 NZCPS is given effect to in policies.
Policy P139	Amend	This policy provides direction on the appropriateness of seawalls. Although supported, amendment is required to ensure consistency with Policy 27(3) NZCPS and give direction that form and location seek to minimise adverse effects on the coastal environment.	Amend as follows, or similar: <u>(d) suitably located and designed to minimise adverse effects on the coastal environment, and certified by a qualified, professional engineer</u>
Policy P143	Amend	The avoidance of deposition in sites with significant values except for the listed exclusions is supported as appropriate guidance. However, Policy 11 NZCPS may require avoidance of adverse effects on these sites or values.	Retain policy but ensure that Policy 11 NZCPS is given effect to in policies.
Policy P144	Amend	The avoidance of dumping in sites with significant values except for the listed exclusions is supported as appropriate guidance. However, Policy 11 NZCPS may require avoidance of adverse effects on these sites or values.	Retain policy but ensure that Policy 11 NZCPS is given effect to in policies.
Policy P145	Support	This Policy is consistent with Policy 10 NZCPS.	Retain as notified
Policy P146	Support	This Policy is appropriate.	Retain as notified
Policy P148	Amend	Conservation activities carried out by the Department of Conservation that are not strictly emergencies should be accommodated.	Include activities carried out by the Department of Conservation
Rule R36: Agrichemicals	Support	The permitted activity status for agrichemical discharge is supported as it enables the Department of Conservation to carry out its	Retain permitted activity rule for agrichemical use

			responsibilities for pest plant control on public conservation land.	
Rule R36: Agrichemicals (b)	Amend		Control (b) does not recognise that many environmental weed species are not listed on product labels. This will affect the work carried out by the Department of Conservation to control environmental weeds.	Amend control to enable use of agrichemicals for control of environmental weeds.
Rule R36: Agrichemicals (e)	Amend		The rule permits the discharge of agrichemicals to land, including where it may enter water, whereas control (e) does not allow discharge into water.	Amend control (e) so that it refers to discharge <u>directly</u> into water, and allows discharge to land where it may enter water (consistent with the text at the start of the rule)
Rule R36: Agrichemicals (e)	Amend		Many of the community drinking water supply catchments are located within public conservation land, and therefore the restriction on use of agrichemicals to land within these catchments will have implications for the weed control work that is carried out by the Department of Conservation.  Discharge of agrichemicals in a water catchment that results in agrichemicals over safe limits set by EPA is not permitted under the HSNO Act. EPA permissions that set safe application limits to land also apply.	Amend control to enable use of agrichemicals for environmental weed control in community water supply protection areas.
Rule R36: Agrichemicals (f)	Amend		EPA approvals may contain specific conditions for the use of a particular agrichemical and these must be met.	Amend (f) to ensure that the discharge is in accordance with NZS:8409 unless inconsistent with the conditions of the relevant EPA approval
Rule R36: Agrichemicals (h) (i)	Oppose		GROWSAFE is a particular industry provider, not an industry wide standard or legal requirement. Training requirements are adequately addressed through EPA controls.	Delete (h) and (i)
Rule R36: Agrichemicals (j)	Amend		What qualifies as 'suitable' accreditation is unclear.	Amend by removing the word 'suitable' from (j)(ii)

Rule R36: Agrichemicals (k) (l) (m)	Oppose	Condition (f) already requires that the discharge is in accordance with NZS8409:2004, and therefore these conditions are a repetition.	Delete (k), (l), (m)
Rule R36: Agrichemicals (n)(i)	Oppose	This control duplicates HSNO controls and is not necessary.	Delete (n)(i)
Rule R37: Agrichemicals into water	Support	The inclusion of a permitted activity rule for the discharge of agrichemicals to water is supported as there are a number of herbicides approved by the EPA for discharge to water have set controls. These should be permitted activities if these controls are being complied with.	Retain as notified
Rule R37: Agrichemicals into water (b)	Amend	EPA approvals may contain specific conditions for the use of a particular agrichemical and these must be met.	Amend (b) to ensure that the discharge is in accordance with NZS:8409 unless inconsistent with the conditions of the relevant EPA approval, in which case the conditions of the relevant EPA approval are followed.
Rule R37: Agrichemicals into water (c)	Oppose	GROWSAFE is a particular industry provider, not an industry wide standard or legal requirement. Training requirements are adequately addressed through EPA controls.	Delete (c)
Rule R37: Agrichemicals (d)(ii)	Amend	What qualifies as 'suitable' accreditation is unclear.	Amend by removing the word 'suitable' from (d)(ii)
Rule R37: Agrichemicals (f)(i)	Amend	This control duplicates HSNO controls and is not necessary.	Delete (f)(i)
Rule R37: Agrichemicals <i>Note</i>	Amend	Refer to submission point on Rule R105, which seeks that agricultural use to natural wetlands is controlled by Rules R36 and R37.	Delete note
Rule R57: Discharge of hazardous substances – non-complying activity	Amend	Consequential amendments to other submission points, to reflect R88 being changed to a permitted activity, and the addition of Rule R88A.	The discharge of a <b>hazardous substance</b> into water or onto or into land where it may enter water that is not permitted by Rule R36, Rule R37, Rule R42, Rule R46 and Rule R87, <u>Rule</u>

Rule R65 In-water biofoul cleaning	Oppose; Amend	<p>The Rule requires a number of amendments to give effect to NZCPS Policy 12 and the "Anti-fouling and In-water Cleaning Guidelines, June 2013" as follows:</p> <ol style="list-style-type: none"> <li>Delete the 3 year lead-in before the rule becomes operative, as, although the intent to provide a lead-in time for operators is understood, good hull hygiene should be encouraged and the Guidelines given effect to sooner rather than later.</li> <li>Retain condition (a)</li> <li>Retain condition (b) but in order to provide for the collection of samples as a permitted activity, insert the wording "..., treatment or removal..." after the word "cleaning". This allows collection of samples as a permitted activity.</li> <li>Condition (c) should be re-worded as follows: "(c) the cleaning of microfouling and goose barnacles of any origin, when removed using a gentle, non-abrasive cleaning technique, without capture."</li> <li>Insert a new condition between (c) and (d) as follows: "the cleaning or removal of macrofouling of regional origin without capture, and"</li> <li>Condition (d) should be re-worded as follows: "(d) the cleaning or removal of macrofouling of domestic or international origin shall capture all biological material greater than 50µm in diameter and remove it from the coastal marine area either for risk assessment or disposal on land, and"</li> </ol>	<p><del>R88</del> or controlled under Rule R47 <del>and Rule R87 or R88</del> or discretionary under Rule R38, R88A <del>and</del> of Rule R93 is a non-complying activity.</p>
			<p>Amend as follows;</p> <p>The discharge of contaminants and biological material into coastal water from <b>in-water cleaning of biofouling</b> from a vessel, <b>moveable structure or navigation aid <del>three years after the date of public notification of the Proposed Natural Resources Plan (31-07-2015)</del></b> in the coastal marine area, is a permitted activity provided the following conditions are met:</p> <ol style="list-style-type: none"> <li>Retain as notified</li> <li>the cleaning, <u>treatment or removal</u> method should be undertaken in accordance with the coating manufacturer's recommendations, and</li> <li>the cleaning of microfouling and goose barnacles of <del>international</del> <u>any origin shall be, when removed using a gentle, non-abrasive cleaning technique, without capture.</u></li> <li><u>the cleaning or removal of macrofouling of regional origin without capture, and</u></li> <li>the cleaning or <del>treatment method</del> <u>removal of macrofouling of domestic or international origin shall capture <del>any</del> all biological material</u></li> </ol>



		7. Delete the current condition (e), as it repeats matters already covered in (d), and replace it with a few (e), as follows;  “treatment methods that kill biofouling organisms, and”		<p><del>released into the water column greater than 50µm in diameter with any captured cleaning debris disposed and remove it from the coastal marine area either for risk assessment or disposal on land, and</del></p> <p>(e) <del>any captured cleaning debris is appropriately disposed of treatment methods that kill biofouling organisms, and</del></p> <p>(f) Retain as notified.</p>
Rule 66 In-water biofoul cleaning - discretionary	Support	Subject to the amendments requested for Rule R65, this Rule is supported.	Retain as notified	
Rule R67: Discharges inside sites of significance – non-complying activity	Amend	Weed and pest control operations often occur in significant sites in order to manage pest and animal threats that adversely affect their values. Amendments are required to ensure that the permitted activity rules for agricultural and VTA use continue to apply, as well as the proposed new Restricted-Discretionary rule for use of VTAs for pest control in waterbodies.	Amend as follows:  (b) that is not permitted by Rules R36, R37, R42, R43, R44, <del>45</del> , R45, R87 or R88, or restricted discretionary under Rule 88A.	
Rule R87: Land-based discharge of vertebrate toxic agents	Support	The inclusion of a permitted activity rule for land-based discharge of VTAs is supported.	Retain permitted activity Rule R87	
Rule R87: Land-based discharge of vertebrate toxic agents (b) and (c)	Amend	The management of effects on drinking water supplies and requirements for notification/signage are addressed by existing regulations and controls and do not need to be included.	Delete (b) and (c)	
Rule 88: Aerial application of vertebrate toxic agents	Amend	The use of VTAs is managed under existing regulations and therefore a permitted category of activity is appropriate, subject to condition (a).  In addition, the Plan should provide for the discharge of VTAs to water as the current rule framework will result in many aerial VTA	Amend R88 to make the discharge of VTAs a permitted activity, delete control (b) and the matters of control 1-3. Amend the Plan to permit discharge of VTAs to water, such as by amending R88 as follows:	

		<p>operations defaulting to Non-Complying under Rule R57. This is because, for example, although waterbodies are not the target of aerial VTA operations (excluding those for the control of invasive aquatic organisms – refer submission point on ‘New Rule’), many small streams are not marked on maps and are difficult to see from the air through dense vegetation. Attempting to comply with the rule by avoiding discharge to water could result in large gaps in bait coverage leading to operational failures due to pests surviving in the gaps. The effects of VTA discharge to water are adequately addressed by existing regulations.</p>	<p>The discharge of a <b>vertebrate toxic agent</b> <u>into water or onto or into land and where it may enter water by aerial application...</u></p>
<p>New Rule</p>		<p>VTAs (particularly Rotenone) can also be used in water to control pest fish. A specific rule is appropriate to enable consideration of this activity, including the benefits that can be gained through its use.</p>	<p>Add new rule as follows or similar:</p> <p><u>Rule R88A: Vertebrate toxic agents into water – restricted discretionary activity</u></p> <p><u>The discharge of vertebrate toxic agents into water for the control of invasive aquatic organisms is a restricted discretionary activity provided the following conditions are met:</u></p> <p>(a) <u>The substance and application technique or method is approved for use by the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all controls of the approval.</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> <li>1. <u>Effects on community drinking water supply water quality</u></li> <li>2. <u>Effects on non-target species and</u></li> </ol>

				<u>aquatic ecosystem health including beneficial effects.</u>
Rule R92: All discharges to land within community drinking water supply protection areas – restricted discretionary activity	Amend	The current wording of the rule would capture the use of agrichemicals and VTAs within community drinking water supply protection areas. Control of the use of these substances should be subject to the standards of the specific rules for VTA and agrichemical use, including any specific requirements relating to community drinking water supply areas.	Amend Rule R92 to exclude its application to Rules R36, R87, and R88.	
Rule 94: Cultivation or tilling of land – permitted activity	Support	The requirement for a 5m setback is supported, as is the control relating to sediment-laden water. These controls are important to safe-guarding aquatic ecosystem health.	Retain as notified	
Rule 95: Break-feeding – permitted activity	Support	The requirement for a 5m setback is supported, as is the control relating to sediment-laden water. These controls are important to safe-guarding aquatic ecosystem health.	Retain as notified	
Rule 97: Livestock access	Support	The inclusion of rules to manage livestock access to surface water bodies is supported, as livestock can have numerous adverse effects on surface water bodies.	Retain rules controlling livestock access to surface water bodies.	
Rule 97: Livestock access	Amend	<p>Sheep should be excluded from significant natural wetlands. Sheep grazing in significant wetlands may be appropriate in some circumstances, but this should be considered on a case by case basis, and consent should be required.</p> <p>The rule does not address stock access to the coastal marine area, adjoining intertidal areas and other water bodies and riparian margins in the coastal environment. Policy 21 NZCPS directs that where this access is having a significant adverse effect, stock are excluded within a prescribed timeframe.</p>	<p>Remove reference to sheep in (e)(i), so that the rule does not allow livestock access to significant natural wetlands.</p> <p>Amend provisions to give effect to the NZCPS.</p>	
5.5.2 Wetlands general	Support	Minor wording amendments are required to clarify that where natural	Wetlands general conditions	



R106: Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – controlled activity	Support	This rule is appropriate for managing restoration activities in natural wetlands that could have more than minor adverse effects. The exemption of fees is also supported.	Retain as notified.
R107: Activities in natural wetlands and significant natural wetlands – discretionary activity	Support	The proposed activity status for these activities is considered appropriate as their effects are potentially significant.	
R108: Activities in natural wetlands and significant natural wetlands – non-complying activity	Support	The non-complying activity status for these activities is considered appropriate given the historic loss of wetlands, the role of GWRC to maintain indigenous biodiversity (s30(ga)), the direction in s6(a) and s6(c) RMA, and the particular direction to protect the significant values of wetlands in the NPS-FM.	Retain as notified
R109: Activities in outstanding natural wetlands – discretionary activity	Support	The proposed activity status for these activities is considered appropriate as their effects are potentially significant.	Retain as notified
R110: Activities in outstanding natural wetlands – non-complying activity	Support	The non-complying activity status for these activities is considered appropriate given the historic loss of wetlands, the role of GWRC to maintain indigenous biodiversity (s30(ga)), the direction in s6(a) and s6(c) RMA, and the particular direction to protect the significant values of wetlands and outstanding water bodies in the NPS-FM.	Retain as notified
R111: Activities in outstanding natural wetlands – prohibited activity	Support	The prohibited activity status for reclamation of outstanding wetlands is considered appropriate given the particular direction to protect the significant values of wetlands and outstanding water bodies in the NPS-FM.	Retain as notified

<p>5.5.4 Activities in beds of lakes and rivers general conditions</p>	<p>Amend</p>	<p>The general conditions applying to activities in beds of lakes and rivers are supported, particularly (d) regarding fish passage and (e) regarding inanga spawning habitat.</p> <p>However, (e) should be extended to encompass a period of time prior to peak spawning, as time is needed to allow for vegetation to establish to provide the spawning habitat.</p>	<p>(e) in any part of the river bed <u>identified as inanga spawning habitat identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats), no bed disturbance, diversions of water or sediment discharge shall occur between 1 January <del>1 March</del> and 31 May, and</u></p>
<p>Rule 115: Culverts – permitted activity</p>	<p>Amend</p>	<p>Provisions (g) and (h): Culverts, including multiple barrel and battery culverts can cause issues for fish passage. The provisions should be amended to align with current national best practice for providing fish passage.</p>	<p>(a) where multiple culverts are placed side by side, <u>the aggregate culvert diameter at the point where they intersect the river bed must be at least 1.2 times the average stream bed width plus 0.5m <del>the total cross-sectional area of the multiple culverts shall not be less than that of a single culvert which complies with this rule, and</del></u></p> <p>(b) the culvert, associated fill and culvert placement shall comply with the following dimensions:</p> <p>...</p> <p>(iv) a culvert diameter, or width that is at least 1.2 times the average stream bed <u>width <del>as wide as the river bed during average flow plus 0.5m</del> at the point at which the culvert intersects the stream bed <del>is installed</del></u> (and which complies with (h)(ii) and (h)(iii) above)</p>
<p>Rule R117: New structures – permitted activity</p>	<p>Amend</p>	<p>New structures that occupy a bed area of 10m<sup>2</sup> and are located within inanga spawning habitat have the potential to have permanent adverse effects through loss of spawning habitat, particularly given the restricted locations at which inanga can spawn.</p>	<p>Amend as follows:</p> <p>(h) the structure does not occupy <u>any bed area within inanga spawning habitat identified in Schedule F1b, and elsewhere does not occupy a bed area any greater than 10m<sup>2</sup>,</u></p>

			except for where the structure is associated with <b>vegetative bank edge protection</b> , or a pipe, duct, fence or cable which is located over or under the bed where no bed occupancy limits apply, and
Rule 121: Maintenance of drains – permitted activity	Support; Amend	<p>The requirement to return fish to the water is supported (h), as are the requirements (j) and (k).</p> <p>Kakahi (freshwater mussels) should be captured within the provision.</p> <p>Drain maintenance and macrophyte removal typically causes release of large amounts of sediment and migrating juvenile fish a particularly sensitive to high suspended sediment loads. A condition should be included requiring that drain maintenance works are not undertaken during peak upstream migration times for fish species present in the catchment.</p>	<p>(h) any fish (except identified pest species), <del>and</del> koura and kakahi (freshwater mussels) removed from the <b>drain</b> during maintenance works shall be returned to the <b>drain</b> as soon as practicable, and no later than one hour after removal from the <b>drain</b>, and</p> <p>(X) the activity shall not be undertaken during <u>the migration times listed in Schedule F1a for species present in the catchment.</u></p>
Rule 122: Removing vegetation – permitted activity	Support; Amend	<p>The requirement to return fish to the water is supported (i), as are (k), (l) and (m). However, Kakahi (freshwater mussels) should be captured within the provision.</p> <p>Due to the potential for high sediment inputs, a condition should be included requiring that works are not undertaken during peak upstream migration times for fish species present in the catchment.</p>	<p>(h) any fish (except identified pest species), <del>and</del> koura and kakahi (freshwater mussels) removed from the river or lake bed during works shall be returned to the river or lake as soon as practicable, and no later than one hour after removal, and</p> <p>(X) the activity shall not be undertaken during <u>the migration times listed in Schedule F1a for species present in the catchment.</u></p>
Rule 127: Reclamation of the beds of rivers or lakes – non-complying activity	Support	The non-complying activity status for piping of streams is supported, as this type of activity can have significant effects (including cumulative) on aquatic ecosystems through loss of habitat.	Retain as notified.
Rule 136: Take and use of water – permitted activity	Amend	The provisions regarding intake design need to be amended to provide clear standards based on best practice to prevent fish from	(c) fish are prevented from entering the water intake <u>or becoming trapped</u>

<p>and Rule 137: Farm dairy washdown and milk-cooling water – permitted activity</p>		<p>entering or becoming trapped against the intake.</p>	<p>against it, by meeting the following standards:</p> <p>(i) <u>The maximum approach velocity (the speed at which water is drawn into the intake) shall be 0.1m/s, and</u></p> <p>(ii) <u>the screen mesh size shall be a maximum of 3mm, and</u></p>
<p>Rule 141: Take and use of water – controlled activity</p>	<p>Amend</p>	<p>The provision regarding intake design needs to be amended to provide clear standards based on best practice to prevent fish from entering or becoming trapped against the intake.</p>	<p>(c) fish are prevented from entering the water intake or becoming trapped against it, by meeting the following standards:</p> <p>(i) <u>The maximum approach velocity (the speed at which water is drawn into the intake) shall be 0.1m/s, and</u></p> <p>(ii) <u>the screen mesh size shall be a maximum of 3mm, and</u></p>
<p>5.7.2 Coastal Management General Guidelines</p>	<p>Support</p>	<p>These guidelines, especially (k) and (l) are considered appropriate requirements for coastal permits.</p>	<p>Retain as notified.</p>
<p>5.7.3; 5.7.5 - Structures</p>	<p>Amend</p>	<p>There is overlap between the Rules in Sections 5.7.3 and 5.7.5 associated with additions or alterations to structures.</p> <p>There is uncertainty with the activity status for additions or alterations to structures controlled by Rule R151 that cannot meet conditions (f) to (l), as there is no default rule. Also, condition (k) to Rule R151 allows for a substantial increase in size, which may not be appropriate as a controlled activity within a Scheduled biodiversity or habitat site.</p>	<p>Remove 'additions and alterations' of existing coastal structures from Rules R161 and R162, to ensure that these activities are solely managed by Rules in Section 5.7.3.</p> <p>Add two new rules to Section 5.7.3 to provide for situations where the conditions in Rule R151 cannot be met. Restricted discretionary activities when outside a Scheduled site, and a discretionary activity when inside.</p>



		<p>Where the conditions are not met, it is important to differentiate between additions and alterations within, and outside of, a Scheduled biodiversity or habitat site.</p> <p>In addition, Rules R161 &amp; R162 also address additions and alterations to existing structures, and differentiates between structures within and outside an identified site or habitat. It is unclear which rule applies to an application for additions and alterations to existing structures.</p> <p>To resolve these issues, it is considered that revision of the rule structure is required.</p>		
Rule R149: Maintenance or repair of structures – permitted activity	Support	This rule is supported as it allows for maintenance and repair of historic structures with appropriate conditions.	Retain as notified	
Rules R150(f), R151(f)	Support	The inclusion of conditions within these rules to prevent these activities occurring in sites identified in Schedules E1, E2 and E3 is supported and reflects s6(f) RMA.	Retain as notified	
Rule R154: New temporary structures outside sites of significance – permitted activity	Amend	The conditions of the permitted activity do not refer to sites or structures identified in Schedule E. There is concern that this could have adverse impacts on the values of these sites within the coastal marine area.	Add reference to Schedule E within condition (f).	
Rule R155: New temporary structures – restricted discretionary activity	Amend	Matter of discretion 7 should be amended to include reference to sites identified in Schedule E.	Add reference to Schedule E within matter of discretion 7.	
5.7.5 – New and Replacement Structures; Rule R157.	Support	This Rule is supported providing the conditions and matters of control are retained to ensure adverse effects are addressed, as they may be in identified significant areas.	Retain	

Rules R163 and R164.	Amend	<p>The differentiation between these rules is supported, especially condition (l) of Rule R163 (location in a scheduled ecological area).</p> <p>However, as R163 applies to replacement of parts of structures, but R164 doesn't, it is unclear what activity status replacement of part of a structure has if it cannot comply with the conditions of R163.</p> <p>Rule R164 should apply to the replacement of parts of structures that do not comply with Rule R163.</p>	Add Replacement of Parts of Structures to Rule R164.
Rule R168: Alteration of structures identified in Schedule E2 and Schedule E3 – Permitted Activity	Support	This rule for the on-going alteration of functioning structures to enable them to remain functional within appropriate limitations.	Retain as notified.
Rule R195: Disturbance or damage inside sites of significance – non-complying activity	Support	This rule provides appropriate protection for significant coastal sites and habitats.	Retain as notified.
5.7.6 Seawalls: Rules R165-R167	Support	These rules are supported as providing appropriate implementation of the Policies and Objectives.	Retain as notified.
Rule R197: Motor Vehicles on the Foreshore	Amend	Conservation activities carried out by the Department of Conservation that are not strictly emergencies should be included.	Insert the following or similar: <u>Conservation activities carried out by the Department of Conservation</u>
Rule R200	Support	The conditions and matters of control are supported as providing for appropriate consideration of flood protection/erosion control dredging.	Retain as notified.
Rule R204 & R205	Support	These rules provide an appropriate framework for the consideration of destruction, damage or disturbance.	Retain as notified.

Rules R207, R208 & R209	Support	These rules provide an appropriate framework for the consideration of deposition.	Retain as notified.
Rule R215: Reclamation and Drainage – non-complying activity	Support	This rule provides appropriate activity status for reclamation and drainage within a site of significance.	Retain as notified.
Rule R216 – Destruction – non-complying activity	Amend	Destruction of foreshore and seabed is also addressed by Rules R204 and R205.	Clarify relationship for destruction between these sets of rules.
Rule R217 – Planting in the CMA	Amend	The rule currently allows the planting of any plant that is not identified as a pest plant or within a site in Schedule E4. This does not provide appropriate control for a permitted activity.  The rule should be restricted to native species appropriate to the ecology of the site that will not have adverse effects on the coastal environment.	Restrict planting to native plant species and to specified ecological enhancement and hazard mitigation objectives.
Method M4: Sea level rise	Support	This method is consistent with the NZCPS.	Retain.
Method M7: Outstanding water bodies	Support	The process proposed is robust and will be an important part of giving effect to the NPS-FM.	Retain.
Method M20: Wetlands	Support	This method will assist in maintaining and enhancing wetlands within the region.	Retain
Method M21: Fish passage	Amend	This method is generally supported as it provides for on-going work to maintain and restore fish passage, including the provision of information on fish passage. Given the Department of Conservation's role in relation to fish passage, the method should refer to consultation with the Department when determining priority areas. In addition, (c) should be worded so that the focus is on priority areas, while retaining the general direction to restore fish passage in all	Wellington Regional Council will support the maintenance and restoration of fish passage in the region by:  (a) developing and providing information on fish passage, and  (b) providing training and guidance to

		areas (subject to the exceptions where it is not appropriate, as captured in the changes sought to Policy 34.	(c) <u>identifying priority areas for restoring fish passage in consultation with key stakeholders (including the Department of Conservation) and restoring fish passage in these areas as a priority areas.</u>
Method M24: Outstanding natural features and landscapes and high natural character	Support	The proposal to identify outstanding natural features and landscapes within the region and areas with outstanding/high natural character in the coastal environment by 2017 is supported as required to give effect to the NZCPS.	Retain as notified.
Method M28: Development of good management practice guidelines	Support	This method is supported, and in particular the provision of good management practice guidelines regarding fish passage.	Retain as notified
Policies regarding minimum flows for each whatua Policies R.P.1, WH.P.1, P.P.1, K.P.1, WC.P.1	Support	The minimum flows set are appropriate to safeguard aquatic ecosystem health. In particular, the use of mean annual low flow as minimum flow limits is supported.	Retain as notified
Rules R.R.1, WH.R.1, and K.R.1	Support	These rules are supported, in particular the provision for flushing flows in clause (c) of each rule, which help to maintain natural flow variability and are important for aquatic ecosystem health.	Retain as notified.
Rules R.R.3, WH.R.4 and K.R.4	Support	These rules are supported as they give effect to the NPS-FM objective to avoid any further over-allocation of freshwater.	Retain as notified.
7.2: Tables 7.3 and 7.4	Support	The allocation limits are appropriate and are based on guidance in the Proposed NES for ecological flows.	Retain as notified
Schedule F3a	Support	The schedule sets out appropriate matters to consider for restoration management plans.	Retain as notified.
Schedule F3: Identified	Amend	The schedule is supported as a means of clearly identifying wetlands	<u>The wetlands listed in this Schedule are</u>

Significant Natural Wetlands		subject to the livestock exclusion rules. However, introductory text is required to clarify that significant natural wetlands are only restricted to this schedule in relation to the livestock access rules, and that in all other cases, the RPS criteria also applies.  In addition, the schedule should be updated to reflect the change sought to include wetlands smaller than 0.1ha.  The inclusion of a schedule to provide principles that guide the development of biodiversity offsetting proposals is supported.	significant natural wetlands from which livestock should be excluded in accordance with Rule 98.
Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity	Support		Retain Schedule G, subject to amendments sought below.
Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity	Amend	The schedule should refer to current central Government guidance on biodiversity offsetting to provide reference to current good practice.	Add the following after the first sentence in Schedule G:  <u>It should be read in conjunction with any current central Government guidance on biodiversity offsetting.</u>
Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity	Amend	The inclusion of multiple references to mitigation within Schedule G has the potential to cause confusion and to blur the distinction between mitigation and offset. As currently worded, the plan uses the term mitigation to describe actions that would more appropriately be applied as an offset. Providing guidance for the development of good mitigation is supported, however should be in a separate schedule.	Remove references to mitigation from within the schedule.  Include a separate schedule providing direction around good practice for biodiversity mitigation.
Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity	Amend	The reference in 4(a) to positive effects being achieved at the site does not work for offsets which are located away from the impact site. The same issue occurs in the first paragraph of point 6.	Amend 4(a) to refer to the 'offset site'.  Amend 6 as follows:  Any proposals for biodiversity offsets will provide measurable positive effects on biodiversity at the site as close to the location of development, where this will result in the

<p>Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity</p>	<p>Amend</p>	<p>Additional matters are required to be added to point 6.</p>	<p><u>best ecological outcome or, where appropriate, within the ecological district...</u></p> <p>Retain 6 (a) and (b) and add the following: Any proposal for proposals for biodiversity offsets will demonstrate <del>that</del>:</p> <p>(a) <u>that an explicit calculation...</u></p> <p>(b) <u>that the biodiversity offset ...</u></p> <p>(c) <u>that the offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost.</u></p> <p>(d) <u>the intention to utilise an offset and include a biodiversity offset management plan that:</u></p> <p>(i) <u>sets out baseline information on indigenous biodiversity that is potentially impacted by the proposal at both the donor and recipient sites</u></p> <p>(ii) <u>demonstrates how the requirements set out in this schedule will be addressed</u></p> <p>(iii) <u>identifies the monitoring approach that will be used to demonstrate how the matters set out in this appendix have been addressed over an appropriate timeframe</u></p> <p>(e) <u>that the principles in this schedule have been addressed.</u></p>
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Proposed Natural Resources Plan:

Submitter:

**David and Pauline Innes**

Submitter Number:

**S76**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: David & Pauline Innes

Organisation name: (If applicable)

Address for Service: 353 Moores Villy Rd  
 RD1 Wainuiomata  
 5373

Telephone no's: Work: Home: 564 8452 Cell:

Contact person: David

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: mowlem1@xtra.co.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Maps 13a, 13b, 13c and 21d  (001-004)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	There is no evidence to support the inclusion of our streams in these zones. These maps are inadequate at such a scale and the website is almost unusable. If the Council was at all serious about protecting native water fauna it would control, not promote, introduced predatory and competitive fish. It is a waste of effort to try to protect just habitat. This is the similar case to protecting native birds. Most of the Lesser WRC is in public hands so to prevent further native

		species from going extinct a concerted effort on the Council to "ring fence" a public area and enforce some pest control would achieve more than imposing restrictions on private land.
	I seek the following decision from WRC (give precise details): →	Remove all our streams from these maps.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
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[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

Date: 24 Sept 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

## Publication of details

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Juken New Zealand Limited**

Submitter Number:

**S77**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Sean McBride  
 Organisation name: (If applicable) Juken New Zealand Ltd  
 Address for Service: PO Box 535, Masterton 5840

Telephone no's: Work: 06 370 6400 Home: Cell: 0274 992 931  
 Contact person: Sean McBride  
 Address and telephone no (if different from above):

**Electronic communication**

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Email address: sean.mcbride@jnl.co.nz

**Trade competition**

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:
  - I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 4.2, Policy P7	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Forestry delivers substantial benefits with respect to water quality, erosion control, and carbon sequestration, yet is not listed in P7
	I seek the following decision from WRC (give precise details): →	Forestry should be recognised as a beneficial use of land and water

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 5.4.5 Rule R102	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Permitted Activity status applies to Plantation Forestry on erosion prone land, ignoring any specific rules around plantation forestry on non-erosion prone land. Need to better define how slope is measured for erosion prone classification
	I seek the following decision from WRC (give precise details): →	Clarify status of plantation forestry on non-erosion prone land either through insertion of a new rule or amendment to rule R102

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 5.5.5	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	For plantation forestry Rule R102 C requires slash to be removed from a surface water body under certain conditions, as there is no rule in Section 5.5.5 allowing slash to be deposited in a surface water body in the first place these rules contradict each other. Slash management will be addressed in the harvest plan submitted as required and some deposition of slash provided it does not have a detrimental impact on the water body should be allowed.
	I seek the following decision from WRC (give precise details): →	Include a rule in section 5.5.5 allowing slash deposition in water bodies with parameters around the effects at which a resource consent would be required

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

5

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**South Wairarapa Biodiversity Group  
Incorporated**

Submitter Number:

**S78**



SUBMISSION – PROPOSED NATURAL RESOURCES PLAN WGTON REGION  
NAME: *South Wairarapa Biodiversity Group Incorporated*

SPECIFIC PROVISION/SECTION(S) NUMBERS:

Mountains to the Sea: Objectives 01 to 05

Maori relationships: Objectives 014 to 016

Natural character, form and function: Objectives 017 to 022

Water Quality: Objectives 023 to 024.

**We support the aforementioned Objectives.**

**We wish to have the related provisions amended in terms on monitoring and coverage of some natural features for greater certainty.**

REASONS FOR SUBMISSION:

To monitor and regulate land use activities, water takes and use, and discharges in the Ruamahanga River catchment, to manage through objectives, policies and methods in the NR Plan so that the water quality in Upper Wairarapa Moana & Lower Wairarapa Moana (Lake Onoke<sup>1</sup>) is of suitable quality to provide for contact recreation, support healthy indigenous ecosystems, and avoid accelerated sedimentation. To determine whether these outcomes are met, the regional council must establish and maintain a comprehensive water quality and ecosystem health monitoring programme for the lakes and streams – in consultation with territorial government, Ruamahanga Whaitua and Wairarapa Moana Coordinating Committees.

It appears Lake Onoke does not fall within the ambit of the National Policy Statement for Freshwater Management 2014 (NPS-FM), but it will come within the NZ Coastal Policy Statement 2010. Hence, or otherwise, Lake Onoke will definitely **not** be excluded from the Ruamahanga Whaitua Committee's scope (which extends some 12 nautical miles out to sea)<sup>2</sup>.

Our Society's 2014 submission concerning a local authority's waste water resource consent stated that:

*Lake Wairarapa, the Ruamahanga River, Tauherinikau River, and coastal lakes, coastal marine area, groundwater system and wetlands - are all influenced by the cumulative contribution of nutrients and other contaminants that are discharged into the catchment. This includes the Greytown, Martinborough and Featherston Waste Water Treatment plants discharges as well as a number of other point and non-point source discharges.*

*The healthy functioning of the aquatic and terrestrial ecosystems linked to the water bodies in the Wairarapa catchment must be protected as a priority. This is necessary to achieve sustainable management as defined on Section 5 of the RM Act. The cumulative contribution of contaminants from within the catchment, in combination with other anthropogenic modifications to the hydrology of the lower catchment, has caused and is continuing to cause significant adverse effects on the health of ecosystems in the lower catchment and the immediate*

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<sup>1</sup> The community is supporting an NZGB application for official historic name recognition for the adjoining settlement of Lake Ferry. Ideally 'Lake Onoke' will also be officially recognised in due course.

<sup>2</sup> The Draft NR Plan implies that when Lake Onoke is open to the sea it will be treated as an estuary but when it is closed it will be treated as a lake. This needs to be clarified, for best purposes.

*coastal environment. This is to the point where life-supporting capacity in this area has not been safeguarded.*

Following a previous resource consent hearing relating to Masterton's waste water treatment application, both Carterton & South Wairarapa district councils confirmed that they had not made submissions on the matter, notwithstanding their districts vulnerable downstream locations.<sup>3</sup> At the December 2014 Ramsar Convention (a status application we support) reference was made to published advice that untreated wastewater overflow from the "sometimes failed Masterton system would flow into Onoke within 12 hours." (This was verbally confirmed from the floor.) Local and central government needs to address such issues to protect Onoke shorelines, wetlands, and wildlife migrating through the whole Wairarapa valley.

**WE SEEK THE FOLLOWING DECISION FROM WRC:**

Amend the Proposed Plan to give effect to the objectives and policies of the New Zealand Coastal Policy Statement as they relate to Wairarapa Moana, including in relation to natural character and indigenous biodiversity.

Amend the Proposed Plan to give effect to the National Policy Statement for Freshwater Management, in particular in relation to Wairarapa Moana.

Give appropriate recognition, monitoring, and protection of Lake Onoke as a wetland and a site with significant indigenous biodiversity values, including the plantings undertaken by the Society and the community on the riparian strip, and around the restored Okorewa coastal lagoon; monitoring and protection of the Ruamahanga catchment generally.

To manage through objectives, policies and methods in the Plan so that the water quality in Upper Wairarapa Moana & Lower Wairarapa Moana (Lake Onoke) is of suitable quality to provide for contact recreation, support healthy indigenous ecosystems and avoid accelerated sedimentation.

To monitor and regulate land use activities, water takes and use, and discharges in the Ruamahanga River catchment.

To establish and maintain a comprehensive water quality and ecosystem health monitoring programme for the lakes and streams – in consultation with territorial government, Ruamahanga Whaitua, Wairarapa Moana Coordinating Committees and other relevant parties (including the South Wairarapa Biodiversity Group).

**WE DO WISH TO BE HEARD IN SUPPORT OF OUR SUBMISSION AT HEARINGS.**

SIGNED:



DATE: 24 September 2015

As Secretary and for *South Wairarapa Biodiversity Group Incorporated.*

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<sup>3</sup> Nor did GW make submissions on the downstream implications for the protection of natural resources.



Proposed Natural Resources Plan:

Submitter:

**Castlepoint Ratepayers and Residents  
Association Incorporated**

Submitter Number:

**S79**



To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

Full name: Chris Garland Chairman [0274379834]

Organisation name: (If applicable) Castlepoint Ratepayers and Residents Association Inc.

Address for Service: Secretary Linda Macrae

Whitespurs

RD 3 Masterton

Telephone no's: Work: Home: 063727649 Cell: 0276330998

Contact person: Neville Zander

Address and telephone no (if different from above): 10/100 Titoki Street Masterton 063770678

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: Chris Garland cigar@bakerag.co.nz Linda Macrae dlmacrae@wizbiz.net.nz Neville Zander njzander@xtra.co.nz

### Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

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### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	Policy P148: Motor vehicles in sites with significant value The use of motor vehicles on the foreshore in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) shall be avoided, except when required for surf lifesaving, emergency, law enforcement, local authority or regionally significant infrastructure purposes. We have been provided with Map 7 in relation to Schedule C. Residents and visitors have used these beaches for transport to areas o the map to gather sea food and in the case of Castlepoint beach in the Scenic Reserve for all manner of recreational activities. The provision of off beach car parks [32] is totally inadequate to accommodate over 100 utes and cars which have been observed on the beach at holiday weekends.
	I seek the following decision from WRC (give precise details): →	We seek an amendment to allow recreational access onto the beach for vehicles, namely, Mataikona Beach, South of Suicide Rock Beach, Okau Beach [Sandy Bay] and adjacent sandy beaches, North, Whakataki Beach, and Castlepoint Beaches not covered [front beach] by the Masterton District Council By-law.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Mears Holdings Limited**

Submitter Number:

**S80**





FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

MEARS HOLDINGS LTD

NUMBER STREET NAME

256 Mangarua Valley Road

SUBURB/TOWN City POSTCODE

Mangarua Upper-Hutt 5371

PHONE EMAIL

04-5267786 mickmears@extra.co.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:

Please specify the provision/section number: 202

My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: The wording in the plan is confusing and ambiguous

I seek the following decision from WRC (give precise details): If there are rivers on our property we have the right to be shown the boundaries of those rivers so as we would not unknowingly cross the boundary

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- We do wish to be heard in support of my/our submission at hearings
We do not wish to be heard in support of my/our submission
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

We could not gain an advantage in trade competition through this submission
We could gain an advantage in trade competition through this submission

I/we am/am not directly affected by an effect of the subject matter of my submission that:

- adversely affects the environment; and
does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: Mick Mears Date: 24-09-15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

MEARS HOLDINGS LTD.

NUMBER

256

STREET NAME

Mangaroa Valley Road

SUBURB/TOWN City

MANGAROA-UPPER-HUTCH

POSTCODE

5371

PHONE

04/5267786

EMAIL

mickmears@xttra.co.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:

Please specify the provision/section number:

My submission on this provision is: Trout spawning waters Map 22

- I support the provision
- I oppose the provision
- I wish to have the specific provision amended

Reasons for my submission: ~~Coleys~~ Couleys Stream has been in the past a Trout spawning stream but because of unlawful works up stream it is now not certain

I seek the following decision from WRC (give precise details): That any Resource Consent granted is monitored by the Consent Authority to ensure all conditions are adhered to. i.e. boundaries in all directions + up and down

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

Attendance and wish to be heard at hearing(s)

- We do wish to be heard in support of my/our submission at hearings. *Note: This means that you wish to speak in support of your submission at the hearing(s)*
- We do not wish to be heard in support of my/our submission. *Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court*
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

~~I/we could not gain an advantage in trade competition through this submission~~

I/we could gain an advantage in trade competition through this submission

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

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: M J Mearns Date: 23-09-15

Person making submission or person authorised to sign on behalf of person making submission. *NB. Not required if making an electronic submission*



Proposed Natural Resources Plan:

Submitter:

**New Zealand Defence Force**

Submitter Number:

**S81**





Defence Shared Services  
National Service Centre  
Alexander Road  
Private Bag 902  
Trentham  
Upper Hutt 5140, New Zealand

## Submission on Proposed Natural Resources Regional Plan for the Wellington Region

**To:** Greater Wellington Regional Council  
Shed 39  
2 Fryatt Quay  
Pipitea  
Wellington 6011

**Email:** [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

**Submitter:** New Zealand Defence Force  
**Contact Person:** Rob Owen, Environmental Services

**Address for Service:** New Zealand Defence Force  
Private Bag 902  
National Service Centre  
Cnr Alexander and Dante Roads  
Trentham  
Upper Hutt

**Phone:** 04 587 2006 (Rob); 04 806 4977 (Sara)  
**Email:** [robert.owen@nzdf.mil.nz](mailto:robert.owen@nzdf.mil.nz), [sara.mcmillan@nzdf.mil.nz](mailto:sara.mcmillan@nzdf.mil.nz)

### 1. Introduction

This is a submission on the Proposed Natural Resources Regional Plan (PNRP) for the Wellington Region, September 2015. Specifically this submission addresses provisions in the PNRP that relate to NZ Defence Force (NZDF) assets, facilities and activities within the Wellington Region.

NZDF provides for the well-being of Wellington, and the nation through meeting the Government's security objectives and international obligations, as well as through activities such as search and rescue. Defence facilities are critical for ensuring the health, safety and welfare of the nation.

A critical asset to NZDF within the Wellington region is the Trentham Military Training Camp in Upper Hutt. The Camp is the location of the Headquarters Joint Forces New Zealand and is used for various military activities. In addition to Trentham, NZDF also owns land on the Watts Peninsula and Buckle Street in Wellington City. From time to time NZDF may also undertake other activities (Temporary Military Training Activities) on land not owned by NZDF throughout the region.

NZDF's submission is set out in Table 1 below.

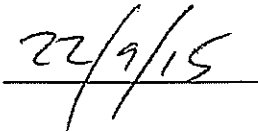
NZDF **could not** gain an advantage in trade competition through this submission.

NZDF wishes **to be heard** in support of this submission.

If others make a similar submission, **NZDF will consider** presenting a joint case with them at the hearing.



Date



Person authorised to sign

on behalf of New Zealand Defence Force



**TABLE 1: NZDF SUBMISSION**

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
<b>Chapter 2.2: Definitions</b>				
1	Cleanfill <i>ool,</i>	Amend	The definition of cleanfill does not adequately distinguish between cleanfilling and earthworks operations. The current definition suggests that earthworks filling could be subject to cleanfilling rules and vice versa.	Make the necessary amendments to be clear that earthworks operations will not be subject to the cleanfill rules, and that cleanfilling will not require consent to undertake earthworks.
2	Erosion prone land	Amend	The definition of erosion prone land states 'the pre-existing slope of the land exceeds 20 degrees'. It is unclear to what extent this applies, for example, is it intended to be calculated on an area to area basis?	Amend the definition for erosion prone land to clarify how this is determined and provide guidance on its application to sites.
3	Firefighter training	Amend	A definition of firefighter training is not provided in the PNRP, which could make the interpretation of rule R3 difficult.	Add a definition of firefighter training.
4	Regionally Significant Infrastructure	Amend	International and national defence activities are a key function of the Crown and this is reflected in the national network of defence infrastructure, of which Trentham Military Camp forms a part. Through this, NZDF provides an important service to the community. Recognition of the long-term nature of NZDF infrastructure and the potential adverse effects of reverse sensitivity on these areas needs to be reflected in policy.  The PNRP acknowledges the need to appropriately allow for the ongoing operation of regionally significant infrastructure and to prevent reverse sensitivity effects from new land use development. However, the PNRP does not include defence facilities in the discussions or definition of regionally significant infrastructure. As such, policies outlining the need to recognise the benefits of regionally significant infrastructure and protect it from inappropriate	Amend the definition of Regionally Significant Infrastructure to include defence facilities  OR  Ensure that Objectives and Policies that give recognition to the importance of "regionally significant infrastructure" are supplemented by the words "and defence facilities".

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
5	Surface water bodies	Support	<p>We consider it is appropriate that water bodies are regulated differently depending on their flows and naturalness. However, man-made water bodies and those with very low flows (artificial drains, ephemeral flow paths) are not 'rivers' under the RMA and so should not be subject to provisions relating to river beds (section 13 of the RMA). Providing definitions of the different types of surface water bodies provides clarification in the rules.</p>	Retain the various definitions of surface water bodies to provide clarity.
6	Specified materials	Support	<p>NZDF is often required to safely dispose of excess fireworks and other pyrotechnics on behalf of a range of parties. The definition of 'specified materials' excludes the 'burning of pyrotechnics for private or public display or military training or for their authorised disposal by the New Zealand Defence Force', which is appropriate. The definition also excludes 'the burning of materials in burn boxes authorised by the New Zealand Defence Force', which is also appropriate.</p>	Retain this definition as notified.
7	Temporary Military Training Activities, & Section 5.7.2 and Rule R185 section 5.7.11	Amend	<p>The phrase Temporary Military Training Activities (TMTAs) is used in the Plan, however no definition is provided.</p>	<p>Include the following definition of Temporary Military Training Activities:          "Temporary Military Training Activity means a temporary military activity undertaken for defence purposes. The term 'defence purposes' is as per the Defence Act 1990."</p>
<b>Chapter 5.1: Air Quality</b>				
8	Discharge to Air Rules	Amend	<p>The fuels-based approach of the air quality provisions is inconsistent with the effects-based focus of the RMA. The implications are that some activities will require consent despite not having an adverse</p>	<p>Amend the air quality rules chapter to apply an effects-based approach to managing air discharges, instead of being</p>

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
			environmental effect, and activities not anticipated will require consent under the catch-all discretionary rule.	activity focussed.
9	Discharge to Air Rules	Amend	Many of the air quality rules require the discharge to not create effects outside of the property. As property is defined as 'any contiguous area of land held in one ownership', it's unclear how these rules would be applied to locations which are bisected by rivers or roads (i.e. not contiguous). Consideration should also be given to whether it's appropriate for air discharges to be assessed based on property boundaries, given it relates to effects on the environment under s15 of the RMA.	Rephrase the rules to clarify how the air quality rules would apply to 'non-contiguous' areas that are bisected by rivers or roads. For example, by inserting the statement " <i>beyond the boundary of the premises where the activity takes place</i> ".
10	Rule R3 – Outdoor burning for firefighter training	Amend	The discharge of contaminants for the purpose of firefighting training or research under the control of NZDF is a permitted activity, which is appropriate.	Retain rule as notified.
11	Rules R14 & R15 – Chemical and metallurgical processes	Amend	Spray coating both within an enclosed space and not within an enclosed space are permitted activities, subject to conditions. However, the rule covers only discharges to air, but many other rules encompass and bundle all discharges into one rule.	Bundle the rules to include discharges onto or into land where it may enter water, in addition to discharges to air.
12	Rules R25 & R26 – Dust generating activities	Amend	The rules provide for abrasive blasting either within or outside of an enclosed booth. Effective measures can be used to ensure that any abrasive blasting of lead based paint does not result in the paint being discharged to the environment, and it is appropriate that this is provided for as a permitted activity.  The rules for abrasive cleaning only cover discharges to air, necessitating the application of other discharge rules that will impact on the activity status.	Bundle rules to include discharges onto or into land where it may enter water, in addition to discharges to air.
13	Rules R37 & R38 - Agrichemicals	Amend	Where discharge of agrichemicals are not permitted under Rules R36 and R37, they have discretionary activity status, which is considered overly onerous.	Amend the activity status to restricted discretionary activity, which will provide clear guidance on the matters for discretion, giving more certainty to those using agrichemicals.

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
14	Rule R41 – All other discharges to air	Amend	The discharge of contaminants not otherwise provided for are subject to the catch-all discretionary rule. This could be restrictive to minor discharges to air that are not covered due to the fuels-based approach to the rules in submission point 9 above.	Amend the rules to permit minor discharges. This could be achieved by listing all discharges considered to be covered by the discretionary activity and those that are not listed are permitted, subject to fair and reasonable conditions.
<b>Chapters 5.2 and 5.3: Discharges (Land and Water)</b>				
15	Policy P97	Amend	This policy relates to the management of sediment discharges to surface water bodies using a source control approach. However, the definition of 'source control' does not relate well to sediment generation; and it is unclear how off-setting would be applied to applications involving sediment discharges.	Make the necessary amendments to the policy and/or definitions to address this issue. For example, removing the reference to source control approaches from this policy.
16	Section 5.2.3	Amend	The diversion of surface water runoff is restricted by s14(2) of the RMA. The PNRP does not specifically address stormwater diversion, and so it would presumably fall under the general rule for taking, use, damming and diverting water as a Discretionary Activity (Rule R135). We note that this could easily be missed by applicants. This could possibly be addressed by authorising the diversion in the stormwater discharge rules in section 5.2.3 (i.e. rule bundling).	Amend the rules in section 5.2.3 to bundle the diversion of stormwater discharges with other relevant rules. OR Provide a specific rule for stormwater diversion.
17	Section 5.2 (Discharges to water) and Section 5.3 (Discharges to land)	Amend	The rules in section 5.2 refer to the discharge of contaminants onto or into land where it may enter water, and the rules in section 5.3 refer to the discharges of contaminants to water. The overlap and interaction between these sections is unclear. For example, permitted activity condition (a) of the discharges to land Rule R69 states that the contaminant shall not enter water. If the contaminants discharged to land would also enter water, it appears consent would be required under both Rule LW.R93 (all other discharges to land) due to not meeting the permitted condition, as well as potentially under section 5.2 (discharges to	Amend the rules in sections 5.2 and 5.3 and/or insert guidance notes to clarify which rules apply.

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
18	Rule R42 – Minor discharges	Support	<p>The conditions relating to this rule are generally appropriate. As the other permitted conditions appear to sufficiently control the quality of the discharge, it is appropriate to only restrict those discharges close to potable water supply bores and not to bores used for irrigation.</p> <p>The note under Rule 48 provides clarification to the application of the rules for earthworks activities, and is appropriate.</p>	Retain as notified
19	Rule R48 – Stormwater; and Rules R99 and R101 – Earthworks and vegetation clearance	Support	<p>The requirement for site investigations is consistent with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES Soil), which is appropriate. However, it is unclear if these rules apply only to the disturbance of contaminated land, or if it applies to the long term discharges associated with contaminated land, regardless of whether disturbance or development occurs.</p>	Retain note as notified.
20	Rules R54, R55, R56 – Contaminated land and hazardous substances	Amend	<p>Temporary military training activities may discharge minor contaminants as part of the activities and it would be onerous to require resource consent. The permitted activity conditions (b) and (c) are considered appropriate. Permitted activity condition (a) for this rule states that the contaminant shall not enter water. To avoid ambiguity, it should be clear that 'water' relates to aquifers, surface water bodies and coastal water only. The condition is also very absolute (using shall not) and no allowance is made for reasonable mixing or dilution of the contaminant.</p>	Amend and clarify the applicability of these rules to different activities in relation to use of contaminated land.
21	Rule R69 – Minor contaminants	Amend	<p>No time period is specified in the permitted conditions for the discharge of cleanfill material. This could mean that the limit of 100 m<sup>3</sup> for the discharge volume could be interpreted to be over the life</p>	Amend permitted activity control (a) to address these issues and provide clarification for users.
22	Rule R70 - Cleanfill material	Amend		Amend the permitted conditions to clarify the timeframes for cleanfilling.

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
<b>Chapter 5.4: Land Use</b>				
23	Rule R100 – Vegetation clearance	Amend	Vegetation clearance on non-erosion prone land is not specifically listed as a permitted activity, unlike clearance on erosion-prone land. This may be an unintentional omission, however it currently implies that minor vegetation clearance requires resource consent.	Specify that vegetation clearance on non-erosion prone land is a permitted activity, subject to appropriate conditions.
24	Policy P27	Amend	The policy framework for natural hazards requires use and development in high hazard areas (including beds of rivers) to be avoided. There is a list of exemptions to this policy, but they all have to be met. The definition of “high hazard areas” includes “the beds of lakes and rivers”. This is overly conservative and results in an overly restrictive planning framework for works in small waterways.	Amend the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard, rather than inappropriately capturing all river beds and margins.  AND modify the policy framework to be less absolute in terms of restrictions (e.g. replace the term avoid, and/or refer to ‘inappropriate development’).
<b>Chapter 5.5: Wetlands and beds of lakes and rivers</b>				
25	Rule R114 – River crossing structures	Amend	The river crossing structures rule permits small bridges, but it is not clear how to determine what is considered a ‘small bridge’.  No provision is made for temporary structures.	Amend the rule to clarify how a “small bridge” is defined.  It is appropriate to provide for temporary structures in river beds, for consistency with other regional plans across the country.
26	Rule R117 – New structures	Amend	This Rule for new structures lists some specific structures that are anticipated, but noticeably stormwater outlets and erosion protection structures are not mentioned and there is no specific policy directing their appropriateness. These are common and important in-stream structures so should be specifically provided for.	Make the necessary amendments to this rule to specifically provide for stormwater outlets and in-stream erosion protection structures.

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
27	Rule R121 – Maintenance of drains	Amend	The permitted conditions for maintenance of drains and highly modified river or stream includes a 3 month stand-down period between maintenance of both sides of the drain. Reasoning behind this timeframe is not clear and could impact on the regular maintenance of important infrastructure and watercourses.	Amend the permitted activity conditions under this rule to allow for appropriate maintenance of drains and highly modified rivers or streams.
<b>Chapters 7-11: Whaitua Chapters</b>				
28	Whaitua Chapters and section 2.1.5	Amend	NZDF has concerns regarding the workability of these chapters, and their integration with the NRP as a whole. As they currently stand these chapters result in uncertainty throughout the Plan. The note under each rules section in this chapter states that the rules in the Whaitua Chapters and Chapter 5 both apply equally. These provisions are unclear, do not reconcile with the requirements of chapter 5, and could prove difficult for users to work with. Under these chapters, any take and use of water from any river or groundwater requires consent, regardless of whether the take is permitted in the general rules of chapter 5.	Make the necessary amendments to both section 2.1.5 and the individual chapters, to clarify how these chapters integrate with the rest of the PNRP. Provide for small water takes with negligible effects to be provided for as a permitted activity.
29	Chapter 8 – Wellington Harbour and Hutt Valley Whaitua	Amend	The Trentham facility is in the Wellington Harbour and Hutt Valley Whaitua, and if the specified limit is exceeded the activity becomes prohibited. A prohibited status is absolute, and not a routine activity status; it should be backed with strong evidence of its necessity including justification. In this instance, the prohibited status would prevent small or strategically important water takes which can be used for operation and/or training activities. We consider that such a restriction is unintended and inappropriate.	Change the prohibited activity status to a lesser status such as non-complying, which would allow for resource consent to be applied for but still enable a high standard of assessment, and gateway tests to be passed. Small and strategically important takes (for example for training activities) should be appropriately provided for as permitted activities.
30	Chapter 8 – Wellington Harbour and Hutt Valley Whaitua – Rule WH R1	Amend	The combination of surface water and groundwater in one rule may create difficulties for assessing compliance, and the permitted conditions may not be relevant to all activities; for example, conditions relating to flows above median river flows are unlikely to	Provide separate rules for surface and groundwater takes to ensure clarity for users. Amend the model in Schedule Q to

Submission Point	Provision	Support Oppose Amend	Reasons	Relief Sought
			<p>be relevant to groundwater take applications (especially aquifers not directly connected to surface water).</p> <p>The model required to demonstrate reasonable and efficient use for irrigation (Schedule Q) appears onerous and difficult to demonstrate.</p>	<p>increase its usability.</p>



Proposed Natural Resources Plan:

Submitter:

**Meridian Energy Limited**

Submitter Number:

**S82**



# GWRC PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION (JULY 2015):

## SUBMISSION POINTS OF MERIDIAN ENERGY LIMITED (MEL):

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
<b>GENERAL COMMENTS</b>			
10	1.5.2 Issues	<p>The key natural resource management issues identified are:</p> <ul style="list-style-type: none"> <li>- Fresh water quality (urban + rural);</li> <li>- allocation and efficient use of water;</li> <li>- The state of the coastal environment;</li> <li>- the management of natural hazards,</li> </ul>	<p>MEL supports the statement of issues because it focuses on the core functions of the Council.</p> <p><b>Decision Requested:</b> Retain the list of key natural resource management issues identified for the region.</p>
<b>DEFINITIONS</b>			
23	Definition	<p><b>Functional need:</b> <i>When an activity is dependent on having its location in the coastal marine area or in the beds of lakes and rivers.</i></p>	<p>MEL supports the definition.</p> <p><b>Decision Requested:</b> Retain the definition of 'functional need'.</p>
29	Definition	<p><b>Operational requirement:</b> <i>When an activity needs to be carried out in a particular location or way in order to be able to function effectively and efficiently.</i></p>	<p>MEL supports the definition.</p> <p><b>Decision Requested:</b> Retain the definition of 'operational requirement'.</p>
30	Definition	<p><b>Regionally significant infrastructure includes:</b></p> <ul style="list-style-type: none"> <li>- pipelines for the distribution or transmission of natural or manufactured gas or petroleum</li> <li>- strategic facilities to the telecommunication network, as defined in section 5 of the Telecommunications Act 2001</li> <li>- strategic facilities to the radio communications network, as</li> </ul>	<p>MEL supports the definition.</p> <p><b>Decision Requested:</b> Retain the definition of 'regionally significant infrastructure'.</p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
30		<p>defined in section 2(1) of the Radio Communications Act 1989</p> <ul style="list-style-type: none"> <li>- the <b>national electricity grid</b> facilities for the generation and transmission of electricity where it is supplied to the electricity distribution network, including the <b>national grid</b></li> <li>- the local authority water supply network and water treatments plants....</li> </ul> <p><b>Renewable energy generation activities:</b>  The construction, operation and maintenance of structures associated with renewable energy generation, including small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</p>	<p>MEL supports the definition but with amendment to include all necessary ancillary supporting infrastructure such as access roads that are not strictly 'structures' but which are integral and essential to the establishment, operation and maintenance of renewable energy generation activities.</p> <p><b>Decision Requested:</b> Amend the definition of 'renewable energy generation activities' to include necessary ancillary activities and facilities as follows (or similar wording):</p> <p><i>The construction, operation and maintenance of structures <b>and ancillary facilities (including access tracks and roads)</b> associated with renewable energy generation, including small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</i></p>
31	<b>Definition</b>	<p><b>Reverse sensitivity:</b>  The vulnerability of an existing lawfully-established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activities, thereby creating the potential for the operation of such existing activity to be constrained.</p>	<p>MEL supports the definition.</p> <p><b>Decision Requested:</b> Retain the definition of 'reverse sensitivity'.</p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
35	Definition	<p><b>Upgrade:</b>  <i>Use and development to bring existing structures or facilities up to current standards provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity.</i></p>	<p>The definition reflects the wording proposed in the Draft NRP. However, the definition is perhaps somewhat simplistic and confining the upgrading to 'current standards' may be unnecessarily restrictive. Provided the upgrading does not introduce material new adverse environmental effects, a broad scope of upgrading should be provided for. The definition in the Horizons One Plan provides a useful guide.</p> <p><b>Decision Requested:</b> Amend the definition of 'upgrade' as follows (or similar wording):</p> <p><i>Use and development to bring existing structures or facilities up to current standards or to improve the <u>functional characteristics of structures or facilities, provided the upgrading itself does not give rise to any significant adverse effects on the environment and provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity and (a) in relation to renewable electricity generation activities, includes increasing the generation or transmission capacity, efficiency or security of regionally significant infrastructure and replacing support structures within the footprint of authorised activities.</u></i></p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
	<b>OBJECTIVES</b>		
38	Objective O12	The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.	MEL supports the objective.  <b>Decision Requested:</b> Retain Objective O12.
38	Objective O13	The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.	MEL supports the objective but requests amendment to ensure regionally significant infrastructure is protected from reverse sensitivity created by new incompatible use and development <u>or</u> by any substantive change to existing uses that is incompatible with the existing infrastructure. MEL also requests that, as in the draft NRP, the objective should apply region-wide and not only in the coastal marine area.  <b>Decision Requested:</b> Amend Objective O13 in the following manner (or similar wording):  <i>The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities <del>in the coastal marine area</del> are protected from <del>new</del> incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i>
39	Objective O19	The interference from use and development on natural processes is minimised.	MEL opposes Objective O19 in the absence of clarity about what 'interference' means.  <b>Decision Requested:</b> Delete Objective O19.
45	Objective O38	Identified special amenity landscape values are maintained or enhanced.	MEL opposes the proposed policy in the absence of clear specification of the location and reasons for identifying any geographic areas as 'special amenity landscapes'.  <b>Decision Requested:</b> Delete Objective O38.

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
<b>SCHEDULES</b>			
407	<p>Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity</p>		<p>MEL supports the proposed provision of guidelines to assist the determination of whether and what type of mitigation or offset is appropriate in a given situation. However, some of the wording is ambiguous and unnecessarily limiting.</p> <p><b>Decision Requested:</b> Amend clause 2 in the following manner or similar to clarify that mitigation or offsetting is appropriate where adverse effects, including significant adverse effects are anticipated:</p> <p>2. <i>Limits to what can be mitigated or offset</i></p> <p><i>Consideration of mitigation or biodiversity offsetting is inappropriate when an activity has the potential to cause <b>significant</b> adverse effects or residual adverse effects <b>that contribute to significant cumulative adverse effects on an area:</b></i></p> <p>(a) <i>on any area where the values of that area are highly vulnerable or irreplaceable, or</i></p> <p>(b) <i>where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate mitigation or biodiversity offset.</i></p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
	<b>POLICIES</b>		
53	<p><b>Policy P12:</b> Benefits of regionally significant infrastructure and renewable electricity generation facilities</p>	<p>The benefits of regionally significant infrastructure and renewable energy generation activities are recognised by having regard to:</p> <ul style="list-style-type: none"> <li>(a) the strategic integration of infrastructure and land use, and</li> <li>(b) the location of existing infrastructure and structures, and</li> <li>(c) the need for renewable energy generation activities to locate where the renewable energy resources exist, and</li> <li>(d) the functional need for port activities to be located within the coastal marine area, and</li> <li>(e) operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.</li> </ul>	<p>MEL supports Policy P12.</p> <p><b>Decision Requested:</b> Retain Policy P12.</p>
53	<p><b>Policy P13:</b> Existing regionally significant infrastructure and renewable electricity generation facilities</p>	<p>The use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</p>	<p>MEL supports Policy P13.</p> <p><b>Decision Requested :</b> Retain Policy P13.</p>
53	<p><b>Policy P14:</b> Incompatible activities adjacent to regionally significant infrastructure and renewable</p>	<p>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any reverse sensitivity effects.</p>	<p>MEL supports Policy P14 with amendment to more explicitly address reverse sensitivity arising from changes in existing activities as well as new inappropriate activities nearby.</p> <p><b>Decision Requested:</b> Amend Policy P14 as follows (or similar wording): <i>Regionally significant infrastructure and renewable energy generation</i></p>



Page	Reference	Policy or Provision	MEL Submission Points & Reasons
	electricity generation activities		<p><i>activities shall be protected from new-incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any reverse sensitivity effects.</i></p>
59	<p><b>Policy P33:</b> Protecting indigenous fish habitat</p>	<p><i>The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided.</i></p>	<p>MEL opposes Policy P33 and seeks amendment to provide for a cascading management approach (avoidance in the first instance, followed by remediation, mitigation) to address all adverse effects on fish habitat.</p> <p><b>Decision Requested:</b> Amend Policy P33 to provide for a cascading approach (with avoidance in the first instance, followed by remediation then mitigation) as is adopted in Policy P32 or similar.</p>
	<p><b>Policy P40:</b> Ecosystems and habitats with significant indigenous biodiversity values</p>	<p><i>Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values:</i></p> <ul style="list-style-type: none"> <li><i>(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</i></li> <li><i>(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</i></li> <li><i>(c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands), and</i></li> <li><i>(d) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</i></li> </ul>	<p>MEL requests amendment of Policy P40 to make it consistent with Policy P31 in requiring protection or restoration.</p> <p><b>Decision Requested:</b> Amend Policy P40 as follows (or similar wording):</p> <p><i>Protect <u>or</u> restore the following ecosystems and habitats with significant indigenous biodiversity values:</i></p> <ul style="list-style-type: none"> <li><i>(a) the rivers and lakes with significant indigenous ecosystems ...</i></li> </ul>
	<p><b>Policy P41:</b> Managing adverse effects</p>	<p><i>In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance</i></p>	<p>MEL opposes the reference to 'precautionary approach' in Policy P41 because the RMA inherently provides, and the proposed NRP also provides, a decision-making framework that is inherently precautionary.</p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
	<p>on ecosystems and habitats with significant indigenous biodiversity values</p>	<p>activities, other than activities carried out in accordance with a restoration management plan, shall avoid these ecosystems and habitats. If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by:</p> <p>(a) avoiding more than minor adverse effects, and</p> <p>(b) where more than minor adverse effects cannot be avoided, remedying them, and</p> <p>(c) where more than minor adverse effects cannot be remedied, mitigating them, and</p> <p>(d) where residual adverse effects remain it is appropriate to consider the use of biodiversity offsets.</p> <p>Proposals for mitigation and biodiversity offsets will be assessed against the principles listed in Schedule G (biodiversity offsetting). A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.</p>	<p><b>Decision Requested:</b> Delete the last sentence of Policy P41 ('A precautionary approach shall....indigenous biodiversity values.')</p>
61	<p><b>Policy P44:</b> Protection and restoration of sites with significant mana whenua values</p>	<p>Sites with significant <b>mana whenua</b> values identified in Schedule C (<i>mana whenua</i>) shall be protected and/or restored.</p>	<p>MEL considers that the cascade approach adopted in proposed Policy P32 is equally appropriate for the management of Schedule C values.</p> <p><b>Decision Requested:</b> Amend Policy P44 to make the approach consistent with other policy by using the expression 'protect or restore' or a cascade approach as in Policy P32 (involving avoidance in the first instance followed by remediation, mitigation).</p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
63	<p>Policy P48: Protection of outstanding natural features and landscapes</p>	<p>The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by:</p> <p>(a) avoiding adverse effects of activities on outstanding natural features and landscapes, and</p> <p>(b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.</p>	<p>MEL opposes the approach proposed by Policy P48 that all adverse effects of activities on outstanding natural features and landscapes must be avoided always.</p> <p><b>Decision Requested:</b> Amend Policy P48 as follows (or similar wording):</p> <p><i>The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by:</i></p> <p>(a) <b>avoiding significant</b> adverse effects of activities on outstanding natural features and landscapes, and</p> <p>(b) <b>avoiding significant adverse effects and</b> avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.</p>
63	<p>Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes</p>	<p>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by:</p> <p>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</p> <p>(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape.</p>	<p>MEL opposes Policy P49 to the extent that it refers to special amenity landscapes and goes further than is required by the RPS.</p> <p><b>Decision Requested:</b> Delete from Policy P49 the reference to 'special amenity landscapes':</p> <p><i>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape <del>or special amenity landscape</del> identified in a district plan shall be managed by:</i></p> <p>(a) <i>protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</i></p> <p>(b) <i>avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape.</i></p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
79	<p><b>Policy P102:</b> Reclamation or drainage of the beds of lakes and rivers</p>	<p>The reclamation or drainage of the beds of lakes and rivers and natural wetlands shall be avoided except where the reclamation or drainage is:</p> <p>(a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or</p> <p>(b) associated with a qualifying development within a special housing area, or</p> <p>(c) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002,</p> <p>or</p> <p>(d) <b>necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or</b></p> <p>(e) associated with the creation of a new river bed and does not involve piping of the river, and</p> <p>(f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or</p> <p>(g) the reclamation or drainage is of an ephemeral flow path.</p> <p>For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.</p>	<p>MEL supports Policy P102.</p> <p><b>Decision Requested:</b> Retain Policy P102.</p>
87	<p><b>Policy P134:</b> Public open space values and visual amenity</p>	<p>The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be minimised by:</p> <p>(a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative plan, and</p>	<p>MEL requests amendment to clarify that 'new use and development' does not include 'upgrading'.</p> <p><b>Decision Requested:</b> Amend Policy P134 as follows (or similar wording):</p> <p><b>The adverse effects of new use and development (excluding</b></p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
88	<p><b>Policy P138:</b> Structures in sites with significant values</p>	<p>(b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment; and</p> <p>(c) taking account of the future need for public open space in the coastal marine area.</p> <p>New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, <b>except where:</b></p> <p>(a) the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or</p> <p>(b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or</p> <p>(c) the structure will provide for navigational safety, or</p> <p><b>(d) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and in respect of (a) to (d):</b></p> <p>(e) there are no practicable alternative methods of providing for the activity.</p>	<p><u>upgrading of existing authorised activities</u> on public open space and visual amenity viewed within, to and from the coastal marine area shall be minimised by:</p> <p>MEL supports Policy P138.</p> <p><b>Decision Requested:</b> Retain Policy P138</p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
	<b>RULES</b>		
	Rule R49: Stormwater to land (permitted activity)	The discharge of stormwater onto or into land, including where contaminants may enter groundwater, from an individual property is a permitted activity provided the following conditions are met: (a) the discharge is not from, onto or into contaminated land, and (b) the discharge shall not cause or exacerbate the flooding of any other property.	MEL supports Rule R49.  <b>Decision Requested:</b> Retain Rule R49.
121	Rule R53: All other stormwater (discretionary activity)	The discharge of stormwater into water or onto or into land where it may enter water that is not permitted by Rules R48 or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51 or R52, is a discretionary activity.	MEL seeks a rule regime that provides for stormwater discharges to land and to water as a permitted activity provided they comply with minimum standards (as is the case under the operative plans). Stormwater discharges that do not meet permitted activity standards should be provided for as controlled activities, again subject to meeting performance standards and, if necessary subject to management plans to address effects through the term of the consent.  <b>Decision Requested:</b> Make explicit provision, either in the Chapter 5.3 or 5.4 rules, for stormwater discharges to water and to land in circumstances where stormwater may enter water as permitted and controlled activities including within scheduled significant sites.
125	Rule R67: Discharges inside sites of significance (non-complying Activity)	The discharge of water or contaminants into water, or onto or into land where it may enter water: (a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites), and (b) that is not permitted by Rules R42, R43, R44 or R45 is a non-complying activity.	MEL opposes the non-complying activity status.  <b>Decision Requested:</b> Amend Rule R67 by exempting stormwater discharges that are otherwise permitted or controlled or restricted discretionary activities or changing the consent status as follows:  The discharge of water or contaminants into water, or onto or into land where it may enter water, <b>except stormwater discharges:</b> (a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites), and

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
125	<p><b>Rule R68:</b> All other discharges (discretionary activity)</p>	<p>The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not: (a) permitted by Rules R42, R43, R44 or R45, and (b) is not provided for by Rule R67 or any other rule in this Plan is a discretionary activity.</p>	<p>(b) that is not permitted by Rules R42, R43, R44 or R45 is a <u>non-complying discretionary activity</u>.</p> <p>MEL supports adoption of this rule for discharges that are not otherwise permitted or controlled activities or restricted discretionary activities including those addressed by Rule R67 (noting that MEL has also requested, under Rule R53 above) that some stormwater discharges be provided for as controlled activities).</p> <p><b>Decision Requested:</b> Clarify in Rule R68 that all discharge activities that are not <u>permitted activities</u> or <u>controlled activities</u> or <u>restricted discretionary activities</u> are discretionary activities.</p>
149	<p><b>Rule R93:</b> All other discharges to land (discretionary activity)</p>	<p>The discharge of contaminants . that are not permitted, controlled, restricted discretionary, or non-complying is a discretionary activity.</p>	<p>MEL supports Rule R93.</p> <p><b>Decision Requested:</b> Retain Rule R93.</p>
154	<p><b>Rule R101:</b> Earthworks and vegetation clearance (discretionary Activity)</p>	<p>The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks or vegetation clearance that is not permitted by Rule R99 or Rule R100 is a discretionary activity.</p>	<p>MEL notes that the draft NRP proposed restricted discretionary activity status for earthworks and vegetation clearance not otherwise permitted (Rule LWR100) and for earthworks and associated stormwater discharge from areas over 3,000m<sup>2</sup>. MEL supports restricted discretionary activity status for these activities.</p> <p><b>Decision Requested:</b> Amend Rule R101 to provide for these activities as restricted discretionary activities and insert relevant discretionary matters similar to those proposed in draft Rules LWR100 and LWR102 (or similar wording):</p> <p>The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks or vegetation</p>

Page	Reference	Policy or Provision	MEL Submission Points & Reasons
			<p>MEL Submission Points &amp; Reasons</p> <p>clearance that is not permitted by Rule R99 or Rule R100 is a <u>restricted</u> discretionary activity.</p> <p><u>Matters for discretion:</u></p> <ul style="list-style-type: none"> <li>- <u>The impacts of sediment on any downstream receiving environments;</u></li> <li>- <u>The location, duration and timing of works;</u></li> <li>- <u>The area, location and volume of earthworks;</u></li> <li>- <u>Methods of erosion and sediment control;</u></li> <li>- <u>Methods and timeframes for stabilisation of earthworks and rehabilitation of land;</u></li> <li>- <u>Measures to avoid, remedy or mitigate slope failure hazard.</u></li> </ul>
183	<p><b>Rule R140:</b> Dewatering (permitted activity)</p>	<p>The take of water and the associated diversion and discharge of that water for the purpose of dewatering a site, including but not limited to, maintenance, excavation, construction or geotechnical testing, is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) the take continues only for the time required to carry out the work but does not exceed one month, and</li> <li>(b) the take and diversion and discharge is not from, onto or into contaminated land or potentially contaminated land, and</li> <li>(c) the take does not cause ground subsidence, and</li> <li>(d) the take does not deplete water in a water body, and</li> <li>(e) there is no flooding beyond the boundary of the property.</li> </ul> <p>Note</p> <p>Discharges to water, or onto or into land where it may enter water related to dewatering are provided for by Rule R42.</p>	<p>MEL supports Rule R140.</p> <p><b>Decision Requested:</b> Retain Rule R140.</p>
186	<p><b>Rule R146:</b></p>	<p>The use of land and the associated diversion and discharge of</p>	<p>MEL supports Rule R146.</p>



Page	Reference	Policy or Provision	MEL Submission Points & Reasons
	Geotechnical investigation bores (permitted activity)	<p>water or contaminants for the drilling, construction or alteration of a geotechnical investigation bore is a permitted activity, provided the following conditions are met:</p> <p>(a) the bore is not located within a community drinking water supply protection area shown on Map 26, Map 27a, Map 27b, or Map 27c, and</p> <p>(b) there is compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and</p> <p>(c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and</p> <p>(d) there is no flooding beyond the boundary of the property.</p>	<p>Decision Requested: Retain Rule R146.</p>



**SUBMISSION ON THE PROPOSED NATURAL RESOURCES PLAN  
FOR THE WELLINGTON REGION**

**Pursuant to Clause 6 of Schedule 1 of the Resource Management Act  
1991 (Form 5)**

**To:** Wellington Regional Council  
Free Post 3156  
P O Box 11646  
Wellington 6142

**By Email:** [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

**Submitter Name:** Meridian Energy Limited

**Address for Service:** P O Box 2146  
Christchurch

**Contact Person:** Andrew Feierabend

**Phone:** 03 357 9731

**Mobile:** 021 898 143

**Email:** [andrew.feierabend@meridianenergy.co.nz](mailto:andrew.feierabend@meridianenergy.co.nz)

**Trade Competition:** I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposed Natural Resources Plan that this submission relates to are detailed in the table attached to this submission. The table of submission points includes a statement of whether Meridian Energy Limited supports or opposes the provisions referred to, the reasons for the submission points and the decisions requested.

Meridian Energy Limited **wishes to be heard** in support of this submission. If others make a similar submission, Meridian Energy Limited will consider presenting a joint case with them at a hearing.



On behalf of Andrew Feierabend

Authorised signatory - Meridian Energy Limited

24 September 2015

## CONTEXT FOR MERIDIAN'S SUBMISSION

1. Meridian Energy Limited is a mixed ownership model company under the Public Finance Act 1989. Meridian listed on the New Zealand and Australian stock exchanges in 2013. The Government retains majority ownership (51%) of the company which is one of three formed from the split of the Electricity Corporation of New Zealand (ECNZ) in 1989.
2. Meridian's core business is the generation, marketing, trading and retailing of electricity and the management of assets and ancillary structures for that purpose in New Zealand.
3. Meridian is the single largest generator of renewable energy in New Zealand. The company's hydro generation and storage capacity account for approximately 28% of New Zealand's electricity generating capacity and 48% of its storage capacity. Meridian is the largest wind farm developer and operator in New Zealand and owns and operates the following generation assets within the Wellington Region:
  - The Brooklyn Wind Turbine in Wellington City
  - The West Wind Farm at Makara
  - The Mill Creek Wind Farm at Ohariu
4. Meridian is also actively investigating and pursuing options for new renewable generation capacity nationally, as part of its ongoing business, including a site in the northern Wairarapa.
5. Meridian is therefore interested in the provisions of the proposed Natural Resources Plan which may affect the regulatory environment for its existing assets and for the consenting, construction and operation of future renewable energy generation facilities in the region.

Proposed Natural Resources Plan:

Submitter:

**Ian Benge and Martin Benge**

Submitter Number:

**S83**



# FORM 5: SUBMISSION ON A PUBLICLY NOTIFIED PROPOSED POLICY STATEMENT OR PLAN

Under Clause 6 of the First Schedule to the Resource Management Act 1991

**TO** Greater Wellington Regional Council (the 'Council')  
**SUBMISSION ON** The Proposed Natural Resources Plan for the Wellington Region 2015 (the 'Proposed Plan')  
**NAME OF SUBMITTER** Ian Bengé and Martin Bengé

Ian Bengé and Martin Bengé **could not** gain an advantage in trade competition through this submission.

Ian Bengé and Martin Bengé **wish to be heard** in support of its submission

If others make a similar submission Ian Bengé and Martin Bengé will consider presenting a joint case with them at a hearing.

## INTRODUCTION / CONTEXT

The submitters being Ian Bengé and Martin Bengé, are shareholders in a large landholding commonly referred as 'Plimmerton Farm' located at 71 State Highway 1 Plimmerton and legally described as Pt Lot 30 DP 328137. Plimmerton Farm has a site area of 385 hectares comprises the largest single rural landholding in the Plimmerton area. While Plimmerton Farm is currently zoned Rural in the Operative Porirua City District Plan, Plimmerton Farm has been identified as an urban growth/development area in the Porirua City Council Northern Growth Area Structure Plan.

The Northern Growth Area Structure Plan was adopted by Porirua City Council in December 2014 as a strategy for guiding future long-term urban growth between Camborne and Pukerua Bay. The Structure Plan sets out the scenario for future urban development in this area over a 30+ year period. A district plan change to give legal effect to the Structure Plan is expected in the next 2 years. The plan change is expected to introduce new provisions into the District Plan for regulating future urban and rural residential development within the application site.

The majority of the Plimmerton Farm site except for the main ridgelines spanning the site are identified as being suitable for residential and rural residential development. The area contained within proposed Lot 1 and the southernmost portion of proposed Lot 2 is identified as the 'Camborne North Development Area'. The structure plan states that:

*"Enabling the extension north of the existing Camborne urban area enables the increased utilisation by new residents of the amenities and infrastructure of the existing suburb and those of areas nearby such as Plimmerton. This includes schools, shops, rail station at Plimmerton, open spaces, churches, roading and other services."*

Based on the details contained within the Structure Plan documents it is clear that, while Plimmerton Farm is currently zoned rural, future plan changes will allow for a more intensive development of the site. The Structure Plan report states that:

*"Residential development is considered to be the likely predominant future land use in the Northern Growth Area. Such residential development could assume a variety of forms and densities...."<sup>1</sup>*

Additionally, the consultation documents for the Structure Plan include details of consultation with landowners where it was expressed that:

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<sup>1</sup> Page 15, Porirua Northern Growth Area Structure Plan, Issues, Opportunities and Constraints Report  
(file:///C:/Users/slb/Downloads/Northern%20Growth%20Area%20Structure%20Plan%20-%20Report%2031Mar14.pdf)

*Farming is not an economically viable option for the future of the land. Given low financial return from farming, majority of landowners have an interest in some or all of their land being developed for urban and/or rural lifestyle purposes.*

The submission points that follow correspond directly with the sites inclusion in the Northern Growth Area Structure Plan which represents Porirua City Councils intent and commitment to supporting and enabling the urban development of Plimmerton Farm.

#### **SUBMISSION POINT 1**

While it is accepted that the ecological values of the site need to be recognised in the development, there is also a need to accept that development of the area as per the intentions expressed in Porirua City Council's Northern Growth Strategy Structure Plan will require substantial earthworks and some stream reclamations. While this will come with some adverse environmental impact, this needs to be balanced against achieving an efficient and viable development. The submitters note that sites which are not earthworked will require more expensive housing design, typically require larger lot sizes, and will limit the mix of housing opportunities that can be achieved across the site. The submitters are concerned that these realities are not sufficiently recognised in the Proposed Natural Resources Plan.

While the submitters **support Policy P102(c)** insofar that it provides an appropriate exemption for development undertaken on future growth areas to be excluded from a strict avoidance of all stream reclamations, the submitters are concerned that this policy has not been carried through to a rule framework that supports the exclusion. Accordingly, the submitter **opposes Rule R127** that classifies all reclamation of the bed, or any part of the bed of a river or lake a non-complying activity. The submitters believe that in order to balance environmental effects with the provision of development within identified growth areas a Discretionary Activity status is appropriate.

#### **RELIEF SOUGHT**

**Ian Benge and Martin Benge seek the following decision from the Council:**

1. **Retain Policy P102(c)** as notified

**AND**

2. **Amend Rule R127** as follows (deletions in strikethrough, amendments underlined):

#### ***RULE R127: RECLAMATION OF THE BEDS OF RIVERS OR LAKES – NON-COMPLYING ACTIVITY***

*The reclamation of the bed, or any part of the bed, of a river or lake:*

- (a) associated with the piping of a stream, or*
- (b) in a site identified in Schedule A1 (outstanding rivers), or*
- (c) in a site identified in Schedule C (mana whenua)*

*except where the reclamation or drainage is associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002*

*is a non-complying activity.*

**AND**

3. Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the submitter.

#### **SUBMISSION POINT 2**

Ian Benge and Martin Benge **oppose** the inclusion of the streams that are located within the Plimmerton Farm site as a river that have of significant ecological value in **Schedule F1** of the Proposed Plan.



Although the submitters accept that the streams identified may have some ecological value, the submitters are not aware of any detailed ecological assessments undertaken on the Plimmerton Farm that have evaluated these streams as having significant ecological value. The inclusion of these streams in Schedule F1 and the policies and rule framework proposed to manage streams within this schedule sets an extremely high threshold for environmental protection and avoidance of all adverse effects which poses significant impediments for development of the Plimmerton Farm site.

**RELIEF SOUGHT**

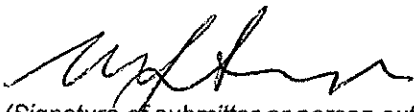
**Ian Benge and Martin Benge seek the following decision from the Council:**

4. Delete any reference to streams identified as Schedule F1 on the Plimmerton Farm site from the Maps of the Proposed Plan.

**AND**

5. Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the submitter.

**SIGNATURE:**



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

**DATE:** 25 September 2015

**ADDRESS FOR SERVICE OF SUBMITTER:**

[Insert address]

*6 Holmwood Rd  
Merivale  
Christchurch.*

**Telephone:**

**Facsimile/email:**

**Contact Person:**



Proposed Natural Resources Plan:

Submitter:

**Hutt City Council**

Submitter Number:

**S84**



25 September 2015

Greater Wellington Regional Council  
Wellington 6011  
Email: regionalplan@gw.govt.nz

Allison Tindale  
Senior Policy Analyst  
Environmental Policy  
04 570 6905  
Allison.Tindale@huttcity.govt.nz

### **Submission from the Hutt City Council on the Proposed Natural Resources Plan for the Wellington Region**

Please find below the submission from the Hutt City Council (HCC) on the Proposed Natural Resources Plan for the Wellington Region (henceforth referred to as the proposed plan). HCC welcomes the opportunity to provide feedback on the above plan. This submission is made in addition to submissions prepared by Wellington Water (partly owned by HCC) and Tonkin and Taylor on behalf of HCC's and Upper Hutt City Council's Roading and Parks and Gardens departments. HCC wishes to be heard in support of its submission.

HCC is not a trade competitor and would not gain an advantage in trade competition through this submission.

Overall, HCC has serious concerns about the workability of the proposed plan, particularly in relation to the ability of district council's to provide, maintain or upgrade infrastructure in a cost-efficient manner. Additional consideration is needed as to the implications of the proposed policies on the ability of district councils to meet the infrastructure and housing needs of its communities, without imposing undue financial or regulatory costs.

Concern is particularly raised about the highly regulatory approach taken in the proposed plan, with a heavy emphasis on the avoidance (rather than the minimisation, remedying, mitigating or offsetting) of adverse effects and the classification of several activities as Non-Complying Activities. This approach is considered to be deficient in terms of its lack of consideration as to the need for certain types of infrastructure, particularly in urban and modified environments along the coast, and the considerable benefits that infrastructure can provide, such as improved health and sanitation, access to private property and recreational resources and hazard reduction. Additional scope is needed to allow for

infrastructure to be provided or improved in urban and modified environments, which support existing or planned urban development at reasonable cost.

Concern is also raised about the difficulty of interpreting and using the plan, for both lay persons and professionals. The plan uses a number of complicated provisions and it is difficult to determine the activity status for several activities.

## **Submission**

### **1. Policies requiring avoidance and Non-Complying activities**

In a number of instances the PNRP uses a combination of a non-complying activity status with policies that solely seek the avoidance of an effect or activity. This will make it very difficult for these activities to satisfy the "gateway test" specified in Section 104D(1) of the *RMA Act 1991* and consequently to take place with resource consent. This gateway test requires resource consents for non-complying activities to have either: (a) less than minor effects or (b) consistency with the objectives and policies of the relevant plan.

The consequence of this approach is that it leads to the effective prohibition of types of activities, including those which are reasonably expected or could be reasonably necessary in urban environments. This approach does not allow for activities identified as Non-Complying Activities to be assessed on their individual merits, such as consideration of the need for a particular activity (e.g. new seawalls to provide protection to important coastal roads or wet water overflows during heavy storms), the benefits that such activities could deliver and the ability to mitigate or reduce particular effects.

HCC recommends that the activity status for development be based on the actual effects of development, rather than the type of development. That is, rather than the identification of hard engineering coastal protection structures as generally inappropriate, that development with significant effects (such as visual, loss of natural coastal character, damage to identified heritage resources, and decline in water quality) be identified as inappropriate instead. This approach concentrates the assessment of resource consents on the case specific effects (both positive and negative) of a particular development, rather than using a blunt broad-brushed approach that seeks to prevent an entire group of activities regardless of site-specific factors (such as degree of naturalness of the coastal environment and size of local residential population). The appropriateness of certain types of infrastructure should be judged on a wider range of criteria, that goes beyond the type of development proposed.

An example of a development that could be very difficult to obtain resource consent for under the proposed scheme, is for a new or enlarged seawall adjacent to Marine Parade, which provides vehicular access to the Eastern Bays (including Eastbourne and Days Bay). The long-established Eastbourne community has a strong expectation of being able to protect existing roading infrastructure and housing development along the coast, from coastal erosion, storms and high tides (at least in the short and medium term). This expectation was recently expressed in the *2014 Eastbourne Community Survey*, carried out by the Eastbourne Community Board.

Recognition also needs to be given that for some types of infrastructure it is unrealistic to avoid all adverse effects. A policy framework that allows for a balancing of negative and positive effects, the consideration of the scale of effects and methods proposed to reduce effects is considered more appropriate.

#### Decision sought

Change the Activity Status of Non-Complying Activities to Discretionary Activities. This activity status would still allow for adverse effects to be considered.

Reconsider the use of the term 'avoid' and ensure that it does not unnecessarily and inappropriately constrain activities that result in effects that are significant and/or provide essential services for the health and safety of the community and protection of the environment.

Provide a policy framework that provides a pathway for new infrastructure reasonably needed to support existing or planned future development to gain resource consent. This would allow for resource consent for these activities to be granted in appropriate circumstances.

## **2. Recognition of need for and benefits arising from urban environment**

There is little recognition in the PNRP of the benefit of the use and development of the urban environment. There are clear social and economic benefits from this use, through the provision of housing, recreation opportunities and employment. These benefits arise from both existing and new development within the urban environment.

Insufficient recognition is given to the need for existing urban environments to continue to use and develop some natural resources. It is not possible to prevent all negative effects on the coastal marine area arising from existing or planned urban development.

Provisions in the proposed plan are particularly onerous for sites which are already highly modified. A policy framework which differentiates between rural and metropolitan areas is more appropriate.

Increased recognition needs to be given to the obligations of district councils to satisfy the housing needs of its communities, which are likely to require urban intensification and new urban growth areas (such as Kelson and Wainuiomata) as specified in HCC's 2014 *Urban Growth Strategy*. Activities such as large-scale earthworks, some waterway/stream diversion and vegetation clearance are generally needed to support future urban development. The proposed plan does not sufficiently provide for development related activities needed to support future urban development.

An alternative framework is needed that balances the full range of economic, social and environmental effects of development; that provides for essential infrastructure, whilst providing an appropriate degree of protection for biodiversity, water quality and other resources. The need to protect and restore natural resources in the Wellington Region needs to be balanced with the need for urban resources to be maintained and enhanced as well. It should be recognised that even identified significant sites in the plan include highly modified environments with existing infrastructure which needs to be managed and maintained.

Policy P7 recognises the cultural, social and economic benefits of a number of uses of land and water. The benefits of the use and development of the urban environment should also be recognised within this list.

#### Decision Sought

Add 'urban use and development' to the list of uses in Policy P7.

### **3. Provisions for local and regional infrastructure**

Provisions provided for identified regionally significant infrastructure should be extended to other existing types of infrastructure, such as local roads and cycleways. Policy P139 should extend the ability to provide protective structures such as seawalls for regionally significant infrastructure to other types of infrastructure, such as the recently announced Eastern Bays Shared Path or local roads adjacent to the coast.

This problem is compounded by the high threshold for infrastructure to be classed as regionally significant infrastructure. Regionally significant infrastructure only includes roads that have been identified as part of the Strategic Transport Network in the Regional Land Transport Plan 2015 (RLTP2015).



This is problematic in terms of the lack of clear identification and mapping of regionally significant infrastructure, which requires cross-referencing to a separate document, which itself is likely to be superseded during the life of the proposed plan.

In addition to the lack of provision for protective works which could reasonably be needed for local infrastructure, such as local roads which provide the principal or sole means of access to local coastal communities. There is a strong expectation that these roads are both provided for and protected from damage caused by coastal erosion, storm damage and inundation.

The provisions generally focus too much on the adverse effects arising from operation, maintenance and upgrading of infrastructure, in contrast to the need for and benefits arising from this infrastructure. Insufficient consideration is given to the maintenance requirements of existing infrastructure and infrastructure related obligations placed on district councils under alternative legislation, such as the *Local Government Act 2002*.

It is unrealistic to expect local authorities to meet complex standards or go through a consent process for routine activities which provide essential community health and safety or other critical functions. The continued functioning of local roads like Marine Parade may periodically require maintenance or improvements within the coastal marine area. The process for allowing the maintenance and improvements of this type of infrastructure should not be overly complicated or onerous.

#### Decision sought

Include a schedule and/or map of the Strategic Transport Network, to provide clarity as to what infrastructure is identified as regionally significant.

Extend provisions for regionally significantly infrastructure to other types of infrastructure.

#### **4. Provisions for seawalls**

HCC agrees that requiring resource consent for seawalls within the coastal marine area is appropriate. However, HCC has concerns with regard to the provisions of the PNRP for these structures.

Seawalls in sites of significance are a non-complying activity under Rule R167 of the PNRP. This is overly onerous, particularly as the sites of significance include highly modified, urban environments. In addition, Policy P138 seeks to avoid new structures in significant sites. The combination of a non-complying activity status and policy framework that specifies avoidance of

an activity (rather than specifying effects that are to be avoided) is highly problematic for reasons outlined in Section 1. Policy P138 does not sufficiently recognise that sites of significance can include existing uses, that it may also be appropriate to protect.

Two areas of the Petone foreshore as well as the mouth of the Hutt River are included in Schedule C as sites of significance to mana whenua. Whilst HCC agrees that the significance of these sites should be recognised and protected, it also seeks recognition that these locations represent modified, urban environments where coastal protection structures would reasonably be expected. It would be more appropriate for provision to be made for seawalls in significant sites as a Discretionary Activity requiring resource consent, with relevant policies specifying the effects or scale of effects that are to be avoided.

The s32 report titled "Activities in the coastal marine area" on page (page 30) incorrectly refers to the benefits of a Non-Complying Activity Status as *providing "the community with an opportunity to provide input into the decision making"* of a resource consent. The level of community input into a resource consent is dependent on the scale of its effects as assessed under S95 of the *RMA Act 1991*, rather than its activity status. The potential for community input would remain if a Discretionary Activity Status was used instead.

#### Decision sought

The activity status of seawalls should be changed to a Discretionary Activity, regardless of location within a site of significance or not. An exception could be provided to specified sites of significance of high natural character in rural environments.

### **5. Definition of infrastructure**

While the plan defines regionally significant infrastructure, it does not include a definition of other infrastructure. Given the frequency with which the term is used in the plan, this should be clarified.

It is also recommended that other definitions be reviewed to provide additional clarity, such as upgrades to infrastructure and seawalls. The term 'upgrade' should apply to improvements to existing infrastructure, regardless of whether these improvements are below, at or exceed current infrastructure standards. It is not clear whether the term "seawall" is also intended to cover other coastal protection structures such as groynes or revetments.

#### Decision sought

Either add a definition of infrastructure or specify that the PNRP adopts the RMA definition.

## 6. Identification of significant sites and need for specialist assessment

Schedule F5 lists several types of habitats that have been determined as having significant biodiversity values. However, unlike the other schedules of the plan, these areas are not mapped.

This is of concern, as the need for resource consent for some activities is dependent on whether they occur within the habitats listed on this schedule or not. This creates considerable uncertainty as to the location of significant sites and potentially leads to considerable cost to GWRC in providing officer advice regarding the interpretation of provisions or costs to applicants to engage specialist consultants to determine if their land includes these habitats.

Subjective judgement or specialist assessment should not be required to determine whether an activity is permitted or not (that is, does not need resource consent). In the Environment Court case of *Carter Holt Harvey v Waikato Regional Council (A123/08)*, it was considered that a permitted activity rule should achieve the following:

- Be clear and certain;
- Not contain subjective terms;
- Be capable of consistent interpretation and implementation by lay people without reference to council officers; and
- Not retain later discretions (decision making) to council officers.

If the decision on whether a site was within Schedule F5 was to be made by GWRC staff, this would represent the retention of decision making, and would be *ultra vires*. In addition, the rule would not be "*capable of consistent interpretation and implementation by lay people without reference to council officers*".

### Decision sought

Provide a map of the habitats with significant indigenous biodiversity values.

## 7. Identification of areas of significance to birds

HCC supports the protection of significant bird habitats from inappropriate development. However, the level of significance that needs to be met to be included in Schedule F2c (Habitats for indigenous birds in the coastal marine area) is considered too low. As a consequence this schedule includes very large areas including all of Wellington Harbour.

Identification as an area significant to birds appears to be solely based on bird sightings at a site rather than the actual value of the site to birds. The number of bird sightings is considered likely

to be affected by not just the number of birds visiting a site but also the accessibility and proximity of urban areas to these sites. That is, more remote areas may have lower bird sightings due to less people present to witness bird visitation. Little weight appears to be given to the actual use of a site for birds, such as nesting site or part of a migration route.

The consequence of an area being included in Schedule F2c is that the disturbance of the foreshore from motor vehicles in the area would be a non-complying activity (Rule R196). The combination of disturbance of motor vehicles being non-complying and a policy framework that specifies the avoidance of the activity (Policy P148) is anticipated to create difficulties in maintaining vehicular access on existing roads along the foreshore, including those needed to access recreational land, public utilities or provide emergency access. This provision is unduly restrictive and does not give sufficient consideration to the individual merits of each case.

#### Decision sought

Use a scientifically robust method for identification of areas of significance to birds, that recognises the actual value of the sites.

Amend the activity status for disturbance in the coastal marine area to Discretionary Activity, regardless of whether it is located in an identified site of significance for birds. An exception could be provided to identified sites of significance to birds of outstanding value or for areas of high natural or rural character.

Change the policy framework for disturbance in significant sites in the coastal marine area to require the management of specific effects, rather than simply demanding the avoidance of particular activities.

### **8. Good Management Practices**

HCC supports the identification and encouragement of good management practices. Nevertheless, concern is raised as to requirements for good management practice introduce an unacceptable degree of uncertainty into planning provisions, given that such practices are subject to change outside of a plan process and are open to multiple interpretations. These provisions could allow GWRC to change the requirements for some activities without going through the plan change process and consequentially engaging in consultation with affected persons and relevant stakeholders.

Provisions relating to good management practices are considered contrary to the tests for permitted activities set out in the Environment Court Decision *Carter Holt Harvey v Waikato Regional Council* (A123/08) detailed in Section 6.

Good management practices could be referred to through either methods or notes to the relevant rules. Alternatively, the plan could refer to specific existing good management practice documents.

Decision sought

Remove requirements to comply with good management practices. Refer only to specific, existing good management practice documents.

**9. Definition of zone of reasonable mixing for the coastal marine area**

Under the PNRP definition for zone of reasonable mixing, the zone of reasonable mixing for discharges to coastal water is to be determined on a case by case basis. This is for both consented and permitted discharges.

The mixing zone for a permitted discharge cannot be determined on a case by case basis as it is unclear who would make the determination of what is appropriate and there is a lack of certainty on whether a discharge would be permitted. Subjective judgement or a specialist assessment should not be required to determine whether an activity is permitted as previously outlined.

Decision sought

Identify a specific zone of reasonable mixing for discharges to coastal water for permitted activities.

**10. Provisions relating to discharges of dust**

Objective 41 states that *"the adverse effects of odour, smoke and dust on amenity values and people's well-being are reduced."* Despite this objective, there are few rules that relate to the discharge of dust. As there is no permitted activity rule for the discharge of dust from earthworks, construction or roading, the discharge of dust from these activities would default to a discretionary activity under Rule R41. This rule not only applies to discharges at the property boundary, but all discharges to air. Such an approach is considered unduly restrictive and likely to generate unnecessary resource consent requirements.

The City of Lower Hutt District Plan currently has provisions that manage dust nuisance from construction at or beyond the property boundary.

Decision sought

Add provisions that allow the discharge of odour, smoke and dust unless discharging beyond the property boundary.

**11. Earthworks and Vegetation Clearance**

The proposed plan includes rules relating to earthworks. Earthworks and vegetation clearance may also require resource consent under The City of Lower Hutt District Plan.

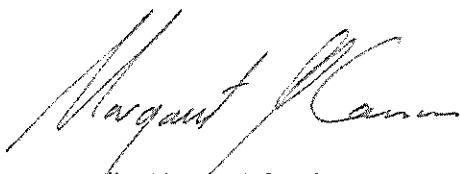
HCC does not oppose the inclusion of earthworks and vegetation clearance rules in the PNRP, but does wish to point out that this could result in resource consent being required from both GWRC and HCC in some situations. HCC requests that a note is added to the relevant rules to advise that approval may also be required from the relevant territorial authority.

Decision sought

Add note to the earthworks and vegetation clearance rules that approval may also be required from the relevant territorial authority.

Please contact Allison Tindale, Senior Policy Analyst, Environmental Policy on 04 570 6905 or [Allison.Tindale@huttcity.govt.nz](mailto:Allison.Tindale@huttcity.govt.nz) should you require additional discussion of the points raised above.

Yours faithfully



Councillor Margaret Cousins

Chair

Hutt City Council Policy and Regulatory Committee

#15307265584

Wellington Regional Council

23 OCT 2015

**Mark Sutherland**

**From:** Regional Plan  
**Sent:** Friday, 23 October 2015 3:57 p.m.  
**To:** Records  
**Subject:** FW: Clarification of HCC's comments on Proposed Natural Resources Plan

Kind Regards,

**Erin Campbell** | Hearings Officer, Environmental Policy  
**GREATER WELLINGTON REGIONAL COUNCIL**  
*Te Pane Matua Taiao*  
Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011

PO Box 11646, Manners St, Wellington 6142  
T: 04 830 4318 | [www.gw.govt.nz](http://www.gw.govt.nz)

**From:** Caroline Ammundsen  
**Sent:** Friday, 23 October 2015 10:19 a.m.  
**To:** Regional Plan  
**Subject:** FW: Clarification of HCC's comments on Proposed Natural Resources Plan

Hi there,  
Please lodge this as an amendment to submission number 84 for Hutt City Council.  
I have already coded most of this submission, and will use the info from this email to code the rest.

Thanks  
Caro

**From:** Allison Tindale [<mailto:Allison.Tindale@huttcity.govt.nz>]  
**Sent:** Friday, 23 October 2015 9:55 a.m.  
**To:** Caroline Ammundsen  
**Subject:** FW: Clarification of HCC's comments on Proposed Natural Resources Plan

Dear Caroline,

Thank you for your phone call yesterday, seeking clarification of the Council's response on the above plan.

In relation to comments made in Section 1 of the HCC's submission, I confirm:

1. HCC generally objects to policies seeking avoidance and the use of a Non-Complying activity status, but does not rule out the possibility of their being appropriate in limited cases.
2. The Council does not object to every use of the word 'avoid' in the proposed plan or every use of the Non-Complying Activity Status. For example, there is no objection to the term 'avoid' for policy P24 which applies to areas of outstanding natural character or the Non-Complying Activity Status used in rule 108 for certain activities within natural wetlands.
3. The Council objects to the following policies, which contain the term 'avoid':

P27 – High Hazard Areas

P28 – Hazard Mitigation Measures

P102 – Reclamation or drainage of the beds of lakes or rivers

P138 – Structures in sites with significant value

P139 – Seawalls (although in this case the word inappropriate is used rather than the term avoid).

P148 – Motor vehicles in sites of significant value

4. The Council objects to the Non-Complying Activity Status used in the following rules:

R62 – New wastewater to freshwater

R127 – Reclamation of the beds of rivers or lakes

R162 – New structures, additions or alterations to structures inside sites of significance

R167 – Seawalls inside sites of significance

R198 – Motor vehicles inside sites of significance

R195 – Disturbance or damage inside sites of significance

R205 – Destruction, damage or disturbance inside sites of significance

R215 – Reclamation and drainage

Please let me know if you require any further clarification or information.

Kind Regards

Allison Tindale

**Allison Tindale**

Senior Policy Analyst

Hutt City Council, 531 High Street, Private Bag 31912, Lower Hutt 5040, New Zealand  
T 04 570 6905, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz) F [huttcitycouncil](mailto:huttcitycouncil)



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Proposed Natural Resources Plan:

Submitter:

**Roading, Parks and Gardens and Solid  
Waste departments of Hutt City Council  
and Upper Hutt City Council**

Submitter Number:

**S85**



24 SEP 2015



Job No: 85917  
21 September 2015

**Submission on Proposed NRP: Hutt City Council and Upper Hutt City Council -  
Roading, and Parks and Gardens**

**To:** Greater Wellington Regional Council  
Shed 39  
2 Fryatt Quay  
Pipitea  
Wellington 6011

**Email:** [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

**Submitter:** Roading, Parks and Gardens and Solid Waste departments of Hutt  
City Council and Upper Hutt City Council

**Contact Person:** John Clemo (Tonkin & Taylor Ltd)

**Address for Service:** Tonkin & Taylor Ltd  
PO Box 2083  
Wellington 6140

**Phone:** ADD

**Email:** [jcleo@tonkin.co.nz](mailto:jcleo@tonkin.co.nz)

## 1 Introduction

This submission has been prepared by Tonkin & Taylor Ltd on behalf of the Roading, Parks and Gardens and Solid Waste departments of Hutt City Council (HCC) and Upper Hutt City Council (UHCC) in response to the Proposed Natural Resources Plan (PNRP) prepared by Greater Wellington Regional Council (GWRC).

HCC and UHCC provided feedback on the Draft Natural Resources Plan (DNRP) on 12 December 2014 following the release of the DNRP for public consultation.

Certain aspects of this feedback was addressed by GWRC in the PNRP, but a number of other comments have not been adopted. HCC and UHCC are particularly interested in their ability to provide key infrastructure, such as maintaining roads and protecting roads from coastal and river erosion, operating landfills, and providing parks and gardens facilities to the public. HCC and UHCC are willing to engage in ongoing discussions with GRWC on the various aspects raised in this submission. Please contact John Clemo in the first instance on the details above.

HCC and UHCC's submission is set out in Tables below.

HCC and UHCC could not gain an advantage in trade competition through this submission.

HCC and UHCC wishes to be heard in support of this submission.

*Exceptional thinking together*

[www.tonkintaylor.co.nz](http://www.tonkintaylor.co.nz)

If others make a similar submission, HCC and UHCC will consider presenting a joint case with them at the hearing.



.....  
Person authorised to sign on behalf of  
Hutt City Council



.....  
Person authorised to sign on behalf of  
Upper Hutt City Council

23-Sep-15  
p:\85917\workingmaterial\submission on proposed nrp - hcc uhcc following mas tech review.docx

## 2 General submission points

Table 1 sets out general submission points relevant to a range of activities across the functions. This includes comments on definitions, words used throughout the PNRP and broad comments on the workability of the Whaitua chapters.

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
1	Use of the term 'avoid'	Oppose	<p>There are a number of objectives and policies that require the avoidance of certain effects, for example:</p> <ul style="list-style-type: none"> <li>• avoiding new barriers to fish passage,</li> <li>• avoiding the production of contaminants that discharge to land and water, and</li> <li>• avoiding stream reclamation.</li> </ul> <p>The recent (2014) decision of the Supreme Court SC82/2013 <i>Environmental Defence Society Inc. v New Zealand King Salmon Co Ltd and others</i> has raised concern about the implications of policies that seek 'avoidance', 'protection' etc.</p> <p>In short, there is concern that this judgement has overturned the "balancing" approach that RMA decision-makers have commonly taken, and that where the term "avoid" is used, it is a bottom line. This could have significant implications for the development and application of policy documents, and is potentially inappropriate in many circumstances throughout the PNRP.</p>	<p>Reconsider the use of the term 'avoid' wherever used in the PNRP and ensure that it does not unnecessarily and inappropriately constrain activities that result in effects that are not significant and/or provide essential services for the health and safety of the community and protection of the environment. For example, consider qualifying it by avoiding "significant adverse effects" (Policy P53) rather than avoiding all effects.</p>
2	Integration of Whaitua Chapters	Amend	<p>The Whaitua chapters are not well integrated into the PNRP. For example, despite the introduction to rules in each of the Whaitua chapters noting that the rules apply in addition to those set out in chapter 5, there is no reference to the Whaitua chapters in chapter 5 itself. This is not helpful, as although an activity appears permitted in chapter 5, it could require consent in the Whaitua chapters.</p>	<p>Inserting clear and frequent references between these chapters.</p>

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
3	Minimising adverse effects – Policy P4	Amend	<p>General Policy P4 sets out what is required in order to satisfactorily 'minimise' adverse effects (where required elsewhere in the PNRP). It requires reducing the adverse effects of the activity to the smallest amount practicable, and includes five specific requirements which must all be met, including consideration of alternatives and for activities to be located "away from" areas identified in some schedules. It is unclear what would constitute "away from", causing ambiguity for applicants.</p> <p>This policy is overly onerous, and does not satisfactorily recognise the locational and operational needs of infrastructure projects in particular. The policy requires rewording, especially as it has flow-on implications for many other policies (eg Policy P27 Natural hazards).</p>	<p>Amend Policy P4 as follows (additions underlined):</p> <p>"Where minimisation of adverse effects is required by policies in the Plan.....to the smallest amount "<u>reasonably practicable</u> and shall include <u>giving consideration to</u>: ...."</p> <p>Provide more specific wording for clause (b) than "locating the activity away from".</p>
4	High hazard areas – Policy P27	Amend	<p>Policy P27 requires use and development in high hazard areas to be avoided, which is considered to be a very high threshold. The definition of high hazard areas includes the "beds of rivers".</p> <p>The requirement to meet all of the exemptions under this policy is considered to unduly restrict landfill activities, as well as restricting the maintenance and upgrade of the road assets and coastal structures.</p>	<p>Amend the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard, rather than capturing all river beds and coastal areas.</p>
5	Definition of property	Amend	<p>Many of the air quality, stormwater and earthworks rules have maximum limits per 'property'. As property is defined as 'any contiguous area of land held in one ownership', it's unclear how these rules would be applied to discharges and earthworks on locations such as rivers, roads, parks and gardens.</p>	<p>Make the necessary amendments to clarify how the air quality, stormwater and earthworks rules apply to publicly owned areas such as rivers and roads.</p>
6	Hard engineering methods – Policy P28	Oppose	<p>Policy P28 requires hard engineering mitigation and protection methods to be avoided. This is a very high threshold test and while the policy sets out exemptions, it does not adequately recognise the benefits of hard engineering in a range of circumstances, including solid waste disposal.</p> <p>The scope of the exemptions is unclear, such as protection of 'development' from unacceptable risk. It is difficult to establish the scope of 'development', such as whether development includes roads.</p>	<p>The wording should be widened to exempt hard engineering measures that contribute to protection of the environment and mitigation of adverse effects.</p> <p>Reconsider the use of the word 'development' throughout the plan, and if retained, insert a definition that includes roads.</p>
<b>Solid Waste Functions</b>				

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
7	Definition of Regionally Significant Infrastructure	Oppose	Hutt City Council (HCC) considers that landfills provide a critical service to the region in terms of community health and safety, and environmental protection. The definition of Regionally Significant Infrastructure and other provisions of the PNRP do not currently recognise this role, and potentially restrict this activity by inappropriate capture under (for example) Objective RP .046 which seeks that discharges to land do not create contaminated sites.	Amend the definition of Regionally Significant Infrastructure to include solid waste disposal; OR Ensure that Objectives and Policies that give recognition to the importance of "regionally significant infrastructure" are supplemented by the words "and municipal solid waste disposal facilities".
8	Landfills Policy P91	Oppose	Landfills provide a critical service to the region in terms of community health and safety, and environmental protection. The proposed wording of Policy P91 is inappropriate as the policy makes no differentiation between new and existing landfills; the way it is currently worded implies it applies to all, which is inappropriate and unlikely to be achievable.	Amend the policy to appropriately provide for landfills, both new and existing.
9	Lack of provision for landfills		There is a noticeable absence of provisions specifically for landfills. Policy P91 is the only mention of landfills at the policy level, and there are no specific rules for the discharge of waste material to land or of landfill gases to air resulting in their default to catch-all Discretionary Activity rules. It is inappropriate that such important facilities are not specifically provided for and the different effects levels are not recognised.	include policies to recognise the benefits and need for solid waste management and disposal, and revise the rules to differentiate activity status between activities with different levels of effect.
<b>Roading functions</b>				
10	Definition of Regionally Significant Infrastructure	Oppose	The PNRP recognises and provides for regionally significant infrastructure, however there is no recognition of the importance of roads that aren't part of the Strategic Transport Network (i.e. most of HCC and UHCC roads are not recognised). The continued operation of the road network is critical to the safe and efficient movement of people and goods, and it is important that the maintenance and upgrade of the road asset is appropriately provided for.	Amend the definition of Regionally Significant Infrastructure to include all roads administered by HCC and UHCC; OR Ensure that Objectives and Policies that give recognition to the importance of "regionally significant infrastructure" are supplemented by the words "and roads" (or similar to reflect the district level hierarchy of roads).

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
11	Hard engineering methods		<p>Policy GP.P16 requires hard engineering mitigation and protection methods to be avoided. This is a very high threshold test and while it sets out exceptions, it does not adequately recognise the benefits of hard engineering in a range of circumstances.</p> <p>Some of the exemptions may be difficult to demonstrate compliance or are unreasonable. For example, the structure must be protecting development from unacceptable risk, but it's unclear what is considered 'development' (are roads included?), and an assessment using a 'risk based approach' is required but the definition of this isn't prescriptive enough for the reader to understand what is expected.</p>	<p>The wording should be widened to exempt hard engineering measures that contribute to protection of the environment or public assets, and mitigation of adverse effects.</p> <p>Reconsider the use of the word 'development' (throughout the plan), and if retained, insert a definition that includes roads.</p> <p>Clarify in what circumstances a risk assessment is required with a consent application, and what that should comprise, ensuring the assessment is only required in appropriate situations and is commensurate to the scale of the activity.</p>

### 3 Discharges to air

- 3.1 Solid waste disposal has the potential to result in discharges to air of dust, odour and gases. Bridge maintenance as part of local authorities' roading functions can include removing old paint (such as by blasting) and spray painting. It is important to HCC and UHCC that air discharges from these routine and necessary maintenance activities are not unduly restricted. Table 2: Submission points on air provisions**

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
12	General comment on air discharge rules – Section 5.1	Amend	The fuels-based approach of the air quality provisions is inconsistent with the effects-based focus of the RMA. The implications are that some activities will require consent despite not having an adverse environmental effect, and activities not anticipated will require consent under the catch-all discretionary rule, which is not good planning practice.	Amend the air quality rules chapter to apply an effects-based approach to managing air discharges, instead of being activity focussed.



Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
13	Discharges to air – Rule R24	Amend	A fuels-based approach is taken to regulating industrial discharges, with the rules relating to emissions specially related to the type of fuel being used. None of the rules relates to the types of air discharges from landfills, and the rule for gas flaring (Rule R24) specifically excludes landfill gas. The absence of landfill-specific provisions is inappropriate and results in all contaminant air discharges falling under the default Discretionary Activity A rule (Rule R41). This is inappropriate and unnecessarily restrictive.	Include rules that specifically address the types of air discharges from solid waste disposal activities, and that appropriately differentiates activity status with various levels of effect.
14	Minor discharges to air – Rule R24	Amend	Further to above, there appears to be no specific rule that permits minor discharges to air from landfills. All discharges would therefore default to Discretionary Activity under Rule R24, regardless of level of significance. This is inappropriate and unnecessarily restrictive.	Include a rule that provides for minor discharges to air from landfills as a permitted activity
15	All other discharges – Rule R41	Amend	The discharge of contaminants into air not provided for by another rule in section 5.1 is a discretionary activity. As currently worded, even discharges having negligible adverse effects would be captured by the rule, which is inappropriate.	Amend the rule to require consent only for discharges to air that will have adverse effects on air quality.
16	Odour – Rule R24	Amend	Further, there appears to be no specific rule that addresses odour discharges (apart from specific types of activities). All discharges of odour from landfill activities would therefore default to Discretionary Activity under Rule R24, regardless of level of significance. This is inappropriate and unnecessarily restrictive.	Include a rule that specifically addresses odour, and in particular provides for minor discharges as a permitted activity.
17	Definition of 'enclosed booth'	Amend	The term 'enclosed booth' is used in the abrasive blasting and spray coating rules but is not defined, which may create uncertainty in rule interpretation.	Include a definition for 'enclosed booth'.

#### 4 Discharges to water or land

Solid waste disposal involves the discharge of domestic and industrial wastes to land, and cleanfill to land, including where contaminants may enter water. The activities may include placing cleanfill, managed fill, and landfill material including refuse, sewage sludge, hazardous wastes, contaminated soil, liquid waste, and sewage plant milliscreenings; remediation and disturbance of closed landfills; and leachate discharges as ongoing fugitive and breakout leachate discharges from active and closed landfills.

**4.1 Table 3: Submission points on discharges to water and land provisions**

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
18	Discharge of contaminants to land – Rule R93	Amend	Landfill discharges to land are not specifically provided for, and would require consent under the catch-all Discretionary Activity rule (Rule R93). It is inappropriate that an important regional infrastructure activity such as solid waste disposal is not specifically provided for.	Include specific rules addressing discharges to land from landfills.
19	Landfills – Policy P91	Support in part	The proposed wording of Policy P91 is generally appropriate as it requires effects to be minimised and not avoided. The proposed methods for ensuring effects are minimised are listed in the policy, including the requirement to managed closed landfills. We note that this is the only policy that relates specifically to landfills, which is disappointing for such an important facility in the region.	Retain the wording of Policy P91, with the inclusion of ‘and any subsequent amendments’ to clause (e) regarding the management of closed landfills.
20	Discharges from contaminated land – Rules R54 and R55	Amend	Rules R54 and R55 are considered to appropriately provide for discharges from contaminated land where a site investigation report has been undertaken. Clause (a) of Rule R55 states that the site investigation report must be provided within two years of public notification of the PNRP – it is unclear what the procedure is to be followed for cases where more than two years since notification of the PNRP has occurred.	Clarify the requirements for instances more than 2 years from notification of the PNRP.

## 5 Earthworks and vegetation clearance

HCC undertakes earthworks and vegetation removal in order to develop sites for solid waste disposal, manage stormwater, and provide appropriate access roading.

**5.1 Table 4: Submission points on earthworks and vegetation clearance provisions**

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
21	Erosion prone land – Rules R99-R101		It is unclear how the rules relate to erosion prone land, and how erosion prone land is determined. For example, is the land slope calculated as an average, and over what extent? Or is land erosion prone if any part of it exceeds the slope thresholds? Erosion prone land also only applies to vegetation clearance and plantation forestry rules (not earthworks).	Clarify how erosion prone land is to be determined. Amend the rules to clarify how they relate to erosion prone land.
22	Earthworks and vegetation clearance policies – Policy P97 and Definitions		The policy for managing sediment discharges uses terms and concepts that are either concerning as currently written or are unclear. For example, 'surface water bodies' could include artificial drains that lead to sediment treatment devices, which is not appropriate. The definition for 'source control' does not relate well to sediment generation. It is unclear how offsetting would be applied to applications involving sediment discharges.	Revise the policy and associated definitions to improve clarity as to its meaning, and to only relate to effects on natural water bodies. For example, definitions and use of the terms 'surface water body', 'drain', 'source control', 'offset'.

## 6 Works in a river bed

Solid waste disposal facilities typically require structures to be placed in a river bed, such as culverts, diversion structures, dams, stormwater outlets, and sedimentation ponds, and streams may need to be diverted or reclaimed to construct a new landfill area.

Roading and parks and gardens functions require local authorities to maintain road bridges and bridges in parks and gardens for pedestrian and cycle access. In relation to works in a river bed, this can include installing scour protection around bridge piers and redistributing bed material to prevent build up around piers.

6.1 Table 5: submission points on works in a river bed

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
23	Definitions for types of water bodies - Definitions		<p>It is appropriate that water bodies are regulated differently depending on their flows and naturalness. The PNRP added definitions including Artificial Farm Drainage Canal; amendments to Category 1 and 2 surface water body definitions, removal of definition of Category 3 surface water body; new definition of highly modified river or stream.</p> <p>However the definition of 'surface water body' generally remains unchanged. The definitions are currently confusing and incomplete, and would result in overly stringent regulation of some water bodies. Man-made water bodies and those with very low flows (artificial drains, ephemeral flow paths) are not 'rivers' under the RMA and so should not be subject to provisions relating to river beds (section 13 of the RMA).</p>	<p>Make the necessary amendments to rules and definitions and insert new definitions to clearly define the different types of water bodies, and regulate them appropriately and in accordance with Part 3 of the RMA.</p> <p>Definitions include continuous and intermittent watercourses, drains, ephemeral flow paths, and surface water bodies.</p>
24	Avoidance of use and development in high hazard areas – Policy P27		<p>As noted above, the PNRP categorises all beds of rivers as high hazard areas. The policy framework for natural hazards requires use and development in high hazard areas (including beds of rivers) to be avoided. There is a list of exemptions to this policy, but they all have to be met, potentially unnecessarily and inappropriately restricting landfill activities</p>	<p>Amend the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard, rather than inappropriately capturing all river and lake beds.</p> <p>AND modify the policy framework to be less absolute in terms of restrictions (e.g. replace the term avoid, and/or refer to 'inappropriate development').</p>
25	Fish passage – Objective O29; Policies P34 and P35		<p>The policy framework is for there to be no new barriers to fish passage and for the passage of indigenous fish to be restored where appropriate. For there to be no new barriers to fish passage is an unrealistic and, in some situations, an unnecessary/ irrelevant requirement, and potentially overly restrictive of any infilling, dam/weir structures, or culverting associated with essential landfill activities.</p>	<p>Amend the Objective and Policies so that they refer only to circumstances where fish passage is justified, for example based on habitat assessment, and reflect the importance of regionally significant infrastructure including solid waste disposal.</p>
26	Avoiding effects on		<p>The policies for indigenous fish habitat use overly strong wording (avoid) that could unduly restrict appropriate and important activities such as in-stream works to</p>	<p>Revise the language used in provisions relating to indigenous fish habitat to protect</p>

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
	indigenous fish habitat – Policies P33-35		develop and maintain solid waste disposal activities including diversion of clean water.	them from <i>significant</i> adverse effects (rather than more than minor adverse effects).
27	Maintenance, upgrade and use of existing structures – Rule R112		<p>The rules use a useful bundling approach, but associated damming is not included. Temporary damming is sometimes required to create a dry work area for maintenance and upgrade works, and this would appropriately be a permitted activity subject to conditions.</p> <p>Permitted activity condition (g) of Rule R112, which specifies the permitted dimensions of the upgraded structure, is confusing and difficult to interpret and apply, e.g. where in the structure is the cross-sectional area measured?</p>	<p>Include 'damming of water' in the list of associated activities that are authorised by the rule.</p> <p>Simplify permitted activity condition (g) of Rule R112 to make it easier to assess proposals against</p>
28	New structures – Rule R117		<p>R117 for new structures lists some specific structures that are anticipated, but noticeably stormwater outlets and erosion protection structures are not mentioned and there is no specific policy directing their appropriateness. These are common and important in-stream structures so should be specifically provided for.</p>	<p>Make the necessary amendments to policies and rules to specifically provide for in-stream erosion protection structures.</p>
29	Temporary damming and diversion required for in-stream works – Rules R112-R118		<p>Temporary stream damming and diversion is often required to ensure separation of clean water runoff from waste disposal areas and for stream crossings. It is unclear whether these are included in the list of 'associated' activities for structures, or if the separate damming and diversion rules apply. As these activities are limited to the duration of the associated works, it is appropriate for them to be permitted, subject to reasonable conditions.</p> <p>The rules for the beds of rivers should be aligned with the Coastal Marine Area (CMA) rules which provide for temporary structures.</p>	<p>Make the necessary amendments to clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).</p>
30	Redistribution of river bed material – Rule R119		<p>From time to time, river bed recontouring is required to reinstate river flow and protect bridges from scour. It is appropriate for this important activity to be permitted subject to reasonable conditions.</p> <p>Rule R119 permits the clearing of flood debris and beach recontouring (in relation to river beaches).</p> <p>"Flood debris" and "river beach" are not defined, making interpretation of the rule difficult. "Beach recontouring" is defined, however it should relate to all bed</p>	<p>Include a definition for "flood debris" that covers the wide range of materials that can build up and cause blockage during a flood.</p> <p>Include a definition for "river beach" that includes material build up around bridge piers.</p> <p>Amend the definition for "beach</p>

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
			<p>material not just gravel.</p> <p>Condition (f) requires the operation to occur only on those parts of the river bed not covered by water at the time of the works. While this is generally possible, there often needs to be a small amount of working in the flowing channel to ensure effective recontouring that pre-empts future obstructions.</p> <p>Condition (g) appears to relate to the depth of excavation, but isn't worded clearly.</p>	<p>recontouring" to include all river bed materials.</p> <p>Amend condition (f) to permit a reasonable amount of recontouring in the flowing channel.</p> <p>Amend condition (g) to clarify it relates to the depth of excavation, if this is the intention.</p>
31	Maintenance of drains -- Rule R121		<p>The permitted conditions of the maintenance of drains (Rule R12.1) are of concern, particularly given the broad definition of drain; for example, mechanical clearance of the drain allows only one side of the drain to be cleared at one time (and the other side 3 months later) or only the middle 40% cleared. This will unnecessarily and inappropriately restrict maintenance activities at landfills which are designed to manage and minimise environmental effects.</p>	<p>Reconsider the constraints imposed for permitted activity Rule LW.R123.</p>
32	Ephemeral/ intermittent/ permanent flow paths		<p>Ephemeral flow paths are defined, but intermittent and permanent are not. The appropriateness of this, and the treatment of ephemeral/ intermittent/ permanent streams in the policy framework and rules, needs further consideration to ensure that activities affecting lower value watercourses are not inappropriately restricted.</p>	<p>Further consideration required.</p>
33	Reclamation of river bed -- Policy P102 and Definitions		<p>The policy framework for reclamation and drainage of rivers (and lakes) directs it to be avoided (strong wording) except in specific situations such as it being for the purposes of erosion control or necessary for the operation of regionally significant infrastructure or associated with the creation of new river bed and not involving the piping of the river, <u>and</u> there being no practicable alternatives or it being of an ephemeral flow path (note intermittent streams are not exempted).</p> <p>It is noted that piping a stream for a distance greater than that required to form a crossing point is considered reclamation of the river bed which is concerning, but the term "reclamation" is not defined in relation to river or lake beds.</p>	<p>Include solid waste disposal as regionally significant infrastructure AND</p> <p>Lower the threshold that the word 'avoid' imparts, AND</p> <p>Amend the definition of 'reclamation' to provide clarity its meaning in relation to river beds.</p> <p>Allow for piping for appropriate activities apart from just provision of a crossing.</p>

## 7 Coastal management

HCC operates an extensive coastal road network with ongoing requirements for repair and protection from coastal erosion. This may require the construction or modification of seawalls and rock revetments.

HCC also undertakes parks and gardens activities in the coastal marine area, such as the maintenance of wharves and coastal protection structures, and carrying out beach grooming at particular locations.

Submission point	Provision	Support Oppose Amend	Reason for submission	Relief sought
34	Seawalls policy – P139; Definitions	Amend	<p>Policy P139 states that new seawalls are inappropriate. There is a list of exemptions to this policy, but they all have to be met. In addition to this being difficult to meet, seawalls must be required to protect either:</p> <ul style="list-style-type: none"> <li>existing, or upgrades to, infrastructure. The definition of infrastructure (in the RMA) is narrow and would not include all circumstances where seawalls are the best option;</li> <li>OR</li> <li>‘regionally significant infrastructure’. This excludes key HCC administered roads such as the Seaview – Eastbourne coastal road, which is prone to coastal erosion and wave action.</li> </ul> <p>Seawalls must also be designed to incorporate the use of soft engineering options where appropriate. This requirement is of concern, as the PNP’s definition of ‘soft engineering’ is limited and does not recognise the environmental values provided by certain hard engineering options; for example, rock structures can provide habitat. There is no policy for existing seawalls, and it would be particularly inappropriate for applications for existing walls to be subject to these tests.</p>	<p>Amend Policy P139 to recognise that seawalls can be the only reasonably practicable option to protect important assets from damage.</p> <p>Amend the definition of ‘regionally significant infrastructure’ to provide for key coastal roads.</p> <p>Amend the definition of ‘soft engineering’ to include the broader range of engineering options with lesser environmental impacts.</p> <p>Insert a policy providing for the alteration, addition, replacement, and occupation of existing seawalls.</p>
35	Seawalls rules – R165-R166	Amend	<p>New seawalls, and addition, alteration, replacement and use of existing seawalls requires consent as a controlled activity (if outside of a significant site, or non-complying if inside a significant site). The conditions are onerous, including not permitting any addition to extend any further seaward than the existing seawall, when there are already conditions limiting horizontal projection of seawall structures. Seaward extensions may be necessary in the circumstances to protect roading and park infrastructure.</p>	<p>Delete condition (g) relating to seawalls extending further seaward, given horizontal projection is covered in condition (f).</p>

Submission point	Provision	Support Oppose Amend	Reason for submission	Relief sought
36	Seawall definition	Amend	Seawall should be defined so it is clear whether non-vertical hard engineering structures such as rock revetments, etc. are seawalls.	Insert a definition for "seawall".
37	Temporary damming of coastal water – Section 5.7.2; Rule R154	Amend	Temporary damming (through deposition/ bunding of material) of coastal water can be required to create a dry work environment for the construction of coastal protection structures. As damming would be limited to the duration of the associated works, it is appropriate for them to be permitted, subject to reasonable conditions. General condition 5.7.2(j) requires all work to be contained in the CMA, which is a strange requirement, particularly as GWRC's jurisdiction for coastal activities is constrained to the CMA.	Amend Rule R154 to provide for temporary damming of coastal water as a permitted activity (subject to reasonable conditions). Remove the requirement for all work to be contained in the CMA from general condition 5.7.2(i).
38	Reasonable mixing – Definition	Amend	The definition of reasonable mixing has been extended to include discharges to coastal water, which are determined on a case by case basis in accordance with Policy P71. This leaves a lot of uncertainty for local authorities around what reasonable mixing may mean.	Amend the definition of reasonable mixing to provide more clarity in relation to discharges to coastal water.
39	Disturbance and sediment discharge – Section 5.7.2(f)	Amend	Due to the fine nature of the foreshore material along much of the HCC coastline, small disturbance activities can generate noticeable sediment discharges and plumes. However such discharges also occur from natural coastal processes. Sediment discharges that are of a similar or lesser magnitude than those occurring naturally should be permitted. General condition 5.7.2(f) has requirements for colour and visibility changes from sediment discharges, and it is important that these are not exceeded by natural processes.	Review the requirements for sediment discharges to ensure that these parameters are not exceeded by natural processes.
40	Scheduled sites	Amend	There are additional restrictions for heritage structures and works at scheduled sites, of which there are many around the HCC coastline. Many have large extents that may be overly generalised. Scheduled features have the effect of making many proposals to alter a structure a Non Complying Activity, regardless of whether the feature is affected, which appears overly onerous. Schedule F5 (coastal habitats) is missing from the maps/ GIS.	Review the extent of scheduled sites to ensure their accuracy. Revise all rules relating to scheduled sites to ensure they apply only when the feature to be protected is affected. Insert Schedule F5, or remove reference to it in the PNRP.
41	Construction	Support	The structures rules take a useful 'bundling' approach, including associated	Amend Rule R197 to provide for 'works for



Submission point	Provision	Support Oppose Amend	Reason for submission	Relief sought
	disturbance – Rule R197; Definitions	in part Amend	disturbance. While the PNRP regulates vehicles on the foreshore or seabed (in Rule R197), they are only permitted for 'the maintenance, upgrade and operation of regionally significant infrastructure'. There is no provision for works for the the protection of regionally significant infrastructure, nor maintenance, upgrade, operation or protection of other roads such as the Seaview – Eastbourne road.	the protection' of regionally significant infrastructure; AND Amend the definition of 'regionally significant infrastructure' to include roads.
42	Definition of reclamation	Amend	The definition of "reclamation" does not include coastal protection structures such as seawalls or revetments, but it's unclear whether the inclusion of a useable space such as a path on top of these structures continue to exclude them from being reclamation.	Amend the definition to clarify whether the presence of a path or other useable space on top of coastal protection structures would constitute "reclamation".
43	Policy for reclamation – Policy P145	Oppose in part	Policy CM.P146 requires coastal reclamation to be avoided except where three tests are met: it is associated with the development, operation, maintenance and upgrade of regionally significant infrastructure, and there are no other locations outside of the CMA, and there are no practicable alternatives. The use of the term 'avoid' is absolute and does not adequately recognise other appropriate reclamation, including reclamation of roads which are not 'regionally significant infrastructure'.	Remove the word 'avoid' or alter the wording so the requirements of the policy are less absolute and will provide for reclamation for other appropriate purposes.
44	Rules for reclamation – Rules R214-R215	Amend	Reclamation is a discretionary activity only where it is for regionally significant infrastructure, otherwise it is non-complying. Reclamation may be appropriate for the purpose of other reasons than regionally significant infrastructure, for example HCC's proposed Eastern Bays Marine Drive Footway/ Cycleway.	Broaden the circumstances where reclamation is appropriate to include reasons other than regionally significant infrastructure.
45	Rules for 'destruction' – Rules R204-R205	Amend	While the definition of 'reclamation' excludes coastal protection structures such as revetments, constructing such structures may constitute 'destruction' in the coastal marine area. Where such a structure is not expressly a permitted activity elsewhere in the PNRP, Rules R204-R205 require resource consent as a discretionary or a non-complying activity (in sites of significance) is required.	Clarify that coastal protection structures such as revetments are excluded from the rules on the 'destruction' of the foreshore or seabed.

## 8 Water Take and bores

Typical activities in relation to solid waste include taking groundwater for monitoring or site dewatering, taking groundwater through collection of underdrainage (leachate) for disposal to the sewerage system, and surface water take such as for dust control. Solid waste disposal sites also require the construction of groundwater monitoring wells and investigations bores. Groundwater monitoring is a necessary part of landfill investigations and design, and of effects assessment.

Parks and gardens functions also often require groundwater takes for irrigation.

### 8.1 Feedback on water takes (groundwater and surface water) provisions

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
46	Water take – Whaitua Chapters	Amend	The provisions of the Whaitua chapters are overly onerous; for example requiring consent to be obtained for any water take in the Wellington Harbour and Hutt Valley Whaitua within which HCC has interest. This includes groundwater, including potentially even minor takes for groundwater sampling. The Whaitua Chapters refer to both sets of provisions having equal value in the Plan – so it is not clear what rules apply.	Provision should be made for minor takes as permitted or controlled activities.
47	Groundwater pumping tests – Rule R42 and R139	Amend	There is an apparently circular reference between the pumping test rule R139 and the minor discharges rule R42 relating to the associated discharge that should be resolved. The pumping test rule should also permit small takes for the purpose of water quality monitoring, rather than these takes being subject to the general take rule and its conditions	Resolve the circular reference between Rules LW.R142 and LW.R38. Amend Rule LW.R142 to allow small takes.
48	Groundwater monitoring bores – Rule R146	Amend	Groundwater monitoring bores meet the definition of a 'bore' and under the PNRP require consent. However it is considered that it is appropriate that they be permitted activities as are geotechnical bores, subject to conditions. Despite this, it is unclear whether groundwater monitoring bores are Controlled Activities under the 'any bore' rule, or Discretionary Activities under the 'excavation of a hole for the purpose of taking water' rule.	Include groundwater monitoring bores as a permitted activity; AND clarify which rule groundwater monitoring bores would otherwise fall under.
49	Siting of bores – Policy P130	Amend	Policy P130 directs bores to be sited, constructed and used to avoid adverse effects on existing bores and be used in a manner that prevents contaminants entering the	Clearer differentiation needs to be made based on purpose, and more flexibility be

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
			bore and water being wasted. It makes no differentiation based on the purposes of the bores. This is restrictive and may be inappropriate for geotechnical investigation and monitoring bores.	provided for investigation and monitoring bores.

## 9 Divert and discharge stormwater

Solid waste disposal activities involve the establishment of clean water diversion drains, and discharge of both clean and contaminated stormwater to streams.

Roading, parks and gardens activities also generate regular stormwater discharges, such as from roads and parks.

### 9.1 Feedback on stormwater provisions

Submission point	Provision	Support Oppose Amend	Reason for submission	Relief sought
50	Stormwater diversion – Rule R135	Amend	Stormwater drains have the function of diverting surface water runoff, and are therefore restricted by s14(2) of the RMA. The PNRP does not specifically address stormwater diversion, and so it would presumably fall under the general rule for taking, use, damming and diverting water as a Discretionary Activity under Rule R135 which appears unnecessary. This could possibly be addressed by authorising the diversion in the stormwater discharge rules in section 5.2.3 of the NRP (i.e. rule bundling).	Consider authorising stormwater diversion in the stormwater discharge rules in section 5.2.3 of the NRP (i.e. rule bundling).
51	Rules R48-R53	Amend	The single permitted stormwater rule relates to the discharge of stormwater from an individual property. As roads are contiguous and under one ownership, the entire road network within a district would be considered one property. It's unclear whether these rules are intended to apply to stormwater runoff from roads. Rule R52 states that a stormwater discharge from a state highway is a restricted discretionary activity, but all other stormwater discharges (such as from roads) is a discretionary activity. Requiring local authorities to obtain consent for stormwater discharges from roads would be onerous.	Make the necessary amendments to clarify how the rules relate to stormwater runoff from the road network.

## 10 Works in wetlands

Parks and gardens departments often engage in activities which disturb and discharge into wetlands.

### 10.1 Feedback on wetlands provisions

Submission point	Provision	Support Oppose Amend	Reason for submission	Relief sought
52	Structures in wetlands – R107	Amend	Should the parks and gardens departments seek to construct new walkways/ bridge structures and/or trails in its wetlands, these are not specifically provided for. Furthermore, all structures (other than hunting and recreation structures less than 10 m2) require resource consent as a discretionary activity.	Amend the rules to permit local authorities to undertake works in wetlands for amenity purposes to recognise the benefit of this activity.
53	Activities in wetlands – R108	Amend	Certain activities in 'natural wetlands' which may be necessary for roading and parks and gardens activities such as reclamation, land disturbance and discharges, are non-complying activities under the PNRP. Given the Plan's and RMA's relatively broad definition of 'natural wetland' (including mangroves), this could place onerous restrictions on minor or temporary activities needed for council functions.	Reclassify these activities as discretionary activities as they were in the Draft Natural Resources Plan (Draft NRP). Doing so would still provide GWRC with considerable control over activities within 'natural wetlands', without being overly restrictive on necessary and important Rooding, parks and gardens functions.

## 11 Application of agrichemicals

The Roading departments are responsible for the control of roadside weeds, which includes agrichemical spraying. Agrichemical spraying is also undertaken to maintain parks and gardens. Weed control is an important environmental and amenity activity that needs to be appropriately provided for.

### 11.1 Feedback on agrichemicals provisions

Submission point	Provision	Support Oppose Amend	Reason for submission	Relief sought
54	Agrichemical use – Rules R36-R38	Amend	Compared to the Operative Air Quality Management Plan, the PNRP places additional requirements for the use of agrichemicals in public places and roadsides, including for an annual spray plan to be prepared, adjacent neighbours notified, and a risk assessment to be undertaken. These requirements are impractical and onerous for HCC and UHCC's important routine weed spraying that takes places across the district on Council-owned land such as parks and roadsides. The bundling approach used in the rules is useful, where discharges to air and to land where it may enter water are combined in single rules.	Amend the rules so that agrichemical use in public places and roadsides is permitted under similar conditions as the Operative Plan, including that the activity does not require an annual spray plan, neighbour notification, or a risk assessment. Include a cross-reference to Rules R36-R38 in the air discharges rules section to aid the reader.
55	Agrichemicals not permitted – Rules R36 and R37	Amend	Where discharge of agrichemicals are not permitted under Rules R36 and R37, the Draft NRP classified such discharges as a restricted discretionary activity. They are now discretionary activities under the PNRP.	To provide clearer guidance on how GWRC exercises its discretion and give more certainty to those using agrichemicals, change the activity status of the discharge of agrichemicals not permitted under Rule R36 or R37 back to a restricted discretionary activity as in the Draft NRP.

## 12 Schedules

Many of HCC's and UHCC's functions require works in and around sites or structures of significance, listed in the Schedules to the PNRP. The rules and policies applying to such sites are onerous, particularly where policies requiring effects to be avoided apply to rules for non-complying activities.

### 12.1 Feedback on Schedules

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
56	Schedules A and A1: Outstanding water bodies and rivers. Policy P39; Rule R42; Rule R67	Amend	<p>Policy P39 states that adverse effects on outstanding water bodies "shall be avoided". Works may be required to maintain roads or parks and gardens adjacent to outstanding water bodies, such as the Hutt River above the Kaitoke Dam.</p> <p>Rule R42 limits the concentration of total suspended solids in discharges into outstanding water bodies.</p> <p>Rule R67 states that where discharges are not permitted in Rules R42-R45, discharges into sites of significance (including outstanding water bodies) are non-complying activities.</p> <p>Rule 127 states that reclamation of any part of the bed of an outstanding river is a non-complying activity.</p>	Amend the wording in the policies and rules for 'Outstanding water bodies' to provide for key council functions such as maintaining adjacent roads.
57	Schedule C: (mana whenua sites); E4 (archaeological); F2c (birds-coastal); F4 (coastal area); F5 (coastal habitats); J (geological features). Rules R114, R152, R162, R167	Amend	<p>The PNRP places onerous restrictions on activities within scheduled sites.</p> <p>Policy P45 states that, in the first instance, activities in Schedule C sites shall be avoided. Given the range of non-complying activities in Schedule C sites, this policy wording is very restrictive. Other policies are also problematic for council functions, such as:</p> <ul style="list-style-type: none"> <li>• Policy P138 (structures in significant sites);</li> <li>• Policy P143 (deposition in significant sites); and</li> <li>• Policy P148 (motor vehicles in significant sites).</li> </ul> <p>In addition, the following Rules make activities in significant sites non-complying:</p> <ul style="list-style-type: none"> <li>• Rule R67 – discharges inside Schedule F4 sites;</li> <li>• Rule R162 - new structures, or additions or alterations to existing</li> </ul>	Given the large number of Scheduled sites in the Wellington Region, we suggest amending the wording in the policies and rules to ensure necessary works, such as structures in rivers or in the CMA, can be carried out by HCC and UHCC.

Submission point	Provision	Support Oppose Amend	Reasons for submission	Relief sought
58	Schedule E1 (heritage structures); E2 (wharves and boatsheds); E3 (navigation aids)	Amend	<p>The relevant areas these rules apply to (relevant to the council's' roading and parks and gardens functions) include:</p> <ul style="list-style-type: none"> <li>• Korokoro stream mouth;</li> <li>• Petone foreshore;</li> <li>• Waiwhetu stream – Owihiti pā; and</li> <li>• Korohiwa (East Harbour Coast).</li> </ul> <p>The PNRP may also be overly restrictive of activities involving heritage structures, wharves, boatsheds and navigation aids. The rules state that additions to, alterations, removal of, demolition or replacement of Schedule E1/E2/E3 structures is a discretionary activity. The following structures are covered by these rules:</p> <ul style="list-style-type: none"> <li>• Petone Wharf;</li> <li>• Point Howard Wharf;</li> <li>• Days Bay Wharf;</li> <li>• Rona Bay Wharf; and</li> <li>• Skerrett Boatshed, Lowry Bay.</li> </ul>	Amend the rules on heritage structures to make them less onerous for HCC and UHCC when carrying out their infrastructure functions.





Proposed Natural Resources Plan:

Submitter:

**Graham Evans**

Submitter Number:

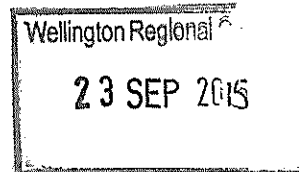
**S86**



Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Graham Evans  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 840 State Highway 53, RD 1, Featherston, 5771

Telephone no's: Work: 021 577 476 Home: 06 3089059 Cell: 021 577476  
 Contact person: Graham Evans  
 Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: grekans1@paradise.net.nz

**Trade competition**

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:
- I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule C5 and specifically the specification of Kourarau Dam and inlet stream as a Category 1 site of natural significance	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	My submission is based on the use of Lake Kourarau as a trout (and coarse) fishery of special significance in the North Island - and hence in New Zealand, and its management to maintain its unique place as a fishery. The lake is used by many groups for trout fishing especially, due to the actions of Fish and Game in (re)seeding the lake with hatchery bred fish, and then seeing those fish and their progeny successfully spawning in the inlet stream to maintain the population of fish. I note that the lake supported a trophy fishery in earlier years that failed due to inappropriate management of lake levels and fishing pressure. The new dam and the maintenance of a higher lake level should ensure that low lake levels are no longer a

		<p>problem and a new trophy fishery may well develop.</p> <p>The people who fish the lake include individuals and the members of the following clubs as a minimum:</p> <p>Wairarapa branch of Wellington Fish and Game Club  Wellington Fly Fishers Club  Hutt Valley Fly Fishers  NZ Sports Fly Fishing Society</p> <p>I note that the latter organisation has used the lake for competition to help select the NZ team for the World, Commonwealth and Oceania teams and intends to do so again in future due to the unique opportunity it offers as being similar to many fisheries found in competitions overseas and especially offering bank-based fishing.</p> <p>Successful spawning is an essential aspect of maintaining the fishery and so I support restricting livestock from accessing the inlet stream, its delta at the South end of the lake and the marshy area adjacent thereto to prevent cattle from encroaching into these areas. I note that the local Fish and Game club members keep the lower end of the inlet stream clear to allow the egress of fish into the stream for spawning. This work will need to continue as it is a function of fallen branches (not of stock movement) and the stream having to find new channels as a consequence.</p> <p>On the other sides of the lake, I support that the current farm management practices of not grazing cattle on the paddocks comprising the lake margin and only using these areas for moving cattle to other locations, continue. I observe that the lake bed adjacent to the banks are either very deep or very soft with deepish, sticky mud, and as such is very dangerous for cattle who would get stuck and could drown or need to be pulled out, and so encourages the farmers to not let cattle graze/linger in the lakeside paddocks. If cattle do happen to get into the lake while in transit, they are immediately encouraged to return to shore by the farmer sending his dogs in to get them out.</p> <p>I also am in agreement that sheep should also be only on the lakeside paddocks for pasture management and transit purposes. Sheep do not stand in the lake by choice and so this is not, in my view, a problem.</p> <p>It is my opinion that any requirement to fence the lakeside paddocks (other than those on the South end) and noting that this is not a requirement under the current Rule R97, would detrimentally affect the ability of the fishing fraternity to enjoy the facility to the extent they currently can and do.</p> <p>I would also suggest that the fouling of the lake water by birds, especially game birds is currently far more detrimental to water quality than any stock activity.</p> <p>I have suggested 2 alternate solutions that could be implemented. My understanding is that should either of these decisions be accepted, the landowners would be very happy to meet with iwi to discuss how the water might be managed in a mutually acceptable and practical manner to meet their respective requirements as to improved water quality, that opportunity as I understand it not having been accorded them in the consultation process.</p>
	<p>I seek the following decision from WRC (give precise details):  →</p>	<p>Either:</p> <p>That Lake Kourarau and the inlet stream remain designated as waters of significance, both from a requirement to meet Maori values, but also as a trout fishery and spawning area, and that the current stock management practices on the adjacent farms be deemed appropriate, with the proviso that the inlet stream and wet/delta areas on the South end be fenced so that stock are excluded from encroaching thereon.</p> <p>Or:</p> <p>If this is not tenable in terms of the dam itself being designated as a Category 1 water body and fencing being the only practical solution, I would ask that the Reservoir be removed from schedule C5.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	
	<p>I seek the following decision from WRC (give precise details):  →</p>	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Christine Stanley**

Submitter Number:

**S87**





Greater Wellington Regional Council  
regionalplan@gw.govt.nz  
Submission on the Proposed Natural Resources Plan

From:  
Christine Marjorie Stanley  
325 Grays Road  
Pauatahanui  
RD1  
Porirua 5381

tel: 04 2331148

Trade Competition: I could not gain an advantage in trade competition through this competition through this competition.

The success of the Plan in the Porirua Catchment area is very much dependant on the success and rigour of the Whaitua Committee process. Hence most of my comments are made with the local Whaitua Committee in mind.

**Submission:**

**General:** Much of the Proposed Plan quite reasonably relates to large farming areas. A search of the document for the words 'lifestyle', 'small block', 'farmlet' brings no results. Porirua City consists of 80% rural land with 2 % of the population and of that there are only 6-7 large farms over 200 ha, the rest being 5ha or less.

So as the Plan stands, the relationship with these small-block land owners is going to be through the Whaitua process.

At the time of writing I am still unable to open the detailed maps relating to this Proposed Plan. I did get a USB stick from the Council but it does not have maps on it, and it refers one on to the GW regional plan review site and the GW mapping site. Perhaps it is because I live rurally and do not have ultra fast broadband that I cannot open them but it makes things a bit difficult to comment on and is a flaw in the submission process.

**P.39 RP.023** I find the use of words like significant values, outstanding values to be rather subjective.

What does Objective RP.023 really mean when it says 'the significant values of outstanding water bodies are protected'? This is quite subjective. I live on the northern shore of Pauatahanui inlet, on part of a farm that was in the 1850's cleared of native forest and features fairly bare hills, which have become outstanding because the view from Whitby looks across at the wonderful shadows cast on the bare 'Don Binnie' landscape. From an ecological and natural resource point of view it would be better if the hills were covered in trees, but this 'bare' view has become

enshrined in the local city landscape management plan. Objective RP.023 is meaningless from a natural resource point of view.

Presumably in this objective 'restored' means to the point where kai moana can be collected free of pollution and suitable for eating. If so, this standard of restoration should be repeated.

**P.55** Likewise Policy P23 The significant values of Te Awarua o Porirua Harbour, Wellington Harbour and Lake Wairarapa are protected and restored - restored to what?

### **P.38 Objective O10**

Recreation and public access should be maintained only where the effects of such use are well regulated within the local bylaws. The Pauatahanui Inlet is the only large estuarine wetland left in the lower half of New Zealand's North Island. It is at risk, mainly from human activities in both the Inlet and its catchment. It is recognized in this Plan as a regionally important stopover for several migrant shorebird species.

Within the inlet the Pauatahanui Wildlife Reserve adjoins the Horokiwi Wildlife Reserve which adjoins the Motukaraka Reserve which in turn links into the Kakaho Reserve. All of these reserves are soon to be linked by a pathway which has received critical acclaim for its recreation values and yet at the same time the ornithological society have warned that many of the birds visiting the inlet are decreasing in number and many are now threatened. This Proposed Plan also lists in Schedule F2c (p 388) the eleven threatened or at risk indigenous species that are known to be regular visitors to this area. The Ornithological Society put the reasons down to a change in the local environment particularly with a loss of roosting space and the effect of dogs chasing birds, which are trying to feed. In the middle of this precious space, Motukaraka Point is an off leash dog exercise area. Years of submissions to the local Council on this simple point have failed to make any impact. Perhaps this Plan will have more effect.

**P 64, P96** Domestic and Outdoor Burning. Policies P54; P54; P55 and P56 all relate to domestic and outdoor burning. The Pauatahanui area has seen a gradual decrease in the air quality over the last 40 years. The increased subdivision around the inlet has resulted in more pollution from domestic fires, and the increase in lifestyle blocks has seen an increase in the number of outdoor fires. There is rarely a fine still day that does have some open fire going somewhere. The regional fire rules are not working well in a more confined and intensive lifestyle block area such as this. Schedule L1 Regional Ambient Air Quality Targets are listed but I cannot find anything in the Plan that shows how the local area measures up. Perhaps this information is on the maps that I cannot open.

**P 243** - 6.7 Contaminated land states that GWRC will continue to work closely with city and district councils to further identify and assess contaminated land. Adjoining Pāuatahanui Inlet is a piece of land identified as contaminated land. This is because it was the site of a WWII American marine camp and the dumping and disposal of goods took place here. There seems to be no clear indication to landowners as to what this really means. They continue to dig ponds, bulldoze large areas all with existing rules. What is the point of labelling this land unless it is clear what it means in terms of its use?

**p. 109** 5.1.13 Agrichemicals

This section insists that all non-domestic spraying is done by those who hold relevant qualifications. How does this apply to 5 ha lots/lifestyle blocks? Why should this apply to herbicides which the applicator can both buy and use without requiring certification. Many herbicides state on their containers that you do not need an approved handler certificate for use except in a 'wide dispersive manner or over water' and give strict instructions on its appropriate use and storage. This section needs some addressing for small non-domestic lots.

The requirement for annual spray plans simply will not work in this sort of area. Most landowners tackle mainly gorse as and when it appears.

**P 81** 4.9 regarding the minimum flows and water levels, and taking and using water. Over the last few decades with the increased subdivision in the catchment there has been an increased taking of water from the local streams. This water is used for stock use, gardens and swimming pools. In various years of drought, particularly those of El Nino weather events, there is much anecdotal evidence of the amount of water actually flowing into the inlet being much reduced by the increased take of water during its journey from its source to the inlet. This obviously in turn affects the flushing ability of the inlet. Whatever levels of acceptance are decided on should take this all into account.

**P 151** - 5.4.3 Livestock exclusion.

At a local presentation of the plan by GW representatives, the local attendees were told not to worry about any provisions excluding stock from water areas because this area was classed as being hill country and therefore excluded from the requirement to exclude stock out of gullies etc.

I think this is a mistake because the type of farming that is carried out in this area is very different from a truly rural area. Many people have a 5 ha piece of land on which they will often have quite a lot of stock to the point of being overstocked. Cattle are preferred over sheep as they require less frequent intervention. Many have horses as well. Much of the lifestyle land is flat and often has the local stream running, or water channels through it. One can see a lot of pugging and muddy areas.

The first image below shows a larger farm in the first image showing sheep grazing an unfenced gully with water seeping through. The boundary fence can be seen running from the right hand side and then it turns to the right at the large tree in the centre.



The second image shows the neighbouring lifestyle block management of the same waterway - devoid of growth, boggy and cattle free to roam. This water then flows directly into Pauatahanui Inlet. The planting in the background is on the large farm.



The Waitua Committee needs to recognise the intensive type of stock management that is widely practiced in this area to ensure such practices are not effectively encouraged or protected as they are by the Proposed Plan.

Thank you for the opportunity to make a submission  
I wish to be heard in support of my submission.

Yours sincerely,

Christine Stanley

25 September 2015



Proposed Natural Resources Plan:

Submitter:

**Trelissick Park Group**

Submitter Number:

**S88**





588

# 1526307

**Darrell Young**

---

**From:** Regional Plan  
**Sent:** Friday, 25 September 2015 9:09 a.m.  
**To:** Records  
**Subject:** FW: Submission from Trelissick Park Group - Proposed Natural Resources Plan for the Wellington Region

**Categories:** Darrell

Wellington Regional Council

24 SEP 2015

**Paul Denton** | Senior Policy Advisor, Environmental Policy  
**GREATER WELLINGTON REGIONAL COUNCIL**  
*Te Pane Matua Taiao*  
Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011

PO Box 11646, Manners St, Wellington 6142  
T: 04 830 4037 | [www.gw.govt.nz](http://www.gw.govt.nz)

**From:** Peter Reimann [<mailto:peter.reimann@paradise.net.nz>]  
**Sent:** Thursday, 24 September 2015 9:10 p.m.  
**To:** Regional Plan  
**Subject:** Submission from Trelissick Park Group - Proposed Natural Resources Plan for the Wellington Region

Submitter name: Peter Reimann  
Organisation:: Trelissick Park Group  
Organisation contact name: Peter Reimann  
Address: c/- 51 Heke Street, Ngaio, Wellington 6035  
Phone: 04 938 9602  
Email: [peter.reimann@paradise.net.nz](mailto:peter.reimann@paradise.net.nz)  
Date: 25 September 2015

The Trelissick Park Group would like to congratulate Greater Wellington Regional Council on the thorough preparation of this Plan. We support all the measures proposed of interest to us - largely ecosystem health, public access, water discharges, stormwater, earthworks/vegetation clearance and the Kaiwharawhara Stream, tributaries, estuary and adjacent reclamation.

Trelissick Park, in the lower Kaiwharawhara and Korimako Stream valleys, is an integral part of the large catchment stretching from Khandallah to Karori and surrounds down to the harbour (about 20 km<sup>2</sup>). The maintenance and enhancement of the ecological corridors of the catchment from the harbour to the outer green belt are most important. We value the fish and bird movements through our Park, and then through Otari Wilton's Bush and Zealandia, as well as along the Korimako tributary with its source below Mt Kau Kau. Much riparian restoration has been undertaken by the Group since 1991 to enhance these movements. Specific comments are as follows.

### Stormwater

Relevant sections include: O23, O25, O48, R48, R49, R50, R51 and Table 3.4, P31, P32, P33, P73, P74, P75, Schedule N.

Flows - Concerns have long been expressed by the Group about the lack of stormwater control in the catchment. The Kaiwharawhara and Korimako Streams take all stormwater from the large urban catchment area from Karori to Khandallah and surrounds down to the harbour. We have long advocated for zero effect on stormwater runoff from any new developments by such measures as permeable surfaces, soak pits, roof tankage, planting and stormwater detention. More housing on the steep hillsides – together with predicted heavier rainfalls from climate change – have increased the already negative effects of fast flows washing away stream banks as well as on water quality. We note Greater Wellington's (GW's) provisions in P73 "implementing water sensitive urban design in new subdivision and development". The Wellington City Council (WCC) has produced a Water Sensitive Urban Design Guide but is not actually enforcing it, even for its own projects. We would like to see mandatory zero effect on stormwater runoff from any new developments in both this Plan and within WCC plans.

Water Quality – We note aquatic ecosystem health provisions in this Plan. We are concerned about pollutants entering the stormwater system from car washing, paint/cement cleaning and chemicals sloughing off from vehicle use on roads – highlighted by recent adverse publicity. We request that the Kaiwharawhara and Korimako Streams be included in M10 "Water quality investigations and remediation actions".

We support the provisions in M15, concerning Regional and local authority collaboration.

### **Fish Passage**

We note O29 "Use and development provides for the passage of fish and koura, and the passage of indigenous fish and koura is restored", also P35 and M21 on restoring fish passage. There are currently some barriers in the Kaiwharawhara and Korimako stream systems which WCC are investigating and we would like to see GW playing a part in this.

### **Ecosystems and Habitats with Significant Indigenous Biodiversity**

Relevant sections include O35, P40, P41, P42, P43 and Schedules F1 and F4.

We are pleased to see that the Kaiwharawhara Stream, tributaries and estuary are designated as "Ecosystems and habitats with significant indigenous biodiversity values". We believe it is vital that this designation is retained.

### **Kaiwharawhara Estuary Area**

What happens at the estuary can have negative effects upstream - it has its own values which need both protecting and improving. In this context, we are aware that CentrePort may extend its port activities in this area but no details have yet been given to 'interested parties'. We request that GW retains the valued natural resources of this estuary area. The fact that, in the past, authorities approved reclamation plans, the concreting of stream banks and the building of two ugly bridges, does not mean further degradation should be permitted – rather this Plan can support and improve the biodiversity of the area. It is our 'good fortune' that the estuary remains open to the sky although having lost its original appearance and in spite of plans to culvert it. It is the only remaining open estuary within WCC boundaries entering the harbour and as such needs treasuring. We have noted the email from the GW Chairman of 5 August to the Wellington Civic Trust that this Plan "will protect the integrity of the Kaiwharawhara stream and provide an adequate basis for the accommodation of commercial activity by the port" and that for CentrePort's long term plans GW regularly raise with them "the need to ensure that the integrity of the northern end of their operations is a matter of high priority to GW".

We note also that in past years DOC installed some nesting boxes for little blue penguins upstream near Spotlight, but they were swept away during flooding. We would be delighted if they could be encouraged to return.

## **Natural Character**

Relevant sections include P24, P25 and M24.

We support these objectives and policies for the Kaiwharawhara estuary and the public northern beach of the reclamation. Whilst recognising that they are part of an old reclamation plan (thus not the original coastal scene), over the years and with some public input they have been developing their own natural character. With further environmental enhancement, they have the potential to develop into areas with high natural character, particularly in terms of their perceptual (experiential) values and therefore could be considered under these policies.

As general access to the reclaimed land is prohibited by CentrePort, our Group's permitted entry to the area during the annual coastal clean-up is most important, and volunteers thoroughly enjoy the positive ambience of both the northern beach and the estuary provided by the seabirds, the rolling tidal waters meeting the stream outlet, the gentle slopes of the northern beach, the extensive views of the city and the wider harbour and – on a sunny windless day – a general feeling of peacefulness. The question is will this Proposed Natural Resources Plan sufficiently cover protection from inappropriate development for this area as its (perceived) natural character increases over time.

Background. Some GW officers will have been involved in the GW's 1990s exercise for a regional Landscape Plan. Our Group – both on its own but also as a member of the Kaiwharawhara Reclamation Working Group – attended various meetings and made submissions on the Plan outlining the area's attributes for significant landscape status. But in 1998 GW withdrew the proposal and instead intended to produce a set of guidelines for regionally significant landscapes, with Wellington Harbour as one of five areas selected. Again our Group attended relevant workshops. Then in March 2000 we were informed that GW had ceased work on landscape guidelines but would investigate "more practical means of implementing its responsibilities with respect to the region's landscapes". Later in 2000 GW initiated a Lower Kaiwharawhara Stream Project (John Holmes) which was followed by the enhancement of the south side of the estuary with rocks and plantings. Also GW and WCC commissioned a plan for the estuary area by Conrad Pharazyn.

Thus over a period of around 20 years efforts have been made to provide this area with some protection (from inappropriate development) and enhancement - hoping the public could have greater access to its amenities. Hopefully, following this current GW consultation, the Natural Resources Plan will retain its positive provisions for natural character status and provide some finality for protection and enhancement of the estuary and the public northern beach to make them a worthy addition to the sparse public coastal amenities in this part of the harbour.

Also, with DOC managing the public northern beach of the reclamation (which needs proper public access), it would seem appropriate to transfer the title for the estuary and its immediate surrounds, from CentrePort back to GW (where it was originally when Wellington Harbour Board transferred title for the whole area to the ownership of the Regional Council).

## **Public Access to Coastal Marine Area**

Relevant sections include O9, O10, O55, P9, M22.

These sections refer to public access along the coastal marine area. There is the public beach on the northern side of the Kaiwharawhara reclamation (managed by DOC) which needs preserving and improving. In past years this was used and enjoyed by the public for fishing, launching boats and just as a beach – particularly suitable for the young with its shallow water. Access to this public area is now virtually denied by CentrePort and KiwiRail, but could be provided for under this Plan. The estuary itself can be accessed by the public, including those waiting to go on the ferry, enabling them to appreciate (in particular) the bird life at the waters edge and the views across the harbour (although more effort could improve its attractiveness).

## **Definitions**

A definition of “structure” should be added to 2.2 (referred to eg in P138).

We do not wish to speak to this submission.

Regards,

Peter Reimann  
(Chairman, Trelissick Park Group  
[www.trelissickpark.org.nz](http://www.trelissickpark.org.nz))

Proposed Natural Resources Plan:

Submitter:

**Robert Jackson**

Submitter Number:

**S89**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

#1526153  
S.89

NAME/ORGANISATION

ROBERT JACKSON

NUMBER STREET NAME

4 NAAIER GROVE

SUBURB/TOWN

POSTCODE

WAIKANAE BEACH

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PHONE

EMAIL

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corlesse@gmx.com

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is:

Please specify the provision/section number: AIR QUALITY, OBJECTIVES 039-041, etc

My submission on this provision is:

- I support the provision
- I oppose the provision
- I wish to have the specific provision amended

Wellington Regional Council  
24 SEP 2015

Reasons for my submission: SEE ATTACHED PAGES

I seek the following decision from WRC (give precise details):

SEE ATTACHED PAGES

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/we do wish to be heard in support of my/our submission at hearings  
*Note: This means that you wish to speak in support of your submission at the hearing(s)*
- I/we do not wish to be heard in support of my/our submission. *Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court*
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

~~I/we could not gain an advantage in trade competition through this submission~~

~~I/we could gain an advantage in trade competition through this submission~~

~~I/we am/am not directly affected by an effect of the subject matter of my submission that:~~

- ~~(a) adversely affects the environment; and~~
- ~~(b) does not relate to trade competition or the effects of trade competition.~~

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: 

Date: 20-9-15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to:

Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports can be downloaded from the Wellington Regional Council website or a USB can be obtained free of charge by contacting the Hearings Officer on 04 384 5708 / 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz). Paper copies of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for purchase from the offices of the Wellington Regional Council at the above addresses.

Please contact the Hearings Officer on 04 384 5708 / 0800 496 734 or [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) if you have any questions about the Proposed Natural Resources Plan for the Wellington Region.

### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freeport 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

- Offices of the Wellington Regional Council
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

- After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.



## **PNRP submission by R Jackson**

The provisions of the PNRP that my submission relates to is Air Quality.

I support the proposed provisions, but wish to see some amendments.

### **Reasons for my submission**

Much as I would have liked to assess more of the Proposed Natural Resources Plan, all I have been able to do is consider the various Air Quality provisions, with particular reference to domestic fires and their effects. I was unsure how extensive these were so have studied the hierarchy of the Plan's elements to determine what was in it and what was not in it. I apologise if it reads like a critique but I had to examine it in detail for elements which I would like to see. As they were not in fact present, I later make requests as to how the Plan might be improved.

Please note that my comments and suggestions are made in the context of my considerable admiration for the scale and intentions of the Plan and the work that has been done to this point.

### **Objectives O39, O40 and O41**

Although the primary objective (O39) is linked to the standards in Schedule L1 (ambient air) there is no time frame or indication of resources necessary to achieve it, so technically it is not an objective within the accepted definition but is more of an organisational goal. The supplementary objectives (O40 and O41) are in fact simple goals, or even "desiderata".

### **Policies**

*[The policies are the course of action intended to achieve the objectives, as required under section 67(1)(b) of the RMA. Policies are implemented through other methods (rules or methods). ]* Your words.

#### **Policy P52 Managing ambient air quality**

This is basically a rewording of the three objectives and adds nothing to our understanding of how the objectives are to be achieved. There is no "course of action" stated unless you regard the verbs (maintaining, improving, managing) as constituting a course of action.

#### **Policy P53 Domestic fires**

This introduces the no doubt worthy but vague notion of "good management practices" that, it is hoped, will "minimise" a range of "cumulative health effects



and nuisance effects to neighbours of offensive or objectionable odour, smoke and particulate matter, fumes, ash and visible emissions.” At this stage we seem to have drifted into the very smoke that we are hoping to minimise. Perhaps this is a “course of action”.

#### **Policy P55 Managing air quality**

This seems entirely redundant as it contains nothing that is not already in P52.

#### **Policy P57 Burning of specified materials**

Another that seems to repeat earlier policy material, though it does contain the phrase “shall be avoided” [which I have not seen defined in any part of the PNRP].

#### **Policies P58 and P59 Industrial discharges/point source discharges**

The distinctions between these two policies are too finely delineated for me to understand. Perhaps air above a property and air over an adjoining property are deemed to warrant two separate policy statements, one of which rates the “minimisation” approach and the other of which rates the “avoidance” remedy.

You will perhaps appreciate that I was genuinely searching for a positive within the policies that would give an indicator of some tangible plan of action that was not,

(a) restricted to “management” by means of council permit or consent based on applicant-supplied information; or

(b) an education initiative; or, (tacitly)

(c) reliant on our old friend the wind to sooner or later solve all of our air quality problems.

### **Rules**

#### **R6 Fuels prohibited in domestic fires – prohibited activity**

This says that discharge of contaminants into air from the combustion of specified materials in a domestic fire is a prohibited activity. I understand from 2.1.3 that this has the force and effect of regulations in statute, so this edict is a powerful aid to implementing the policies.

In section 5.1.1 there is a statement that the WRC will work to improve air quality in a polluted airshed through Method M5.

### **Methods**

#### **M5 Polluted airsheds**

Although this only addresses the matter of polluted airsheds, it does contain



the only date I have noted so far – 2020. This is the date by which future action plans will produce the air quality goods.

My difficulty as a ratepayer is that while the Plan's structure and ideology appear to make it a very good standards document, it is hard to see any significant direction. There is hardly a mention of implementation and nothing about enforcement – the “how” of any decent plan, strategic or otherwise. There is another method, M28, which mentions good management practice guidelines. I'm afraid that the more I look at this the more I feel it is similar to the technique whereby one lifts oneself by one's own bootstraps.

\* \* \*

Since you kindly supplied the Section 32 reports, I wish to comment on the Air Quality Management aspects of that also.

### **Section 32 Report: Air Quality Management**

This document indicated that it might address many issues that the Plan ignores or appears to achieve by means of finesse. The relevance, usefulness, achievability and reasonableness criteria resonate with implicit intention and I looked forward to learning of the “how” that was notably absent in the Plan. Furthermore, the separation of the report into sections to deal with issues, regulatory context, policy evaluation, and assessment of policies & objectives, invites a better appreciation in the reader than does the Plan's intricate cross-referencing. However, I duly found that that high Fog Index ratings re-appeared in section 5.

I consider the “issues” to be well dealt with in section 2, with data inserted to back up general statements.

The regulatory context in section 3.1 appears to be a full and comprehensive summary. Section 3.2.1 deals with the 2013 Regional Policy Statement and from what is shown here it seems to be the basis for the Plan's present air quality provisions. The 2000 Air Plan is covered by section 3.2.2 and again this seems a full and useful summary of a comprehensive document only made redundant by inherent flaws and NESAQ.

In section 4 the air quality objectives are considered against the relevance, usefulness, achievability and reasonableness criteria. There are useful notes and O39's relevance, usefulness and reasonableness are argued convincingly, but achievability is not shown – the words are merely comments



about the LI schedule and NESAQ standards. Even if “achievability” is read as “hypothetical achievability” the paragraph adds little to the sum of human knowledge.

Objective O40 also is defined well as relevant and useful but while its achievability in respect of some industries is definable, controllable and measurable, its achievability in respect of domestic situations is limited to being “located and controlled by regional and district plans”, whatever that means. O40's reasonableness is expressed in rather limp fashion for one which deeply concerns people's health and well-being.

Objective O41 is dealt with pretty much as a smell-control measure and I noted with interest the comment that “odour is a chronic issue in the region”. O41's achievability is usefully linked to a pollution complaints register, but the objective's reasonableness is affirmed by a very tired circular argument. The summary in section 4.2 is an effective one which should probably be read instead of the three preceding sub-sections.

Section 5.1.1 concerns outdoor burning but before I move on I wish to make an objection that the continued use of domestic fireworks is by inference given local government approval through the Plan, “to enable community well-being”. I can accept that commercial or officially-approved fireworks displays may have a place in community activities, but the continuation of domestic firework activities has no value and no business being sanctioned in a document such as this. To be sure the WRC may not be able to ban them, but it does not need to be a promoter.

In sub-section (b) of section 5.1.1 there are two references to O40 that should perhaps be changed to “O41”.

### **Section 5.1.2 Domestic fires**

It disturbed me to read in the first paragraph, “Regional councils around New Zealand have decided that regulation and education are the best ways to reduce the effects of domestic fires on ambient air quality”. It seems a small set of tools to deal with an activity that makes a significant contribution to a global problem.

In Option 2 below, The following statement occurs, “Provide a method for developing an airshed action plan with territorial authorities and the community along with key stakeholders in working out a plan to reduce the emissions from domestic fires”. This is a very weak statement that debases the value of neighbouring material. Having a plan include intentions to create





further plans is an old bureaucratic trick to try and look good but pass the buck to a wider group of interested parties.

The next heavy-type sub-heading refers to outdoor burning, which presumably is a cut-and-paste error. It should read "Relevant proposed Plan provisions for domestic fires".

Next, Table 3 omits mention of objective O40 which I fail to understand because although O40 is concerned with point source discharges, your own definition of "point source discharge" (S2.2) is "The discharge of contaminants at a specific identifiable location (such as a factory or property) or fixed facility such as a pipe, ditch or smokestack", which does not specifically exclude domestic fires. I feel this is a good definition which allows for a wide range of exceedance situations and locations to be identified.

Curiously, in sub-section (b) Effectiveness, below table 3, the references are only to O39 and O40. Logically these should be O39 and O41 from the table above, and the sense appears to confirm that. However, as O40 is the only one that specifically mentions human health, why is it not included also?

In the next paragraph there is reference to Policy AQ.P54 which appears to be a typo as other policies are simply P52 and P53. Subsequently, some of the effects expressed as flowing from P53, P54 and P57 must be read as simple optimism (refer to my previous views on the structure and content of these policies).

I have no comment about the Masterton situation, except that it is good to read about a positive on-the-ground plan. From the final bulleted paragraph I am unable to say whether WRC approves of free firewood users or disapproves of them. A dollar each way, presumably.

At the end of the (b) Effectiveness section, Method M5 is discussed and some of the itemised ways and means are presumably simply elements of the education process because no mention is made of how effective the methods are, how their effectiveness is measured, how non-compliance is identified and dealt with and how enforcement might be achieved.

Next, paragraph (c) Efficiency and Table 4 deal with the various effects of the Plan as well as they can and I have no comment apart from there being a small structural flaw in the final sentence in table 4, Social, Benefits (yes, I am an irritating perfectionist, but that's the risk you run).

In paragraph (d) Risks of not acting, the statement, "This risk will be met with the provisions in the proposed Plan", exudes a confidence that I personally could not express.



The final paragraph once again refers to objectives O39 and O41, but O40, the up-front human health statement, is not mentioned.

\*

\*

\*

### **I seek the following decisions from WRC**

I appreciate from elsewhere in the documentation that the WRC is not just a giant word factory and that it does indeed have operational staff who perform essential work on the ground, so why do we not see more about this part of its activities in the Plan and s32 Reports? The Plan talks in some detail about the Masterton initiatives but says nothing more about enforcing air quality standards except via some devices that are, apparently, attached to certain point source discharge outlets.

I realise that enforcement may be a complex and difficult process, perhaps expensive and involving litigation and lawyers, but it has to start with evidence, and what is the means of obtaining evidence? The documents frequently talk about polluted airsheds but there is no mention of how the air above Masterton or Wainuiomata was determined in the first place to be polluted.

### **Request 1**

I ask that the WRC insert, perhaps as an element in the domestic fires policies or some of them, the statement that it will establish an ambient air-monitoring division, to be equipped with portable and other air quality sensors, that can respond to complaints about widespread or localised exceedances, verify the complaints or disprove them, and initiate enforcement procedures as necessary.

I know there are many such pieces of equipment on the market, even in New Zealand – any search engine will provide a good range of choices.

My purpose in seeking this change is this: I want any ratepayer, who may have a hypothetical neighbour he/she suspects of burning trade waste in a domestic fire, to be able to obtain official verification as to whether that neighbour's home chimney is dispersing toxic substances such as formaldehyde particles. I am envisaging a situation where official clarification, education and warnings have failed or been ignored, and any future progress depends on evidence being acquired.



## **Request 2**

I ask that the WRC strengthen its position generally with regard to air quality, so that by 2020, or perhaps 2050, a future student of global air pollution might look back at Wellington's efforts and say, "At least they tried to do something. At least they didn't sit on their hands and say the business of using domestic fires is too complicated and let's not rock this boat too much."

Perhaps the domestic and other air quality policies could be amended to include the statement that the WRC "will do everything in its power to relegate the archaic practice of burning fuel on open domestic fires to the history books"? Make us proud, please. Help drag NZ into the 21<sup>st</sup> century.

## **Request 3**

I ask that the WRC reword any phrasing in any statements related to outdoor burning, policies or otherwise, so that there is no suggestion that WRC considers the burning of pyrotechnics by private users to contribute to "public amenity" in any way.

\*

\*

\*

Thank you for allowing me to contribute.

R Jackson

20 Sept 2015



Proposed Natural Resources Plan:

Submitter:

**Scott Cleator**

Submitter Number:

**S90**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

Full name: Scott Wayne Cleator

Organisation name:  
 (If applicable) \_\_\_\_\_

Address for Service: 13 Roland Hill, Glen Eden, Auckland 0602

Telephone no's: Work: \_\_\_\_\_ Home: 09-8135167 Cell: 021413375

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: \_\_\_\_\_

### Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Section 2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.4 Natural Form and Function: Objective O20	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 4.4.4 Natural hazards Policy P29: Climate change	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

Date: 24.09.15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

## Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Philip and Dorothy Tortell**

Submitter Number:

**S91**



## **SUBMISSION of PHILIP and DOROTHY TORTELL on the GWRC PROPOSED NATURAL RESOURCES PLAN 2015**

Wellington Regional Council

23 SEP 2015

### **1 Who we are**

We are Philip and Dorothy Tortell and we have lived at 52 Ames Street in Paekakariki for the past 20 years. Our telephone number is 04-292 8506 and our email addresses are [philip.tortell@outlook.com](mailto:philip.tortell@outlook.com) and [dorothyortell@outlook.com](mailto:dorothyortell@outlook.com).

We came to live in Paekakariki with plans for retiring here and then leaving the property to our children and grandchildren. In other words, this is our home.

According to available records, the property had been subdivided in 1941 and approved by the then Local Authority (Hutt County Council). Since we purchased the property in 1994 we have carried out numerous improvements and renovations including a new timber seawall (in 2008) to replace a damaged and unsightly concrete wall. All works have been carried out with full Council approvals, according to engineering design and by professional tradesmen.

When we bought our property on the beachfront in Ames Street we knew that there were risks – risks from the occasional flood events on the Paekakariki Stream and risks from the wave action and changing climate on the coastal frontage. We acknowledged those risks and set about managing them to the best of our ability, with District Council and GWRC approval.

While our submission stands on its own merit, we also support the submission of Coastal Ratepayers United.

### **2 Recognition of people and their needs**

The Proposed Natural Resources Plan (PNRP) fails to address the needs of residents and ratepayers in coastal areas. We submit that while some of the coast in the Wellington Region is comparatively pristine, a large proportion comprises developed, inhabited residential areas - this is where many people live as a result of planning and development decisions made by current and previous local authorities. We submit that while the PNRP makes mention and provisions for future needs and future generations, it is mostly silent about current existing residents and their needs. While the PNRP has objectives to protect ecological values, water, wetlands, public access, Maori customary rights, infrastructure, energy generation, etc, there is no objective to protect and safeguard the existing rights of those who live on the coast.

The PNRP makes reference to the Resource Management Act (RMA) and the purpose of the RMA is to promote the sustainable management of natural and physical resources (s 5(1)) and Section 5(2) states that sustainable management "*means managing the use, development, and protection of natural and physical resources 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, ....*" (our emphasis). The PNRP makes no explicit attempt to provide for the well-being or safety of people and communities.

There is little or no recognition by the PNRP of the NZ Coastal Policy Statement 2010 (NZCPS) Objective 6, which requires Local Authorities "*To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development ...*" and under Policy 6 (f) states "*consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable*". The PNRP needs to give effect to the NZCPS by protecting, to the extent possible, the built environment along the coast, thus safeguarding people's

lifetime investments, and outlining proposed actions by GWRC to assist and support ratepayers with managing the natural risks associated with the coastal environment.

### 3 Risk management

We object to the inconsistency portrayed in the way that the PNRP treats river and stream mouth cutting (Rule 193) on one hand and seawalls (Rule 165) on the other hand. Under Rule 193, cutting of a river mouth is a permitted activity; while Rule 165 considers seawalls to protect existing homes as a controlled activity having stated in Objective O22 that hard engineering mitigation and protection methods are only used as a *last practicable option*. We submit that as both these activities are carried out to manage natural risks, they should both be permitted activities.

According to Section 27 of the NZCPS, section 1 (c), Local Authorities should be "*recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations*". We submit that the PNRP should extend these sentiments to private residential coastal properties which have existed for a number of years and which can meet the foreseeable needs of future generations.

NZCPS Policy 25 (a) directs Local Authorities to "*avoid increasing the risk of social, environmental and economic harm from coastal hazards*". We submit that the difficulties placed in the way of residents who wish to manage their risk through seawalls and other hard structures, contravenes this policy.

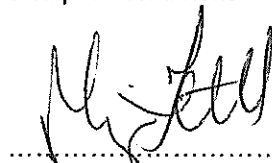
### 4 Conclusion

In conclusion we wish to reiterate the key and salient remedies that would satisfy our objections:

**Recognize**, explicitly, that people actually live along the coastal strip, in subdivisions and developments approved by previous Local Authorities, and aim to protect, to the extent possible, the built environment along the coast, thus safeguarding people's lifetime investments, and assisting and supporting affected ratepayers with managing the risk associated with coastal living.

**Recognize**, that in many places (such as Paekakariki), the natural dune option is not available any more as a result of development decisions made by previous Local Authorities and acknowledge that hard protection structures are the only practical means to protect existing homes and infrastructure.

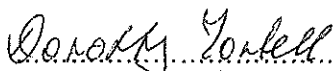
**Make** an explicit attempt to provide for the well-being and safety of people and communities who live on the coast and desist from making it harder for residents to protect their homes from existing and predicted risks.



Philip Tortell

23/09/15

Date



Dorothy Tortell

23.9.15

Date



Proposed Natural Resources Plan:

Submitter:

**Linda Katherine Dale and Melis  
Leonard van de Werken**

Submitter Number:

**S92**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11648  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Linda Katherine Dale and Melis Leonard van de Werken

Organisation name: (if applicable)

Address for Service: 51 Seaview Rd, Paremata, Porirua 5024

Telephone no's: Work: 021 029 74051 Home: 021 029 74051 Cell: 021 029 74051

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

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Email address: linda.and.milo@gmail.com

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Schedule A3: Wetlands with outstanding indigenous biodiversity values	My submission on this provision is: →	<input type="checkbox"/> support the provision <input checked="" type="checkbox"/> oppose the provision <input checked="" type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	We object to the inclusion of the entirety of the Pauatahanui inlet in Schedule A3: as a Wetland with outstanding indigenous biodiversity values. This classification does not seem to be appropriate for the most seaward end of the inlet which has longstanding suburban housing, as well as recreational areas used for eg dog walking and waterskiing neither of which indicates / fits well with an area with this classification. The indigenous biodiversity in this area seems little different to the Porirua harbour arm of the inlet which does not have this classification.

		<p>if the area included in this schedule was to begin inland of the Seaview rd peninsula and the water ski club / area at Greys rd it would still be including and protecting (with a buffer zone) the true 'wetlands' area (as opposed to the tidal flats ) and excluding the more 'built up' areas which have a (in New Zealand terms) long history of habitation.</p> <p>Those of us who live in this area are generally conscious of the fragility of our environment and do our best to protect it. This plan does not do anything to stop some of the biggest risks to indigenous biodiversity (careless people, dogs and traffic on the road around the inlet).</p> <p>Alienating the very people who are both most able to protect (and also most able to damage) this environment by making their existing and longstanding day to day living more complex and expensive does not seem to further the intentions of this plan.</p>
	I seek the following decision from WRC (give precise details): →	To amend the area included in Scedule A3 under the title of Pauatahanui Tidal flats to begin at a line between points on the shore inland of the Seaview rd peninsula and the water ski club / area at Greys rd (or similar).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 5.2.3 Rule 48 (a)</p>	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input checked="" type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	<p>The inclusion of the whole of the Pauatahanui inlet in SCHEDULE A3 means this provision will affect a large number of households in Seaview Rd. These are existing properties which have been here many years. Many households in Seaview Rd lie below the road level and therefore have no possibility to connect to any local body stormwater (which in any case also drains into a body of water covered in schedule A).</p> <p>It seems unduly onerous to make existing households subject to the need to obtain resource consent in order to continue an activity, (drain stormwater) which does not in itself seem to have negative impacts, in the way they have already doing for years.</p> <p>Even for a discretionary activity obtaining consent can be time consuming, expensive and ongoing.</p>
	I seek the following decision from WRC (give precise details):	<p>Either</p> <p>1/ remove exception (a) from the rule / section.</p> <p>OR</p> <p>2/ To amend the area included in Scedule A3 under the title of Pauatahanui Tidal flats to begin at a line between points on the shore inland of the Seaview rd peninsula and the water ski club / area at Greys rd (or similar).</p> <p>OR</p> <p>3/ Exempt / exclude properties / private stormwater outlets existing at the date of inception of the plan from the provisions of point (a) of this rule</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 109 (a)</p>	My submission on this provision is: →	<input type="checkbox"/> support the provision <input type="checkbox"/> oppose the provision <input checked="" type="checkbox"/> wish to have the specific provision amended
	Reasons for my submission: →	<p>The inclusion of the whole of the Pauatahanui inlet in SCHEDULE A3 means this provision will affect the existing boatsheds and jetties at Cambourne, Paremata boating club and around the Seaview Rd peninsula. Some of these are included in Schedule E2 as having significant Historical Heritage value and the reasons for including these in that schedule could generally be said to apply to the other boatsheds in the area as well .</p> <p>Strict application of this rule as it applies to maintenance and repair of these structures could lead to owners needing resource consent every time they need to replace a rusty bolt or nail.</p> <p>Even when not taken to such extremes, in general obtaining consent (even for a discretionary activity) can be</p>

		time consuming, expensive and ongoing. Apart for being unduly onerous to the owners / leaseholders the nett effect could well be to discourage maintenance of these structures, which would seem contrary to the Policies of this plan.
	I seek the following decision from WRC (give precise details): →	Either 1/ To amend the area included in Scedule A3 under the title of Pauatahanui Tidal flats to begin at a line between points on the shore inland of the Seaview rd peninsula and the water ski club / area at Greys rd (or similar) OR 2/ Remove the words 'Maintenance, Repair' from Rule 109 (a)

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

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[Note: This means that you wish to speak in support of your submission at the hearing(s).]
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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
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To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

Full name: Linda Dale and Melis van de Werken  
 Organisation name:  
 (if applicable) \_\_\_\_\_  
 Address for Service: 51 Seaview Rd, Paremata, Porirua 5024.

Telephone no's: Work: 021 029 74051 Home: \_\_\_\_\_ Cell: 021 029 74051

Contact person: Linda Dale

Address and telephone no (if different from above): \_\_\_\_\_

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### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Rule R198: Motor vehicles inside sites of significance – non-complying activity	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Our understanding is that if the Proposed Natural Resources Plan (PNRP) is adopted in its present form the use of vehicles to access our properties will change from a restricted discretionary activity to a non-complying/ prohibited activity.  We seek to retain the existing restricted discretionary activity status with regard to vehicle access to beach front properties (like ours) in

	<p>our area, as we have no suitable/safe access from the street for this purpose.</p> <p>Our house has been here since at least the 1950's and was most likely built using the beach access. We know that major changes to the property in the past have definitely involved vehicle access along the beach.</p> <p>From the end of our driveway there is a steep hillside down to our house – access is either via steps and a zig-zag path or a domestic cable car. Given current building and health and safety standards it is difficult to imagine that significant building/repair/renovation work could be done on our house using only this access.</p> <p>Even getting bulky items and large quantities of garden waste is difficult using this access and will become more so as we age, and the readiness of tradespeople to work with an access like ours decreases.</p> <p>We understand the cost of a consent under the existing restricted discretionary activity is typically \$850 to \$1200. The consent includes specific conditions designed to protect the beach environment and minimise disturbance to residents. We are advised that under the PNRP it will be much more difficult to obtain a consent and will likely require the use of expert witnesses, the presentation of evidence and will cost over \$10,000.</p> <p>The unreasonably onerous requirements of the proposed change, along with the uncertainty associated with being granted a consent at all, will effectively deny us the beach vehicle access currently possible. As mentioned above we have no possible vehicle access from the street.</p> <p>This in turn will have a significant and unnecessary impact on our ability to carry out accepted (infrequent) residential activities such as the delivery of firewood, heavy furniture, appliances etc, the ability to carry out building maintenance and improvements and the ability to remove waste material.</p> <p>For at least 75 years the Golden Gate beach front has been a residential area made possible by vehicle access along the beach. The maintenance of existing buildings relies on continued vehicle access. To effectively remove the ability for us to maintain our home will have a significant impact on us.</p> <p>The existing requirement to obtain a consent for vehicle access to beach front properties as a restricted discretionary activity means this is not something we would undertake lightly or on a regular basis.</p> <p>We understand that the existing consent provisions are generally bound by conditions such as the area of the beach that can be used, the state of the tide, the time of day, keeping of vehicle trip logs etc and allow for monitoring of effects of the activity by Council staff.</p> <p>Therefore we consider that the existing requirements provide a reasonable balance between safeguarding the environment and allowing us to continue to live in and maintain our home.</p>
--	---



	I seek the following decision from WRC (give precise details): →	We seek to amend Rule 198 of the Proposed NRP to be a discretionary activity for the Golden Gate Peninsula including Browns Bay and Ivey Bay. That is, retain the existing provisions for this area.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R197 Motor vehicles for certain purposes - permitted activity	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>We notice that Rule 197 (d) relating to the maintenance and upgrade of infrastructure, relates only to 'regionally significant' infrastructure. The sewage and electricity for several properties in Seaview Rd run under and along the foreshore however as they do not serve large numbers of properties so are unlikely to be classed as regionally significant.</p> <p>For much of this infrastructure the only practical vehicle access (allowing for maintenance and repair) is along the beach, based on rule R198 this would become a non-complying activity.</p> <p>We think that the supply of electricity and sewage to our homes, and therefore the ability to easily maintain the infrastructure that provides it, should not be hampered. Having working electricity and sewage to our homes is an expected standard of living in New Zealand. Limiting the allowance for permitted vehicle access to only be for regionally significant infrastructure could well mean part of our electricity and sewage infrastructure is not well maintained and cannot be quickly repaired.</p> <p>We also note that the sewage systems under the foreshore are a potential risk to the very environment these rules are designed to protect and would think that maintenance and repair of these systems should be encouraged, not made more difficult.</p>
	I seek the following decision from WRC (give precise details): →	<p>Rule R197 (d) be amended to remove the words regionally significant</p> <p>OR</p> <p>An additional provision be made under rule 197 to ensure that motor vehicles are permitted in the coastal area for the maintenance and operation of existing infrastructure .</p>

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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Proposed Natural Resources Plan:

Submitter:

**Coastal Ratepayers United Incorporated**

Submitter Number:

**S93**





**SUBMISSION OF COASTAL RATEPAYERS UNITED INCORPORATED (CRU)  
TO THE GREATER WELLINGTON REGIONAL COUNCIL  
PROPOSED NATURAL RESOURCES PLAN**



**I. GENERAL AND WHOLE PLAN ISSUES**

**Whole plan - oppose and seek amendment**

**Reasons:**

Except where support is expressed, the whole Proposed Natural Resources Plan (PNRP) is opposed, for a number of reasons including:

- The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS) and has little or no regard to the provisions of the NZCPS, and in particular
  - it does not appropriately enable and address coastal hazard mitigation (including protection) activities. That is particularly the case in relation to areas of significant existing development. (NB when reference is made to hazard mitigation in this submission it includes protection).
- The provisions of the PNRP are not in accordance with the Resource Management Act 1991 (RMA) and sound resource management practice, and in particular
  - it overrides the RMA's purpose (RMA s 5); and
  - it has inadequate or inappropriate s 32 evaluations and reports;

For example, proposed Policy P3 in the PNRP, in contrast to Policy 3 of the NZCPS, fails to recognise that a precautionary approach is not appropriate in the wide-ranging circumstances set out in Policy P3.

Proposed Policy P3 is rendered even less appropriate because of the limited definitions of beneficial activities and uses in proposed Policies P7 and P8. Objective 6 of the NZCPS is very clear: it seeks to achieve community wellbeing "through subdivision, use and development", recognising that, "the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits". This overall objective is totally ignored throughout the PNRP, not just in proposed Policies P3, P7 and P8.

The PNRP also fails to give effect to the NZCPS in relation to Policy 27 of the NZCPS. Policy 27 of the NZCPS is entitled "*Strategies for protecting significant existing development from coastal hazard risk*". It sets out a range of options that should be assessed for "areas of significant existing development likely to be affected by coastal hazards." The range of options includes, among other things, hard protection structures.

Implicit in Policy 27 is that decision makers, having assessed the range of options, will set policies that ensure appropriate options can be progressed. The PNRP does not do this.

The PNRP also fails to recognise the benefits, not only the general benefits from use, but in particular those from coastal hazard mitigation measures. It also fails to include appropriate objectives, policies and rules to enable appropriate use including coastal hazard mitigation activities, especially in areas of significant existing development.

Where activities are not permitted or are controlled activities, appropriate support and enabling in the objectives and policies are critical to the ability to obtain consent. The PNRP does not provide that.

S32 evaluations:

- there have not been adequate or appropriate s 32 evaluations; and
- adequate or appropriate s 32 reports have not been undertaken or regarded.

Section 32(1)(a) requires assessing the extent to which the objectives of a proposal being evaluated are the most appropriate to achieve the purpose of the Act. A key aspect of the purpose of the Act is to enable "people and communities to provide for their social, economic, and cultural well-being and for their health and safety" (section 5(1)(2)). Section 32 evaluations should evaluate explicitly whether an objective is worded in such black and white terms as to pre-empt consideration of this key aspect of the RMA's purpose. They also need to identify the benefits and costs of proposed provisions, quantifying those where practicable. Such tests are fundamental to good policy-making and their continued neglect would be both deplorable and inconsistent with the section 32 requirement.

Decision sought:

Ensure that the provisions of the PNRP comply with the RMA, and give effect to the NZCPS and the Regional Policy Statement for the Wellington region (RPS).

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for hazard mitigation (including protection) measures. Have regard to those revised reports.

Revise the PNRP to address the concerns expressed throughout this submission.

Reconsider the whole plan, including definitions, objectives, policies, rules, other methods, schedules and maps that relate directly or indirectly to climate change, coastal hazards and mitigation (including protection) measures, both within the coastal marine area and otherwise e.g., in beds of rivers and streams to ensure that:

- the definitions are clear, consistent and appropriate and will allow all relevant activities;
- the definitions (existing or newly-created ones) and other relevant provisions relating to coastal hazard mitigation (including protection) appropriately address the concerns expressed throughout this submission;
- all aspects of the PNRP distinguish between hazard identification/risk assessment which is science-based and objective (rather than precautionary) and risk management which is policy-based and enables judgements to be exercised;
- the objectives and policies enable and encourage appropriate use including hazard mitigation measures;
- the rules:
  - provide for as many activities as possible as permitted or controlled activities;
  - provide that the rest are restricted discretionary or discretionary activities;
  - do not result in activities becoming non-complying activities by virtue of any other rules, e.g., rules that refer to the Schedules or rules that refer to vehicles, or because rules permitting activities are not appropriately inclusive;
  - do not make any activities non-complying or prohibited; and

- aspects from the whole plan including definitions, objectives, policies, rules, other methods, schedules and maps are added, revised or deleted to achieve these outcomes.

In relation to all of the decisions sought in this submission, this submission also seeks such other decisions as would address the concerns expressed. Where specific wording is suggested, that wording is an example of what might be acceptable wording but other wording or outcomes may be preferable and the decisions sought include such other options.

Where a more effective resolution of concerns expressed in the reasons is available that decision is also sought.

Please note that when reference is made in this submission to hazard mitigation that includes protection.

**Whole plan – failure to address a range of matters relating to the coastal environment in accordance with RMA and NZCPS statute – seek amendment**

Reasons:

Firstly, there is a need to assert an overarching objective of the plan in respect of use and development in the coastal environment to prevent it inadvertently preventing activities that might otherwise be contemplated by the NZCPS. A suggestion to remedy this deficiency is:

*"Objective Oxx*

*To enable people and communities to provide for their well-being through the sustainable use and development of the coastal environment."*

The corresponding Policy could be:

*"Policy Pxx: Community well-being through the use of the coastal environment*

*The importance of enabling people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through appropriate subdivision, use, and development of the coastal environment is recognised."*

This could be associated with Policy P7.

In addition there is the need to deal with the specific issue of coastal hazard mitigation and protection. A suggestion to remedy this deficiency is:

*"Objective Oxx*

*Coastal hazard mitigation and protection*

*The importance of appropriate coastal hazard mitigation and protection measures, balancing benefits and costs to those affected is recognised."*

A suggestion for the drafting of a policy, modelled on proposed "Policy P16: New flood protection and erosion control" is:

*"Policy Pxx: Coastal hazard mitigation and protection in areas of significant existing development*



*The social, cultural, economic and environmental benefits and costs to those affected of existing and new coastal hazard mitigation and protection activities in areas of significant existing development are recognised."*

Other objectives and policies should also be developed to address the concerns expressed.

In terms of the rules, consider the most appropriate option for addressing coastal hazard mitigation (including protection) methods. This could include:

- revising individual rules; or
- creating a new section dealing with coastal hazard mitigation (including protection) and including relevant rules in that section.

Decision sought:

Develop and include an overarching objective in respect of use and development in the coastal environment to prevent the Plan from inadvertently preventing activities that might otherwise be contemplated by the NZCPS.

Develop and include a corresponding policy.

Develop and include an objective to deal with the specific issue of coastal hazard mitigation and protection.

Develop and include a corresponding policy.

Develop and include any other objectives and policies to address the concerns expressed throughout this submission.

Consider the most appropriate option with respect to the provision of rules for addressing coastal hazard mitigation (including protection) methods and develop and include such rules.

**Whole plan - failure to address a range of matters relating to risk (including the definitions of "risk" and "risk-based approach (natural hazards)", risk assessment, and risk management, including in relation to climate change and coastal hazard mitigation issues - seek amendment**

Reasons:

The PNRP has its statutory basis in the RMA and NZCPS. The former under Section 32 requires the PNRP to explicitly address issues of risk in managing resources and in evaluating actions under it. Risk management is central to the NZCPS in assessing and managing coastal hazards.

In 2009 a new standard for risk management was adopted in Australia and New Zealand and this standard was incorporated in the NZCPS 2010 by reference (AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009). Risk is defined as "the effect of uncertainty on objectives". Thus both positive and negative consequences need to be taken into account (not just losses), the full range of objectives need to be considered (and when it comes to matters of public policy the objectives of different interests) and the uncertainty in the assessments of both the event occurring and its impact are essential to properly assess and manage the risks.

The RPS definition of "risk" as carried through to the PNRP is based on the earlier (2004) standard<sup>1</sup>. This is no longer appropriate. That definition implicitly assumes only losses (a

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<sup>1</sup> In an explanation to Policy 29 (but not in the policy itself) the RPS refers (at page 110) to the superseded Standard, not the current Standard.

"hazard"), there is a single likelihood associated with the event (the "probability [sic] of a natural hazard") and that the consequences are inherent in the natural resource (the "vulnerability") rather than being a function of the various objectives the community has for those resources.

Given the reference in the NZCPS 2010 to the AS/NZS ISO 31000:2009, and the history of relying on the then current standard within the RPS, the PNRP needs to be updated to reflect the now current standard<sup>2</sup>. This Standard should be added to the list of standards referenced by the PNRP.

A number of recommendations to remedy these deficiencies include:

**Recommendation:**

*Definition of "Risk (hazards)"*

Replace the current definition with:

*"The effect of uncertainty in hazards on the objectives people and communities have to provide for their well-being through the sustainable use and development of the coastal environment. Ref. AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009"*

Similarly, this same need for updating to give effect to NZCPS 2010 and AS/NZS ISO 31000:2009 also applies to the definitions of:

1. "Risk-based approach" to natural hazards to bring it into line with AS/NZS ISO 31000:2009 and the NZCPS;
2. "Hazard management strategy" to reflect the requirements of NZCPS 2010;
3. "High hazard areas" to clarify their status in terms of Policy 24 of the NZCPS.

1. "Risk-based approach"

The NZCPS 2010 sets out the process it requires to manage coastal hazard risks. First there is an objective identification and assessment (Policy 24) then based on that assessment, a range of management responses need to be considered (Policies 25 – 27). The NZCPS 2010 is clear that the risk identification and assessments and the trade-offs between competing interests and objectives occur by persons exercising functions and powers under the Act rather than others without this authority.<sup>3</sup>

It is critical that the provisions of the PNRP maintain this separation between identification and assessment on the one hand and management on the other. The PNRP must demonstrate an understanding of these separate and fundamental concepts with respect to risk management and the PNRP must follow those risk management processes set down in the relevant Policies in NZCPS 2010. The proposed definition of "risk-based approach" in the PNRP fails to maintain this separation, mixes the two activities up (assessment and management) and misleads on the nature of the risk assessment.

Use of the term "risk management" is appropriate in the PNRP wherever uncertain hazards impact on the objective of using the coastal environment to enhance the community's well-being. As drafted, the PNRP uses the term "risk-based approach" twice, in Policies P27 and P28 and then in the narrow context of assessing risks. Subsequently, we address both the definition and the related policies below:

<sup>2</sup> The NZCPS 2010 requires local authorities to update plans to give effect to it "as soon as practical". P7. NZCPS 2010.

<sup>3</sup> See "Application of this policy statement" P.7 NZCPS 2010.

**Recommendations:**

*Definition of "Risk-based approach":*

Delete existing complete entry and replace with:

*"Risk management approach (natural hazards)"*

*"Objective identification, assessment, and prioritisation of risks and related uncertainties ("Risk assessment") followed by the coordinated and economical application of resources to minimise, monitor, and control the uncertainty of a hazard and its impact or to maximize the realisation of opportunities ("Risk management"). Policy 24 and Policies 25-27 of the NZCPS respectively exemplify risk assessment and management. Ref. AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009"*

Delete Policies P27 and P28.

Add a replacement policy:

*"Policy Pxx: Risk management approach*

*"Use and development shall be managed using a risk management approach, particularly when hazard risks impact upon the achievement of use and development objectives."*

2. "Hazard management strategy"

The definition of "Hazard management strategy" is in practice little more than the application of the risk management approach. It is referenced in Policy P28. It allows hard engineering where the risks of not permitting it are unacceptable and the environmental effects are considered to be more than minor.

**Recommendation:**

*Definition of "Hazard management strategy":*

Replace entry with:

*"A hazard risk assessment along with a plan to manage any hazard risks, developed using the risk management approach and approved by the local authority."*

3. "High hazard areas"

"High hazard areas" are defined in the PNRP as "all areas in the coastal marine area and the beds of lakes and rivers". It is used in Objective O21 and Policy P27. This definition cuts across Policy 24 of the NZCPS 2010 that lays down a process for identifying "areas at high risk of being affected [by coastal hazards]". It also fails to comply with the management provisions of NZCPS Policies 25-27.

Objective O21 should better reflect Objective 5 of the NZCPS 2010 and focus on a range of means to manage the risks rather than just avoidance of use and development. Objective O19 suffers from a similar problem where interference from use and development is "minimised" rather than the risk managed, and Objective O20 seeks to have all risks to be "acceptable risks" again rather than risk managed.

These objectives should be recast in the language of Objective 5 of the NZCPS 2010 to ensure the PNRP is compliant with it.

**Recommendations:**

Delete Objectives O19-22 and replace with a single objective as follows:

*"Objective Oxx:*

*Ensure that natural hazard risks taking account of climate change, are managed by:*

- locating new development away from areas prone to such risks;*
- considering responses, including managed retreat, for existing development in this situation; and*
- protecting or restoring natural defences to such hazards."*

To further give proper effect to the NZCPS Objective 5, delete Policies P26-30 and replace them with policies that use risk management and reflect the risk assessment and management policies in the NZCPS 2010 generalised to natural resources.

Delete the definition of "High hazard areas" and refer instead to "areas at high risk of being affected by coastal hazards" as per the NZCPS.

Decision sought:

Implement all changes as enunciated in the above Recommendations.

**Whole plan – failure to incorporate the principles of AS/NZS ISO 31000:2009 – seek amendment**

Reasons:

Following on from the discussion of risk management in general, the definitions, objectives, policies and methods of the PNRP currently do not incorporate some of the principles of AS/NZS ISO 31000:2009 as well as they should, in particular:

**"d) Risk management explicitly addresses uncertainty.**

Risk management explicitly takes account of uncertainty, the nature of that uncertainty, and how it can be addressed.

**f) Risk management is based on the best available information.**

The inputs to the process of managing risk are based on information sources such as historical data, experience, stakeholder feedback, observation, forecasts and expert judgement.

However, decision makers should inform themselves of, and should take into account, any limitations of the data or modelling used as well as the possibility of divergence among experts.

...

**h) Risk management takes human and cultural factors into account.**

Risk management recognizes the capabilities, perceptions and intentions of external and internal people that can facilitate or hinder achievement of the organization's [organization is a wide-ranging term] objectives.

**i) Risk management is transparent and inclusive.**

Appropriate and timely involvement of stakeholders ... ensures that risk management remains relevant and up-to-date. Involvement also allows stakeholders to be properly represented and to have their views taken into account in determining risk criteria.\*

The failure of the PNRP to address a number of these matters, including the failure to explicitly take account of uncertainty and the range of likely outcomes, instead of unreasonable, very unlikely outcomes or an inappropriately precautionary approach, needs to be remedied.

As AS/NZS ISO 31000:2009 instructs, it is relevant to take into account the human factor and recognise the capabilities, perceptions and intentions of external and internal people that can facilitate or hinder achievement of the objectives.

A critical factor relevant to coastal hazards that is currently problematic in New Zealand is the human factor of coastal scientists/engineers. There exists an underlying assumption that property owners are unreasonable and that scientists and engineers are objective experts. The Kapiti experience proved otherwise.

In the Kapiti situation it became abundantly clear some coastal scientists/engineers moved outside their areas of expertise and misinterpreted both the NZCPS and their role in the legal process. This caused significant problems and imposition of unreasonable costs and restrictions. What is needed with respect to hazard identification/risk assessment is transparent, objective, scientific information, including information about the uncertainties and the range of likely outcomes, to enable:

- submitters to participate effectively in the RMA process; and
- decision-makers to exercise their judgement appropriately and make informed decisions.

What is not needed are "precautionary" or "potential" results based on the scientist's or engineer's misinterpretation of the NZCPS. Legal misinterpretation should not allow a one-sided policy approach to be misleadingly dressed up as science.

Scientists/engineers who provide only unlikely or very unlikely results are not providing information that is appropriate for use in the RMA context. The duty of care in this case is to the balance of interests involved and that means facilitating the most well informed decision making.

Please see the *"Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists"* by Joan Allin, a former Environment Court judge. At paras 146-147, she states:

*\*146 In my opinion, submitters and decision-makers are entitled to expect that scientific reports:*

- a. convey objective, scientific, transparent information;*
- b. are fit for purpose;*
- c. have regard to the "short-term and long-term natural dynamic fluctuations of erosion and accretion" as set out in Policy 24(1)(b) and to other scientific matters referred to in Policy 24 to enable the Council to perform its functions;*
- d. are based on sound statistics, involving statisticians with appropriate statistical expertise;*



- e. *state all assumptions, and state the implications of the assumptions (as far as possible), clearly;*
- f. *not contain hidden precautionary adjustments (or precautionary adjustments that cannot readily be untangled from the results);*
- g. *not add precautionary assumption, to precautionary assumption to precautionary assumption;*
- h. *use, as the Coastal Panel recommends from a statistical perspective (and also recalling the Gallagher case, where the Environment Court selected the specified overtopping rate because it was the "best fit"), "best estimates" rather than precautionary values, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate;*
- i. *not provide very unlikely results (unless for some reason they have been specifically told to do so and then the results will be described as very unlikely);*
- j. *not describe results using ambiguous terms such as precautionary, conservative, or potential (or, if that is done, identify precautionary or conservative or potential compared to what, and by how much, so that submitters and decision-makers can understand what the coastal scientist actually means when they use those terms); and*
- k. *identify the uncertainties e.g., by, as the Coastal Panel recommends, considering a range of plausible scenarios (e.g. low, mid, high, or best estimate and extremes).*

147 *From my perspective, if that is done (and especially in areas where there is significant existing development), some of the difficulties with the current RMA processes may at least diminish."*

It would be most unfortunate if GWRC ended up going down the same track as Kapiti Coast District Council (KCDC), prior to KCDC's re-assessment of the issues where KCDC had relied on scientific information that was not sufficiently robust and that painted an unreasonably negative (indeed very unlikely) picture of outcomes, with all of the negative consequences of that.

The PNRP should clarify that hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary), taking into account the *NZCPS 2010 Guidance Note Policy 3: Precautionary Approach* which states (p.6). "The application of the precautionary approach is a risk management approach rather than a risk assessment approach."

Because "risk" is defined in AS/NZS ISO 31000:2009 as the impact of uncertainty on objectives a critical part of the risk assessment is to report the uncertainty, not hide it in false certainty.

Decision sought:

Revise the PNRP to deal with the concerns expressed.

Incorporate relevant aspects of the joint Australian and New Zealand International Standard on risk management AS/NZS ISO 31000:2009 "Risk management - Principles and guidelines" into the PNRP, including (without limiting the breadth of the decision sought) principles d, f, h and i.

Add the standard AS/NZS ISO 31000:2009 to the list of standards referenced by the PNRP.

Incorporate relevant aspects of "*NZCPS 2010 Guidance Note Policy 3: Precautionary Approach*".

Incorporate relevant aspects of *"Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists"*.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process that calls for uncertainty to be reported, not hidden and precautionary assumptions based on "professional judgement" to be avoided.

#### **Whole plan - coastal icon - seek amendment**

##### Reasons:

It is useful that the coastal icon is used to identify matters relevant to the coastal marine area.

However, it is confusing because the statements in the rules "Provisions relevant to the coastal marine area are identified by his icon ..." infer that the provisions may only be relevant to the coastal marine area, however, that is not what Section 2.1 states.

Section 2.1 states, "Unless otherwise stated, provisions marked with the coastal icon apply to both the coastal marine area and the areas landward of mean high water springs where the regional council has jurisdiction."

##### Decision sought:

Clarify the meaning of the coastal icon and make the explanation of it consistent across the PNRP

#### **Whole plan - Lack of consistency of language and drafting throughout the PNRP, including in the objectives, policies, rules, etc. - seek amendment**

##### Reasons:

There are inappropriate inconsistencies in the language used, across, the PNRP.

An example:

- in a number of places there is reference to what is "practicable" e.g., Policies P4 P25, P27, and P132(g);
- in other places there is reference to what is "reasonably practicable" e.g., Policy P47;
- in other places there is reference to what is "reasonable or practicable" e.g., Policies P132(b) and (c), and P139).

There is no attempt to distinguish "practicable" "reasonably practicable", "reasonable or practicable". Presumably each word or phrase has a different meaning otherwise the drafters would have used the same language. However since the PRNP does not define any of these terms it is impossible for the average reader to know what it means by the implied distinctions, or why such distinctions exist.

It is unacceptable to convey the impression that practicable does not mean what is reasonably practicable or that what is practicable may not be reasonable. These differences in wording must be avoided.

##### Decision sought:

Review the use of language and drafting throughout the PNRP. Ensure that terminology is used consistently and appropriately and that use of combinations of terms are also used consistently and appropriately.

Review all of the references to "practicable", "reasonably practicable", "reasonable or practicable" and any other similar terms (or variations of those or similar terms) and use one form of wording that conveys the concept of reasonableness. "Reasonably practicable" is an option or simply "practicable" (provided that reasonably or reasonable is never used in relation to "practicable" or as an alternative to practicable anywhere throughout the PNRP) as a Court would infer an element of reasonableness (as long as the proviso is given effect to).

Where there are equivalent rules in different parts of the PNRP (or within the same parts of the PNRP), ensure that the rules are drafted in a way that is appropriate, consistent and complete.

Where there are lists of things in different rules (e.g., activities associated with the main activity dealt with in the rule), ensure that all of the lists within and across the rules are appropriate, consistent and complete.

## II. SPECIFIC CHAPTERS AND PROVISIONS

### CHAPTER 2 - DEFINITIONS

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

Decision sought: Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

**Definitions - "Beach recontouring (beds of rivers)" and "Beach recontouring (coastal marine area)" - seek amendment**

#### Reasons:

It seems that cutting river and stream mouths is not intended to come within these definitions and, if that is the case, this should be made clear.

If these definitions do cover cutting river and stream mouths (and indeed even if they don't), the differences in wording between the two definitions are problematic e.g., referring to mechanical means in one but not the other. The reference to a "river beach" and "beach" in the first definition also seems problematic and perhaps should also include reference to "bed".

#### Decision sought:

Clarify that river and stream cutting is not included in these definitions.

Reconsider the differences in the wording of the provisions and make them consistent e.g., both should include reference to hand and/or mechanical methods so that provisions in the coastal marine area and in beds of rivers are drafted in a consistent and complete manner e.g., include reference to mechanical means in both.

Reconsider the use of the terms "river beach" and "beach" in the "beach contouring (beds of rivers)" definition and consider also including a reference to "bed".

**Definitions - "Earthworks" - seek amendment**

Reasons:

While the PNRP says the more specific rule applies and while the definition of "Earthworks" refers to "soil", to avoid any potential for misunderstanding, it would be useful for the definition of "Earthworks" to exclude "Beach recontouring (beds of rivers)" and "Beach recontouring (coastal marine area)" as well as river and stream mouth cutting.

Decision sought:

Insert that the definition does not include Beach recontouring (beds of rivers) and Beach recontouring (coastal marine area) and does not include river (including stream) mouth cutting.

**Definitions - "Functional need" and "Operational requirement" - seek amendment**

Reasons:

The provisions use these terms in situations where use of the terms does not give effect to the NZCPS and does not enable appropriate hazard mitigation measures that might be able to be located elsewhere but are more efficiently, effectively or cost-effectively located in the particular location.

The focus on need in these terms is too narrow.

Decision sought:

Reconsider use of the terms "functional need" and "operational requirement" in the rules and either change the rules or the definitions to enable appropriate hazard mitigation measures that might be able to be located elsewhere but are more efficiently, effectively or cost-effectively located in the particular location.

**Definitions - Hazard management strategy - seek amendment**

Reasons:

The definition of "Hazard management strategy" is in practice little more than the application of the risk management approach. It is only referenced in Policy P28 and is required to allow hard engineering where the risks are unacceptable and the environmental effects are considered to be more than minor. A simpler definition using the definition of "risk management approach" should be used.

Decision sought:

Replace the current definition with:

*"A hazard risk assessment along with a plan to manage any hazard risks, developed using the risk management approach and approved by the local authority."*

**Definitions – "High hazard areas" – oppose**

Reasons:

"High hazard areas" are defined as "all areas in the coastal marine area and the beds of lakes and rivers". This definition cuts across Policy 24 of the NZCPS 2010 that lays down a process for identifying "areas at high risk of being affected [by coastal hazards]" and cuts across the management provisions of NZCPS Policies 25-27.

See the above discussion, and in particular under the heading "Whole plan - failure to address a range of matters relating to risk (including the definitions of "risk" and "risk-based approach (natural

hazards”), risk assessment, and risk management, including in relation to climate change and coastal hazard mitigation issues.”

Decision sought:

Delete the definition (and any reference to it throughout the plan) and align related passages of text to be compliant with NZCPS processes and provisions regarding areas at high risk of being affected by coastal hazards.

**Definitions - “Risk” - seek amendment**

Reasons:

The PNRP has its statutory basis in the RMA and NZCPS. The former under Section 32 requires the PNRP to explicitly address issues of risk in managing resources and in evaluating actions under it. Risk management is also central to the NZCPS in assessing and managing coastal hazards.

In 2009 new standards were adopted in Australia and New Zealand for risk management and these were incorporated in the NZCPS 2010 by reference (AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009). Risk is defined as “the effect of uncertainty on objectives”. Thus both positive and negative consequences need to be taken into account (not just losses), the full range of objectives need to be considered (and when it comes to matters of public policy the objectives of different interests) and the uncertainty in the assessments of both the event occurring and its impact are essential to properly assess and manage the risks.

The RPS definition of “risk” as carried through to the PNRP is based on the earlier standard<sup>4</sup>. It implicitly assumes only losses (a “hazard”), there is a single likelihood associated with the event (the “probability [sic] of a natural hazard”) and that the consequences are inherent in the natural resource (the “vulnerability”) rather than being a function of the various objectives the community has for those resources.

Given the references in the NZCPS 2010 to the AS/NZS ISO 31000:2009, and the history of relying on the then current standard, the PNRP needs to be updated to reflect this<sup>5</sup>.

Decision sought:

Replace current definition with:

*“Risks (hazards)”*

*“The effect of uncertainty in hazards on the objectives people and communities have to provide for their well-being through the sustainable use and development of the coastal environment. Ref. AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009”*

**Definitions – “Risk-based approach” – oppose and seek amendment**

Reasons:

The NZCPS 2010 sets out the process it requires to manage coastal hazard risks. First there is an objective identification and assessment (Policy 24) then based on that a range of management responses (Policies 25 – 27). The NZCPS 2010 is clear that the risk identification and assessments and the trade-offs between competing interests and objectives occur by persons

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<sup>4</sup> In an explanation to Policy 29 (but not in the policy itself) the RPS refers (at page 110) to the superseded Standard, not the current Standard.

<sup>5</sup> The NZCPS 2010 requires local authorities to update plans to give effect to it “as soon as practical”. P7. NZCPS 2010.



exercising functions and powers under the Act rather than others without this authority<sup>6</sup>.

Any "risk-based approach" needs to maintain this separation between identification and assessment on the one hand and management on the other. It needs to follow processes set down in the relevant Policies in NZCPS 2010. The current definition mixes the two activities up (assessment and management) and misleads on the nature of the risk assessment.

The PNRP only uses the term "risk-based approach" twice, in Policies P27 and P28 and then in the narrow context of assessing risks. In practice "risk management" is appropriate in the PNRP wherever uncertain hazards impact on the objective of using the coastal environment to enhance the community's well-being (to paraphrase).

Decision sought:

Delete the existing definition (and reference to it elsewhere throughout the plan) and add a new definition "Risk management approach (natural hazards)" to replace it as follows:

*"Risk management approach (natural hazards)"*

*"Objective identification, assessment, and prioritization of risks and related uncertainties ("Risk assessment") followed by the coordinated and economical application of resources to minimize, monitor, and control the uncertainty of a hazard and its impact or to maximize the realization of opportunities ("Risk management"). Policy 24 and Policies 25-27 of the NZCPS respectively exemplify risk assessment and management. Ref. AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009"*

## **CHAPTER 3 - OBJECTIVES**

### **Objectives - general**

Reasons: Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES", including the reasons relating to the objectives.

Decision sought: Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

### **All of Chapter 3 - oppose and seek amendment**

Reasons:

Except where support is expressed, all of Chapter 3 is opposed because it does not appropriately enable and address coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Decision sought:

Revise Chapter 3 to appropriately enable and address coastal hazard mitigation (including protection) activities, especially in areas of significant existing development. All of the matters addressed below and any suggested changes to provisions are subject to this general decision sought.

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<sup>6</sup> See "Application of this policy statement" P.7 NZCPS 2010.

**Objectives – omissions – seek amendment**

Reasons:

There is a need to assert an overarching objective of the plan in respect of use and development in the coastal environment to prevent it from inadvertently preventing activities that might otherwise be contemplated by the NZCPS.

A suggestion to remedy this deficiency is:

*"Objective Oxx*

*To enable people and communities to provide for their well-being through the sustainable use and development of the coastal environment."*

This objective could be associated with proposed Policy P7.

Furthermore, there is a need to deal with the specific issue of coastal hazard mitigation and protection.

A suggestion to remedy this deficiency is:

*"Objective Oxx*

*Coastal hazard mitigation and protection*

*The importance of appropriate coastal hazard mitigation and protection measures, balancing benefits and costs to those affected is recognised."*

An associated policy will also need to be included in the Plan (a suggestion is covered under the heading, "CHAPTER 4 – POLICIES").

Decision sought:

Include an overarching objective in respect of use and development in the coastal environment to prevent the Plan from inadvertently preventing activities that might otherwise be contemplated by the NZCPS. Word the objective in a manner that enables people and communities to provide for their well-being through the sustainable use and development of the coastal environment.

Include an objective which deals with the specific issue of coastal hazard mitigation and protection. Word the objective in a manner that references the need to balance the benefits and costs of such measures on those affected.

**Natural character, form and function - Objective O19, Objective O20, Objective O21, and Objective O22 – oppose and seek amendment**

Reasons:

The objectives fail to comply with NZCPS 2010. See above discussion under section I. GENERAL AND WHOLE PLAN ISSUES, and in particular under the heading "Whole plan - failure to address a range of matters relating to risk (including the definitions of "risk" and "risk-based approach (natural hazards)", risk assessment, and risk management, including in relation to climate change and coastal hazard mitigation issues".

Decision sought:

Delete Objectives O19-O22 and replace with a single Objective Oxx as follows:

*"Ensure that natural hazard risks taking account of climate change, are managed by:*

- *locating new development away from areas prone to such risks;*
- *considering responses, including managed retreat, for existing development in this situation; and*
- *protecting or restoring natural defences to such hazards."*

**Sites with significant values - Objectives 032 and 038 and all other relevant provisions that rely on proposed or operative district plans - seek amendment**

By way of a general comment in respect of these objectives and the ones that follow, it is the attributes of a site that create the significant value that needs to be managed and potentially protected, not the site *per se*. The PNRP needs to focus on what constitutes inappropriate use of the site, not on protection regardless.

Reasons:

The PNRP is relying on proposed and operative district plans for identification of at least some outstanding natural landscapes and special amenity landscapes. In the fullness of time, these objectives run the real risk of being inconsistent with the actual proposed or operative district plan provisions and how the provisions are implemented in those plans by the rules. Given the link to various plans of various districts, the provisions need to be kept general in the PNRP.

Referring to "maintained or enhanced" in Objective 038 is too all encompassing and rigid. Special amenity landscapes run along most of the Kapiti coast.

Decision sought:

Reconsider the appropriateness of the provisions that rely on proposed and operative district plans and how they are best worded to ensure that, both now and in the fullness of time, there is no risk of the provisions being inconsistent with the relevant proposed or operative district plans.

A tentative suggestion is to reword Objective 038 to be more consistent with the wording in Objective 032 so that Objective 038 reads something along these lines: "Identified special amenity landscape values are protected from inappropriate subdivision, use and development" but it is probably preferable to make both objectives 032 and 038 more general where they are referring to areas within districts.

**Sites with significant values - Objective 033 and Schedule C - seek amendment**

Reasons:

The objective and Schedule C are too extreme.

Schedule C sets out an extensive list of areas with significant mana whenua values with resulting negative implications for hazard mitigation activities. Corresponding rules inappropriately make a wide range of activities, which would include soft and hard engineering hazard mitigation measures, in these areas non-complying activities. That is inappropriate.

In addition, regardless of the categorisation of coastal hazard mitigation activities, there needs to be appropriate policy support in the PNRP enabling such activities.

The wording of this objective is inappropriately different from Objective 034.

Decision sought:

Revise the objective to be less extreme and revise the objective and other relevant provisions in the PNRP to address the concerns expressed. An option is to revise the objective so that it reads "Sites with significant mana whenua values are protected from inappropriate use and development"



and restored where appropriate" to be consistent with the wording of Objective 034 and to revise Schedule C.

**Sites with significant values - Objective 035 and Schedule F - seek amendment**

Reasons:

The objective and Schedule F are too extreme. Schedule F sets out an extensive list of areas with significant ecosystems and habitats with significant indigenous biodiversity values with resulting negative implications for hazard mitigation activities.

The wording of this objective is inappropriately different from Objective 034.

Decision sought:

Revise the objective to be less extreme. An option is to revise the objective so that it reads "Ecosystems and habitats with significant indigenous biodiversity values are protected from inappropriate use and development and restored where appropriate" to be consistent with the wording of Objective 034 and to revise Schedule F.

**Sites with significant values - Objective 036 and Schedule J - seek amendment**

Reasons:

The objective and Schedule J are too extreme. Schedule J sets out an extensive list of geological features in the coastal marine areas, with resulting negative implications for hazard mitigation activities.

The wording of this objective is inappropriately different from Objective 034.

Decision sought:

Revise the objective to be less extreme. An option is to revise the objective so that it reads "Significant geological features in the coastal marine areas are protected from inappropriate use and development" to be consistent with the wording of Objective 034 and to revise Schedule J.

**Sites with significant values - Objectives 038 - seek amendment**

Reasons:

Please see the reasons relating to Objectives 032 and 038, dealt with earlier.

Decision sought:

Please see the decision sought relating to Objectives 032 and 038, dealt with earlier.

**Coastal management - Objective 053 - oppose and seek amendment**

Reasons:

Objective 053 does not give effect to the NZCPS as the NZCPS does not require that use and development must have a functional need or operational requirement in order to be located in the coastal marine area.

Both the definitions of "functional need" and "operational requirement" convey the message of a need to be in a location.

Policy 6(2)(d) of the NZCPS states:

"recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there". (Emphasis added)

Need is not required in all situations.

Policy 27 of the NZCPS specifically addresses a range of options for reducing coastal hazard risk in areas of significant existing development.

The objective fails to address the situation where there is not technically a need/requirement to be in the coastal marine area but the activity is e.g., more efficiently, effectively or cost-effectively located there. The NZCPS would not preclude such a situation and neither should the PNRP.

Decision sought:

Revise the objective to address the concerns expressed. Options include inserting "generally" after "area" and adding "or is more efficiently, effectively or cost-effectively located there" at the end of the objective or something along those lines.

**Coastal management - Objective 056 - seek amendment**

Reasons:

The objective should also recognise the purpose of the new development e.g., coastal protection works.

Decision sought:

Revise the objective to also recognise the purpose of the new development. An option is to add "and its purpose" at the end of the objective.

**CHAPTER 4 - POLICIES**

**Policies - general - seek amendment**

Reasons:

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES", including the reasons relating to policies.

Decision sought:

Please also see the submissions and decisions sought under "GENERAL AND WHOLE PLAN ISSUES".

**All of Chapter 4 - oppose and seek amendment**

Reasons:

Except where support is expressed, all of Chapter 4 is opposed because it does not appropriately enable and address coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Decision sought:

Revise Chapter 4 to appropriately enable and address coastal hazard mitigation (including protection) activities, especially in areas of significant existing development. All of the matters addressed below and any suggested changes to provisions are subject to this general decision sought.

**Policies – omissions – seek amendment**

Reasons:

There is a need for an overarching policy that enables appropriate use and development in the coastal environment to ensure the Plan does not inadvertently prevent activities that might otherwise be contemplated by the NZCPS.

A suggestion for such a policy is:

*"Policy Pxx: Community well-being through the use of the coastal environment*

*The importance of enabling people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through appropriate subdivision, use, and development of the coastal environment is recognised."*

Additionally, a specific policy is needed to deal with the issue of coastal hazard mitigation and protection, particularly in areas of significant existing development.

A suggestion for the drafting of such a policy, modelled on proposed "Policy P16: New flood protection and erosion control" is:

*"Policy Pxx: Coastal hazard mitigation and protection in areas of significant existing development*

*The social, cultural, economic and environmental benefits and costs to those affected of existing and new coastal hazard mitigation and protection activities in areas of significant existing development are recognised."*

Furthermore, a policy is needed to provide for the use of a risk management framework in the consideration of use and development in the coastal environment.

A suggestion for the drafting of such a policy is:

*"Policy Pxx: Risk management approach*

*"Use and development shall be managed using a risk management approach, particularly when hazard risks impact upon the achievement of use and development objectives."*

Decision sought:

Include a policy that enables appropriate use and development in the coastal environment to ensure the Plan does not inadvertently prevent activities that might otherwise be contemplated by the NZCPS.

Include a specific policy to deal with issue of coastal hazard mitigation and protection, incorporating reference to "areas of significant existing development" and the "benefits and costs to those affected".

Include a policy that provides for a risk management framework to be used in the management of use and development in the coastal environment.

Ensure that such policies provide decision-makers with sufficient flexibility to make appropriate decisions, depending on all of the facts of a case. It is not appropriate to preclude that flexibility.

**Policy P3: Precautionary approach - oppose and seek amendment**

Reasons:

- A precautionary approach is not needed where the lack of information or uncertainty is not material or where the consequences are not significantly adverse (see Policy 3 NZCPS).
- The wording of the policy is unclear. It appears to be intended to bias decisions in favor of action or inaction where there is limited information. If this is the intention, then it is not in accordance with the RMA or the NZCPS.
- Risk management must balance the risks of taking costly action unnecessarily against the risks of incurring the cost of failing to take action. That is recognised in Policy 3 of the NZCPS 2010 where it refers to "avoidable social and economic loss and harm to communities does not occur". It is also recognised in section 32(2)(c) of the RMA that requires a balanced assessment of "the risk of acting or not acting". Being too precautionary results in avoidable social and economic harm, just as not being sufficiently precautionary does.
- The proposed policy is unbalanced in that it refers to adverse effects an activity might have on the environment but not to the contribution of that activity to the "social, economic and cultural well-being" of peoples and communities. Yet if a purpose is not to advance the wellbeing of people in their communities how can it be justified under section 32 of the RMA?
- The statement is unclear as to what recognition should be given to property owner's ability to manage risks to their well-being using risk acceptance and/or risk-pooling arrangements.

Relevant supporting material

Please read:

- *"The precautionary principle and its role in coastal risk management under the New Zealand Coastal Policy Statement and the Resource Management Act"* (attached) in conjunction with;
- *"NZCPS 2010 Guidance note Policy 3: Precautionary approach"*. The guidance note explains the origins of Policy 3 of the NZCPS, which GWRC should consider more carefully than is demonstrated in Policy P3 of the PNRP.

The Department of Conservation guidance note states:

*"The application of the precautionary approach is a risk management approach rather than a risk assessment approach. It is when the risk of potential significant adverse or irreversible environmental effects cannot be adequately assessed (because of uncertainty about the nature and consequences of human activities or other processes) that a precautionary approach to risk management becomes appropriate."*

Application of the precautionary approach may or may not apply in relation to the coastal environment (noting again that a precautionary approach is not needed where the lack of information or uncertainty is not material). However, its application does not relate to and is not relevant with respect to the rest of the region.

The RPS, in explanations to Policies 29 and 51 (but not in the wording of the policies themselves), refers to precaution. The explanation to Policy 29 refers to a "precautionary, risk-based approach". The explanation to that policy states (at page 110):

*\*Guidance documents that could be used to assist in the process include:*

- *Risk Management Standard AS/NZS 4360:2004 ...* (emphasis added).

The Standard referred to in the RPS has been superseded by the joint Australian and New Zealand International Standard on risk management AS/NZS ISO 31000:2009 *"Risk management - Principles and guidelines"*.

This current Standard discards reference to a "precautionary approach" and instead addresses uncertainty.

As a result, while the references in the policies in the RPS that refer to a risk-based approach remain appropriate, references to precaution in the explanations should not be relied upon or given effect to. The Standard AS/NZS ISO 31000:2009 is what is now relevant to the PNRP provisions.

Outside the coastal environment, there is no justification for referring to a precautionary approach. The approach of the RMA is sufficient and appropriate.

Decision sought:

Revise the policy to deal with the concerns expressed including making it clear it doesn't apply where the lack of information or uncertainty is not material or where the consequences are not significantly adverse.

Include wording to acknowledge that being too precautionary is just as inappropriate (with inappropriate costs and consequences) as not being precautionary enough and redress its lack of balance with respect to the well-being of people in their communities.

Make it clear that the principle does not apply to risk assessment (see comments elsewhere in this submission about risk assessment, in particular under the headings, "Whole plan - failure to address a range of matters relating to risk (including the definitions of "risk" and "risk-based approach (natural hazards)", risk assessment, and risk management, including in relation to climate change and coastal hazard mitigation issues" and "Whole plan – failure to incorporate the principles of AS/NZS ISO 31000:2009").

**Policy P4: Minimising adverse effects - seek amendment**

Reasons:

Given the extent of the areas referred to in P4(b), it will not always be possible or appropriate to avoid them. Further the test the RMA requires to be applied is that adverse effects only should be reduced to the extent that overall community well-being is being increased.

Decision sought:

Include appropriate qualification in P4(b) to deal with the fact that, given the extent of the areas referred to in (b), it will not always be possible or appropriate (particularly in terms of community well-being) to avoid them. An option would be to refer to "where reasonably practicable" (or whatever term is to be used consistently across the PNRP for conveying the concept of reasonable practicability) or something similar such as a community well-being test.

**Policy P7: Uses of land and water - oppose and seek amendment**

Reasons:

The list inappropriately "picks winners" (e.g., aquaculture, gravel extraction, transport). It deals in a lopsided way with many of the matters e.g.:



- referring to gravel extraction without recognising its effects in reducing the supply of materials to the coast, resulting for example, in slowing accretion in areas where continued accretion is needed to deal with ongoing sea level rise;
- referring to transport along, and access to, water bodies without recognising the problems that can be caused by vehicles and without recognising that Policy 19 of the NZCPS refers to walking access, not transport access (whereas Policy 20 of the NZCPS deals with vehicular access), and without recognising that the definition of water body in the RMA does not include the coastal marine area.

If the list remains, the considerable benefits of natural hazard mitigation measures should be referred to. The considerable benefits of natural hazard mitigation measures should be referred to and recognised. They are just as important as the other matters referred to with no worse effects than many of the activities referred to.

Decision sought:

Delete Policy P7.

If the policy is not deleted, then:

- reconsider the appropriateness of including each of the items and remove those that should not be there;
- delete (a) aquaculture;
- include reference to the benefits of river and stream mouth cutting and protecting against natural hazards by structures. An option is to revise (g) along the following lines "natural hazard mitigation measures including gravel extraction from rivers, river and stream mouth cutting, and structures [particularly in areas of significant existing development]". If that is not done, delete (g); and
- revise (k) to remove the word "transport" and reword the policy so it refers to something like "appropriate access to and along water bodies and the coastal marine area".

**Policy P8(h): Beneficial activities (h) - support and seek amendment**

Reasons:

Policy P8(h) dealing with existing structures is supported but, given the limited definition of "upgrade", upgrade should also be included.

Decision sought:

Include reference to "upgrade" in Policy 8(h).

**Policy P9: Public access to and along the coastal marine area and the beds of lakes and rivers - oppose and seek amendment**

Reasons:

The policy:

- is too uncertain in its reference to "extent or quality" of public access. Coastal hazard mitigation works might affect the extent or quality of public access but be an appropriate outcome and this policy should not preclude that. Indeed, they can also improve aspects of public access (as cycleways/walkways such as in New Plymouth) but that might not be in

accordance with this policy;

- is too extreme in referring to "shall be avoided" and "necessary";
- is too limited in (a) to (c) in that the purposes do not include reference to other beneficial activities e.g., natural hazard mitigation;
- does not distinguish between vehicular and walking access (Policy 19 of the NZCPS deals with walking access and Policy 20 of the NZCPS deals with vehicular access); and
- could interfere with attempts to limit inappropriate vehicular or pedestrian access (but changing the policy to refer only to walking access would limit appropriate vehicular access and that would be inappropriate).

Decision sought:

Revise the policy completely to address the concerns that it:

- is too uncertain in its reference to "extent or quality" of public access;
- too extreme in referring to "shall be avoided" and "necessary";
- too limited in (a) to (c) in that the purposes do not include reference to other beneficial activities, including in particular natural hazard mitigation measures; and
- fails to distinguish between walking and vehicular access and could interfere with attempts to limit inappropriate pedestrian or vehicular access.

**Policies P15: Flood protection activities and P16: New flood protection and erosion control and the failure to include equivalent provisions for coastal locations - seek amendment**

Reasons:

The definition of "Catchment based flood and erosion risk management activities" refers only to a river management scheme or a flood plain management plan so the policies are not sufficiently wide to cover coastal activities away from rivers. It is inappropriate to fail to recognise the benefits of coastal flood and erosion or other coastal hazard mitigation activities and they should be provided for.

There is no reason to recognise the benefits of river and flood plain protection and fail to recognise the benefits of dealing with flood and erosion matters and other coastal hazard mitigation matters for coastal properties. That is particularly the case as some of the river works have adversely affected the flow of gravel, sand, etc. to the coast and therefore benefits those affected by river flooding to the detriment of those potentially affected by reduced sediment supply to the coast.

Decision sought:

Either widen Policies P15 and P16 to include coastal hazard mitigation activities (using appropriate terminology) or create new policies to deal with those activities.

In addition, given the limited definition of "upgrade" and the importance of the existing activities, upgrade should be included.

**Policy P20: Exercise of kaitiakitanga as well as all other relevant objectives, policies and rules and Schedule C - seek amendment**

Reasons:

There are problems with the combination of:

- this policy (and possibly other relevant objectives and policies);
- the failure of the PNRP to include general objectives and policies supporting appropriate use to enhance community well-being and specifically enabling coastal hazard mitigation activities;
- the extensive areas identified in Schedule C; and
- the fact that the rules make many activities in those areas non-complying activities.

That combination is not appropriate and needs to be revised so that kaitiakitanga can be exercised but also so that appropriate activities do not become non-complying activities because they happen to be in areas identified in Schedule C. Because a non-complying activity can only be granted consent if the effects are minor or the activity is not contrary to the objectives and policies in the plan, the combination is particularly problematic.

Decision sought:

Reconsider the combination of Policy P20 (and other relevant objectives and policies), the failure of the PNRP to include objectives and policies enabling more general appropriate use and specifically coastal hazard mitigation (including protection) activities, the extensive areas identified in Schedule C, and the fact that the rules make many activities in those areas non-complying activities when discretionary activity status is appropriate.

Revise the provisions so that kaitiakitanga can be exercised but also so that appropriate activities, including coastal hazard mitigation activities, do not become non-complying activities because they happen to be in areas identified in Schedule C.

**Policy P24: Outstanding natural character - oppose and seek amendment**

Reasons:

The policy is too uncertain as the areas of outstanding natural character in the coastal marine area have not been identified in the PNRP.

The policy also does not give effect to the NZCPS in that the areas have not been mapped or otherwise identified in the PNRP (see Policy 13(1)(c) and (d) of the NZCPS).

The references to "preserved" and "avoiding" are too extreme and again do not give effect to the NZCPS as Policy 13 refers to protecting against inappropriate subdivision, use and development which conveys the meaning that appropriate subdivision, use and development can be acceptable. Omitting the reference to that part of the Policy conveys a different meaning from that in the NZCPS.

It is also not clear what is meant by "outside the area" in (e).

Decision sought:

Delete the policy or notify a variation to identify the areas of outstanding natural character in the coastal marine area.



If the policy is not deleted, revise the policy to address the concerns expressed, including by making it less extreme and by giving effect to the NZCPS.

**Policy P25: Natural character - oppose and seek amendment**

Reasons:

As with the previous policy, this policy is too uncertain as areas with high natural character in the coastal marine area have not been identified in the PNRP. This policy does not give effect to the NZCPS in that the areas have not been mapped or otherwise identified in the PNRP (see Policy 13(1)(c) and (d) of the NZCPS).

The reference to "avoid" is too extreme. It does not give effect to the NZCPS as Policy 13 refers to protecting against inappropriate subdivision, use and development which conveys the meaning that appropriate subdivision, use and development can be acceptable. Putting the reference to inappropriate subdivision, use and development in (d) rather than in the introductory words of the policy conveys a different meaning from the NZCPS.

In d(ii), referring only to functional need is not sufficient or appropriate and does not give effect to the NZCPS. Policy 6 of the NZCPS does not require that there be a functional need for an activity to be located in the coastal marine area (see the reference in Policy 6(2)(d) to "generally"). Reference should also be made to operational requirement and also to activities that are more efficiently, effectively or cost-effectively located there (using appropriate terminology).

Decision sought:

Delete the policy or notify a variation to identify the areas of natural character and high natural character.

If the policy is not deleted, revise the policy to address the concerns expressed, including by making it less extreme, by giving effect to the NZCPS, and by widening d(ii) as discussed above.

**Policies P26-P30 – oppose and seek amendment**

Reasons:

See explanation under I. GENERAL AND WHOLE PLAN ISSUES, and in particular under the heading, "Whole plan - failure to address a range of matters relating to risk (including the definitions of "risk" and "risk-based approach (natural hazards)", risk assessment, and risk management, including in relation to climate change and coastal hazard mitigation issues."

Decision sought:

Delete Policies P26-P30 in their entirety, including headings.

Replace with policies that use risk management and reflect risk assessment and management policies (i.e., a risk management approach) as set out in the NZCPS and generalised to natural resources where appropriate.

Ensure that none of the replacement policies refer to "high hazard areas" and instead align any such needed language to Policy 24 of the NZCPS which identifies "areas at high risk of being affected [by coastal hazards]".

In the development of such replacement policies, have regard to Policies 25-27 of the NZCPS and ensure any proposed policies are aligned with the risk management provisions of the NZCPS.

Include a replacement policy using a "risk management approach" to enable appropriate use and development in the coastal environment (see drafting recommendation above).

If the policy is not deleted, revise the policy to address the concerns expressed, including by making it less extreme and by giving effect to the NZCPS.

**Policy P25: Natural character - oppose and seek amendment**

Reasons:

As with the previous policy, this policy is too uncertain as areas with high natural character in the coastal marine area have not been identified in the PNRP. This policy does not give effect to the NZCPS in that the areas have not been mapped or otherwise identified in the PNRP (see Policy 13(1)(c) and (d) of the NZCPS).

The reference to "avoid" is too extreme. It does not give effect to the NZCPS as Policy 13 refers to protecting against inappropriate subdivision, use and development which conveys the meaning that appropriate subdivision, use and development can be acceptable. Putting the reference to inappropriate subdivision, use and development in (d) rather than in the introductory words of the policy conveys a different meaning from the NZCPS.

In d(ii), referring only to functional need is not sufficient or appropriate and does not give effect to the NZCPS. Policy 6 of the NZCPS does not require that there be a functional need for an activity to be located in the coastal marine area (see the reference in Policy 6(2)(d) to "generally"). Reference should also be made to operational requirement and also to activities that are more efficiently, effectively or cost-effectively located there (using appropriate terminology).

Decision sought:

Delete the policy or notify a variation to identify the areas of natural character and high natural character.

If the policy is not deleted, revise the policy to address the concerns expressed, including by making it less extreme, by giving effect to the NZCPS, and by widening d(ii) as discussed above.

**Policies P26-P30 – oppose and seek amendment**

Reasons:

See explanation under I. GENERAL AND WHOLE PLAN ISSUES, and in particular under the heading, "Whole plan - failure to address a range of matters relating to risk (including the definitions of "risk" and "risk-based approach (natural hazards)", risk assessment, and risk management, including in relation to climate change and coastal hazard mitigation issues."

Decision sought:

Delete Policies P26-P30 in their entirety, including headings.

Replace with policies that use risk management and reflect risk assessment and management policies (i.e., a risk management approach) as set out in the NZCPS and generalised to natural resources where appropriate.

Ensure that none of the replacement policies refer to "high hazard areas" and instead align any such needed language to Policy 24 of the NZCPS which identifies "areas at high risk of being affected [by coastal hazards]".

In the development of such replacement policies, have regard to Policies 25-27 of the NZCPS and ensure any proposed policies are aligned with the risk management provisions of the NZCPS.

Include a replacement policy using a "risk management approach" to enable appropriate use and development in the coastal environment (see drafting recommendation above).

Include a replacement policy to specifically deal with coastal hazard mitigation and protection in areas of significant existing development (see drafting recommendation above).

Ensure that such policies provide decision-makers with sufficient flexibility to make appropriate decisions, depending on all of the facts of a case. It is not appropriate to preclude that flexibility.

**Policy P29: Climate change - oppose and seek amendment**

Reasons:

This policy fails to give effect to the NZCPS, including Policies 3, 24, 25 and 27, and reflects a misinterpretation of the NZCPS.

In terms of the misinterpretation of the NZCPS, please see paragraphs 26-45 of the attached document prepared by Joan Allin, former Environment Court judge, *Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists*.

The policy as worded is also likely to result in unreasonable outcomes, as is happening in NZ in relation to problems being caused by inappropriate work being done and policy actions being taken in relation to climate change, including the failure to consider the uncertainties and the range of likely climate change outcomes, as explained in the same document by Joan Allin.

The word "guidance" in P29(d) is inappropriate and relative sea level rise is more important than absolute sea level rise so what is likely to occur in the particular areas in the region is what is relevant. A generic regional study should not be given prominence.

Decision sought:

Revise the policy so that it addresses the concerns expressed and the relevant issues dealt with in the document *Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists*.

Revise the policy so that it gives effect to the proper interpretation of the NZCPS. Suggestions include wording such as:

*"In assessing hazard risks account should be had for the likely effects of climate change as provided for under Policy 24 of the NZCPS 2010"*

Include reference to the need to consider the uncertainties and the range of likely outcomes.

**Policies P39, P40, P41, P42, P44, P45 and the areas identified in the relevant schedules, including Schedules A, C, F1, F2, F3, F4, F5 - oppose and seek amendment**

Reasons:

It is relevant to protect and restore important areas. But it is equally relevant for the reasons discussed in respect of the corresponding Objectives not to include policies that effectively would prevent appropriate activities in those areas or make consent for those activities unreasonably difficult or impossible to obtain. The emphasis in the Policies should be on the attributes that create the significant values, not the areas *per se*.

Further the extent of the areas identified in the relevant schedules is extensive, therefore the schedules need to be less extensive and/or the policies need to be less extreme.

Reference to the precautionary approach in Policy P41 is not appropriate as the RMA provisions provide for an appropriate level of "precaution" and for the reasons expressed in relation to Policy P3.

Decision sought:

Limit the extent of the areas identified in the schedules or qualify the schedules (and any relevant defined terms) and revise the policies so that they are less extreme and focus on the attributes of the areas that create the value.

Remove the reference to a precautionary approach in Policy P41 as the RMA provides the appropriate approach.

**Policy P48: Protection of outstanding natural features and landscapes – oppose**

Reasons:

The heading of the policy does not match the text in that the text does not just deal with outstanding natural features and landscapes.

The policy is too uncertain as the location of the areas of outstanding and other natural features and landscapes (including seascapes) have not been identified in the PNRP.

If it includes areas identified in the schedules, it is too extreme. In fact, as worded, it seems that it is referring to, basically, all natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands. That is too extreme.

If it is relying in the NZCPS (Policy 15) for the wording of the policy, it is inappropriate to apply that wording beyond the coastal environment and in relation to a wide range of unidentified areas.

In addition, the references to "protected" and "avoiding" are too extreme, again the focus needs to be on the attributes that create the values and balances other uses against these.

Decision sought:

Delete the policy or notify a variation to identify the outstanding and other areas of natural features and landscapes (including seascapes) being referred to.

Revise the policy to address the concerns expressed, including by making the policy less extreme, including in relation to the references to "protected" and "avoiding".

**Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes - oppose and seek amendment**

Reasons:

There is a real risk of this policy being inconsistent with the policies of the various district plans and how the provisions are implemented in those plans by the rules both now and over time.

It would be inappropriate, for example for more stringent or inappropriately different considerations to occur for activities in the coastal marine area compared with what would be the case if the activity occurred in the actual area identified in the district plan, when relying on a district plan for identification of the area.

Given the link to district plans of various districts, the policy needs to be kept general in the PNRP.



Decision sought:

Revise Policy P49 to address the concerns expressed above. An option is to make the policy much more general in referring to district plan provisions

**Policy P103: Management of gravel extraction and any related rules - oppose and seek amendment**

Reasons:

The title of the policy does not reflect the wording of the policy as it extends beyond just gravel extraction.

The policy does not adequately address the flow of gravel, sand or rock to the coast and the need to protect coastal areas and properties against excessive and inappropriate extraction from rivers.

Just protecting against coastal erosion is inadequate as things should not be allowed to get to that stage.

In addition, the flow of gravel, sand or rock to the coast should not be reduced to the extent that it:

- limits the flow of gravel, sand and rock to coastal areas where that gravel, sand and rock protects against sea level rise adverse effects;
- changes a neutral coastline to an eroding one; or
- changes an accreting coastline to a neutral or eroding one.

Along the northern coast of Kapiti, accretion has protected against sea level rise but in some areas the rate of accretion is slowing. Where the flow of gravel, sand or rock to the coast is interrupted, coastal areas may be adversely affected and that is inappropriate.

See for information, discussion of sediment supply and resultant sediment deficit as it pertains to the Kapiti Coast in the attached article, "*Kapiti Coast coastal hazard assessment*" by Dr Willem de Lange.

In relation to (c), if something is needed to address aggradation, the gravel should be moved, not extracted at a rate that exceeds the natural rates of gravel deposition.

Decision sought:

Revise title of the policy to refer to gravel, sand or rock extraction.

Revise the policy so that it addresses the concerns expressed above, including about the flow of gravel, sand or rock to the coast. Suggestions are:

- at the end of (b), add ", changing a neutral coastline to an eroding one, changing an accreting coastline to a neutral or eroding coastline, or reducing ongoing accretion in areas where continued accretion protects against ongoing sea level rise adverse effects" or something similar after the word "erosion";
- in (c) refer to "material" as opposed to "gravel" and remove "unless this is required to manage aggradation" from (c) and replace it with something along the lines of "unless the material extracted is moved to another location in the river bed".

Revise any related rules that need revision to put these decisions sought into effect.

**Policy P132: Functional need and efficient use (and other relevant policies) - oppose and seek amendment**

Reasons:

Earlier, the issue of inappropriate inconsistencies in language in the PNRP was addressed and an example given that:

- in a number of places there is reference to what is "practicable" e.g., Policies P4 P25, P27, and Policy 132(g);
- in other places there is reference to what is "reasonably practicable" e.g., Policy P47;
- in other places there is reference to what is "reasonable or practicable" e.g., Policies P132(b) and (c), and P139).

Indeed, there is inconsistency within this policy between (b), (c) and (g).

In addition, this policy does not cater for the situation where appropriate natural hazard mitigation measures might be able to be located elsewhere but are more efficiently, effectively or cost-effectively located in the coastal marine area.

The reference in (f) to "redundant" is potentially problematic. Structures might be built, become covered in sand but might, in fullness of time, be useful again.

Decision sought:

Revise the policy to address the concerns expressed.

Revise the policy so that language that is currently problematically inconsistent across the PNRP is made consistent. A suggestion is to replace "practicable" and "reasonable or practicable" in this policy with "reasonably practicable" and to use that terminology throughout the PNRP.

Revise the policy to enable the situation where appropriate hazard mitigation measures might be able to be located elsewhere but are more efficiently, effectively or cost-effectively located in the coastal marine area.

Reconsider (f), the use of the word "redundant" and, if it remains, provide a definition of "Redundant" so that for example, structures that might be built, become covered in sand but might, in fullness of time, be useful again are not caught.

**Policy P134: Public open space values and visual amenity – oppose and seek amendment**

Reasons:

The coastal environment can be extensive and can include numerous buildings, residential areas, etc. extending well inland. In Kapiti, in both the Proposed District Plan and the Submitter Engagement Version, significant built areas are included in the coastal environment.

Decision sought:

Revise the policy to address the concerns expressed.

An option is to, in (b), add "built and/or" before "natural character" or refer to degree of naturalness or similar to reflect the fact that the coastal environment includes significant built areas.

**Policy P138: Structures in sites with significant values - oppose and seek amendment**

Reasons:

The policy is inappropriate and too extreme in that it covers extensive areas and the policy says structures are to be avoided except for very limited exceptions.

Hazard mitigation structures or indeed other structures may well be appropriate in these areas and should not be disadvantaged by this policy.

In addition, this policy does not cater for the situation where there may be "practicable alternative methods" (to use the language of the policy) but something in the area would be the best practicable option or the alternative methods are not as efficient, effective or cost-effective as something in the area proposed.

Decision sought:

Delete the policy or make it less extreme to deal with the concerns expressed. A possible solution is to simply refer to avoiding, remedying or mitigating the effects of structures in the areas and remove "and in respect of (a) to (d): (e) there are no practicable alternative methods of providing for the activity".

**Policy P139: Seawalls - oppose and seek amendment**

Reasons:

The policy inappropriately asserts that construction of a new seawall is inappropriate except in extremely limited circumstances. It fails to give effect to Policy 27 of the NZCPS and fails to recognise that Policy 27 acknowledges that seawalls may be appropriate for purposes beyond those set out in Policy P139.

Policy 27(1) of the NZCPS identifies that a range of options for reducing coastal hazard risk should be assessed for protecting areas of significant existing development from coastal hazard risk. Policy 27(4) specifically recognises (with conditions, and it is relevant to note that the definition of environment in the RMA includes people and communities) the possibility of hard protection structures on public land to protect private assets.

Whether a seawall is appropriate or not should be addressed in all the circumstances of a case including e.g., whether millions or billions of dollars of property would be protected by it, after considering the range of options, not as a policy inappropriately ruling out one option in advance.

Decision sought:

Delete Policy P139 and replace it with a policy that gives effect to Policy 27 of the NZCPS, including that seawalls may be appropriate to protect areas of significant existing development from natural hazards.

**Policy P143: Deposition in a site of significance - oppose and seek amendment**

Reasons:

Given the extent of the areas covered by the policy, the policy needs to allow the activities in (a) to (f) with reasonable efficiency. The need to demonstrate that there are "no practicable alternative methods of providing for the activity" is excessive, costly and unnecessary.

In addition, the reference to "sand, shingle or shell" is unclear in terms of what is meant by "shingle" for example, would rock rip rap be included?

In addition, the wording of (b) and (d) is potentially problematic as it might be taken to infer that in coastal areas only renourishment is permitted but not flood protection and/or erosion mitigation. If that is what is intended, that is inappropriate and the policy needs to be revised so there is no potential for dispute. Coastal areas should not be treated differently from other areas.

Decision sought:

Clarify what is meant by "shingle".

Delete "and in respect of (a) to (f): (g) there are no practicable alternative methods of providing for the activity".

Reconsider (b) and (d) and include reference to coastal hazard mitigation (including protection), using terminology consistent with that developed for the PNRP.

**Policy P145: Reclamation, drainage and destruction - oppose and seek amendment**

Reasons:

While the definition of "reclamation" excludes coastal or river mouth protection structures, this policy could prevent appropriate coastal hazard mitigation, including protection works.

What is meant by "destruction" and how it relates to reclamation, disturbance, or damage is not clear.

Decision sought:

Revise the policy so that appropriate coastal hazard mitigation activities are enabled (using appropriate language that is consistent with that used in the PNRP).

Include definitions of "destruction", "disturbance", and "damage" so that the differences in meaning of the terms is clear.

**CHAPTER 5 - RULES**

**Rules - general**

Reasons:

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

Decision sought:

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

**All of Chapter 5 - oppose and seek amendment**

Reasons:

Except where support is expressed, all of Chapter 5 is opposed, including the rules, general conditions etc.

The rules and conditions do not appropriately reflect risk management approaches nor do they enable and address coastal hazard mitigation (including protection) activities, especially for areas of significant existing development.



Decision sought:

Revise Chapter 5, including the rules, general conditions, etc. to appropriately reflect risk management approaches and to enable and address coastal hazard mitigation (including protection) activities, especially for areas of significant existing development.

All of the matters addressed below and any suggested changes to provisions are subject to this general decision sought.

**Chapter 5 - Interpretation explanation about if an activity is covered by more than one rule - support and seek amendment**

Reasons:

At the beginning of the sections containing rules there is an interpretation statement:

"If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all rules are considered when assessing the proposal."

It is helpful to identify what should occur if an activity is covered by more than one rule and helpful to limit it to the more specific rule. However, there seems to be room for dispute as to what rules would apply to an activity, especially if there is a specific rule about an activity but also a specific rule about another activity or an area or resource.

On a matter as important as what rule(s) apply, the PNRP needs to be clear and unambiguous.

Decision sought:

Reconsider the Interpretation statement that deals with the situation where an activity is covered by more than one rule and ascertain if its meaning is beyond dispute so that there is no potential for debate as to what rule(s) apply, especially where there are also specific rules about certain areas or resources.

If its meaning is not beyond dispute, revise it so that its meaning is clear and there will be no dispute about what rules apply to an activity, area or resource when various specific rules might apply. Include the revised statement everywhere that it should be included.

Revise any rules that need to be revised to ensure that there is no dispute about which rule trumps others.

**Chapter 5 - all general conditions and all rules and definitions - seek amendment**

Reasons:

There are issues about inconsistencies and inappropriate wording throughout Chapter 5 in relation to:

- inconsistencies in the references to discharges and the location of the discharge;
- inconsistencies in general conditions throughout the PNRP;
- general conditions or conditions within rules that inappropriately result in the activity not being a permitted activity;

- lack of clarity in the meaning of the general conditions;
- inconsistencies in associated activities referred to in rules in different sections of the PRNP;
- inconsistencies within rules between associated activities and conditions;
- internal inconsistencies within some rules; and
- lack of clarity in terms of the meaning of rules that refer to "disturb", "damage", "destroy" (or variations of those terms), what those words mean and the implications of those words being missing from a number of the rules.

In relation to inconsistencies in the references to discharges and the location of the discharge, and just by way of example:

- in section 5.5.2, Wetlands general condition (a), there is reference to "sediment and other materials inherent to the water or bed";
- Rule 104 refers to "discharge of sediment to water", without referring to the other materials referred to above;
- Rule 42 refers to "discharge of contaminants into water, or onto or into land where it may enter water";
- Rules R149 and R150 refer to "discharge of contaminants" with no mention of where the discharge can be to;
- in section 5.7.2, Coastal management general conditions (f) refers to "sediment" but, in contrast to Wetlands general condition (a) does not refer to "other materials inherent in the water or bed".

These differences are inappropriate and unacceptable.

In relation to inconsistencies in general conditions throughout the PNRP, there are other significant differences between what are equivalent general condition discharge provisions. For example:

- general condition (a) in section 5.5.2 for wetlands says:  
"there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) to water or the bed, other than sediment and other materials inherent to the water or bed, but excluding any discharge of heavy metals or other toxicants"; but
- general condition (a) in section 5.5.4 for beds of lakes and rivers says:  
"except where the discharge is expressly allowed by the activity description of a rule in this chapter there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) to water or the bed, other than sediment and other materials inherent to the water or bed, but excluding any discharge of heavy metals or other toxicants"; and, in contrast to those two different general conditions
- general condition (e) in section 5.7.2 (coastal management general conditions) uses different terminology again and says:

"There shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed, except where the minor discharge is permitted by another rule in this plan."

It is not clear why there are such differences between these general conditions. The differences are inappropriate and need to be resolved and the wording made consistent throughout the PNRP, the meaning of the conditions needs to be clear, and the conditions need to be such that they do not effectively remove permitted activity status.

In many cases, the condition effectively turns the permitted activity into something that is no longer a permitted activity as some discharge of contaminants other than just sediment is likely to occur as a necessary consequence of some of the permitted activities.

In terms of a lack of clarity in the meaning of the general conditions, and just by way of example, the problems with general condition (a) in section 5.5.4 include:

- what is meant by "expressly allowed"?
- does reference to discharges in a rule mean that a discharge is expressly allowed?
- or does the rule need to actually expressly allow a particular type of discharge?
- when for example, painting of a structure is permitted, is sanding material from sanding the structure to prepare it for painting or the occasional paint drop permitted or not?
- is painting a structure even permitted in the rules about beds of rivers/streams? Rule R149 (coastal) includes a note that painting is permitted but the equivalent rule for the beds of rivers/streams doesn't;
- when a structure is repaired or built and there are discharges of, for example, some sawdust or discharge of whatever is incidental to actually being able to carry out the activity, are the discharges incidental to the activity permitted or not?

The meaning needs to be made clear.

All differences between conditions on the range of matters addressed in general conditions in different chapters of the PNRP, and in rules throughout the PNRP, should be identified and remedied in an appropriately consistent manner and in a manner that does not result in an activity not being a permitted activity because of unfortunate general or other wording.

In relation to inconsistencies in associated activities referred to in rules in different sections of the PRNP, the rules relating to beds of lakes and rivers and also for wetlands refer only to the associated activity of:

"discharge of sediment to water";

but the rules for the coastal marine area refer to the associated activity of:

"discharge of contaminants".

Again, these inconsistencies are inappropriate and, again, the wetlands/beds of lakes and rivers wording can effectively turn a permitted activity into something else as some discharge of contaminants other than just sediment is likely to occur as a necessary consequence of some of the permitted activities.

For the wetland and beds of lakes and rivers wording, there is also no reference to discharge to land in circumstances where a contaminant may enter water, which seems to be a foreseeable possibility in relation to some of the permitted activities.

Furthermore, in terms of inconsistencies in associated activities referred to in rules in different sections of the PRNP, there are also significant differences between equivalent rules. For example, in relation to beach recontouring of the bed of a river (a permitted activity), Rule R119 refers to:

"discharge of sediment to water associated with the clearing of flood debris", with no mention of anything relating to beach contouring; but

Rule R192, which deals with beach recontouring for coastal restoration purposes in the coastal marine area (a controlled activity) refers to:

"discharge of contaminants".

The reason for the difference in the wording of the associated activities is not apparent and neither is the reason for one being a permitted activity and the other being a controlled activity.

There are also inconsistencies in that some associated activities that are included in some rules are not included in others. By way of example, there are a number of rules where reference to diversion of water has not been included as an associated activity but where it would seem to be appropriate to include it e.g., Rules R178 and R192 and some rules dealing with the beds of rivers and lakes/coastal marine areas.

In relation to some rules being internally inconsistent, by way of example, Rule R105 (in relation to wetlands) in (e) only permits the "discharge of sediment to water" but condition (h) says that only agrichemicals approved by the EPA are to be used. But the activity does not permit discharge of contaminants so no agrichemicals are permitted to be discharged. There is a conflict between the activity and the conditions.

Another example is Rule R207. The rule does not include diversion of water as an associated activity but under matters of control, item 3. refers to the effects of diversion associated with the activity.

Finally, there is the issue of lack of clarity in terms of rules that refer to "disturbance", "damage", "destruction" (or variations of those terms), what those words mean, and the implications of those words being included in, or missing from, a number of the rules.

A number of rules refer to disturbance but not damage or destruction. There are also rules that refer to "disturbance or damage" (e.g. Rules R194 and R195) and rules that refer to "destruction, damage or disturbance" (e.g. Rules R204 and R205). The differences in meaning of those terms, and therefore what the rules cover or do not cover, is unclear. That lack of clarity is particularly problematic for permitted activity rules that only permit "disturbance" if someone could argue that the "disturbance" was also "damage" (whatever that means) or indeed "destruction" (again, whatever that means).

Decision sought:

Reconsider all the general conditions and rules in Chapter 5 to address the range of concerns expressed.

Resolve the following matters in all of the general conditions, rules and definitions by using appropriate, clear and consistent language across the PNRP:

- inconsistencies in the references to discharges and the location of the discharge;
- inconsistencies in general conditions and conditions throughout the PNRP;
- general conditions or conditions within rules that inappropriately result in the activity not being a permitted activity;
- lack of clarity in the meaning of conditions;
- inconsistencies in associated activities referred to in rules in different sections of the PNRP and other inconsistencies in equivalent rules;
- inconsistencies within rules between associated activities and conditions;
- internal inconsistencies within some rules; and
- the issue of lack of clarity in terms of rules that refer to "disturbance", "damage", "destruction" (or variations of those terms), what those words mean, and the implications of those words being included in, or missing from, a number of the rules.

Identify and remedy, in an appropriate and consistent manner, all differences between conditions on the range of matters addressed in general conditions in different chapters of the PNRP, and in rules throughout the PNRP and in a manner that does not result in an activity not being a permitted activity (or other type of activity) because of unfortunate general or other condition wording.

Reconsider all of the references to discharges of various items, make them consistent, appropriate to the circumstances, and complete and clarify to where the discharge can be (e.g., water or onto or into land where it may enter water) either in each rule or as a general interpretation statement(s) that apply to sets of rules.

Whatever wording is adopted should be used consistently across all of the provisions in the PNRP.

Reconsider all rules where there is no reference to diversion of water as an associated activity and add the reference where appropriate.

In all of the rules, reconsider use of the terms "disturbance", "damage", "destruction" and make the rules consistent so that there is, for example, no gap in permitted activity status and/or include definitions of those terms so that what is covered or not covered in each rule is clear.

**All the rules relating to activities in beds of rivers (including streams) and all rules relating to the coastal marine area - seek amendment**

Reasons:

At river and stream mouths, some activities will be occurring both in the coastal marine area and in beds of rivers (including streams) e.g., river and stream cutting.

Currently, there is a mismatch between rules dealing with the coastal marine area and rules dealing with beds of rivers (including streams). Where an activity is occurring in the coastal marine area and the beds of a river, the rules and any relevant definitions should be appropriate and consistent.

Currently, they are not. Consider, for example:



- the rules that apply to cutting river/stream mouths in the coastal marine area vs those for the beds of rivers/stream; and
- the beach recontouring definitions, and therefore the rules, that differ between the coastal marine area and beds of rivers.

Decision sought:

Reconsider all rules relating to beds of rivers (including streams) and all rules relating to the coastal marine area to address the concerns expressed.

Where an activity may be occurring in the bed of a river (including a stream) and in the coastal marine area for example, river (including stream) mouth cutting or beach recontouring or any other such activity, make the rules governing such activities, including any relevant definitions, appropriate and consistent both in the coastal marine area and in the bed of the river.

**5.5.2 - Activities in wetlands general conditions and all relevant rules - seek amendment**

Reasons:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

The definition of "natural wetland" in the PNRP includes areas in the coastal marine area and in beds of lakes and rivers.

The rules provide for a range of activities as permitted activities. General condition (a) runs the risk of effectively precluding some permitted activities or making them unreasonably difficult to comply with by saying that there is no discharge of contaminants "other than sediment and other materials inherent to the water or bed".

In addition, that wording is not consistent with the wording of the actual rules, which refer only to "sediment" and make no mention of the ability to discharge "materials inherent to the water or bed".

General condition (a) would seem to be directly contrary to, for example, Rule R105(h) which refers to agrichemicals being used and therefore presumably permitting some discharge of agrichemicals i.e. a contaminant into the water. Furthermore, Rule R105(h) seems to be directly contrary to Rule R105(k).

Decision sought:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

Revise (a) to that it does not effectively turn permitted activities into something else by the restrictions on the discharge of contaminants and so that its wording is consistent with the wording of the actual rules or vice versa and consistent with wording to be adopted across the PNRP.

Reconsider the wording of all of the rules relating to wetlands to ensure the above and to ensure that there are not inconsistencies between the rules and the general conditions or within the rules or inconsistencies with general conditions or rules in other sections of the PNRP.

**Section 5.5.3 Activities in wetlands - Rules R104 to R111 - oppose and seek amendment**

Reasons:

The definition of "natural wetland" in the PNRP includes areas in the coastal marine area and in beds of lakes and rivers, is widely defined and so it is not entirely clear what might be considered to be a wetland.

It seems that the intention is that river and stream cutting would override all of these rules. However, there are rules here about specific wetland areas that could potentially mean that cutting of river and stream mouths by GWRC would not be a permitted activity (e.g. Rule R108(b) or Rule R110(d)) if river or stream mouth cutting occurs in the relevant wetland areas.

The rules also potentially restrict or prohibit appropriate flood or erosion or other hazard mitigation measures.

In addition, there are some problematic drafting issues. Rule 104 and other rules in this section refer to "discharge of sediment to water" but Rules R149 and R150 refer to "discharge of contaminants" with no mention of water or where the discharge can be to. There should be consistency of terminology across the PNRP. Equivalent rules should be worded in equivalent, and appropriate, ways.

In relation to the wetlands rules, wetlands general conditions in 5.5.2(a) run the risk of overriding permitted activities by permitting no discharge of contaminants - rather Shylock-esque. Interestingly, that condition refers to sediment or other materials inherent to the water or bed, but Rule R104 does not include reference to "other materials inherent to the water or bed".

Decision sought:

Revise the rules or the definitions to ensure that cutting of river and stream mouths is a permitted activity and not restricted by any of these rules.

Revise the rules to ensure that appropriate hazard mitigation measures are not captured by the rules and ensure that hazard mitigation measures are not non-complying or prohibited activities.

Reconsider the wording of the rules to address apparent inconsistencies between the general conditions and conditions of some rules, apparent inconsistencies of conditions within rules, and apparent inconsistencies between general conditions and rules in this section and general conditions and rules in other sections.

**Section 5.5.4 Activities in beds of lakes and rivers general conditions and all rules that relate to beds of lakes and rivers - seek amendment**

Reasons:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

As explained earlier, general condition (a) in section 5.5.4 for beds of lakes and rivers says:

"except where the discharge is expressly allowed by the activity description of a rule in this chapter there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) to water or the bed, other than sediment and other materials inherent to the water or bed, but excluding any discharge of heavy metals or other toxicants".

In contrast, general condition (e) in section 5.7.2 (coastal management general conditions) says:

"There shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed, except where the minor discharge is permitted by another rule in this Plan."

It is not clear why there are such differences between general condition (a) in section 5.5.4 and general condition (e) in section 5.7.2. These differences are inappropriate and need to be resolved and the wording made consistent throughout the PNRP, the meaning of the conditions needs to be clear, and the conditions need to be such that they do not effectively remove permitted activity status.

In terms of general condition (a) in section 5.5.4, problems include:

- what is meant by "expressly allowed"?
- does reference to discharges in a rule mean that a discharge is expressly allowed?
- or does the rule need to actually expressly allow a particular type of discharge?
- when for example, painting of a structure is permitted, is sanding material from sanding the structure to prepare it for painting or the occasional paint drop permitted or not?
- is painting a structure even permitted in the rules about beds of rivers/streams? Rule R149 (coastal) includes a note that painting is permitted but the equivalent rule for the beds of rivers/streams doesn't;
- when a structure is repaired or built and there are discharges of for example, sawdust or discharge of whatever is incidental to actually being able to carry out the activity, are the discharges incidental to the activity permitted or not?

The meaning needs to be made clear.

Any other differences between conditions on the range of matters addressed in general conditions in different chapters of the PNRP, and in rules throughout the PNRP, should be identified and remedied in an appropriately consistent manner and in a manner that does not result in an activity not being a permitted activity because of unfortunate general or other condition wording.

In addition, the rules relating to beds of lakes and rivers and also for wetlands (in contrast to rules in the coastal marine area), refer only to the associated activity of:

"discharge of sediment to water".

In many cases, that condition effectively turns the permitted activity into something else as some discharge of contaminants other than just sediment is likely to occur as a necessary consequence of some of the permitted activities.

There are also significant differences between equivalent rules. For example, in relation to beach recontouring of the bed of a river (a permitted activity), Rule R119 refers to:

"discharge of sediment to water associated with the clearing of flood debris", with no mention of anything relating to beach recontouring; but

Rule R192, which deals with beach recontouring for coastal restoration purposes in the coastal marine area (a controlled activity) refers to:

"discharge of contaminants".



The reason for the difference in the wording of the conditions is not apparent and neither is the reason for one being a permitted activity and the other being a controlled activity.

In addition, some rules are internally inconsistent. Just by way of example, Rule R105 (in relation to wetlands) in (e) only permits the "discharge of sediment to water" but condition (h) says that only agrichemicals approved by the EPA are to be used. But the activity does not permit discharge of contaminants so no agrichemicals are permitted to be discharged.

Decision sought:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

Revise general condition (a) in section 5.5.4 and relevant rules to address the problems discussed above to satisfactorily resolve issues including:

- what is meant by "expressly allowed"?
- does reference to discharges in a rule mean that a discharge is expressly allowed?
- or does the rule need to actually expressly allow a particular type of discharge?
- when for example, painting of a structure is permitted, is sanding material from sanding the structure to prepare it for painting or the occasional paint drop permitted or not?
- is painting a structure even permitted in the rules about beds of rivers/streams? Rule R149 (coastal) includes a note that painting is permitted but the equivalent rule for the beds of rivers/streams doesn't;
- when a structure is repaired or built and there are discharges of for example, sawdust or discharge of whatever is incidental to actually being able to carry out the activity, are the discharges incidental to the activity permitted or not?

**Rule R119: Clearing flood debris and beach recontouring - permitted activity and Rule R192: Beach recontouring for coastal restoration purposes - controlled activity - seek amendment**

Reasons:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

As noted earlier, there are significant differences between equivalent rules. In relation to beach recontouring of the bed of a river (a permitted activity), Rule R119 refers to:

"discharge of sediment to water associated with the clearing of flood debris", with no mention of anything relating to beach contouring; but

Rule R192, which deals with beach recontouring for coastal restoration purposes in the coastal marine area (a controlled activity) refers to:

"discharge of contaminants".

The reason for the difference in the wording of the associated activities is not apparent and neither is the reason for one being a permitted activity and the other being a controlled activity.

Decision sought:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

**Section 5.7 - use of the term "open coastal water" throughout this section (and anywhere else in the PNRP) - seek amendment**

Reasons:

In various places, the term "open coastal water" is used. Given the definition of the term in the RMA, in a number of cases (if not all cases) "open coastal water" is not a correct term to use. By way of example, to use that term in the context of river mouth cutting is inappropriate. Many of the coastal management rules inappropriately refer to diversion of "open coastal water" being permitted when the permitted activity should preferably refer to diversion of "water".

Decision sought:

Reconsider all references to "open coastal water" throughout the PNRP and replace them with "water" or if there is a valid reason why "water" is not acceptable, then with "coastal water".

**Section 5.7 - Coastal management general conditions and all of the rules that refer to them - seek amendment**

Reasons:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

There is a confusing interaction between the coastal management general conditions and the rules that refer to them, especially between:

- general condition (e) which says that there shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed, except where the minor discharge is permitted by another rule in this Plan; and
- the rules in this section that include discharge of contaminants but also refer to complying with the general conditions. Where the activity for example, painting, replacing a structure can result in the discharge of contaminants other than sediment, the interaction is confusing and potentially results in the activity not being a permitted activity.

Decision sought:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

In the rules that permit discharge of contaminants, remove the confusing interaction between the coastal management general conditions and the rules that refer to them, preferably by indicating that general condition (e) does not apply.

**All rules relating to structures and all rules relating to seawalls - seek amendment**

Reasons:

The interaction between the rules about structures and the rules in section 5.7.6 about seawalls is potentially confusing.

In addition, some structures may have associated material deposition that is not part of the structure but that is there to help to protect the structure e.g., rocks.

It is not clear whether "any associated ... deposition ..." in the rules about structures and seawalls would include that protection material or not. It seems that it would not as loose material separate from the structure or seawall would not come within the definition of structure and presumably is not part of the seawall, but protecting the seawall.

There needs to be provision to allow activities in relation to the associated material e.g., disturbing the foreshore/seabed by moving the rocks, depositing new rocks, occupation of space by the rocks.

Decision sought:

Make it clear that the rules about structures apply to seawalls except for those explicitly different in section 5.7.6 or create new rules in the seawalls section that deals with matters that are missing in relation to the seawall rules e.g., maintenance and repair.

Include a note in the relevant general structure rule referring the reader to the different seawall provision.

For all rules about structures and seawalls (and any other relevant rules), the rules need to be expanded (or new rules created or definitions created) to address associated activities that are not structures e.g., materials to protect the structures but that are not attached to the land so do not come within the definition of structures e.g., disturbing the foreshore/seabed by moving the material, depositing new material, or the occupation of space by the material.

**Rule R162: New structures, additions or alterations to structures inside sites of significance - non-complying activity and related rules - oppose and seek amendment**

Reasons:

Given the extent of the areas covered by this rule, it is inappropriate for flooding and erosion mitigation structures or other coastal hazard mitigation activities to be non-complying activities.

The proposed rules relating to dredging for flood and erosion control purposes can be used as an appropriate guide. Rule R201 makes dredging for flood protection purposes or erosion mitigation inside sites of significance a discretionary activity, with dredging outside those sites a controlled activity.

Decision sought:

Revise the rule and related rules (or create new rules) to address the concerns expressed throughout this submission.

Make coastal hazard mitigation (including protection) structures outside sites of significance a permitted, controlled or restricted discretionary activity with structures inside sites of significance being a discretionary activity.

**Rule R163: Replacement of structures or parts of structures - permitted activity - seek amendment**

Reasons:

Replacement of structures is supported but the requirement in (f) of a functional need or operational requirement does not give effect to Policy 27 of the NZCPS. It may be more efficient, effective or cost-effective to replace the structure in the existing location and this should be permitted.

Decision sought:

Remove condition (f).

**5.7.6 Rules about seawalls Rules R165 to R167 - oppose and seek amendment**

Reasons:

Please see the reasons throughout this submission about the need for appropriate rules for coastal hazard mitigation (including protection) activities, especially for areas of significant existing development.

There is also a need to address the material that may be associated with a seawall but that is not attached to the land so is not a structure e.g., rip rap.

Given the extent of the areas covered by Rule 167 and the fact that seawalls would likely be built only to protect significant assets, it is inappropriate for it to be a non-complying activity.

One option (based on the approach to dredging for flood and erosion control purposes) could be to revise the rules to address the concerns expressed throughout this submission and also to move each of these rules down a category of activity for coastal hazard mitigation (including protection) activities.

Decision sought:

Amend the rules about seawalls to address the concerns expressed throughout this submission, especially in relation to areas of significant existing development.

Amend the rules or create new rules to address the material that may be associated with a seawall e.g., rip rap but that is not attached to the land so is not a structure and that includes occupation of space in the coastal marine area.

Make coastal hazard mitigation (including protection) structures outside sites of significance a permitted, controlled or restricted discretionary activity with structures inside sites of significance a discretionary activity.

**Rule R192: Beach recontouring for coastal restoration purposes - controlled activity and Rule R119: Clearing flood debris and beach recontouring - permitted activity - seek amendment**

Reasons:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

As noted earlier, there are significant differences between equivalent rules. In relation to beach recontouring of the bed of a river (a permitted activity), Rule R119 refers to:

"discharge of sediment to water associated with the clearing of flood debris", with no mention of anything relating to beach contouring; but

Rule R192, which deals with beach recontouring for coastal restoration purposes in the coastal marine area (a controlled activity) refers to:

"discharge of contaminants".

The reason for the difference in the wording of the associated activities is not apparent and neither is the reason for one being a permitted activity and the other being a controlled activity.

Decision sought:

Please see the reasons above under the heading "Chapter 5 - all general conditions and all rules and definitions - seek amendment".

Reconsider why Rule R119 is a permitted activity but Rule R192 is a controlled activity and make them both either one way or the other.

Consider whether reference to diverting water should be included in all of these rules as moving material for the beach grooming could arguably result in diversion of water when the water reaches that area.

**Rule 193: River and stream mouth cutting - permitted activity and the lack of an equivalent rule for rivers and streams outside the coastal marine area - seek amendment**

Reasons:

It is appropriate to permit river and stream mouth cutting and that is supported. The river and stream mouth cutting is not only in the coastal marine area but also in the beds of the rivers and streams. It is inappropriate to have rules with different provisions for the same activity depending on whether it happens to be in the coastal marine area or not. There needs to be an equivalent rule to Rule R193 prepared to permit river and stream mouth cutting in beds of rivers and streams.

Reconsider the terminology "river and stream". The definition of river in the RMA includes stream.

The reference in (c) to "open coastal water" is inappropriate in light of its definition in the RMA.

The list of associated activities includes discharge of contaminants twice. As noted already, there are inconsistencies in the PNRP in terms of references to where the discharge is permitted to be.

Decision sought:

Change the references from "river and stream" to "river (including stream)" here and anywhere else such terminology occurs in the PNRP.

Change the reference in (c) from "open coastal water" to "water" and anywhere else inappropriate "open coastal water" terminology appears in the PNRP.

Check the list of associated activities, remove the duplicated reference to "discharge of contaminants", consider whether in this rule and in all other rules the location of the discharge of contaminants should be specified rather than being silent (or say, at the beginning of the rules, that where there is silence it means to e.g., to water, or onto or into land in circumstances where it may enter water, or any other appropriate provision), and make the list complete and consistent with equivalent lists in all other rules.

Create a new rule that is the equivalent of Rule 193 but that deals with river and stream mouth cutting in the beds of rivers (including streams) or otherwise ensure that appropriate provision is made for such activities in beds of rivers (including streams).



**Rule R194: Disturbance or damage - discretionary activity and Rule R195: Disturbance or damage inside sites of significance - non-complying activity - seek amendment**

Reasons:

Given the general nature of this rule, the extent of the areas covered by Rule R195, the reference to "damage" that is missing from most of the other rules, these general rules are potentially problematic.

The lack of reference to diversion of water seems problematic.

Decision sought:

Reconsider the relationship between these general rules and all of the other rules, including their reference to "damage" that is missing from most of the other rules.

Revise these and all other rules to address the concerns expressed throughout this submission.

Consider whether diversion of water should be added.

Ensure that any coastal hazard mitigation (including protection) activities, including soft and hard engineering activities, are no worse than discretionary activities.

**Rule R196: Motor vehicles - permitted activity - oppose and seek amendment**

Reasons:

Motor vehicle are not permitted by cities and districts in certain areas along the coast e.g., in front of some areas of housing for safety purposes.

The disturbance of the foreshore and seabed from motor vehicles in those areas should not be a permitted activity.

That would enhance the safety issues and enable any person to take enforcement action, both of which are benefits.

Decision sought:

Exclude from this rule the areas in districts where motor vehicles are not permitted (and areas seaward of those areas).

A suggestion is to create a new map, identify all of these areas and exclude these areas from Rule R196 and, with appropriate exceptions, make such an activity a discretionary activity.

**Rule R197 - Motor vehicles for certain purposes - permitted activity - seek amendment**

Reasons:

The reference to "local authority activities" is not sufficiently clear. The rule needs to cover not only work done by local authorities and but also work done by others (e.g. contractors) on behalf of local authorities. It also needs to cover activities done by or on behalf of local authorities that arguably might not come within the wording of "local authority activities" (whatever that actually means).

There should also be reference to coastal hazard mitigation (including protection) activities as these may not be done by or on behalf of local authorities. They could be done by virtue of a consent obtained by e.g., an organisation of affected residents rather than by the local authority.

Decision sought:

Change "local authority activities" here and anywhere else that term (or any similar term) is used in the PNRP to activities carried out "by or on behalf of local authorities" or similar wording (wording in Rule R207 is "by, or for, a local authority" but that is less desirable wording) to convey the message that the provision covers not only work done by local authorities and but also work done by others (e.g., contractors) on behalf of local authorities for a range of purposes.

Include coastal hazard mitigation (including protection) activities (using appropriate terminology) as one of the purposes so that motor vehicles (the PNRP definition includes heavy machinery) for that purpose are permitted activities.

**Rules R200 and R201 - dredging - support and seek amendment**

Reasons:

The general approach to dredging for flood protection or erosion mitigation measures is supported and should also be adopted for coastal hazard mitigation (including protection) measures generally i.e. no activity being a non-complying activity.

Please see the concerns expressed elsewhere in this submission.

Decision sought:

Please see the decisions sought elsewhere in this submission.

**Rules R204 and R205 - Destruction, damage or disturbance and general concerns about terminology throughout the rules - seek amendment**

Reasons:

It is not clear what activities these rules will deal with and how they relate to other rules. The references to destruction, damage and disturbance differ from some earlier rules which, for example, only refer to disturbance.

Destruction, damage or disturbance of what should be set out in the rule.

As expressed before, given the extent of the areas in Rule R205, it is not acceptable for activities in those areas to be non-complying activities.

Decision sought:

Reconsider the terminology used in all of the rules to ensure that it is consistent and appropriate.

Destruction, damage or disturbance of what needs to be set out.

How these rules relate to other rules, that do not refer to destruction or damage needs to be addressed and remedied.

The meaning of "damage" and "destruction" should be clarified, perhaps by a definition to clarify what exactly is damage or destruction of the foreshore or seabed and how those terms differ from, and relate to, "disturbance".

Make Rule R205 a discretionary activity or otherwise address the concerns expressed throughout this submission.

**Rule R207: Deposition for beach renourishment - controlled activity - support and seek amendment**

Reasons:

Subject to the reasons expressed, and decisions sought, elsewhere in this submission, making this a controlled activity is supported.

Reference is made in (d) to "by, or for, a local authority" but "by or on behalf of" is preferable.

There should be reference to associated diversion of water, which is not mentioned, despite the point that matters of control, item 3.refers to the effects of diversion associated with the activity.

Decision sought:

Please see the decisions sought in the rest of the submission.

Add diversion of water to this rule and to all other relevant rules as deposition may divert water when the water reaches that area.

Change (d) "by, or for, a local authority" to "by, or on behalf of, a local authority" and use that terminology consistently throughout the PNRP when reference is made to things being done by a local authority or local authority activities so it is clear that the work can be done by others who are not part of the local authority.

**Rules R208 and R209 - Deposition - seek amendment**

Reasons:

Given the extent of the areas covered by this rule, it is inappropriate for deposition to be a non-complying activity for deposition that is for coastal hazard mitigation (including protection) activities.

In relation to structures or seawalls, it is not clear if the activities associated with those rules would cover deposition of e.g., rock to protect the structure or seawall or if these deposition rules would cover that.

Occupation of space of the material does not seem to have been addressed sufficiently.

The existing rules relating to dredging can perhaps be used as an appropriate a guide. Rule R201 makes dredging for flood protection purposes or erosion mitigation inside sites of significance a discretionary activity with dredging outside those sites a controlled activity.

Decision sought:

Revise the rule and related rules (or create new rules) to address the concerns expressed here and throughout this submission.

Clarify if the structures or seawalls rules cover the deposition of material to protect those structures (where the material is not attached to the land or the structure) or whether these rules apply.

Add reference to associated diversion of water.

Add reference to occupation of space in the coastal marine area for whatever rules do apply to the material used to protect any structures or seawalls or other materials deposited for coastal hazard mitigation (including protection) activities.



In terms of categorisation of the activities, a suggestion is that deposition outside sites of significance should be a permitted, controlled or restricted discretionary activity with deposition inside sites of significance being a discretionary activity.

## **CHAPTER 6 - OTHER METHODS**

### **Other methods – general – seek amendment**

#### Reasons:

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

#### Decision sought:

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

### **Other methods – omission – Coast care partnership projects and programmes - seek amendment**

#### Reasons:

Beach and dune systems throughout the Wellington region are designated open space zones and esplanade reserves. Along with the foreshore and seabed, these natural environments are a part of the public domain, and as such, direct responsibility for the maintenance and enhancement of these natural environments lies with local regulators.

There is a requirement in the region for the coordinated, proactive management of the beach and dune resources in the same way as the regional parks and reserves are proactively managed by GWRC. Project and programme initiatives for the coastal environment need to be broad ranging, including the preparation of documented strategies and plans (with clearly assigned agency responsibilities) for pest plant management, native planting and erosion control, sand replenishment and dune reconstruction projects, public access projects, environmental monitoring programmes, and community education and awareness campaigns.

The present 'care group' community partnership programme model is woefully inadequate both in terms of funding as well as regulatory breadth, focus and management. It is a passive approach to (non)management of the coastal environment which relies on the public to approach the council with environmental maintenance and enhancement proposals and subsequently compete for the funding of their specific initiative. This manner of passive, ad hoc reserves management where the region's coastal assets are concerned is unacceptable.

A serious step-change in commitment from GWRC for the coordinated, proactive management of the region's beach and dune reserves is needed. Numerous provisions within the NZCPS require it.

#### Decision sought:

Include a method outlining GWRC's intention to take the lead role in the coordination of a partnership programme between Department of Conservation, city and district councils and their communities to proactively manage the beach and dune reserve environments and restore the form and function of the dune systems in the Wellington region.

**Chapter 6 Other Methods – Method M3: Wellington regional hazards management strategy - seek amendment**

Reasons:

Please see relevant comments throughout this submission.

It is unclear whether this is intended to cover all natural hazards or coastal hazards only.

The reference to "work in partnership with ... stakeholders" lacks clarity in intention, both with respect to the type of participatory process envisioned as well as the determination of stakeholder groups. Natural hazard management strategies must be developed using a genuinely collaborative process, facilitated by regulators but led by local communities. In particular such a strategy development process must proactively seek participation by those property owners likely to be the most directly impacted by a particular natural hazard in order to achieve local support and buy-in for successful implementation.

Decision sought:

Revise the method to address the concerns above, in particular, when expanding on the intention refer to a "genuinely collaborative process" and "local communities of stakeholders, including affected property owners".

Clarify more specifically what natural hazards such a strategy is intended to address.

**Chapter 6 Other Methods - Method M4: Sea level rise - seek amendment**

Reasons:

Please see the relevant comments throughout this submission.

Given the poor-quality approach by local and central government authorities in New Zealand to dealing with sea level rise and coastal hazard risks as well as problems caused by some experts (see the attached paper *Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists*), GWRC should not be developing regional guidance on its own. It needs to do this in partnership with city and district councils and stakeholders, including affected property owners and any such guidance should be made available for public comment before it is produced. It is the affected property owners that will have to manage these risks in the first instance.

Proper statistical input should be obtained as statistical input was an important recommendation of the Kapiti international coastal panel.

There should be objective information on the uncertainties (see for example, the joint Australian and New Zealand International Standard on risk management is AS/NZS ISO 31000:2009 "Risk management - Principles and guidelines"), the range of likely sea level rise outcomes over what likely timeframes to enable submitters to participate effectively in any RMA processes.

That Standard has been discussed earlier under the heading "Whole plan - failure to address a range of matters relating to risk (including the definitions of "risk" and "risk-based approach (natural hazards)", risk assessment, and risk management, including in relation to climate change and coastal hazard mitigation issues".

GWRC should be seeking contestable and broad based expert advice, should explicitly advise any professionals that what is provided should not be tainted by conservative or precautionary considerations, needs to be based on likely, not unlikely impacts of climate change and should not simply be producing a number and purporting to say that it is the sea level rise that should be

adopted for the Wellington Region. It should be made clear that the uncertainty needs to be quantified so it can be used in subsequent risk analysis and management.

Please see the attached paper "*Kapiti coastal hazard assessment*" by Dr Willem de Lange.

Decision sought:

Revise the method to address the concerns above, including the concerns in the attached paper "*Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists*" and the concerns expressed throughout this submission.

Revise the Method M4 to say "will work in partnership with city and district councils and stakeholders, including affected property owners, to develop..."

Add reference to using appropriate statistical input, information on the uncertainties, and the range of likely sea level rise outcomes over what likely timeframes.

Add that the purpose is to enable a "consistent, robust and high-quality approach..."

Add reference to draft guidance being provided for public comment.

## **CHAPTER 10 - KĀPITI COAST WHAITUA**

### **Kāpiti Coast Whaitua – general – seek amendment**

Reasons:

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

Decision sought:

Please also see the submissions and decisions sought under the heading "GENERAL AND WHOLE PLAN ISSUES".

### **Chapter 10 Kapiti Coast Whaitua all provisions relating to taking groundwater - seek amendment**

Reasons:

The provisions in this chapter seem to conflict with Rule R136 that provides that taking groundwater in certain circumstances is a permitted activity. That rule also includes a note drawing the reader's attention to s 14(1)(b) of the RMA that provides, among other things, for taking water for an individual's reasonable domestic needs.

Decision sought:

State in Chapter 10 that Rule R136 and s 14(1)(b) of the RMA override all of the provisions and rules in Chapter 10.

## **SCHEDULES**

**All of the Schedules - oppose and seek amendment**

Reasons:

All of the Schedules are opposed for reasons expressed elsewhere in this submission.

Decision sought:

Revise the schedules to appropriately address the concerns expressed.

## **MAPS**

**All of the maps - oppose and seek amendment**

Reasons:

All of the maps are opposed for reasons expressed elsewhere in this submission.

Decision sought:

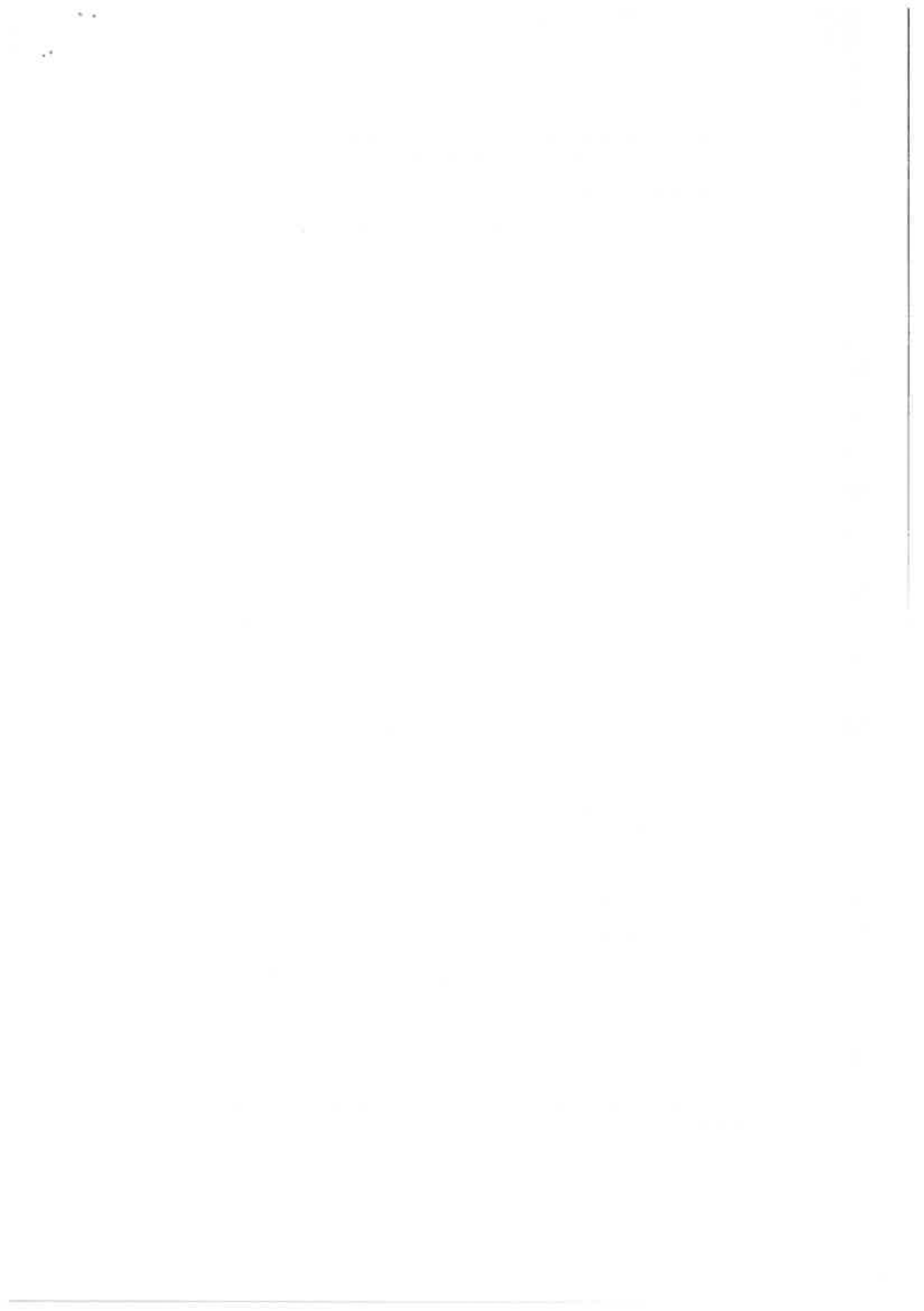
Revise the maps to appropriately address the concerns expressed.

## **III. ATTACHMENTS**

All attachments are to be read in conjunction with reasons and decisions sought throughout this submission, and taken into account in relation to those submissions.

This supporting material is provided as attachments to this submission in the order of their first appearance/reference within this submission:

1. *"Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists"* by Joan Allin.
2. *"The precautionary principle and its role in coastal risk management under the New Zealand Coastal Policy Statement and the Resource Management Act"* by CRU Inc.
3. *"Kapiti Coast coastal hazard assessment"* by Dr Willem de Lange.



**Notes on the Kapiti coastal erosion fiasco and problems caused more generally by a number of NZ coastal scientists**

1. In these notes, I explain:
  - a. what has happened in the Kapiti coastal erosion fiasco where the exact same results have morphed from:
    - i. "likely"; to
    - ii. "based on a worst case scenario" but worse than what and by how much were not explained; to
    - iii. "very unlikely";
  - b. my reactions to, and some opinions about, what has happened; and
  - c. problems being caused more generally by a number of New Zealand coastal scientists who, in my opinion, are misinterpreting or ignoring the law and misunderstanding their role in the context of the Resource Management Act 1991 (RMA) and the New Zealand Coastal Policy Statement 2010 (NZCPS 2010 or in full).
2. I address:
  - a. Kapiti long-term erosion/accretion;
  - b. Kapiti reports/documents on coastal erosion;
  - c. the problems that the independent panel of international and NZ coastal experts and a statistician (Coastal Panel)<sup>1</sup> engaged by Kapiti Coast District Council (KCDC) identified with the Coastal Systems Limited (CSL) reports;
  - d. the practice of ignoring accretion, which is contrary to Policy 24(1)(b) of the NZCPS 2010;
  - e. what KCDC has done in response to the Coastal Panel's report and an independent planning/legal report;
  - f. the morphing information as to Kapiti results, where the exact same results have gone from:
    - i. "likely"; to
    - ii. "based on a worst case scenario" but worse than what and by how much were not explained; to
    - iii. "very unlikely";
  - g. some relevant statutory, and related, provisions;
  - h. how some NZ coastal scientists interpret the law and approach their role;
  - i. some hints to the contrary from the Environment Court;

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<sup>1</sup> Dr Paul Komar (USA), Mr James Carley (Australia), Dr Paul Kench (NZ) and Dr Robert Davies (NZ statistician).

- j. the problems with providing only very unlikely results or overstating results;
  - k. risk management and uncertainty - AS/NZS ISO 31000:2009 *Risk management - Principles and guidelines*; and
  - l. in conclusion, NZCPS 2010 provisions, the recommendations of the Coastal Panel vs conventional practice of NZ coastal experts, and what, in my opinion, submitters and decision-makers are entitled to expect from scientific reports and coastal experts.
3. By way of background, our property was not affected by CSL's 50 year lines. The 100 year line touched the seaward side of our house. We were not concerned when we received the letter from KCDC advising us of this "likely" outcome. The concerns that I have are professional rather than personal.
  4. During my career<sup>2</sup>, I have encountered many well-meaning, but ultimately misguided, concerned citizens. I have read and evaluated many scientific and technical reports and dealt with expert evidence. I did not even intend to read the CSL reports as I assumed that the reports were validly prepared and that the residents were misguided. However, due to the ongoing controversy over the reports, I eventually felt that I should at least read CSL's 2012 Update to satisfy myself that it was valid. I was stunned (and not in a good way) by what I read and ultimately discovered.
  5. It has been difficult to get to the bottom of the nature of the CSL results. It has taken me far too many hours, and several years, to uncover that the CSL results are not:
    - a. "likely" as initially described by KCDC; or
    - b. "precautionary" or "conservative", terms used in the 2008 and 2012 reports; or
    - c. "based on a worst case scenario" as later described by KCDC; but
    - d. "very unlikely" as described on CSL's own website in March 2015.
  6. Over time, I have also developed concerns about what other NZ coastal experts are doing. It seems that a number of them consider that it is appropriate in the RMA/NZCPS 2010 context to provide only results that are very unlikely, or overstated. That does not accord with my view of the nature of scientific results that coastal experts should be providing. In my opinion, providing only very unlikely or overstated scientific results undermines (and in the Kapiti case sabotaged) the RMA/NZCPS 2010 process.

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<sup>2</sup> Senior lecturer in law at Victoria University, resource management partner at Chapman Tripp, independent hearings commissioner, Principal Environment Judge (ie the chief judge) and an alternate Environment Judge of the Environment Court. Now retired.



### **Kapiti long-term erosion/accretion**

7. The southern part of the Kapiti coast has been affected by long-term erosion (although some predictions of erosion made in the past have not occurred).
8. The net effect of coastal processes (including the ongoing long-term sea level rise) on the central and northern parts of the Kapiti coast has not been erosion, but accretion.
9. A positive outcome of the CSL reports was demonstrating the areas of longer-term erosion and accretion, and that the trends are not linear.

### **Kapiti reports/documents on coastal erosion**

10. The various reports/documents (including my comments on some of them) have been:
  - a. 2003 Lumsden report on coastal erosion.
  - b. 2005 Coastal Systems Limited (CSL<sup>3</sup>) review of Lumsden report which found it wanting.
  - c. CSL 2008 (March 2008) Open Coast report<sup>4</sup> and Inlets report<sup>5</sup>:
    - i. 50 years;
    - ii. references to "precautionary" and "conservative";
    - iii. KCDC puts process on hold pending updated New Zealand Coastal Policy Statement.
  - d. CSL 2012 Update<sup>6</sup> (August 2012) to take account of the New Zealand Coastal Policy Statement 2010:
    - i. 50 and 100 years;
    - ii. accretion not included where report says progradation (accretion) is "expected" ie generally the central and northern parts of the Kapiti coast;
    - iii. under Policy 24(1)(b) NZCPS 2010, the Council is to have regard to the "short-term and long-term natural dynamic fluctuations of erosion and accretion";
    - iv. numerous references to "precautionary" and some to "conservative" strike me as unusual for a scientific report;
    - v. precautionary assumption added to precautionary assumption added to precautionary assumption;
    - vi. peer review of 2012 Update is 1 page "Overview comments" (Appendix H), which refers to results being "necessarily conservative (precautionary)", purportedly to comply with the 2008 MFE Guidance Manual;
    - vii. flashing lights to me saying "investigate further";
    - viii. and then I read the 2007 peer reviewer report.

<sup>3</sup> The author of all of the CSL reports that I refer to is Dr Roger Shand.

<sup>4</sup> Available at [http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/coastal-hazards/Kapiti\\_Coast-Erosion\\_Hazard\\_Assessment\\_Part1\\_Open\\_Coast.pdf](http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/coastal-hazards/Kapiti_Coast-Erosion_Hazard_Assessment_Part1_Open_Coast.pdf).

<sup>5</sup> Available at [http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/coastal-hazards/Kapiti\\_Coast\\_Erosion\\_Hazard\\_Assessment\\_Part2\\_Inlets.pdf](http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/coastal-hazards/Kapiti_Coast_Erosion_Hazard_Assessment_Part2_Inlets.pdf).

<sup>6</sup> Available at [http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/coastal-hazards/Kapiti\\_Coast\\_Erosion\\_Hazard\\_Assessment\\_2012\\_Update.pdf](http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/coastal-hazards/Kapiti_Coast_Erosion_Hazard_Assessment_2012_Update.pdf).



- e. 2007 CSL "Summary of Peer Reviewer comments on the KCDC Open Coast Erosion Hazard Report"<sup>7</sup>, February 2007 (2007 Compilation) - 50 years. The following quotes are from the author of the CSL reports:

"Given the conservative manner in which all the components have been derived, coupled with the extrapolation uncertainty noted above, it is recommended that the 50 yr values be used be adopted [sic], with an understanding that they are [sic] can be applied to a 50 to 100 yr period if a hazard review is undertaken at 10 yr intervals." (page 20)

"In an effort to simplify the computation method - thereby facilitating hazard update by future council staff, the method of combining hazard components has now been modified. All positive (accretionary) [sic] long-term rates of change have been set to 0. This practice is becoming more common in hazard assessment. The approach also remove [sic] the models [sic] reliance on trend continuity. This approach has effectively doubled the hazard distances along the north coast." (underlining is original, page 23)

So:

- the components are so conservative that the 50 year results could be used for 100 years, with reviews;
- with \$1 billion+ of property affected, to simplify the computation method "thereby facilitating hazard update by future council staff", all accretionary long-term rates of change are set to 0; and
- the effect of putting accretion at 0 is to double the hazard distances along the north coast.

That's all rather startling.

This February 2007 compilation (over a year before the March 2008 reports were finished), the 3 page "Peer Review" of the 2008 Inlets report and the 1 page "Overview comments" in the 2012 Update are the only peer review documentation available and, in my opinion, demonstrate the superficiality of the peer review.

- f. 29 November 2012 - KCDC Proposed District Plan notified under the RMA:
- i. will eventually replace the operative District Plan (does not just deal with coastal erosion);
  - ii. CSL reports are used as the basis for no-build and relocatable zones.

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<sup>7</sup> Not currently available on KCDC's website but I understand that KCDC may add it to the website.

- g. September 2013 - CSL report on the northern shore of the Waimeha Inlet<sup>8</sup> produces different results:
  - i. "The 1973 and 1988 aerial photo-based inlet shorelines used for the previous assessments were of poor quality so improved imagery was acquired, processed and shorelines abstracted." (page 6);
  - ii. lines moved substantially seaward, if not completely off, the property of the landowner.
- h. November 2013 - CSL draft (but not released<sup>9</sup>) report for the Mangaone Inlet produces different results:
  - i. original reports - "It was not considered necessary to carry out a separate hazard assessment for a managed inlet scenario" (2008 Inlets report page 27, see also the 2012 Update page 36) for the Mangaone Inlet. That was despite the inlet being managed, the 2008 report identifying the management regime<sup>10</sup>, the 2012 Update referring to the stream mouth cutting<sup>11</sup> and KCDC's terms of reference for CSL stating that managed and unmanaged scenarios should be done;
  - ii. revised outcome (now providing a managed scenario) = 2 or 3 properties affected, not around 30<sup>12</sup>.
- i. January 2014 - CSL report for the Waikanae estuary in the vicinity of Kotuku Parks subdivision<sup>13</sup> produces different results:
  - i. "Both the managed and unmanaged lines are now seaward of the Kotuku Parks boundary by about 40 m with the managed line adjustment increasing up to about 65 m in the northern sector" (page 7).

<sup>8</sup> Available at <http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/coastal-hazards/reports/Erosion-Hazard-Reassessment-northern-shoreline-of-Waimeha-Inlet.pdf>.

<sup>9</sup> The version that KCDC has is labelled "DRAFT" and "NOTE this is a DRAFT assessment for professional review. This document is not to be forwarded without the authors [sic] permission." It is not on KCDC's website.

<sup>10</sup> Page 27 of the 2008 Inlets report, section 3.4.1 states: "More recently, erosion and flood prevention management has been carried out when formal trigger conditions defined in the Wellington Regional Coastal Plan are exceeded. In particular, stream mouth cutting is carried out when the channel outlet within the coastal marine area migrates either 100 m south or 300 m north of Te Horo Beach Road ..., or when the water level increases 300 mm or more above its normal level at Sims Road," (emphasis original).

<sup>11</sup> The 2012 Update records "... more recently, stream mouth cutting has been carried out to prevent lateral migration of the channel." (page 36).

<sup>12</sup> In the draft managed scenario report, our property is not affected at all.

<sup>13</sup> Not currently available on KCDC's website but I understand that KCDC may add it to the website.

- j. mid 2013 - June 2014 - KCDC appoints independent Coastal Panel - 2 international coastal experts (USA<sup>14</sup> & Australia<sup>15</sup>), 1 New Zealand coastal expert<sup>16</sup> and 1 statistician<sup>17</sup> to review the CSL reports. The Coastal Panel's report<sup>18</sup>:
  - i. identifies numerous problems with the CSL reports;
  - ii. ironically, rejects CSL's approach to the short-term component in favour of Lumsden's, but subject to qualifications;
  - iii. concludes "... the hazard lines recommended by CSL are not sufficiently robust to be incorporated into the Proposed District Plan ...". (section ES.1 Overview, see also page 51).
- k. December 2013 - June 2014 - KCDC appoints Richard Fowler QC and senior planner Sylvia Allan to review the Proposed District Plan (PDP). Their report<sup>19</sup>:
  - i. has significant recommendations regarding the PDP generally, but not that it be totally withdrawn;
  - ii. recommends that all of the coastal hazard provisions be removed from the PDP.

#### Coastal Panel - problems with the CSL reports

11. The Coastal Panel identified a number of problems in the CSL reports, including:
- a. intentionally double-counting the recession caused by sea level rise - "Purposely double counting is a decidedly unconventional approach, and should not be followed ..." (page 34);
  - b. concern that there may also be double counting when the "catch up" term is applied to some areas where a sea wall is lost or removed (page 29). "In the modelling of the "remove sea-walls" scenario the "catch-up" term in the 100-year projection appears to be incorrectly handled. It is doubled ... It should be left as is." (page 45);
  - c. inappropriate approach to the short-term component - "the CSL assessments of the short-term hazards cannot be viewed as being robust ...". "It is the recommendation of this Panel that the analysis methodologies applied by Lumsden (2003) be adopted ...", subject to qualifications (section ES.4 see also pages 37-39);

<sup>14</sup> Dr Paul D Komar, Emeritus Professor of Oceanography, Oregon State University, USA.

<sup>15</sup> Mr James T Carley, Principal Coastal Engineer, Water Research Laboratory, UNSW, Australia.

<sup>16</sup> Dr Paul S Kench, Professor and Head of Department, School of Environment, University of Auckland.

<sup>17</sup> Dr Robert B Davies, Statistician, Statistics Research Associates Limited, Wellington.

<sup>18</sup> Available at [http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/Proposed-District-Plan/Independent-review/Coastal\\_Erosion\\_Hazard\\_Assessment\\_Review\\_of\\_the\\_science\\_and\\_assessments\\_undertaken\\_for\\_the\\_PDP.pdf](http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/Proposed-District-Plan/Independent-review/Coastal_Erosion_Hazard_Assessment_Review_of_the_science_and_assessments_undertaken_for_the_PDP.pdf).

<sup>19</sup> Available at [http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/Proposed-District-Plan/Independent-review/Independent\\_Review\\_of\\_the\\_Kapiti\\_Coast\\_PDP.pdf](http://www.kapiti.coast.govt.nz/Documents/Downloads/District-Plan-Review/Proposed-District-Plan/Independent-review/Independent_Review_of_the_Kapiti_Coast_PDP.pdf).

- d. failure to include accretion where it exists -
- i. "The Panel recognises that CSL is correct in this [setting accretion at 0 in accreting coasts] being a common practice ... although in the case of the [Kapiti] Coast it represents a rather extreme assumption that future rates of rising sea levels will overcome the positive balance provided by the sediment budget. The question of this being a valid assumption, that the cusped foreland would soon disappear under rising sea levels, could be addressed by an evaluation of the sediment budget ..." (page 30). (CSL did not do a sediment budget).
  - ii. "Along with revised open coast assessments, scenarios of change [for inlets] under accretionary coast conditions should be considered" (section ES.5, see also pages 44 and 53);
- e. in relation to the dune stability component, "More elevated portions of the coast (south of about Raumati) are subject to more complex slope stability processes than the simple dune stability model used in CSL (2008a). Issues include (but may not be limited to) the sand grain size adopted and the assumption of dry sand. It is recommended that specialist geotechnical engineering advice be sought regarding slope stability in these areas" (page 40);
- f. the inlets reports produced a "first approximation" of inlet erosion hazards (repeated several times on pages 43 and 44 of the Coastal Panel's report, although neither the CSL 2008 Inlets report nor the 2012 Update described the inlets approach as a "first approximation"). Weaknesses in the inlets approach include a number of matters (see pages 43, 53 and section ES.5) including:
- i. the approach masks the variability in the alongshore dynamics of inlet entrances;
  - ii. the approach assumes that the lagoon shorelines will migrate landward, which ignores the likely primary control on such shorelines;
  - iii. it assumed the coast will be erosional/recessionary, despite evidence that some parts of the coast and inlets have been in net accretion in the past; and
  - iv. how the inlet and open coast hazard zones are merged should be reconsidered and a transparent procedure invoked;
- g. a number of statistical technique issues (page 45):
- i. "It is recommended that studies such as these involve an experienced statistician, preferably one familiar with time-series analysis. There seems to have been only limited involvement of a statistician in the CSL analyses";
  - ii. "...the simple regression analysis, linear or not, used in the CSL analyses is likely to be inappropriate for the data sets considered here.";

- iii. "From a statistical perspective, it is recommended that "best estimates" rather than precautionary values be adopted, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate. Alternatively, one could give several scenarios based on best, worst and mid-way cases.";
  - iv. "An economic assessment of the consequences of planning restrictions needs to be undertaken before imposing them, since the restrictions may have been made on the basis of calculations which may be excessively precautionary. One needs to balance the cost to property owners of any restrictions with the actual risk (and its time scale) and one can't do this if there are hidden "precautionary" adjustments."
12. As already noted, the Coastal Panel concluded:
- "... the hazard lines recommended by CSL are not sufficiently robust to be incorporated into the Proposed District Plan ...". (section ES.1 Overview, see also page 51).
13. The Coastal Panel also said (page 47):
- a. "Adaptive management provides a realistic alternative to excess speculation regarding definitive future coastal hazards."; and
  - b. "The assessment of coastal hazard zones should consider a range of plausible scenarios (e.g. low, mid, high, or best estimate and extremes)."

**Practice of ignoring accretion is contrary to Policy 24(1)(b) of the NZCPS 2010**

14. I return to the Coastal Panel's comment that:
- "The Panel recognises that CSL is correct in this [setting accretion at 0 in accreting coasts] being a common practice ... although in the case of the [Kapiti] Coast it represents a rather extreme assumption that future rates of rising sea levels will overcome the positive balance provided by the sediment budget."
15. It may be that a practice of ignoring accretion has developed over time among New Zealand and/or overseas coastal experts. However, such a practice cannot override the express provision introduced in New Zealand in Policy 24(1)(b) of the NZCPS 2010 that a Council is to assess hazard risks having regard to:
- "short-term and long-term natural dynamic fluctuations of erosion and accretion" (emphasis added).
16. If coastal scientists in New Zealand had developed a practice of ignoring accretion, such a practice should have stopped as of 3 December 2010 to enable Councils to fulfil their obligations under the NZCPS 2010.

**What KCDC has done in response to the Coastal Panel and the Planning/Legal reports**

17. KCDC has:

- a. withdrawn the coastal hazard provisions of the PDP;
- b. put a disclaimer, outlined in red, on the CSL reports on the KCDC website:

"Disclaimer: before reading this report you need to be aware that an independent panel of coastal experts has found that the information contained in this report is not appropriate for planning purposes. A further independent planning report has subsequently recommended that the Council withdraw from the Proposed District Plan the coastal hazard management areas associated with this report and undertake further work in regard to the underlying methodologies for use in relation to future planning for the [Kapiti] District. The information contained in this report should not therefore be relied upon.";
- c. removed the projected shorelines maps from KCDC's website;
- d. withdrawn the information on the LIMs but included a general comment about coastal erosion;
- e. stopped using the CSL reports as a basis for putting a notice on a property title under the Building Act if a building consent is granted for construction of a building, or major alterations to a building, on land that is subject or is likely to be subject to coastal erosion. KCDC's letter dated 19 December 2013 to property owners said that the endorsements that had been put on title would be reviewed and, where necessary, removed at no cost to the owner. Further building consents are being dealt with under the operative District Plan or on a case-by-case basis, not the PDP or CSL reports;
- f. started reviewing all of the PDP and taking steps for further relevant coastal erosion work to be done;
- g. written to CSL about misleading statements on the CSL website. The letter dated 12 February 2015 said:

"... For the record the Council does not accept that the independent panel identified "very few issues" and that the CSL report is "fit for purpose"...

It is therefore difficult to see how any reasonable person could conclude that the CSL report is "fit for purpose"... The Council will not hesitate to make its views known to any person making inquiries about the work CSL carried out for the Council on coastal hazards...

The Council wishes to make it quite clear to you that it disassociates itself from the statements made on the CSL website regarding the Kapiti erosion assessments."



18. As of March 2015 (the website records that the page was updated 15 March 2015), the information in the Kapiti Erosion Hazard Assessments tab on the CSL website became more misleading further to KCDC's letter, not less. The CSL assertions are misleading, contain errors of law and fact, and should not be relied upon.

**Morphing information as to Kapiti results**

19. Over time, the CSL results have morphed from:
- "likely" and "likely risk of significant erosion or inundation" (KCDC letter of 25 August 2012 to affected residents); to
  - "based on a worst case scenario" (KCDC letter of 18 January 2013 to affected residents) - worse than what and by how much were not explained; to
  - "Very unlikely" (CSL website March 2015).
20. 25 August 2012 letter to affected residents - the coastal hazard assessment:
- "... predicts where the shoreline is likely to be along [Kapiti] Coast within 50 and 100 years...
- Around 1,800 properties - including most beachfront properties in the district - are at likely risk of significant erosion or inundation (flooding) within 100 years. Up to 1,000 of these may be affected within 50 years." (emphases added)
21. 3 September 2012 - the then Mayor's column "A Moment with our Mayor" in the *Kapiti Observer*:
- "Around 1800 coastal properties in Kapiti are likely to be at significant risk of coastal erosion within the next 100 years and up to 1000 of these within the next 50 years.
- ...
- We have also been briefing a number of other significant stakeholders including local real estate agents, lawyers and valuers.
- At this point it is not known what effect this will have on property values, although an economic study in Whakatane District shows this information did not have a long term impact.
- Council's current policy is to maintain and protect roads and public health infrastructure (water supply, stormwater and sewerage) in the short term. However, we will progressively move public infrastructure away from areas of high risk.
- I completely empathise with residents who are anxious about this new direction and encourage you to visit our website ...
- Have a good week." (emphasis added)

22. KCDC was obviously under the impression that the CSL reports were providing information as to what was likely to occur. Busy telling real estate agents, lawyers and valuers. Considering what to do about infrastructure. Considering the effect on property values. Empathising with affected residents.

23. 5 months later, on 18 January 2013, - KCDC letter to affected residents - the assessment is:

"based on a worst case scenario"

but worse than what and by how much were not identified.

24. March 2015 - CSL website's newly-created key to the Kapiti projected shorelines maps describes the results as:

"Very unlikely".

25. So, between August 2012 and March 2015, the exact same results have morphed from likely to very unlikely. In my opinion, that is appalling.

**Some relevant statutory, and related, provisions**

26. The CSL reports were prepared for RMA purposes, including the NZPCS and district plans. Under s 75(3)(b) of the RMA, a district plan must give effect to the NZCPS 2010.

27. The NZCPS 2010 states:

"This NZCPS is to be applied as required by the [RMA] by persons exercising functions and powers under the [RMA]." (page 7).

28. It is therefore the role of the Council (or the Environment Court) to apply the NZCPS 2010 as required by the RMA, not the role of coastal scientists.



29. Policy 24 states the functions of the Council in relation to the identification of coastal hazards:

**\*Policy 24 - Identification of coastal hazards**

- (1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:
- (a) physical drivers and processes that cause coastal change including sea level rise;
  - (b) short-term and long-term natural dynamic fluctuations of erosion and accretion;
  - (c) geomorphological character;
  - (d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;
  - (e) cumulative effects of sea level rise, storm surge and wave height under storm conditions;
  - (f) influences that humans have had or are having on the coast;
  - (g) the extent and permanence of built development; and
  - (h) the effects of climate change on:
    - (i) matters (a) to (g) above;
    - (ii) storm frequency, intensity and surges; and
    - (iii) coastal sediment dynamics;taking into account national guidance and the best available information on the likely effects of climate change on the region or district." (emphases added)

30. I have often seen Policy 24 set out incorrectly. The mistake that people make is indenting the words at the end ie "taking into account ... the likely effects of climate change on the region or district" so it looks like those words are part of (h). But they are not part of (h). They form the ending of what is a long sentence that effectively reads:

"Hazard risks, over at least 100 years, are to be assessed having regard to [(a) to (h)] taking into account ... the best available information on the likely effects of climate change on the region or district."

31. Setting out Policy 24 incorrectly affects its meaning.
32. Policy 24 effectively says that the Council's function is to:

- "(1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to [(a) to (h)] taking into account national guidance and the best available information on the likely effects of climate change on the region or district." (emphases added)

33. Risk is defined in the NZCPS 2010 as:
- "Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence ...". (emphasis added)
34. So, to carry out its functions under Policy 24, a Council needs to:
- a. identify areas potentially affected by coastal hazards, with the hazard risks being assessed taking into account the likely effects of climate change;
  - b. give priority to the identification of areas at high risk of being affected;
  - c. in assessing risk (likelihood x consequences), consider the likelihood of coastal erosion occurring and the consequences.
35. Policy 25 of the NZCPS 2010 deals with "areas potentially affected by coastal hazards", so "potentially affected" is used on its own there. However, it is my view that it should be read in the context of Policy 24, which specifically deals with the "[identification of] areas ... potentially affected by coastal hazards" and also refers to the likely effects of climate change (and hazard risks), so that Policy 25 addresses areas identified by Policy 24.
36. Policy 27 of the NZCPS 2010 identifies the range of options the Council should assess for reducing coastal hazard risks in areas of significant existing development likely to be affected by coastal hazards. These areas should also have been identified by the Council during the Policy 24 process, as a subset of the other areas.
37. The first part of Policy 27 states:
- "Strategies for protecting significant existing development from coastal hazard risk**
- (1) In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes: ..."  
(emphases added)
38. Affected Kapiti properties = \$1 billion+.
39. Providing only "very unlikely" results, especially in Kapiti (or in other areas of significant existing development):
- a. does not provide KCDC (or any Council) with the appropriate scientific information that it needs to carry out its tasks;
  - b. does not enable the community to participate in the RMA process with appropriate scientific information; and
  - c. wastes resources as it does not enable the Council to focus attention on the areas where options for reducing coastal hazards are actually needed ie the areas likely to be affected.

40. Policy 3(2) of the NZCPS 2010 states:
- \*In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:
- (a) avoidable social and economic loss and harm to communities does not occur;
  - (b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and
  - (c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.\*
41. Some coastal scientists seem to have interpreted this provision as applying to them and therefore think that their scientific assessment of coastal hazards should be precautionary. Indeed, according to CSL's website as at March 2015, a number apparently consider that their results should be "very unlikely".
42. I have had a coastal expert (not any expert referred to on the CSL website) confidently tell me to my face that they need to provide precautionary results, and look at me like I was an idiot for thinking otherwise.
43. However:
- a. the provision is referring to what Councils are to do (not coastal scientists);
  - b. it relates to "use and management of coastal resources" so, planning and resource consent matters, not identification of the hazards which is addressed in Policy 24;
  - c. it uses different wording from Policies 24 to 27 ie "potentially vulnerable" so it is arguable whether it should be read in light of Policy 24 or not which makes it all the more important for coastal experts to prepare assessments based on objective science so that no matter what way the law is interpreted or what specific policies apply, the decision-maker has the relevant scientific basis for the decision;
  - d. it refers to adopting a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that avoidable social and economic loss and harm to communities does not occur. In my view, that reads both ways. Too stringent provisions can cause avoidable social and economic loss and harm to communities as can too lenient provisions.
44. In short, Policy 3 does not direct that coastal hazard assessments should be precautionary.
45. Confirmation of that also comes from DOC's Guidance note on Policy 3 that says "The application of the precautionary approach is a risk management approach rather than a risk assessment approach." (page 6)

46. Other relevant statutes for different purposes:

- a. Section 44A(2)(a) Local Government Official Information and Meetings Act 1987 different - matters to be included in a land information memorandum (LIM) are:

"information identifying each (if any) special feature or characteristic of the land concerned, including but not limited to potential erosion, ... [that] ... is not apparent from ... a district plan under the [RMA]" (emphasis added).

Potential erosion is referred to on its own without qualifications. The provision ceases to apply when the district plan deals with the matter so limited effect. The reference to the district plan is relevant in that a Council would not normally expect to receive a report in the nature of CSL's reports, identifying only very unlikely results, for district plan purposes.

This is the provision the *Weir v KCDC* High Court judicial review case was about [2013] NZHC 3522 and [2015] NZHC 43.

- b. Sections 71-74 Building Act 2004 - relevant to notices on title for building consents - s 71(1)(a) refers to land which:

"is subject or is likely to be subject" (emphases added) to natural hazards.

If a person obtains a building consent for construction of a new building, or major alterations to a building, on land that is subject or is likely to be subject to a natural hazard, a notice goes on the property title about the hazard. A coastal hazard assessment that doesn't identify land that is subject or is likely to be subject to coastal erosion jeopardises Council's use of the Building Act, as has happened in Kapiti.

#### **How some NZ coastal scientists interpret the law and approach their role**

47. One wonders how the exact same results can morph from:

- a. "likely"; to  
b. "based on a worst case scenario" (but worse than what and by how much were not explained); to  
c. "very unlikely".

48. It seems extraordinary for that to be able to occur. How could such a thing happen, with \$1 billion+ of property affected?

49. If I hadn't lived through it myself I would have found it difficult to believe that such a thing could happen.

50. My view is that it has occurred because some coastal scientists are:
- a. misinterpreting or ignoring the law;
  - b. misunderstanding their proper role in the RMA process;
  - c. providing only very unlikely results (or results of that ilk);
  - d. failing to explain clearly the nature of such results (instead, referring to precautionary, conservative, potential) thereby camouflaging the very unlikely nature of the results;
  - e. failing to get proper statistical input;
  - f. failing to report the uncertainties;
  - g. providing false certainty of overstated results; and
  - h. unintentionally undermining, or indeed sabotaging, the RMA processes.
51. I have already noted that the district plan must give effect to the NZCPS 2010. I have set out some elements of Policies 3, 24, 25 and 27 and discussed the relevant wording. All of the provisions of the NZCPS 2010 are relevant, including the objectives and policies.
52. It is the Council's role (not coastal scientists) to give effect to the NZCPS 2010 in the district plan.
53. It is the role of the coastal scientist to provide appropriate objective, scientific information:
- a. to enable submitters to participate in the RMA process; and
  - b. decision-makers to make appropriate decisions,
- in an informed manner.
54. Some NZ coastal scientists seem to be usurping the decision-maker's role in deciding that only "precautionary" or "conservative" or "potential" results should be provided without clarifying how precautionary or conservative the results are or what the coastal scientist means by potential - and compared to what. Some are providing only results that are very unlikely.
55. The Supreme Court in *Sustain our Sounds Inc v The New Zealand King Salmon Company Ltd* [2014] NZSC 40 said:
- "[157] We accept that public participation is a key tenet of decision making under the RMA with many public participatory processes... As noted by Keith J in *Discount Brands Ltd v Westfield (New Zealand) Ltd*, the purpose of these processes is to recognise and protect the particular rights of those who are affected and to enhance the quality of the decision making."

56. The extract below is from the CSL website under the tab Kapiti Erosion Hazard Assessments (the website indicates that the page was updated on 15 March 2015). The extract is interesting (though troubling) in its failure to understand the difference between the High Court judicial review LIM statutory context and the NZCPS 2010/RMA context, and in what it says about how coastal practitioners interpret their role:
- "The 2008 assessment had been carried out conservatively enough to meet the "potential" hazard (risk) level specifically stipulated in the NZCPS 2010, along with additional requirements to allow for increased uncertainty associated with predicted climate change. It is noted that "potential erosion" is typically interpreted by practitioners as erosion occurring under an extreme set of circumstances and as such is "very unlikely" to occur. It is noted that the High Court has recently defined potential erosion as a "reasonably possible worst case scenario... i.e. a worst case scenario objectively determined and evidentially based" (CIV-2012-485-2577 [2015] NZHC 43). Such definitions are entirely appropriate as developers, prospective purchasers and insurers want to know that in the future their property of interest will be virtually free of erosion hazard." (emphasis added)
57. The newly-created key (as of March 2015) for the Kapiti projected shorelines maps on CSL's website identifies that CSL's Kapiti results are "Very unlikely".
58. So, the extract and the newly-created key are saying that, in the RMA context and according to the NZCPS 2010, coastal practitioners consider that their proper role is to provide only very unlikely results.
59. It becomes particularly problematic if coastal scientists consider it their role to provide only very unlikely results, but label them in ambiguous ways such as precautionary, conservative, or potential, thus camouflaging the fact that they are providing results that are, in fact, "very unlikely".
60. It is relevant to note that there is no reference in the CSL 2008 reports or the 2012 Update to the results being a worst case scenario, let alone a reasonably possible one. The language about a worst case scenario started with KCDC's letter to affected residents in January 2013.
61. Instead, the CSL 2008 and 2012 reports use the terms "precautionary" or "conservative", but just how precautionary or conservative, or precautionary or conservative compared to what, is not explained.
62. Kapiti has many areas of significant existing development. KCDC obviously considered that it was being given results that were likely, not very unlikely.
63. Using ambiguous language to describe "very unlikely" results is not helpful.
64. In addition, the idea that it is the role of coastal scientists to provide only "very unlikely" results in the RMA and NZCPS 2010 context:
- a. ignores the difference between s 44A of the Local Government Official Information and Meetings Act (where the word "potential" erosion is used on its own) and the RMA and Policies 24, 25 and 27 of the



NZCPS 2010 where it is not<sup>20</sup>, as has already been discussed;

- b. ignores the difference between judicial review of LIMs where there is a low threshold for assuming the validity of results and the RMA process where the "science and the reliability of his 50 and 100 year lines will be put to the test", as noted by the High Court in para [35] of the interim judgment;
  - c. fails to understand that it is the role of the coastal scientist to provide objective, scientific results to enable submitters to participate, and decision-maker to make decisions, based on results that are fit for purpose;
  - d. fails to understand that it is the role of the Council (or the Environment Court) to apply the Policy 3 precautionary approach, not the coastal scientist.
65. I refer to the point in b in the preceding paragraph about ignoring the difference between judicial review of LIMs where there is a low threshold for assuming the validity of results and the RMA process where the "science and the reliability of his 50 and 100 year lines will be put to the test". In the final judgment, the High Court said:

[7] The panel has since found, I am advised, that the Shand lines were not sufficiently robust to warrant their inclusion in the District Plan. With that finding in hand, the Council has now resolved to remove the lines from all LIMs because, according to Mr Stephens, they do not now meet the criteria for mandatory disclosure in s 44A(2). There remains on the LIMs some precautionary wording about coastal erosion, the terms of which have been agreed between the parties...

[17] ... In truth, the review panel undertook its work in the context of the Council's consideration of the proposed District Plan. That is evidence that the system works as it was designed to work. As I said at [53] of the interim judgment:

I am satisfied that Mr [sic] Shand's science is sufficiently robust to satisfy that relatively low threshold requirement [i.e. a reasonable possibility of erosion]. Of course I say nothing at all about whether the Shand Report and the Shand lines should survive a more rigorous merit-based review through the District Plan Review process under the Resource Management Act 1991. That is not my arena. [the square brackets in the quote are the Court's]

[18] The merits of the Shand lines were tested and found wanting...".

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<sup>20</sup> As already noted, Policy 25 of the NZCPS 2010 deals with "areas potentially affected by coastal hazards", so "potentially affected" is used on its own there. However, it is my view that it should be read in the context of Policy 24, which specifically deals with the "[identification of] areas ... potentially affected by coastal hazards" and also refers to the likely effects of climate change (and hazard risks), so that Policy 25 addresses areas identified by Policy 24.

66. KCDC had affidavits from 4 coastal scientists in the *Weir v KCDC* case. The interim judgment includes statements that, in my view, demonstrate that coastal scientists are misunderstanding their role:

[47] It is also reflected, Mr Stephens argued, in the Ministry for the Environment's Coastal Hazards and Climate Change Guidelines ...:

Coastal erosion, on the other hand, at present tends not to be expressed probabilistically. As it is an ongoing process (a creeping hazard) it is usually defined as the expected position of the coast at a certain future point in time. [emphasis added]

[48] The thrust of the evidence of scientists for KCDC was that the lines provide a sound worst case prediction over the assessment period using orthodox and up-to-date methods, together with an appropriately precautionary approach as required by the NZCPS." (emphases added)

67. The coastal scientists have apparently:
- a. failed to consider that the MFE Guidelines refer to the "expected position" of the coast, not the worst case or very unlikely position;
  - b. failed to consider the reference in Policy 24 to the "likely effects" of climate change, the definition of risk which requires consideration of the likelihood of the event, and the reference in Policy 27 to areas of significant existing development "likely" to be affected;
  - c. failed to realise that it is not the role of coastal scientists to apply a "precautionary approach" to hazard identification. As already noted, Policy 3(2) refers to use and management of coastal resources. Application of the precautionary approach is the role of the Council (or the Environment Court), not the coastal scientists.
68. In addition, the evidence demonstrates the misleading nature of the CSL reports. Nowhere do the reports identify that the results are a worst case. Instead, they are precautionary or conservative, conveying a different meaning. Indeed, we know now that the results are in fact very unlikely.
69. In summary, my view is that a number of coastal experts have the wrong end of the stick in terms of their interpretation of the relevant legal provisions and their appropriate role in the process. That is causing a lot of trouble and undermines both the RMA and the NZCPS 2010.
70. The recommendations of the independent Coastal Panel engaged by KCDC are instructive.
71. The Coastal Panel said:
- "It is recommended that studies such as these involve an experienced statistician, preferably one familiar with time-series analysis. There seems to have been only limited involvement of a statistician in the CSL analyses" (page 45);



"From a statistical perspective, it is recommended that "best estimates" rather than precautionary values be adopted, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate. Alternatively, one could give several scenarios based on best, worst and mid-way cases." (page 45); and

"An economic assessment of the consequences of planning restrictions needs to be undertaken before imposing them, since the restrictions may have been made on the basis of calculations which may be excessively precautionary. One needs to balance the cost to property owners of any restrictions with the actual risk (and its time scale) and one can't do this if there are hidden "precautionary" adjustments" (page 45).

72. From a legal perspective, I generally endorse what the Coastal Panel has said about these matters, but many coastal experts do not provide either:
- "best estimates" rather than precautionary values, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate; or
  - several scenarios based on best, worst and mid-way cases.
73. Doing what the Coastal Panel recommends from a statistical perspective would enable everyone in the RMA process to participate effectively.
74. Risk management and effective decision-making requires an understanding of the uncertainties. Providing only very unlikely results (and/or describing them in ambiguous terms) does not assist submitters to participate effectively in the RMA process or enable Councils and the Environment Court to make informed decisions.
75. Interestingly, the Coastal Panel also said:
- "Where no factor of safety is adopted, conventional practice has been to adopt conservative/precautionary values. While it is appropriate to include a safety margin, this needs to be done in a transparent way and after taking account of the uncertainties involved in the estimates." (page 40)
76. So conventional practice developed among coastal experts, presumably without considering:
- the appropriateness of the "best estimates" statistical perspective; and
  - the need for transparent information to be provided in the RMA legal process both for submitters and decision-makers
- may be a large part of the problem.
77. It is my view that variability in results should be reported and the uncertainties explicitly identified.
78. Just by way of example, if there is variability along a coast in relation to different components relevant to modelling, my view is that such variability

should also be reported rather than adopting precautionary/conservative values to each component as the "conventional practice" apparently supports.

79. The regrettable result of the "conventional practice" is that one ends up with precautionary assumption, added to precautionary assumption, added to precautionary assumption for each component of the model. The effect of those precautionary assumptions remains hidden and the cumulative effect can be significant.
80. As the Coastal Panel noted, from a statistical perspective "best estimates" are appropriate with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate.
81. In my view, the same applies from a legal perspective. It enables properly-informed participation and decision-making in the RMA processes.
82. The approach of a number of New Zealand coastal scientists in providing only very unlikely results (and describing them in ambiguous terms) is, in my view, highly problematic.
83. It is particularly problematic as it is difficult to get to the bottom of what the coastal experts are actually doing. Over time, I have developed suspicions about what some might be doing. But it has taken me far too many hours, and several years, to uncover that the CSL results are not:
  - a. "likely" as initially described by KCDC; or
  - b. "precautionary" or "conservative", terms used in the 2008 and 2012 reports; or
  - c. "based on a worst case scenario" as later described by KCDC; but
  - d. "very unlikely" as described on CSL's own website in March 2015.
84. In the next section, I deal with some recent New Zealand cases that give an indication of what the Environment Court may be thinking in relation to these aspects as well.

#### **Hints from the Environment Court**

85. There may be some hints from the Environment Court about appropriate approaches, but I don't want to overstate what the Court may be inferring.
86. It is relevant to recall the Coastal Panel's comment about adopting "best estimates" rather than precautionary values, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate. Or several scenarios based on best, worst and mid-way cases.
87. *Gallagher v Tasman District Council* [2014] NZEnvC 245 was a plan change hearing mainly about inundation from sea level rise rather than coastal erosion.

88. At para [95], the Court said:

"The coastal witnesses all agreed that a conservative approach should be adopted in assessing the hazard risk from coastal inundation induced flooding on the Gallagher property ... we have decided that [a specified overtopping rate] should be adopted as the *best fit* from all of the evidence which we heard. We consider that it is a realistic possibility." (emphasis is the Court's)

89. In the end, it was not determinative, but:

- a. it is interesting that all of the coastal witnesses agreed that a conservative - there's that word again - approach should be adopted; but
- b. the Court seems to be saying it is adopting the rate because it is the "best fit", rather than because it is a conservative approach.

90. It is also relevant to note the Court's reference to a "realistic" possibility.

91. At para [73], the Court said:

"During the hearing there was extensive questioning of the witnesses on a number of key parameters ... for which there were significant differences of opinion... Despite this questioning, for the most part we were left little the wiser."

92. A problem if coastal experts are not careful, explicit and transparent about what they are doing is that it makes it unnecessarily difficult for the decision-maker.

93. *Mahanga E Tu Inc v Hawkes Bay Regional Council and Wairoa District Council* [2014] NZEnvC 83 is a case about a resource consent for a new subdivision in quite particular facts, not a case about provisions in a plan.

94. But it's interesting, and troubling, to see the differences in the predictions of the experts and interesting to see the comments of the Court.

95. The Environment Court identified that the property would be affected by erosion (at para [16]):

"The Council submits, we think correctly, that the proposal cannot avoid the effects of coastal erosion over either 50 or 100 year periods. The best that can be done is to *mitigate* those effects through the process of managed retreat once the shoreline retracts to the chosen trigger point." (emphases are the Court's)

96. The Court said at para [35]:

"It became evident from the different approaches by the coastal scientists dealing with essentially the same set of facts, that the preparation of accurate long term predictions for the behaviour of complex natural systems at a very small site is fraught with difficulty."

97. The erosion rates from the three experts, and the relevant paragraph references from the case, are:

- Mr Moynihan = - 0.14 m/yr (the long-term erosion rate will reduce or reach zero but some potential for no more than -0.14) (para [29]);
- Mr Reinen-Hamill = - 0.9 m/yr (para [30]); and
- Dr Roger Shand = - 1.2 m/yr (para [31]).

98. So after, say, 50 years, the differences in the predicted erosion at the site would be:

- Mr Moynihan = 7 m;
- Mr Reinen-Hamill = 45 m; and
- Dr Roger Shand = 60 m.

99. The Council in that case considered that 100 years was the appropriate planning period.

100. After 100 years, the differences would be even more dramatic:

- Mr Moynihan = 14 m;
- Mr Reinen-Hamill = 90 m; and
- Dr Roger Shand = 120 m.

101. So, what initially seem to be relatively small differences become enormous when multiplied by 50 or 100 years. In the special circumstances of that case, the Environment Court decided to use 20 years.

102. Both Dr Shand and Mr Reinen-Hamill had applied a 30% "factor of safety" to their predictions, a point that was criticised by Mr Moynihan (para [34]).

103. In relation to Dr Shand's prediction, the Court said:

"[32] Dr Shand acknowledged that his analysis focused on the *potential* erosion hazard at the site over the 100 year planning period. He agreed that the *most likely* outcome was somewhat less than the potential hazard he identified, and would be around the predictions of Mr Reinen-Hamill." (emphases are the Court's)

104. The Environment Court did not accept the predictions of either Dr Shand or Mr Reinen-Hamill, referred to "a likely average rate of retreat of the shoreline at the site of around -0.4 m/yr", and decided to use 20 years as a relevant timeframe in the special circumstances of that case. The Court said:

"[36] ... we are more inclined to the rather more pragmatic approach of Mr Moynihan. In simple terms, there is an observed rate of long-term erosion ... of less than -0.2 m/yr. If the influence of sea level rise in the future that is greater than that already observed in the long term rate is factored in, this could double the rate of long term erosion.

[37] For the purpose of this decision, this would indicate a likely average rate of retreat of the shoreline at the site of around -0.4 m/yr

...

[38] We have not found it necessary to determine a precise time frame based on erosion rate predictions beyond the *most likely* scenario described above in order to answer the core question...  
[emphasis is the Court's]...

[84] When the coastal issues are explored, and the proposed mitigation accepted, there really is no reason, on the evidence, to decline the necessary consents. The appeal is declined and the grant of subdivision and resource consents by both Councils is confirmed.\*

105. An additional interesting factor about overstating results is that the Court explained that Mr Moynihan based his erosion rate predictions for the earlier Commissioners' hearing on the 2005 and 2007 analyses by Dr Jeremy Gibb (since retired and not available to give evidence at the Environment Court hearing). Various factors involved Mr Moynihan revisiting the erosion predictions. The Court said (at para [26]):

"... Mr Moynihan noted that the observed rate of erosion at the site was far less than predicted by Dr Gibb in his coastal hazard assessment. This led to the conclusion that other processes (not accounted for in the model used by Dr Gibb ...) were influencing the actual rate of erosion."

106. Again, without wishing to push things too far, interesting aspects of the *Mahanga E Tu Inc* case are:
- a. the vast difference in the experts' predictions for coastal erosion for 50 years (7 m vs 45 m and 60 m) and 100 years (14 m vs 90 m and 120 m);
  - b. the Court not accepting the two more extreme predictions;
  - c. Dr Shand apparently referring to his results as "potential";
  - d. the difficulties the Court faced;
  - e. the Court referring to the most likely scenario and basing its decision on that; and
  - f. the Court indicating the difficulties of predictions at a small site.
107. From the opposite, and more general perspective, the vast difference in the predictions in this case (and the fact that observations had shown that earlier erosion predictions were in fact overstated) helps to demonstrate the potential perils of drawing lines on maps out 50 or 100 years, purporting to convey some measure of certainty, in what is an uncertain science, even when one is looking at specific facts at a specific site.

**Problems with providing only very unlikely results or overstating results**

108. A number of coastal experts apparently consider it their role to provide unlikely or very unlikely results, but label them in ambiguous ways such as precautionary, conservative, or potential.

109. A fundamental problem with providing only very unlikely results, or overstating results, is that it completely undermines the legal process that has been designed to enable informed participation and decision-making.
110. Proper expert information, including the uncertainties, is needed for informed participation and informed decision-making.
111. Decision-makers need to be able to consider all of the relevant factors that go into the mix and make their decisions based on informed judgement. Society ends up with sub-optimal decision-making when experts fail to provide the requisite information, including the uncertainties and any variability in any elements.
112. For as long as coastal scientists produce results that are not transparent and for as long as reports overstate the situation, conflicts between parties will continue and time and money will be wasted.
113. As already noted, to carry out its functions under Policy 24, the Council needs to:
  - a. identify areas potentially affected by coastal hazards, with the hazard risks being assessed taking into account the likely effects of climate change;
  - b. give priority to the identification of areas at high risk of being affected;
  - c. in assessing risk (likelihood x consequences), consider the likelihood of coastal erosion occurring and the consequences.
114. In addition, Policy 24(1)(b) says that hazard risks are to be assessed having regard to "short-term and long-term natural dynamic fluctuations of erosion and accretion".
115. If coastal scientists in New Zealand had developed a practice of ignoring accretion, it should have stopped in New Zealand in December 2010 to enable Councils to fulfil their obligations under the NZCPS 2010.
116. Policy 27 sets out the range of options that KCDC (or any Council) should assess for reducing coastal hazard risk in areas of significant existing development likely to be affected by coastal hazards.
117. Providing only very unlikely results fails to recognise that for KCDC (or any Council) to consider a range of options for reducing coastal hazards in the areas of significant existing development that are very unlikely to be affected is:
  - a. contrary to what Policy 27 says;
  - b. a highly inefficient use of time and money; and
  - c. perhaps most seriously, a distraction from the areas likely to be affected where the real focus, time and money should occur to identify options for reducing coastal erosion hazard risk.



118. Some of the troubling aspects about providing only very unlikely or overstated results, or not reporting the uncertainties, include:

- a. coastal practitioners, rather than lawyers, purporting to interpret the law;
- b. failing to realise the relevance and importance of the wording of the actual NZCPS 2010 provisions;
- c. failing to appreciate that "developers, prospective purchasers and insurers [wanting] to know that in the future their property of interest will be virtually free of erosion hazard" is not an appropriate approach in the context of the RMA and the NZCPS 2010. Someone might well ask for such an assessment if that is what they want to achieve in a particular set of circumstances. But that is not what the wording (or the intent) of the NZCPS 2010 or the RMA contemplates and that is not what submitters and decision-makers in the RMA process need to participate effectively and to make informed decisions;
- d. scientists providing policy results based on their own one-sided understanding of what they think people want rather than objective, scientific results based on the applicable law;
- e. failing to realise that there are costs if restrictions are too precautionary, just as there are costs if restrictions are not sufficiently precautionary. It is for others ie the Council or the Environment Court to make the appropriate judgement, not coastal scientists;
- f. failing to appreciate that the courts have said that the RMA is not a no-risk statute;
- g. failing to appreciate that the role of a scientist is to provide the appropriate type of objective, scientific information, including the uncertainties, to enable KCDC (or any Council and, ultimately, the Environment Court) to make a decision on the basis of reliable and relevant scientific information and for submitters to participate effectively in the RMA process;
- h. failing to understand that a coastal scientist should be providing objective, scientific results that are able to be used for the intended purpose. As the Coastal Panel said:

"From a statistical perspective, it is recommended that "best estimates" rather than precautionary values be adopted, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate. Alternatively, one could give several scenarios based on best, worst and mid-way cases." (page 45)

"The assessment of coastal hazard zones should consider a range of plausible scenarios (e.g. low, mid, high, or best estimate and extremes)." (ES.7 and page 47);

- i. failing to appreciate that KCDC or any Council needs to assess the costs and benefits of any regulatory approaches (although it is required to give effect to the NZCPS 2010<sup>21</sup>). It is not for the coastal expert to decide to provide only results that show that properties will "in the future ... be virtually free of erosion hazard" based on very unlikely results or for the coastal scientist to apply their own idea of acceptable policy. As the Coastal Panel said;

"An economic assessment of the consequences of planning restrictions needs to be undertaken before imposing them, since the restrictions may have been made on the basis of calculations which may be excessively precautionary. One needs to balance the cost to property owners of any restrictions with the actual risk (and its time scale) and one can't do this if there are hidden "precautionary" adjustments" (page 45);

- j. failing to describe the results in the CSL reports (or other experts' reports) as "very unlikely", instead using words like "precautionary" or "conservative" (others also use such terms, as well as "potential"), not identifying what is meant by those terms, and masking the true nature of the results being provided;
- k. failing to appreciate that providing only very unlikely results, and doing that without explicitly stating that the results are very unlikely (instead of using ambiguous terms like "precautionary", "conservative" or "potential"), sabotages the legal process. There is not proper, objective, scientific information, including the uncertainties, to enable submitters to participate in an informed manner and to enable KCDC or any Council to carry out its functions.

119. Many people assume:

- a. that residents will react negatively if provided with good information about risks to their property;
- b. that in Kapiti it is the residents who are unreasonably rejecting steps that the Council is trying to take; and
- c. if only people would listen to the coastal scientists everything would work out well.

120. Some residents may react negatively, but many want to know if their properties are exposed to risk and over what timeframe.

121. What Kapiti residents objected to was:

- a. no consultation;
- b. misrepresentation of the results;
- c. lack of compliance with the law; and

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<sup>21</sup> *Environmental Defence Society Inc v The NZ King Salmon Co Ltd* [2014] NZSC 38.



- d. precautionary assumption added to precautionary assumption added to precautionary assumption resulting in unreasonable, and now "very unlikely", results.
122. CSL's own subsequent reports for specific areas demonstrated that its own 2008 and 2012 reports considerably overstate the situation. In:
- a. the northern part of the Waimeha inlet report, the lines were moved substantially seaward, if not completely off, the property of the landowner;
  - b. the Waikanae estuary in the vicinity of Kotuku Parks subdivision report, the lines were moved off the property. "Both the managed and unmanaged lines are now seaward of the Kotuku Parks boundary by about 40 m with the managed line adjustment increasing up to about 65 m in the northern sector" (page 7); and
  - c. the draft (but not released) managed scenario report for the Mangaone Inlet resulted in 2 or 3 properties being affected, not about 30.
123. Ultimately, it has been proven that the Kapiti residents were right. The results are not sufficiently robust to be used for the Proposed District Plan (Coastal Panel), should not be relied upon (KCDC's website), and are very unlikely (CSL's website).
124. But what a terrible waste of time, money, energy and emotion. And little or no progress in assessing the range of options for the areas that are truly at risk of erosion.
125. It is counterproductive to overstate the problem for many other reasons including:
- a. it causes people to react negatively to the overstatements;
  - b. focusses attention on the overstatements rather than the main messages or solutions;
  - c. does not focus attention on areas truly at risk and assist in dealing with the issues faced by those in the areas at risk;
  - d. unfairly affects those not at risk;
  - e. wastes resources on areas not at risk;
  - f. does not enable the RMA process to proceed efficiently and effectively, with appropriate information for the submitters and the decision-maker.

**Risk management and uncertainty - AS/NZS ISO 31000:2009 Risk management - Principles and guidelines**

126. The definition of risk in the NZCPS 2010 refers to AS/NZS ISO 31000:2009 *Risk management - Principles and guidelines*. That Standard supersedes AS/NZS 4360:2004.
127. While the Standard may not legally be directly applicable, it is perhaps worth noting some of the principles from the Standard:
- \*d) **Risk management explicitly addresses uncertainty.**  
  
Risk management explicitly takes account of uncertainty, the nature of that uncertainty, and how it can be addressed.  
  
...
  - f) **Risk management is based on the best available information.**  
  
The inputs to the process of managing risk are based on information sources such as historical data, experience, stakeholder feedback, observation, forecasts and expert judgement. However, decision makers should inform themselves of, and should take into account, any limitations of the data or modelling used or the possibility of divergence among experts.  
  
...
  - h) **Risk management takes human and cultural factors into account.**  
  
Risk management recognizes the capabilities, perceptions and intentions of external and internal people that can facilitate or hinder achievement of the organization's [organization is a wide-ranging term] objectives.
  - i) **Risk management is transparent and inclusive.**  
  
Appropriate and timely involvement of stakeholders and, in particular, decision makers at all levels of the organization, ensures that risk management remains relevant and up-to-date. Involvement also allows stakeholders to be properly represented and to have their views taken into account in determining risk criteria."
128. Providing only very unlikely results, overstated results, or results with hidden (or difficult to untangle) precautionary adjustments:
- a. does not explicitly take account of uncertainty;
  - b. does not provide the best available information;
  - c. perhaps demonstrates that a human factor currently being ignored is the human factor of the coastal scientists. Everyone assumes that

property owners are being unreasonable and that the scientists are being objective and scientific. That was my view of the Kapiti situation for a long time, before I eventually read the scientific reports; and

- d. is not transparent and does not enable appropriate involvement of stakeholders. There is not the appropriate range and type of transparent, objective information to enable informed participation by submitters, or decision-makers, in the RMA process.

**NZCPS 2010 provisions, the recommendations of the Coastal Panel vs conventional practice of NZ coastal experts, and what submitters and decision-makers are entitled to expect from scientific reports and coastal experts**

129. In conclusion, I:

- a. repeat what I said earlier about the wording of Policies 24, 25 and 27;
- b. repeat some of the recommendations of the Coastal Panel;
- c. consider the apparent conventional practice of NZ coastal experts; and
- d. set out what, in my opinion, submitters and decision-makers are entitled to expect from scientific reports and coastal experts.

130. Policy 24 effectively says that the Council's function is to:

- \*(1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to [(a) to (h)] taking into account national guidance and the best available information on the likely effects of climate change on the region or district.\* (emphases added)

131. Risk is defined in the NZCPS 2010 as:

"Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence ...". (emphasis added)

132. So, to carry out its functions under Policy 24, a Council needs to:

- a. identify areas potentially affected by coastal hazards, with the hazard risks being assessed taking into account the likely effects of climate change;
- b. give priority to the identification of areas at high risk of being affected;
- c. in assessing risk (likelihood x consequences), consider the likelihood of coastal erosion occurring and the consequences.

133. Policy 25 of the NZCPS 2010 deals with "areas potentially affected by coastal hazards", so "potentially affected" is used on its own there. However, it is my view that it should be read in the context of Policy 24, which specifically deals with the "[identification of] areas ... potentially affected by coastal hazards" and also refers to the likely effects of climate change (and hazard risks), so that Policy 25 addresses areas identified by Policy 24.
134. Policy 27 of the NZCPS 2010 identifies the range of options the Council should assess for reducing coastal hazard risk in areas of significant existing development likely to be affected by coastal hazards. These areas should also have been identified by the Council during the Policy 24 process, as a subset of the other areas.
135. So producing only very unlikely or overstated results is not helpful. Nor are results where there are hidden precautionary adjustments or precautionary assumptions that cannot be readily untangled.
136. I repeat some of the recommendations of the Coastal Panel:

"It is recommended that studies such as these involve an experienced statistician, preferably one familiar with time-series analysis. There seems to have been only limited involvement of a statistician in the CSL analyses" (page 45);

"From a statistical perspective, it is recommended that "best estimates" rather than precautionary values be adopted, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate. Alternatively, one could give several scenarios based on best, worst and mid-way cases." (page 45);

"An economic assessment of the consequences of planning restrictions needs to be undertaken before imposing them, since the restrictions may have been made on the basis of calculations which may be excessively precautionary. One needs to balance the cost to property owners of any restrictions with the actual risk (and its time scale) and one can't do this if there are hidden "precautionary" adjustments." (page 45)

"Adaptive management provides a realistic alternative to excess speculation regarding definitive future coastal hazards." (page 47)

"The assessment of coastal hazard zones should consider a range of plausible scenarios (e.g. low, mid, high, or best estimate and extremes)." (page 47)

137. From a legal perspective, I particularly agree with the statement that:

"From a statistical perspective, it is recommended that "best estimates" rather than precautionary values be adopted, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate."

138. That is generally what I would have expected coastal experts to be doing. Doing that enables submitters and decision-makers to have access to transparent information about the assessment. I certainly did not expect to

uncover results based on precautionary assumption added to precautionary assumption added to precautionary assumption.

139. However, it is apparent that at least some coastal experts consider it their role to provide only very unlikely or overstated results.
140. The Coastal Panel said:
- "Where no factor of safety is adopted, conventional practice has been to adopt conservative/precautionary values. While it is appropriate to include a safety margin, this needs to be done in a transparent way and after taking account of the uncertainties involved in the estimates." (page 40)
141. So part of the problem may be this "conventional practice" that has apparently developed, presumably without considering:
- a. the appropriateness of the "best estimates" statistical approach; and
  - b. the need for transparent information to be provided in the RMA legal process to enable submitters to participate, and decision-makers to make well-informed decisions, based on appropriate scientific information.
142. As already noted, the Supreme Court in *Sustain our Sounds Inc v The New Zealand King Salmon Company Ltd* [2014] NZSC 40 said:
- "[157] We accept that public participation is a key tenet of decision making under the RMA with many public participatory processes... As noted by Keith J in *Discount Brands Ltd v Westfield (New Zealand) Ltd*, the purpose of these processes is to recognise and protect the particular rights of those who are affected and to enhance the quality of the decision making."
143. The Coastal Panel said "One needs to balance the cost to property owners of any restrictions with the actual risk (and its time scale) and one can't do this if there are hidden "precautionary" adjustments".
144. I would comment that one cannot make informed decisions of any type, or properly give effect to the NZCPS 2010, if there are hidden precautionary adjustments and/or if coastal experts are providing only very unlikely or overstated results.
145. It is made worse if the results are described ambiguously as precautionary, conservative or potential.
146. In my opinion, submitters and decision-makers are entitled to expect that scientific reports:
- a. convey objective, scientific, transparent information;
  - b. are fit for purpose;
  - c. have regard to the "short-term and long-term natural dynamic fluctuations of erosion and accretion" as set out in Policy 24(1)(b) and

to other scientific matters referred to in Policy 24 to enable the Council to perform its functions;

- d. are based on sound statistics, involving statisticians with appropriate statistical expertise;
  - e. state all assumptions, and state the implications of the assumptions (as far as possible), clearly;
  - f. not contain hidden precautionary adjustments (or precautionary adjustments that cannot readily be untangled from the results);
  - g. not add precautionary assumption, to precautionary assumption to precautionary assumption;
  - h. use, as the Coastal Panel recommends from a statistical perspective (and also recalling the *Gallagher* case, where the Environment Court selected the specified overtopping rate because it was the "best fit"), "best estimates" rather than precautionary values, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate;
  - i. not provide very unlikely results (unless for some reason they have been specifically told to do so and then the results will be described as very unlikely);
  - j. not describe results using ambiguous terms such as precautionary, conservative, or potential (or, if that is done, identify precautionary or conservative or potential compared to what, and by how much, so that submitters and decision-makers can understand what the coastal scientist actually means when they use those terms); and
  - k. identify the uncertainties eg by, as the Coastal Panel recommends, considering a range of plausible scenarios (e.g. low, mid, high, or best estimate and extremes).
147. From my perspective, if that is done (and especially in areas where there is significant existing development), some of the difficulties with the current RMA processes may at least diminish.
148. If the CSL results had been reasonable in the first place, I certainly would not have troubled myself with what has become the Kapiti coastal erosion fiasco. There are other things I would rather be doing with my life.

Joan Allin  
April 2015



**THE PRECAUTIONARY PRINCIPLE AND ITS  
ROLE IN COASTAL RISK MANAGEMENT**

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**UNDER THE NEW ZEALAND COASTAL POLICY  
STATEMENT AND THE RESOURCE MANAGEMENT  
ACT**

**Coastal Ratepayers United Inc.  
June 2015**



## Introduction

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This paper sets out the understanding of Coastal Ratepayers United (CRU) of the precautionary principle (PP) and its applicability to the management of coastal hazard. It notes where and when the PP is to be used and by whom; and, because the PP is applied in the absence of adequate scientific information and evidence, it identifies the need for the PP to be subject to other checks and balances to avoid its misuse.

CRU sees the need for this clarification as a way of avoiding a repeat of the misguided application of the PP as in the investigations leading to the coastal management provisions in the Kapiti District's Proposed District Plan which had to be withdrawn.

## Origin of the Term Precautionary Principle<sup>1</sup>

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It is widely accepted that the precautionary principle originally emerged from Germany in the mid-1970s where it was known as the *Vorsorgeprinzip*<sup>2</sup>. The World Charter for Nature, which was adopted by the UN General Assembly in 1982<sup>3</sup>, was the first international endorsement of the precautionary principle and by the late 1980s the principle was being incorporated into European environmental statements. It was subsequently reflected in a number of international conventions, but the most widely cited is the 1992 Rio Declaration on Environment and Development where, Principle 15 states: *In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation*<sup>4</sup>.

More recently, the New Zealand Coastal Policy Statement (NZCPS)<sup>5</sup> reiterated this when it made the precautionary approach one of its key policies, *Policy 3: Precautionary Approach*, which requires local authorities<sup>6</sup> to –

- (1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.
- (2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:
  - (a) avoidable social and economic loss and harm to communities does not occur;
  - (b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and
  - (c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.

This requires the precautionary approach to be applied *inter alia* to the use and management of coastal resources so as to avoid social and economic loss and harm from the effects of climate change and in meeting the needs of future generations.

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<sup>1</sup> For the purpose of this discussion paper, Precautionary Principle and Precautionary Approach are taken as synonymous. According to COMEST/UNESCO (2005) *The Precautionary Principle* - "in general, principle is employed as the philosophical basis of the precaution and approach as its practical application".

<sup>2</sup> Stevens, Mary (2002) *The Precautionary Principle in the International Arena*. Sustainable Development Law and Policy, Volume 2, Issue 2, Article 7

<sup>3</sup> <http://www.un.org/documents/ga/res/37/a37r007.htm>

<sup>4</sup> <http://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm>

<sup>5</sup> New Zealand Government (2010) *New Zealand Coastal Policy Statement 2010*. New Zealand Department of Conservation (DoC).

<sup>6</sup> The NZCPS 2010 states: "This NZCPS is to be applied as required by the [RMA] by persons exercising functions and powers under the [RMA]" (page 7) and it is therefore the role of the local authority (or the Environment Court) not the role of coastal scientists to apply the NZCPS 2010 as required by the RMA.

## Application of the Precautionary Principle

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COMEST/UNESCO<sup>7</sup> concluded that the precautionary principle is to be invoked where –

- there exist considerable scientific uncertainties;
- there exist scenarios (or models) of possible harm that are scientifically reasonable (that is based on some scientifically plausible reasoning);
- uncertainties cannot be reduced in the short term without at the same time increasing ignorance of other relevant factors by higher levels of abstraction and idealization;
- the potential harm is sufficiently serious or even irreversible for present or future generations or otherwise morally unacceptable;
- there is a need to act now, since effective counteraction later will be made significantly more difficult or costly at any later time.

It is debatable whether all these requirements are present in the management of coastal hazard arising from climate change. However, the two salient parameters for the application of the precautionary principle are still as in the original definition – (1) threats of serious or irreversible damage, and (2) lack of full scientific evidence or, as the European Commission<sup>8</sup> puts it, “*recourse to the precautionary principle presupposes that potentially dangerous effects deriving from a phenomenon, product or process have been identified, and that scientific evaluation does not allow the risk to be determined with sufficient certainty.*”

The European Commission<sup>9</sup> continues that, “*measures based on the precautionary principle should be, inter alia:*

- proportional to the chosen level of protection,
- non-discriminatory in their application,
- consistent with similar measures already taken,
- based on an examination of the potential benefits and costs of action or lack of action (including, where appropriate and feasible, an economic cost/benefit analysis),
- subject to review, in the light of new scientific data, and
- capable of assigning responsibility for producing the scientific evidence necessary for a more comprehensive risk assessment.”

By definition, values and measures arrived at through the application of the precautionary approach are derived in the absence of scientific certainty and are not based on evidence. Such values and measures must therefore be subjected to other checks and balances and some of these are considered below.

## Focus the Role of Science on Assessing the Risk and Not on Managing It

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The precautionary approach is about risk and there are two key steps in dealing with risk –

- Risk assessment and analysis
- Risk management

Cameron<sup>10</sup> defines risk assessment as the process of converting uncertainty into risk, and it entails:

- analysing the initiating events and the routes (pathways) through which the effect occurs
- specifying the size and severity of the risk
- estimating probabilities and expected values

<sup>7</sup> World Commission on the Ethics of Scientific Knowledge and Technology (COMEST) (2005) *The Precautionary Principle*. UNESCO, Paris.

<sup>8</sup> European Commission (2000) *Communication from the Commission on the precautionary principle*. Brussels, 02.02.2000 COM(2000) 1

<sup>9</sup> *op. cit.*

<sup>10</sup> Cameron, Linda (2006) *Environmental Risk Management in New Zealand – Is There Scope to Apply A More Generic Framework?* New Zealand Treasury Policy Perspectives Paper 06/06.

Risk assessment/analysis is a process which can certainly benefit from scientific research and investigation and in the application of a robust scientific approach there is no role for the PP. Cameron<sup>11</sup> further recommends that risk assessment "needs to be considered in the context of a more generic risk management framework, with clear guidelines that provide a systematic approach to setting the best course of action under uncertainty".

However, the Biosecurity Council<sup>12</sup> recommends further caution - "Scientists do not usually provide a unanimous body of opinion on a subject; there may be divergent scientific views on a subject. All relevant scientific opinion should be considered in a risk analysis and judged on the weight of available scientific evidence." Therefore regulatory measures (risk management) cannot be imposed simply on the basis of scientific opinion about perceived risks, even if arrived at through the application of a purely scientific approach. It is therefore essential that scientific advice is thoroughly questioned by other scientists (through peer review) as well as by the affected communities and that decisions reflect the spectrum of opinions that may exist<sup>13</sup>.

The second step, risk management builds on the risk assessment/analysis and attempts to answer the questions: Does anything need to be done about the risk? If so, what can be done about it? What should be done about it? Who should it be done by? To these can be added the question - When?

One thing is certain - "a zero-risk approach is untenable practically as well as conceptually [and] absolute safety cannot be a sensible regulatory goal"<sup>14</sup> and risk must therefore be managed.

Risk management is the responsibility of private landowners, planners, managers and local authorities and not scientists. Different people have different attitudes to risk and different degrees of ability to manage given risks. In such circumstances, there is no such thing as an objectively-determinable "socially-acceptable" level or risk. The European Commission<sup>15</sup> observes that "judging what is an "acceptable" level of risk for society is an eminently political responsibility . . . . In some cases, the right answer may be not to act or at least not to introduce a binding legal measure. A wide range of initiatives is available in the case of action, going from a legally binding measure to a research project or a recommendation."

Risk management raises the question of who has the decision-making responsibility, particularly in regards to private property. Private property owners have rights and they are responsible for decision-making regarding their property. It is they who should apply the precautionary approach when they develop options for responding to changing risks, and assess the likely costs and benefits of those options. They will choose a decision that best reflects their risk preferences.

Planning and management decisions, while informed by the scientific assessment, must also take into account a broader spectrum of non-scientific parameters, influences and opinions and be based on conventional risk assessment tools, including but not limited to cost-benefit analysis as mentioned by the European Commission<sup>16</sup>.

DoC's Guidance Note on NZCPS Policy 3<sup>17</sup> is quite clear that "The application of the precautionary approach is a risk management approach rather than a risk assessment approach." Science is only involved in the first step (risk

<sup>11</sup> op. cit.

<sup>12</sup> Hellstrom, J (2008) *Position Statement on the Application of Precaution in Managing Biosecurity Risks Associated with the Importation of Risk Goods*. NZ Biosecurity Council

<sup>13</sup> According to the European Commission (op. cit) The precautionary principle, which is essentially used by decision-makers in the management of risk, should not be confused with the element of caution that scientists apply in their assessment of scientific data.

<sup>14</sup> Majone, G (2010) *Strategic Issues in Risk Regulation and Risk Management*. Chapter 3 in *Risk and Regulatory Policy: Improving the Governance of Risk*. OECD Reviews of Regulatory Reform Series. OECD, Paris

<sup>15</sup> op.cit.

<sup>16</sup> op.cit.

<sup>17</sup> New Zealand Government (2010) *NZCPS 2010 Guidance Note Policy 3: Precautionary Approach*. New Zealand Department of Conservation (DoC)

assessment) and as there is no role for a precautionary approach in risk assessment/analysis, scientists should desist from applying a precautionary approach.

### Provide for a Meaningful Participatory Process

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Regardless of whether they are the result of a precautionary approach, but especially so if they are, decisions under the RMA must be made with the full participation of affected parties. As the Supreme Court<sup>18</sup> said: “We accept that public participation is a key tenet of decision making under the RMA with many public participatory processes. . . As noted by Keith J in *Discount Brands Ltd v Westfield (New Zealand) Ltd*, the purpose of these processes is to recognise and protect the particular rights of those who are affected and to enhance the quality of the decision making.”

Public participation must be meaningful and go beyond simply informing the public and must extend to actual decision-making. As COMEST/UNESCO<sup>19</sup> asserts, “it is one of the ethical principles of modern democracies that parties affected by a decision should have their preferences taken into account when the decision is made.” And the European Commission<sup>20</sup> adds, “The decision-making procedure should be transparent and should involve as early as possible and to the extent reasonably possible all interested parties.”

Among the parameters that need to be taken into account in reaching decisions on hazard and risk management in the coastal environment, is the risk tolerance of those directly affected by the decisions. It must also be remembered that “benefits accrue decades later in the form of avoided climate change impacts. Even if the benefits in monetary terms outweigh the costs measured over a long period of time, such propositions are not very attractive or understandable for many people<sup>21</sup>”.

Many of those who have chosen to live on the coast are aware of the risks that come with the location and should be prepared to accept and manage these risks balanced as they are by the benefits of the location.

### Assess the Comparative Costs and Benefits

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Risk management options (including the do-nothing option) arrived at through a precautionary approach must be subject to a wider generic framework for decision-making under uncertainty, including an analysis of the comparative costs and benefits. The costs and benefits of acting now must be compared with the costs and benefits of acting sometime in the future. Unfortunately, the precautionary approach provides no guidance on how to evaluate the risk of taking costly action unnecessarily versus the opposite risk of failing to take action that should have been taken. In principle the standard utility maximising framework, and cost-benefit analysis go beyond monetary values and extend into quality of life and the impacts of stress. Inter-generational equity must also be considered, but if political processes dictate a greater cut in current consumption for the benefit of future consumption that some in the community are willing to contemplate, the burden of that imposed sacrifice should not be imposed disproportionately on a political minority.

Decision-makers must be careful to avoid imposing costs and losses on the community through premature or inappropriate action or by unduly delaying appropriate action.

According to the Kapiti Coastal Experts Panel<sup>22</sup>, “An economic assessment of the consequences of planning restrictions needs to be undertaken before imposing them, since the restrictions may have been made on the basis of calculations which may

<sup>18</sup> Supreme Court in *Sustain our Sounds Inc v The New Zealand King Salmon Company Ltd* [2014] NZSC 40

<sup>19</sup> *op.cit.*

<sup>20</sup> *op.cit.*

<sup>21</sup> European Environment Agency (2013) *Late Lessons from Early Warnings: Science, Precaution, Innovation*. Publications Office of the European Union, Luxembourg

<sup>22</sup> Carley, J T, P D Komar, P S Kench and R B Davies (2014) *Coastal Erosion Hazard Assessment for the Kāpiti Coast*:



*be excessively precautionary. One needs to balance the cost to property owners of any restrictions with the actual risk (and its time scale) and one can't do this if there are hidden "precautionary" adjustments."*

It is also current practice to make a distinction between existing use and greenfield development. For example, Bell<sup>23</sup> recommends "an adaptive management approach for existing development which is periodically adjusted" in response to monitoring of sea level and associated reviews. This is different from new developments which need to be considered within a longer term context<sup>24</sup>.

## Accept that the Position of the Coastline is Based on More than Sea Level

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In assessing coastal hazard, the focus is usually on the position of the coastline, erosion and accretion; and, the emphasis in such an assessment/analysis is usually on sea level. However, according to the Ministry for the Environment<sup>25</sup>, the position of the coastline is the result of the following drivers and interactions between them:

- relative sea-level rise
- long-term sea-level fluctuations
- the frequency and magnitude of storm surges
- tidal range (coasts with relatively small tidal ranges could be more vulnerable)
- storminess and wave and/or swell conditions
- rainfall patterns and intensity, and their influence on river and cliff sediment supply
- Landforms and geology of the coast, and any modifications that people have made (perhaps indirectly) to the coast.

To these can be added –

- distance from sources of sediment and littoral drift
- predominant wind direction and speed and impact on wave climate
- storm events and storm surge and frequency

All the above have an important influence on the position of the coastline and any attempt to assess the risk of sea incursion must consider them all. In a changing climate, some of these influences can have a positive outcome in terms of the position of the coastline and a precautionary approach needs to work both ways.

## What the Precautionary Approach is Not

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COMEST/UNESCO<sup>26</sup> has an excellent summary of what the precautionary approach is not. It states that,

*"To avoid misunderstandings and confusions, it is useful to elaborate on what the PP is not. The PP is not based on 'zero risks' but aims to achieve lower or more acceptable risks or hazards. It is not based on anxiety or emotion, but is a rational decision rule, based in ethics, that aims to use the best of the 'systems sciences' of complex processes to make wiser decisions. Finally, like any other principle, the PP in itself is not a decision algorithm and thus cannot guarantee consistency between cases. Just as in legal court cases, each case will be somewhat different, having its own facts, uncertainties, circumstances, and decision-makers, and the element of judgement cannot be eliminated."*

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*Review of the Science and Assessments Undertaken for the Proposed Kapiti Coast District Plan 2012. Kapiti Coast District Council.*

<sup>23</sup> Bell, R.G. (2011) *Sea-Level rise synthesis for Auckland (2011)*. Prepared for Auckland Council. NIWA

<sup>24</sup> However, there may not be any economic justification for discriminating against the new development.

<sup>25</sup> King, Julie (2009) *Preparing for Coastal Change – A guide for Local Government in New Zealand*. Ministry for the Environment

<sup>26</sup> *op. cit*

Application of the precautionary approach should not be the default option; rather, it should be the last resort to be used only in the face of scientific uncertainty. As the Kapiti Coastal Experts Panel<sup>27</sup> noted, *"From a statistical perspective, it is recommended that "best estimates" rather than precautionary values be adopted, with margins of error or factors of safety kept separate from the estimates and added at the end if appropriate. Alternatively, one could give several scenarios based on best, worst and mid-way cases."*

### Conclusion – Passing the Test for Precaution

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The precautionary approach is only evoked when the uncertainty is material to the management of significant risks. Just being uncertain about the likelihood of an event does not call for precaution unless it has serious (adverse) consequences. Similarly, being uncertain about the consequences of an event does not call for precaution if that event is not likely.

For example, while the range of the projected sea level rise from 1986-2005 to 2081-2100 (0.26 m to 0.82 m)<sup>28</sup> is large, it is reasonably quantified so any risks can be assessed and management strategies developed for them. A precautionary approach is not called for.

Even where the uncertainty is not constrained (e.g. collapse of marine-based sectors of the Antarctic ice sheet) the likelihood might still be assessed as being so low and distant that the risk can be put aside until further information can be gathered. This is a form of precaution.

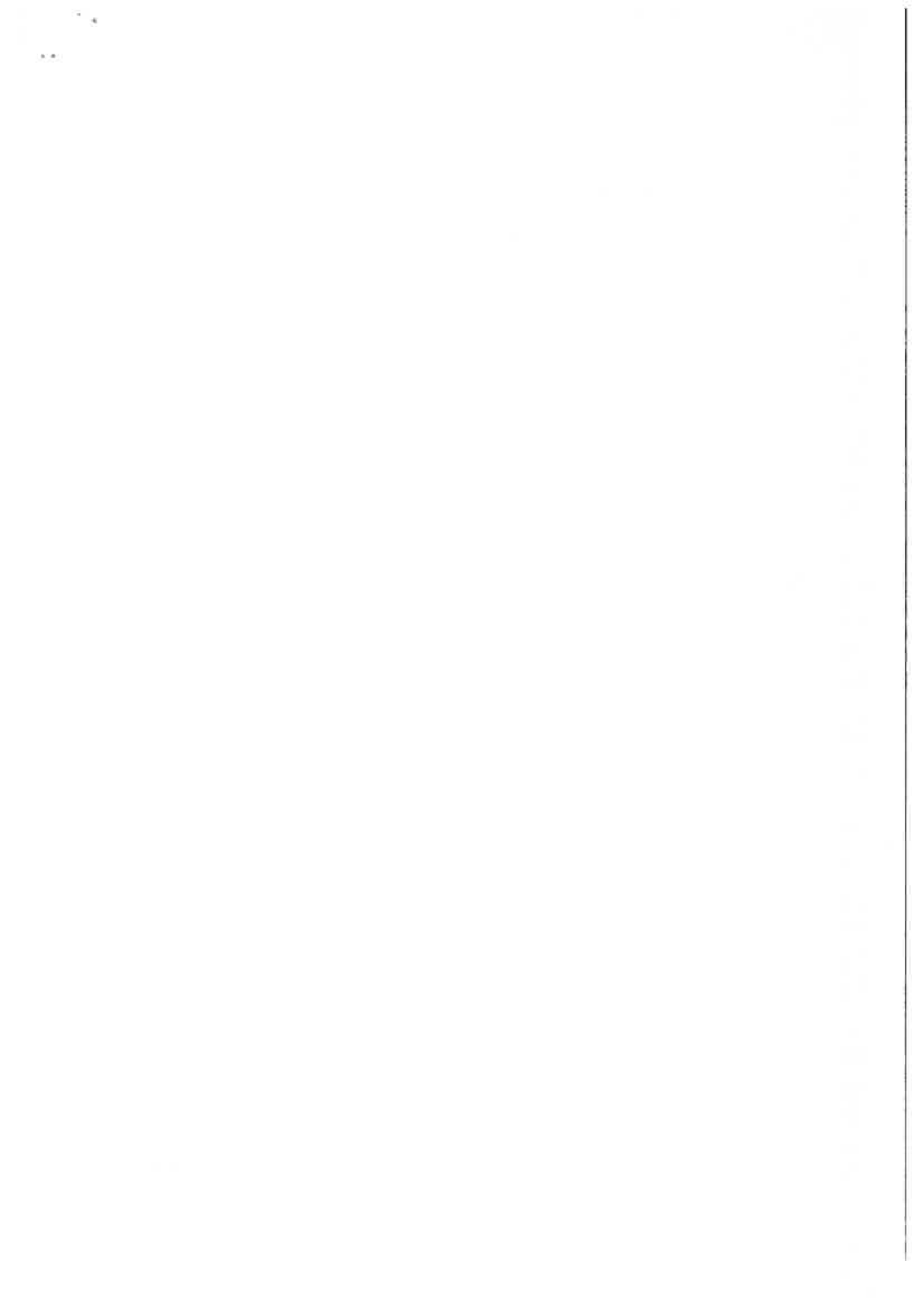
Finally, the uncertainty may simply not encompass events with serious enough consequences. In Kapiti, coastal erosion in Queen Elizabeth Park has different consequences from erosion in built up areas, and the need for precaution in the face of uncertainty differs accordingly.

The decision on whether to apply caution requires the science to deliver untainted estimates of risk, consequences, probabilities and uncertainty across the full range of outcomes. It also requires information from diverse other experts about the likely consequences for each event and input from the community on their attitude to risk and on the weight they give to good and bad outcomes. The optimal decision will depend on both the nature of what is being managed and the attitudes of those involved.

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<sup>27</sup> *op. cit.*

<sup>28</sup> Church, *et al* (2013) *Sea level change*. In IPCC AR5 WG1



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# Kapiti Coast coastal hazard assessment

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## Executive summary

The Kapiti Coast consists of a coastal plain that merges with cusped foreland that has been accreting in the lee of Kapiti Island since sea level reached a maximum between 7,000 and 8,000 BP. The current average rate of accretion varies between 0.4-0.6 m.y<sup>-1</sup>, which is consistent with the long-term rate over the Holocene. Despite the overall trend for accretion, some areas have experienced coastal erosion that has affected coastal properties since 1900. The areas consistently affected by erosion are located south of the Tikotu Creek (Raumati and Paekakariki).

The sediments of the Kapiti coastal plain are primarily derived from the major rivers to the north (170 kt.y<sup>-1</sup>) and local rivers (28 kt.y<sup>-1</sup>). The supply of sediment appears to be affected by climatic oscillations influencing precipitation and windiness, potentially resulting in a cycle of longshore sediment transport of 50-60 years duration. This cycle appears to significantly affect the migration of inlet systems along the coast.

There is no compelling evidence of any relationship between prehistoric and historic shoreline movement and sea level and climatic changes for the Kapiti Coast. There is evidence that local earthquakes producing abrupt changes in relative sea level, and tsunamis have affected the shoreline stability.

The methodology adopted by Coastal Systems Ltd (CSL) was analysed, and this report discusses the various aspects that influence the Coastal Erosion Prediction Distance (CEPD) lines produced. The major concerns with the methodology are:

1. The methodology systematically maximises the CEPD at almost every step in the process in order to produce a conservative result. Consequently, the predicted CEPD lines greatly overestimate the risk of coastal erosion for the Kapiti Coast. Hence, it is unreasonable to assume that all of the properties seaward of the CEPD will experience erosion during the prediction periods of 50 or 100 years. The available data indicate that there is in fact a low risk that the majority of properties seaward of the CEPD will be affected by coastal erosion within this time period.
2. Components of the methodology used have been recognised as inappropriate for the purpose. The methodology also did not consider the morphodynamic differences along the coast associated with changing sediment type and foredune vegetation, which influence erosion processes and hence erosion hazard.
3. A risk assessment of coastal erosion hazard should include a probabilistic analysis of the drivers and impacts related to coastal erosion. This was not done, so there are no data to quantify risk, or permit a cost-benefit analysis of any proposed management responses.

Applying the CSL methodology as a hindcast for the interval 1950-2007 demonstrated that the methodology is a very poor predictor of past coastal erosion (4% success compared to 87% assuming past trends). This does not provide confidence in the reliability of the methodology for predicting future coastal erosion. Given the identified problems, the CSL methodology cannot be used to make an assessment of the risks of coastal erosion at any point on the Kapiti Coast, and an alternative probabilistic approach should be utilised.

One alternative approach is to evaluate the sediment budget the Kapiti Coast, in order to identify areas unlikely to stop accreting, those that may start eroding in the future, and those that are in sediment deficit. At present the average accretion rate for the Kapiti Coast is of the order  $1.2 \text{ kt.y}^{-1}$ , which is 2 orders of magnitude smaller than the available sediment supply ( $\sim 200 \text{ kt.y}^{-1}$ ). Therefore, it is unlikely that most of the shoreline will change to a long-term sediment deficit.

The determination of the CEPD lines should differ to account for the availability of sediment. Areas with a sediment surplus, and hence accreting, should require a CEPD primarily based on the short-term storm event erosion. This is best determined from shore profile data, which would provide the probability distribution for shoreline recession caused by storms.

Areas with an existing or potential sediment deficit should be subject to a process-based probabilistic analysis of the CEPD. An example for the Kapiti Coast based on the methodology of Ranasinghe *et al* (2012) is given in the report.

## Structure of Report

This Report is structured as follows:

- Executive summary
- Introduction
- Kapiti Coast background
  - Geomorphology
    - Cuspate foreland
  - Holocene development
    - Sources of sediment
    - Dune sequences
    - Influence of dune vegetation
  - Inlets
  - Relative land movements, sea level and climate effects
    - Shoreline response to eustatic sea level rise
    - Shoreline response to abrupt relative sea level rise
    - Impacts of storm activity on sediment supply
    - Impacts of climate on storm activity
    - Conceptual model of sediment pathways
  - Implications for managing coastal erosion hazard
- Coastal Systems Ltd Methodology
  - Open coast erosion
  - *LT* – Longer-term trend derivation and uncertainty
  - *ST* – Shorter-term shoreline fluctuation and uncertainty
  - *SLR* – Impact of sea level rise determination and uncertainty
  - *DS* – Dune stability factor determination and uncertainty
  - *CU* – Combined uncertainty determination
  - Removal of structures
  - Inlet Methodology
  - Summary of methodological concerns
- Alternative approach

## Introduction

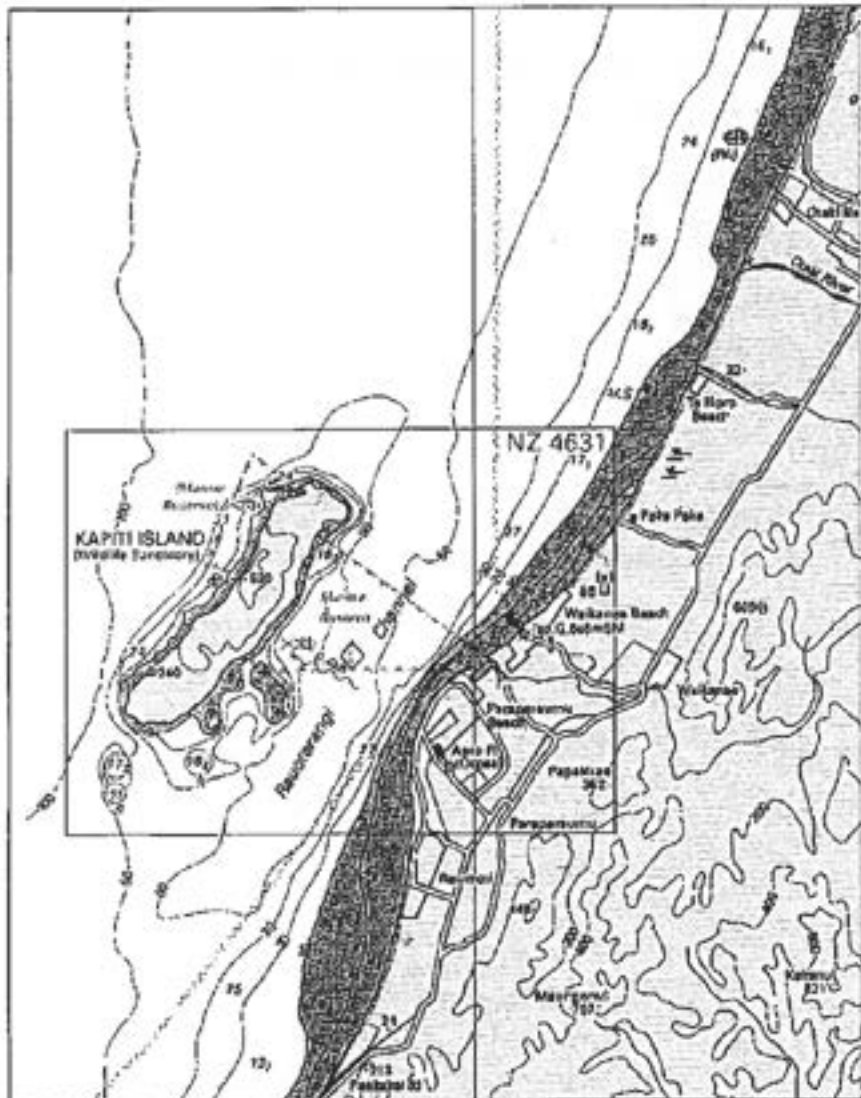


Figure 1. Section of hydrographic chart NZ 46 showing the Kapiti District shoreline between Otaki Beach and Fisherman's Table Restaurant Paekakariki. Note the cusped foreland associated with Kapiti Island, and the varying nearshore gradient between the shoreline and 10 m depth contour

The Kapiti Coast District Council contracted Coastal Systems Limited to provide coastal erosion hazard assessments for the Kapiti Coast (generally shown in Figure 1), and in particular to define coastal erosion hazard distance (CEHD) lines corresponding to predicted coastal erosion over 50 years (CSL, 2008a & b), and subsequently 100 years (CSL, 2012). Potential coastal hazards other than erosion were excluded from the analysis.

In general, the approach used to define the CEHDs, which were renamed coastal erosion prediction distance (CEPD) lines in the 2012 report, follows what has been best practice for determining coastal setback lines in terms of the individual components that should be considered: long-term

trends; short-term fluctuations; changes in forcing processes; and characteristics or stability of coastal sediments (viz. Gibb, 1983; Healy and Dean, 2000; Ramsay *et al.*, 2012). However, this methodology does not consider the probabilities associated with the components, and hence does not provide a probabilistic assessment of risk, which is a requirement of risk management coastal planning frameworks (Ranasinghe *et al.*, 2012).

Further, CSL (2008a) modified the methodology used to determine the individual components of the CEPD lines, and made assumptions that appear to reflect planning interpretations and not objective science, that in combination indicate that the results are unfit for their intended purpose.

Comparison between predicted shoreline trends using standard methodology and the observed shoreline trends indicates that the standard methodology is not appropriate (viz. List *et al.*, 1997; Cooper & Pilkey, 2004; Fitzgerald *et al.*, 2008), and assumed changes of forcing processes do not agree with observations (de Lange and

Carter, 2013). It has also been recognised that better methods for assessing coastal hazards are required that do incorporate a probabilistic estimate of coastal response to sea level (viz. Ranasinghe *et al*, 2012). Therefore, an alternative approach should be used.

This report considers the Holocene evolution of the Kapiti Coast and resulting beach characteristics, evaluates the Coastal Systems Limited methodology and assumptions, and suggests an alternative approach to assessing the risk of coastal erosion.

## Kapiti Coast background

### Geomorphology

The Kapiti Coast between just north of the Wālorongomai Stream in the north, and the Fisherman's Table Restaurant, Paekakariki, in the south, is largely an extension of the sand country that forms the coastal plains of the Manawatu (Wright, 1988). The Holocene coastal plain consists mostly of dune sequences enclosing peat swamps that lie seaward of an assumed interglacial highstand seacliff formed after sea level reached approximately the present level 7,000-7,500 years ago (Hawke and McConchie, 2006; Gibb, 2012). The width of the Holocene coastal plain varies along the coast, being around 3 km wide at Te Horo, reaching a maximum width of 4.2 km at Paraparaumu Beach, and decreasing to zero at Fisherman's Table Restaurant (Figures 1 & 2).

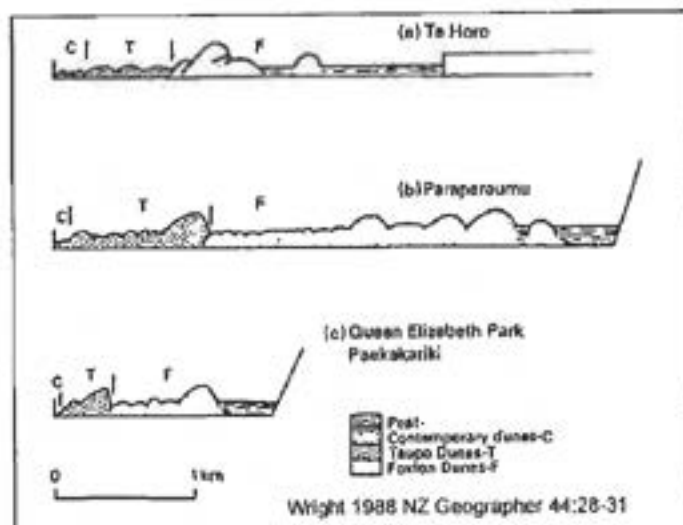


Figure 2. Schematic cross-sections of the Kapiti Coast coastal plain showing the main units identified by Wright (1988) and the varying width.

### Cuspate foreland

The longshore variation in shoreline position is referred to as a cuspate foreland, being generally triangular in shape and comprising of a series of shore parallel beach ridges and dunes, indicating overall offshore progradation (Craig-Smith, 2005). Although it was suggested by Wright (1988) that the cuspate foreland formed in response to wave refraction, Black and Andrews (2001) argue that due to the deep waters of the Rauoterangi Channel, the primary mechanism is wave sheltering in the lee of Kapiti Island, and hence a reduced transport capacity. The maximum coastal plain width corresponds with the apex of the cuspate foreland (Figure 1). There is a significant longshore variation in nearshore gradient as indicated by the separation between the shoreline and the 10 m depth contour. The steepest gradient occurs between the Otaki River and Te Horo Beach, in association with mixed sand-gravel beaches, and the flattest gradient occurs between Raumati and Paekakariki (Figure 1).

The nearshore zone narrows significantly at the apex of the cuspate foreland, with a rapid increase in water depth from 0 m to 30 m close to the shoreline (Figure 1). It is suggested that the steep slope and strong currents in the Rauoterangi Channel limit further progradation towards Kapiti Island, and hence preclude further progradation towards Kapiti Island, and hence development of a tombolo (Wright, 1988).

It has also been suggested that the proximity of deep water to the apex of the cusped foreland results in the loss of sediment into the Rauoterangi Channel, where strong currents disperse it (Wright, 1988). However, Chiswell and Stevens (2010) demonstrate that the residual current is towards the southwest so the ridge connecting Kapiti Island to the mainland would trap sediment (Figure 1), and the maximum near bed velocities in the channel are 0.1-0.2 m.s<sup>-1</sup>, which are too low to transport sandy sediment. Further, the seabed in the channel consists primarily of rock, cobbles, and gravel with broken shell, with minor areas of mud and broken shell (Chart NZ 4631). Therefore, the Rauoterangi Channel is unlikely to be a major sediment sink for the sands transported south along the coast. It is more likely that sediment is accumulating on the inner shelf between Raumati and Pukerua Bay, south of Paekakariki (Figure 1), following the sediment transport pathway proposed by Gibb (1978) (Figure 10 below).

## Holocene development

### Sources of sediment

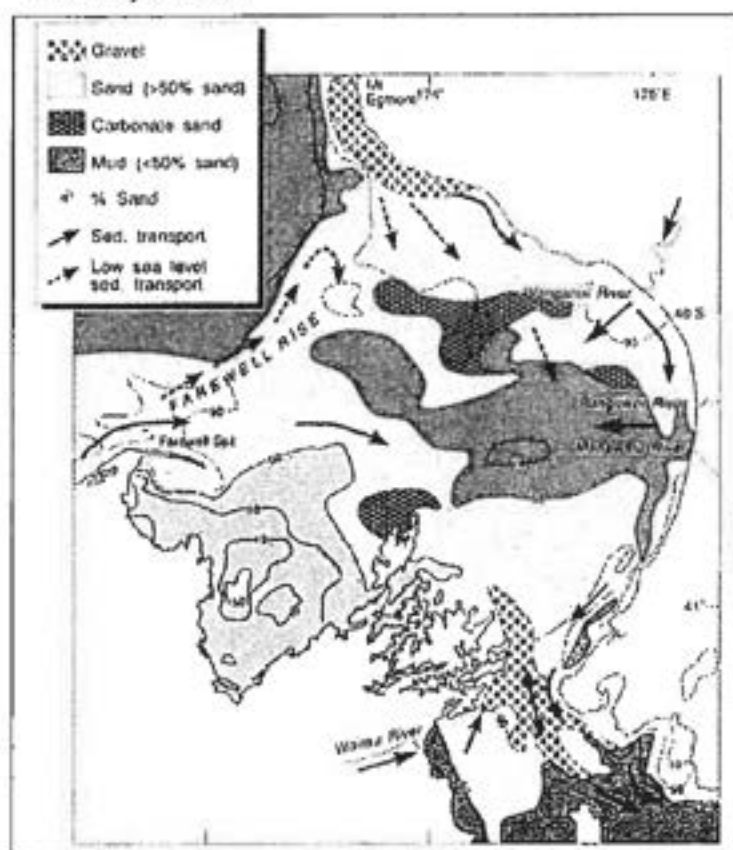


Figure 3. Summary of continental shelf sediment types between Farewell Rise and Cook Strait. (Lewis et al., 1994). Also shown are inferred sediment pathways for interglacial (solid arrows) and glacial (low sea level) conditions (dashed arrows).

Multiple sources of sediment for the Kapiti coastline have been identified. Gibb (1978) suggested that the sediment was derived from three main source regions (Figure 3) summarised below, with estimates of the present day bedload sediment discharge from Griffiths and Glasby (1985):

1. From the catchments of the Wanganui (70 kt.y<sup>-1</sup>) and Rangitikei (40 kt.y<sup>-1</sup>), and Manawatu (60 kt.y<sup>-1</sup>) Rivers;
2. Smaller rivers draining the Tararua Ranges, including the Otaki River (20 kt.y<sup>-1</sup>) and Waikanae River (8 kt.y<sup>-1</sup>); and
3. Erosion of volcanoclastic deposits around Mt Taranaki/Egmont (*viz.* Cowie et al., 2009).

It is also evident that small volumes of sediment are derived from the Te Paripari cliffs south of Paekakariki (Adkin, 1951),

although this source may have been restricted by the construction of State Highway 1 (Gibb and Depledge, 1980).

Beaches around the northern and eastern North Island coast also have derived a significant proportion of their total sediment volume from onshore movement of sand during sea level rise (*viz.* Schofield, 1970), and this process appears to be ongoing (*viz.* Bear et al., 2009). Wright (1988) suggests that some of the sands along the Kapiti



Coast represent sediment deposited on the continental shelf during previous glacials and moved onshore in response to sea level rise (marine bulldozing effect).

However, analysis of the sediment textural characteristics suggests the contribution from offshore is relatively small. Firstly the longshore distributions of grain size and sorting indicate a predominantly southwards movement along the shoreline from Taranaki to Paraparaumu Beach. Textural and compositional characteristics also suggest that there is a weak northwards movement from Paekakariki to Paraparaumu Beach (Gibb, 1978; Gibb and Depledge, 1980; Wright, 1989; Kasper-Zubillaga, *et al.*, 2007). Secondly, the compositional characteristics of the sands between Otaki and Raumati indicate that the sediment is immature, reflecting a strong fluvial component with little modification by marine processes, and closely linked to sands found between Foxton and Wanganui predominantly derived from the Whanganui, Whangaehu, Rangitikei and Manawatu Rivers, and Kaikakopu Stream (Kasper-Zubillaga *et al.*, 2007). There is some evidence that the same sediment sources contributed to Farewell Spit, and some sediment derived from the South Island is present. This observation is inconsistent with the interpretation of glacial and interglacial sediment pathways of Lewis *et al.* (1994) shown in Figure 3. Finally, the offshore sediment characteristics (Figure 3 and LINZ Chart NZ 4631) indicate that there is a zone of mud dominated seabed along the coast, so there are limited sand resources directly offshore from most of the Kapiti Coast, except for the shallow area between Kapiti Island and the coast between Paraparaumu Beach and Paekakariki.

Based on 14 months of visual observations of wave conditions and the estimated volume of longshore sediment transport from Williams (1988), the present day gross mass longshore transport is of the order 80-240 kt.y<sup>-1</sup>. This is comparable to the estimated net total mass bedload discharge from the major rivers identified as sediment sources above. It is likely that the main sediment sink is progradation of the cusped foreland, both seaward and vertically due to inland movement of sand dunes.

#### Dune sequences

Various studies have investigated the dune sequences of the Kapiti Coast, with McFadgen (1997) providing a useful summary (Figure 4). Key dune sequences have been identified, initially based on geomorphology and soil development and subsequently by dating using <sup>14</sup>C.

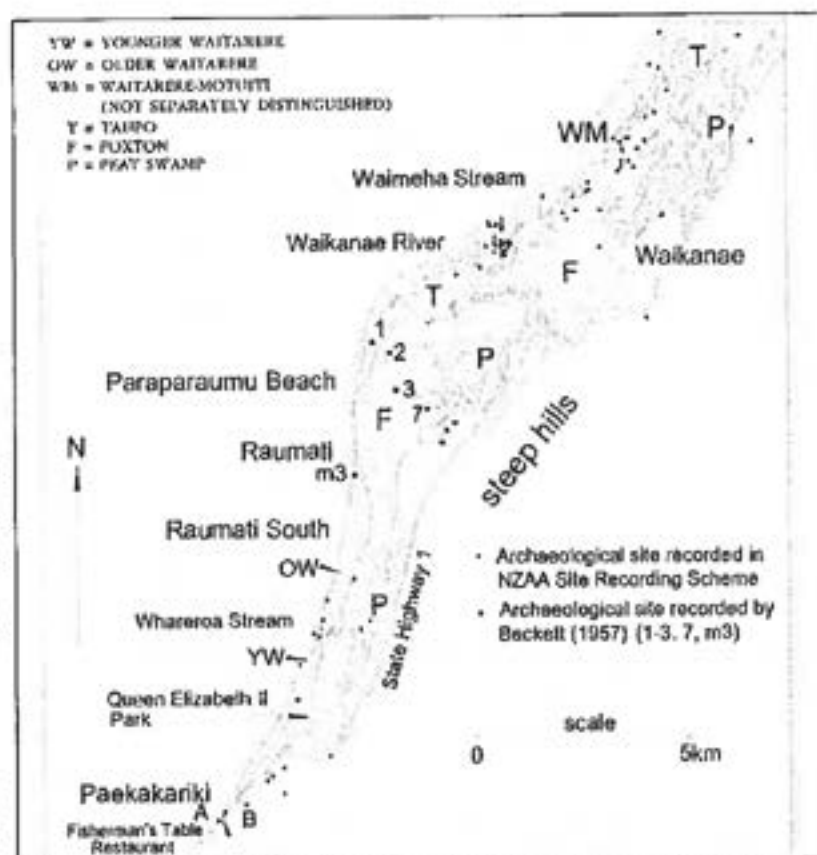


Figure 4. Sketch map of the cusped foreland showing the main Holocene dune deposits and peat (identified by McFadgen (1997)). State Highway 1 approximately follows the position of the interglacial highstand seacliff.

optically stimulated luminescence (OSL), and tephrochronology (Muckersie and Shepherd, 1995; McFadgen, 1997; Hesp, 2001; Hawke and McConchie, 2006; Clement *et al.*, 2010), and these include (Figure 4):

1. *Koputaroa dunes* generally located landward of the interglacial highstand seacliff and dated at 9,000-12,700 BP. They are attributed to deposition of sand blown from braided riverbeds. Further north, an older sequence of Koputaroa dunes has also been linked to a marine source when sea level was 40-50 m below present.
2. *Swamp Road dunes* that appear restricted to the Otaki-Te Horo area, and do not appear in Figure 4. These are the most landward dunes formed after sea level reached approximately the present level around 7,500 BP. These dunes are dated at 2,390-5,460 BP, and stratigraphically are considered to have formed between 4,000-4,400 BP from a marine source (as are all the younger dunes), with a fluvial input from the Otaki River.
3. *Foxton dunes* are a part of an extensive region of dunes associated with a rapid progradation of the Manawatu coastal plain between 6,500 BP and 1,600 BP. Their formation has been attributed to the onshore movement of sediment from the continental shelf associated with sea level rise. Two phases of Foxton dune development in the Manawatu can be recognised, an initial phase contemporaneous with the Swamp Road dunes, and a younger phase contemporaneous with the Foxton dunes of the Kapiti Coast dating around 2,100-3,200 BP. The onset of the younger phase coincides with 1.5-3 m of uplift at Kapiti Island and a regional tsunami associated with a local earthquake, probably on the Wairau Fault, at  $3,360 \pm 40$  BP (Goff *et al.*, 2000), suggesting this event may have destabilised the coastal dunes as is evident at Raumat South (Figure 5) in response to a 15<sup>th</sup> Century tsunami (Goff *et al.*, 2007).
4. *Taupo Pumice*, while not directly forming sand dunes, is an important stratigraphic marker. During the Taupo Eruption of 1717 cal BP (Lowe *et al.*, 2008), airfall lapilli and ash (tephra) covered the dunes, and larger sea rafted clasts were deposited on the beaches. In some areas of the Kapiti Coast, the deposits of sea rafted pumice are extensive (Figure 4). These have been interpreted as marking the location of the

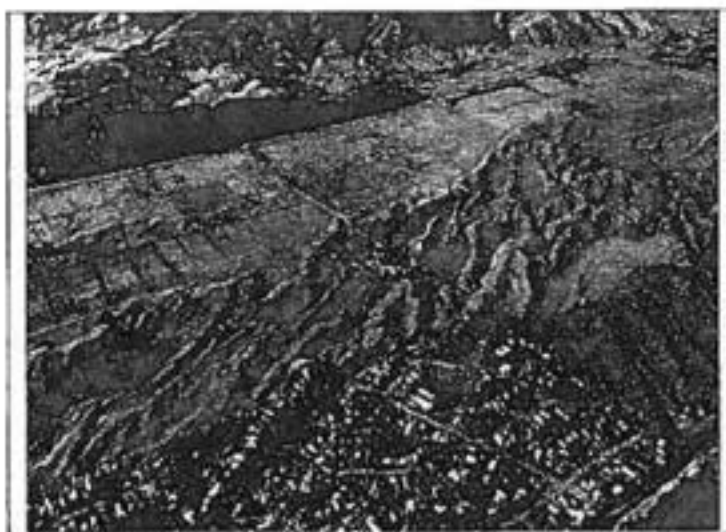


Figure 5. Sand dunes at Raumat South that were remobilised by a tsunami in the 15<sup>th</sup> Century and then stabilised by vegetation (Goff *et al.*, 2007).

shoreline at the time of the eruption (*viz.* Gibb, 1978). However, pumice clasts are easily broken down in the swash zone of a beach, so preservation requires that they are buried or transported inland (de Lange and Moon, 2007). Hence, the Taupo Pumice deposits identified in Figure 4 are mostly tsunami washover deposits formed in swales between existing dunes, similar to the Taupo Pumice

deposit located in the Okupe Lagoon on Kapiti Island (Goff *et al.*, 2000). Thus, the Taupo Pumice cannot be considered a reliable shoreline marker as assumed by Gibb (1978).

5. *Motuiti dunes* (labelled as WM in Figure 4) are generally located seaward of sea rafted Taupo Pumice deposits, and contain significant quantities of Taupo Tephra. This suggests that they had formed around the time of the Taupo Eruption, and may have been destabilised by the tsunami that was associated with the eruption (Lowe and de Lange, 2000; Goff *et al.*, 2000). They advanced over the top of Foxton dunes, and bury archaeological remains along their inland edge (McFadgen, 1997). Therefore, it is suggested that human activities associated with Polynesian colonisation may also have destabilised the dunes (Clement *et al.*, 2010). This dune sequence is dated between 150 and 1000 BP.
6. *Waitarere dunes* are the most recent sand dunes, being generally less than 120 years old. McFadgen (1997) separates them into Old and Young Waitarere dunes (OW and YW respectively in Figure 4) based on buried artefacts and vegetation types. The youngest dunes overlie European-introduced artefacts and plants, and are attributed to destabilisation of the foredunes by grazing and human activities (Cockayne, 1911).
7. Mixed-sediment beaches are associated with the discharge of gravel-sized sediment to the coast. The major zone of mixed sediment beaches is the *Te Horo Gravel Beach* between the Otaki River and southern Te Horo Beach, which is of particular importance as a region of ecological significance (Forsyth and Beadel, 2012). Further, this coastal unit indicates that the Otaki River may disrupt the southwards longshore transport of sediment from the large rivers to the north (Hawke and McConchie, 2006). Following the classification of Jennings and Schulmeister (2002), the type of beach progressively changes from a composite beach just south of Otaki River, to mixed sand and gravel beach near Sims Rd, to predominantly sandy beach just south of Te Horo. Between Otaki River and Te Horo, gravel storm ridges form the coastal plain immediately inland from the beach. The ridges do not appear to have been dated, but stratigraphically correlate to the Motuiti and Waitarere dunes. The gravel storm ridges result in a significantly lower elevation of the coast plain than found for the rest of the Kapiti Coast. A smaller extent of mixed-sediment beach occurs at the southern end of the coast at Paekakariki. This area is highly variable depending on sediment availability.

The extent of dune sequences varies along the coast (Figure 4), with each unit becoming less extensive, and fewer dunes ridges being evident progressing from north to south. There is also some evidence to suggest that the southern dunes have been more disturbed by tectonic events than the northern dunes. Gibb and Depledge (1980) discuss evidence that the dunes around Paekakariki have undergone ~3 m of uplift, while the area around Raumati has undergone subsidence. Wright (1988) also suggests that the southern dunes were never as well developed as further north, primarily due to limited sediment supply.

Overall, the evidence suggests that the cusped foreland formed some time (100s to 2000 years) after the initial onshore flux of sand associated with the Holocene marine transgression. Further the growth of the foreland was primarily controlled by southwards sediment transport from the major river catchments to the north, leading to asymmetrical dune development (Figure 4).

#### *Influence of dune vegetation*

The main dune sequences are associated with phases of inland migration of sand from the coast (Hawke and McConchie, 2006), which may be initiated by either an influx of sediment to the coast (oldest Foxton dunes, and Taupo Pumice) or renewed wind erosion of previously stable dunes or other sand deposits (Koputaroa dunes,



Swamp Road dunes, Motuiti dunes, and Waitarere dunes). The most recent phases are attributed to anthropic disturbance of dune vegetation (Hawke and McConchie, 2006), although the Motuiti dune phase also coincided with at least 3 tsunami events (Goff *et al.*, 2000; Goff *et al.*, 2008) as is evident at Raumati South (Figure 5).

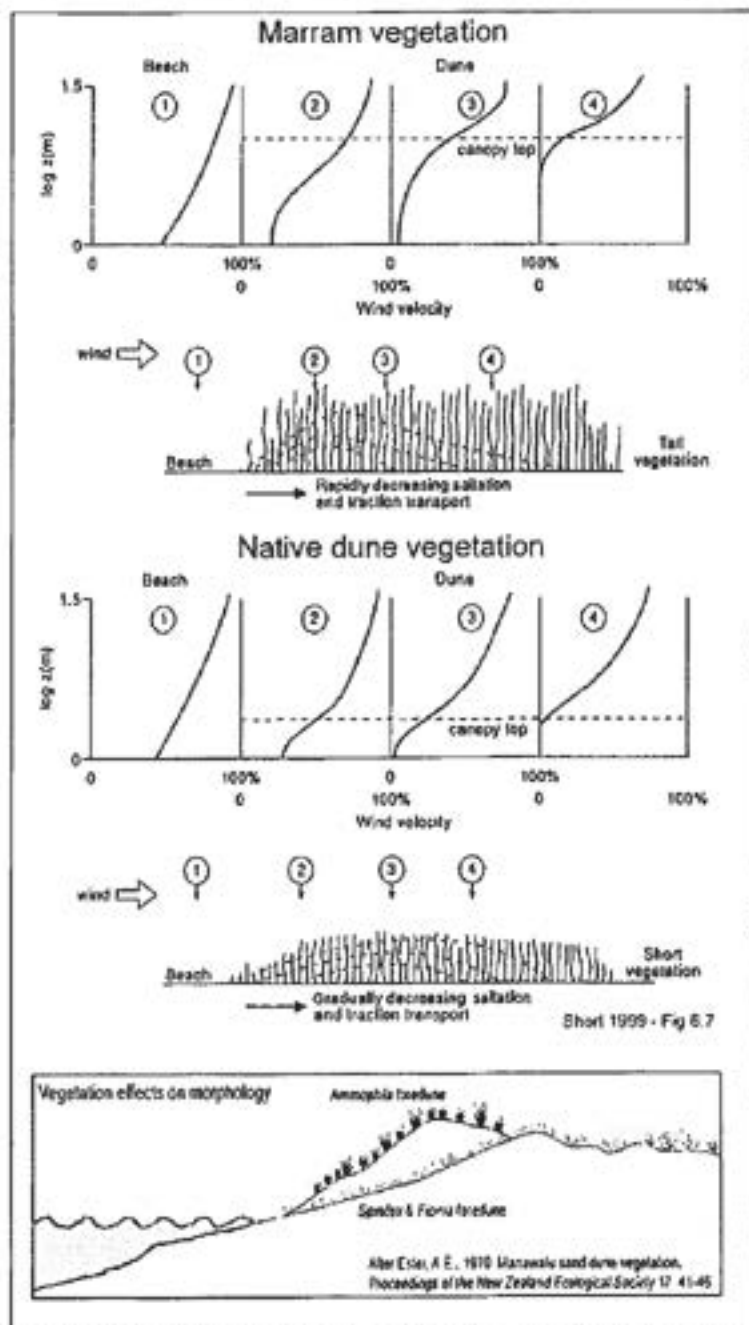


Figure 6. Effects of vegetation characteristics on foredune morphology (After Hesp, 1999).

and cover. In particular, *Ammophila arenaria* produce tall dense vegetation that covers most of the surface, while the native species *Spinifex sericeus*, *Ficinia spiralis*, and *Asutrofestuca littoralis* produce sparse, lower vegetation with less ground coverage. These differences result in distinctly different morphologies (Figure 6).

*Ammophila* and associated introduced flora produced narrow high steep-faced coastal dunes to replace the lower and broader dunes that existed previously. In areas of limited sediment supply, this was associated with

The Waitarere dunes are linked to anthropic disruption of dune vegetation, primarily due to grazing, burning and the introduction of new flora (Cockayne, 1909, 1911; Hesp, 2001; Hilton, 2006). Cockayne (1909) reported when he surveyed the dune vegetation of the Kapiti District "it is not easy to say what was the typical vegetation of a fixed inland dune. The pasturing of stock, frequent burning of the vegetation, and the spread of introduced plants has, in most places, called into existence a plant-association quite foreign to primitive New Zealand". Subsequently, Cockayne (1911) proposed the use of introduced Marram Grass (*Ammophila arenaria*) as part of a strategy to stabilise the coastal dune fields around New Zealand. This was followed by the establishment of *Pinus radiata* plantations, and then extensive pastoral farming (Hilton, 2006).

The substitution of native dune species with Marram Grass and other introduced flora resulted in a significant change in the morphology of coastal dunes (Figure 6). Coastal dune morphological development depends primarily on: vegetation density, height and cover; wind velocity; and sediment supply (Hesp, 1999). Different plant species produce variations in density, height

shoreline retreat as any given volume will occupy less horizontal space as a high steep dune. Further, during the transition from native dunes to *Ammophila* dunes, sand was lost inland as transgressive sand sheets and parabolic dunes (Hilton *et al.*, 2005). This process likely contributed to the phase of erosion between Raumati and Paekakariki reported by Gibb and Depledge (1980).

More importantly, there is growing evidence that the response of the beach to storm events differs with the morphology of the foredune. In particular, steep *Ammophila* foredunes are more prone to scarping and collapse, while lower *Spinifex-Ficinia* foredunes are more prone to overwash that can result in accretion during storms (*Pers. Obs.*).

Dune restoration activities are now increasingly common around the New Zealand coastline, including within Kapiti District. These commonly include replanting native species to encourage the growth of foredunes, and may also involve the removal of introduced species, particularly *Ammophila*. This is resulting in the reversion of coastal morphology to pre-marram invasion conditions (Hilton *et al.*, 2009).

### Inlets

There are 12 inlets of varying size along the Kapiti District coastline from the Waikakariki Stream in the south, to the Waiorongomai Stream in the north, with the largest in terms of freshwater and sediment discharge being the Otaki and Waikanae Rivers. Most of the inlets are associated with a coastal lagoon. However, these lagoons differ from the traditional concept of coastal lagoons, which are generally tidally dominated water bodies formed as a consequence of inundation following sea level rise (Oertel, 2005). Depending on the freshwater discharge, the lagoons on the Kapiti Coast are either wave or fluvially dominated, and hence behave like *hapua*, or river-mouth non-estuarine lagoons, found on the mixed sand-gravel coasts of the South Island (Hart, 2007, 2009a & b). For these systems the lagoon inlet varies in response to the freshwater discharge and volume of longshore sediment transport, with several distinct phases being recognised (Hart, 2009a):

1. When the discharge is sufficiently low, the lagoons inlets become blocked and drainage occurs through the barrier as a ground water flow.
2. At intermediate discharges, the inlet tends to migrate in the direction of longshore transport (generally southwards for inlets from Tikotu Creek northwards, and northwards for inlets south of Tikotu Creek - CSL (2008b)).
3. Finally at high discharges the barrier tends to be breached close to the freshwater channel entering the lagoon, forming a new inlet.

The shoreline changes mapped by CSL (2008b), indicate that this pattern of behaviour occurs at inlets on the Kapiti Coast. There is also evidence that as the shoreline has accreted, lagoons have progressively been stranded inland, forming lakes that eventually infilled with peat (Figure 4). It is possible that this has been associated with pulses of sediment transported southwards along the coast. CSL (2008b) discusses the possibility of such a sediment pulse in the late 1940s leading to extensive development of new control measures for the inlets during the 1950s.

The available evidence indicates that the natural inlets along the Kapiti Coast tended to migrate over time, and also became blocked, impeding drainage and contributing to an extensive area of swampy land between the coastal dunes and the hills (Figure 4). In order to develop the coastal plains, the swamp areas were drained, additional inlets were dug, and existing inlets were progressively modified. Since the 1920s, a range of stopbanks

and training walls have been constructed around some of the inlets, and sediment barriers blocking the inlets have been routinely breached (Greater Wellington Regional Council, 2003; CSL, 2008b), with provision for this activity in the Regional Coastal Plan. Therefore, the present day inlets are highly modified, and limited in their ability to respond to variations in discharge and longshore sediment transport.

#### Relative land movements, sea level and climate effects

South of Paekakariki, three main fault zones are identified on land: Pukerua Fault, Ohariu Fault and Moonshine Fault (Gibb, 2012). The Ohariu Fault has been mapped through Kapiti District (Van Dissen and Heron, 2003), and generally follows the base of the hills flanking the coastal plains. The Pukerua Fault extends offshore at Pukerua Bay and probably links with the submarine fault systems running northwards through the Rauoterangi Channel (Nodder *et al.*, 2007) on the seaward margin of the coastal plain. Further offshore, the major Wairau Fault system from the South Island is thought to continue northwards to the west of Kapiti Island. Borehole data also indicate that multiple faults disrupt the basement rock underneath the coastal plain (van Dissen and Heron, 2003).

In the Manawatu, the older deeper faults are associated with a series of anticlines that deform the surface. However, these are not evident in the Kapiti District (van Dissen and Heron, 2003). Instead, it is more likely that there is broad tilting of the blocks between the major fault zones (Gibb, 2012), down in the west and up in the east, which is consistent with the observed vertical displacements of sand dunes south of Paraparaumu Beach (Gibb and Depledge, 1980). The last identified major seismic event involved 3-4 m of vertical displacement on the Ohariu Fault around 1000-1050 cal BP. This is consistent with estimates of the onset of erosion at Paekakariki to Raumati (Gibb, 1978; Gibb and Depledge, 1980), and a tsunami event recorded at Kapiti Island (Goff *et al.*, 2000).

Beavan and Litchfield (2012) reviewed long-term geological indicators and short-term continuous GPS (CPS) measurements of subsidence/uplift. For the Kapiti District they found that the geological data indicate long-term uplift of 0-1 mm.y<sup>-1</sup>, that numerical models predict an upwards glacio-isostatic adjustment of 0.34 mm.y<sup>-1</sup>, and that CGPS measured subsidence at 0.7-2 mm.y<sup>-1</sup> (with >1 mm uncertainty).

Although there are no reliable analyses of relative sea level changes during the Holocene for the Kapiti District, Clement *et al* (2010) summarise Holocene sea level for the Manawatu region to the north, and Gibb (2012) similarly examines the evidence for the Porirua Harbour area to the south. Gibb (2012) assumes a eustatic sea level curve based on his earlier 1986 published data (Gibb, 1986), but with adjusted <sup>14</sup>C ages. Clement *et al* (2010) combines the Gibb (1986) data with additional data, primarily from northern New Zealand, to produce a revised curve (Figure 7).

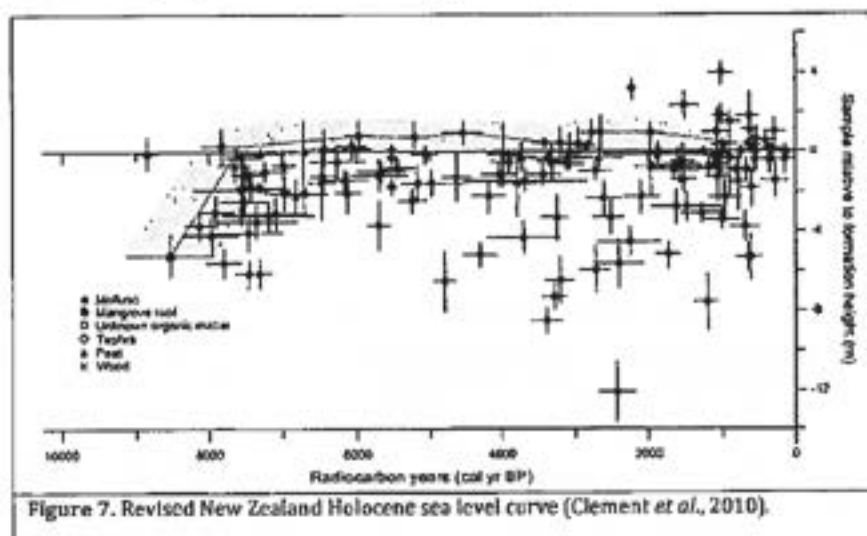


Figure 7. Revised New Zealand Holocene sea level curve (Clement *et al.*, 2010).

The Gibb (2012) and Clement *et al* (2010) eustatic curves are broadly similar, but the revised curve (Figure 7) indicates sea level may have reached approximately the present position up to 1000 years earlier. Clement *et al* (2010) also indicate that the eustatic sea level was likely 0.3 m higher than indicated in Figure 7 around 7500 BP. This would make the New Zealand curve consistent with the Zone V (most of Southern Hemisphere) eustatic sea level curve of Clark and Lingle (1979), the recent assessment of the Australasian eustatic sea level curve (Lewis *et al*, 2013), and the thermosteric sea level behaviour implied by recent reconstructions of Holocene Australasian ocean heat content (Rosenthal *et al*, 2013).

Clark and Lingle (1979), and more recently Gehrels (2010), demonstrated that the concept of a single global eustatic sea level curve is misleading, and a better approach is to focus on regional sea level curves, particularly for regional planning. The key features of the regional sea level curve for the Southwest Pacific Ocean are that: the maximum sea level occurred between 7-8,000 BP; the overall trend for the last 7,000 years has been falling sea levels, consistent with the reported ocean cooling trend for this region over this time period (Rosenthal *et al*, 2013); and there have been fluctuations about the trend of the order  $\pm 0.5$  m, also consistent with the fluctuations in the ocean heat content record. The sea level rise observed at the Kapiti Coast at present is consistent with the pattern over the last 7,500 years.

#### *Shoreline response to eustatic sea level rise*

Therefore, it is likely that the development of the Kapiti District coastal plain and cusped foreland occurred during a period of fluctuating sea levels, including intervals with higher sea levels than at present. There is no clear relationship between regional sea level variations and the shoreline response along the Kapiti Coast; accretion has occurred regardless of whether sea level rose or fell.

#### *Shoreline response to abrupt relative sea level rise*

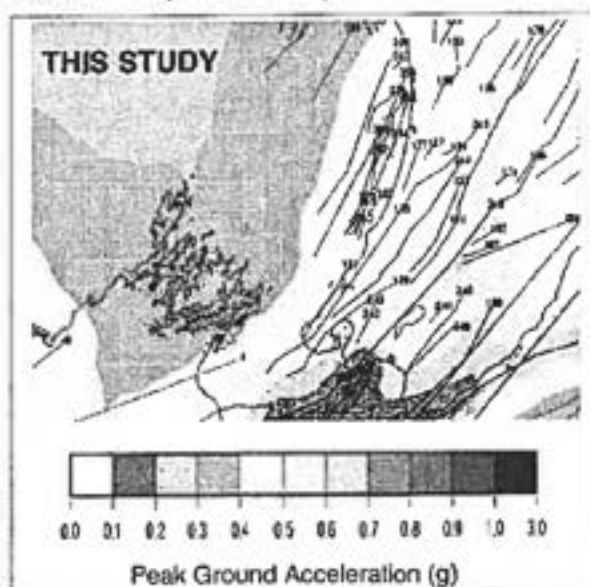


Figure 8. Distribution of faults and 475 y return period peak ground accelerations showing the influence of off-shore faults along the Kapiti-Manawatu coast (Nodder *et al*, 2007).

Gibb (2012) also provides evidence for abrupt relative sea level changes associated with seismic events on the major faults along the west coast of the lower North Island. The mean vertical displacement during a seismic event is reported as 3.7 m, consistent with the estimated mean magnitude of  $M_w=6.9\pm 0.3$  for the Kapiti-Manawatu Fault System (Nodder *et al*, 2007). The average return intervals for individual fault systems are estimated as ranging from 2,000 to >5,000 years. However, the number of fault systems present in the region results in a relatively high probability of a significant event (Figure 8).

Considering the locations of the faults in Figure 8, a seismic event causing several metres of relative sea level change is a low probability event of the order 0.02-0.05% annual probability. However, the probability of a local tsunami is higher, with annual probabilities of 0.2% for tsunami larger than 1 m based on the National Seismic Hazard Model 2010 update (Stirling *et al*, 2012), and 0.1% for tsunami larger than 5 m based on the Goff *et al* (2000) tsunami record from Kapiti Island. The geological and geomorphic evidence indicate that

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either an abrupt relative sea level change, or a tsunami, can destabilise the foredunes along the Kapiti Coast, leading to parabolic dunes and transgressive sand sheets, or landward roll-over of gravel ridges. Hence, there is likely to be consequential erosion of the shoreline.

#### Impacts of storm activity on sediment supply

Although there is evidence for seismic events and/or tsunami triggering inland sand movement (Goff *et al.*, 2008), major phases of dune migration are mostly attributed to climatic factors influencing the stability of the coastal dunes, and possibly more importantly the sediment supply (Muckersie and Shepherd, 1995; Hesp, 2001; Clement *et al.*, 2010). Allowing for variations in the underlying geology, there is a strong correlation between precipitation and sediment discharge for New Zealand catchments (Hicks *et al.*, 2011). Further, New Zealand steepland catchments appear to be particularly sensitive to environmental change at a range of time scales (Upton *et al.*, 2013). This suggests that there is likely to be a relationship between the supply of sediment to the Kapiti Coast and environmental changes in the catchments draining to the coast between Cape Egmont and Paekakariki.

Grant (1981) proposed that coastal erosion around the North Island was associated with precipitation regime shifts linked to fluctuations in tropical cyclone activity. In particular, he identified an increase in storm activity that started in 1954 and continued to around 1978. Prior to the increase, there appeared to be widespread accretion around the coast, which was followed by phases of severe erosion. Increased storm activity was also associated with an increased frequency of severe floods. de Lange (2001) showed that the fluctuations in storm activity were linked to the phases of the Interdecadal Pacific Oscillation (IPO – also known as Pacific Decadal Oscillation, or PDO, in the northern hemisphere), and they produced changes in the dominant coastal wind direction and available wave energy, which favoured periods of erosion or accretion. Proxy indicators of storm activity indicated that the fluctuations between increased and decreased storm activity had occurred for at least 5,000 years.

Although an increased frequency of severe floods results in a higher discharge in sediment to the coast, there is a lag in the response so this effect is not contemporaneous with the flood events. Grant (1991) assessed forest disturbance within the Ruahine Range (part of the headwaters of the Manawatu River). He found that the stormy phases resulted in increased forest disturbance and mass movement, with a 2% reduction in vegetation cover and average denudation rates of  $7 \pm 2 \text{ mm.y}^{-1}$  (2-6 times the rate of tectonic uplift). The sediment that entered the channels took several decades to be transported to the coast. Grant (1991) also concluded that the fluctuations in precipitation and windiness were more significant than anthropic effects in terms of sediment discharge.

#### Impacts of climate on storm activity

Lake Tutira, Hawkes Bay, provides a record of North Island storm activity for the last 7200 years (Page *et al.*, 2010), which was found to be a useful proxy for the discharge of sediment from the Waipaoa River catchment into Poverty Bay (Upton *et al.*, 2013). The sediment discharge from the Waipaoa River was simulated over the last 5,500 years, and found to correlate well with continental shelf sedimentation, and indicated that centennial to millennial scale precipitation fluctuations were the primary driver of changes in sedimentation rates.

Figure 9 shows the Lake Tutira storm activity measured as years between storm event deposits within the lake, climate proxy data derived from carbon (precipitation) and oxygen (temperature) isotopic ratios in speleothems from Waitomo, the dune phases preserved at Te Horo (discussed above), and the ages of palaeotsunami deposits found on Kapiti Island by Goff *et al.* (2000). Page *et al.* (2010) identified 25 periods of increased frequency of ma-

for storms over the last 7,200 years, of which 9 were of at least 100 years duration (shaded bands in Figure 9). They found no relationship between storm activity and ENSO (3-7 year) climatic variations, and speculated that storm behaviour may be influenced by the interaction of ENSO, IPO (50-60 year fluctuations) and the Southern Annular Mode (SAM). They also noted that, as is evident in Figure 9, Holocene climate for New Zealand has involved multiple periods of rapid change, particularly in terms of storm activity.

Gomez *et al* (2011) examined the Lake Tutira data in conjunction with climate proxy data from Ecuador, the Western Pacific Warm Pool, and Central Antarctica, in order to assess the combined role of ENSO and SAM climatic variations. They argue that La Niña (positive) conditions and a positive SAM both enhance rainfall and the incidence of extratropical storms and strong easterly to northeasterly winds for the eastern North Island. Hence, the storm activity record from Lake Tutira represents the relative phase of ENSO and SAM, with maximum storm activity occurring when both are positive. Although the data showed some support for this interpretation, it

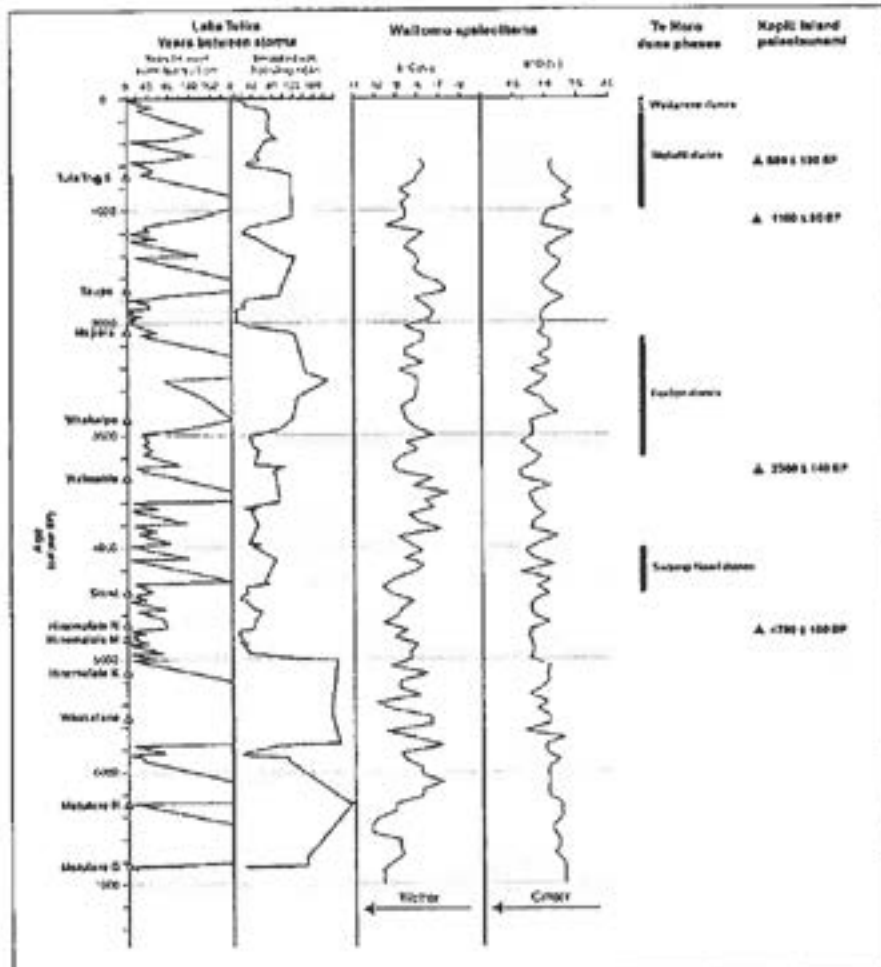


Figure 9. Comparison between storm intensity at Lake Tutira (indicated by years between storms), precipitation and temperature proxy data from Waitomo, the dune phases at Te Horo, and palaeotsunami deposits on Kapiti Island. Open triangles on the vertical axis summarise key tepira markers (After Page *et al.*, 2010; Hawke and McConchie, 2006; and Goff *et al.*, 2000).

was also evident that the strength of the coupling between ENSO and SAM varied throughout the last 7,200 years. The variation in coupling was linked to the seasonal contrast in solar insolation, and therefore the precession component of Milankovitch Cycles, resulting in amplified responses around 5000 and 2000 BP.

Although the Kapiti District is on the west coast of the North Island, the main catchments supplying sediment to the coast (Wanganui, Rangitikei and Manawatu Rivers) all have headwaters in ranges that are affected by the same weather systems as Lake Tutira. Therefore, a similar pattern of storm activity related sediment discharge can be expected for the Kapiti District. Comparison between the Lake Tutira storm activity data and the dune phases at Te Horo (Figure 9) show that the periods of dune instability all follow periods of increased storm activity. However, not all periods of increased storm activity are associated with dune migration, and the climate proxy data (Waitomo speleothems) does not show any systematic relationship with the dune phases.

In contrast, the onset of every dune phase occurs around the same time as a major local tsunami event recorded at Kapiti Island (Figure 9). Therefore, it appears more probable that the destabilisation of coastal dunes was associated with tsunami inundation as suggested by Goff *et al* (2008), than as a direct consequence of climatic variations.

There are no published records of geological indicators of the movement of the shoreline over the last 7,000 to 8,000 years. Although the seaward margin of the dune phases and sea rafted Taupo Pumice have been suggested as shoreline indicators, these cannot be considered reliable particularly the Taupo Pumice, which probably represents an overwash deposit and not a beach deposit. Based on the available survey data (Gibb, 1978; CSL, 2008a and b), there is evidence of decadal scale pulses of sediment arriving from the river catchments. The pulses of sediment are most likely related to precipitation and windiness variations at decadal or longer scales (*viz.* Grant, 1981). Therefore, the rate of sediment supply to the Kapiti District is probably affected by variations in storm activity. However, the available evidence indicates that storm activity over the Holocene is not systematically correlated with climatic forcing. Hence, climate change is not a direct driver of sediment supply for the Kapiti Coast.

#### Conceptual model of sediment pathways

Gibb (1978) proposed sediment transport pathways affecting the stability of the coast between Paekakariki and Paraparauma Beach (Figure 10). The key features are a southward movement of sediment from major sources in the north, which is deflected offshore near the apex of the cusped foreland, and a northward movement of sediment from sources south of Paekakariki. Longshore sediment transport converges between the Wharemauku Stream and Tikotu Creek, and the offshore deflection of sediment transport leads to deposition on the inner shelf between Paekakariki and Raumati.

The evidence discussed above indicates that the behaviour suggested by Gibb (1978) is broadly correct. However, there is little contribution of sediment from the south. It is more likely that sediment moves onshore during relatively calm low amplitude swell conditions. Hence, the sediment supply for the southern flank of the cusped foreland is primarily driven by recirculation of sediment ultimately derived from the north. Since the northwards movement of sediment along the coast of the southern flank of the cusped foreland is predominantly associated with storm waves, it tends to

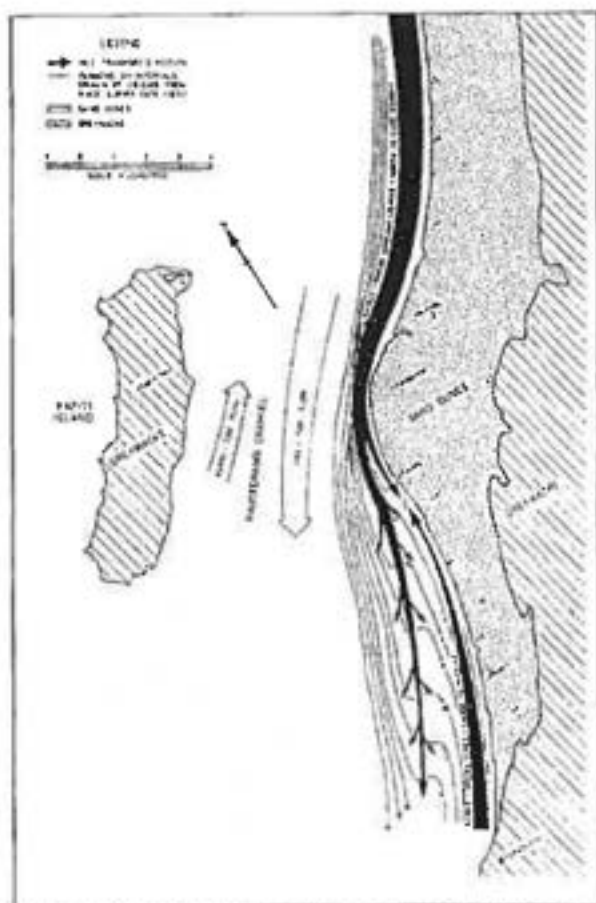


Figure 10. Proposed sediment transport pathways for the southern section of the Kapiti Coast from Te Hapua to Paekakariki (Figure 8 from Gibb, 1978).

occur episodically at high rates. The replacement of lost sediment will occur at slow rates over longer time periods. Therefore, this section of coast is likely to show a strong decadal cycle of severe erosion followed by prolonged recovery.

### Implications for managing coastal erosion hazard

The Kapiti Coast can be subdivided into 4 regions based on geomorphology, sediment supply, and the key processes determining coastal erosion hazard. These regions are:

1. The sandy northern flank of the cusped foreland and northern sandy beaches between Paraparaumu Beach and just south of Waikawa. The sediment budget is positive, resulting in accretion throughout the Holocene at an average rate of 0.4–0.6 m.y<sup>-1</sup>. Accretion is continuing at present (CSL, 2008a), most likely due to bedload sediment discharge from the major river catchments to the north. However, there is some coastal erosion occurring as decadal scale cut and fill (Gibb, 1978), and possible pulses of sediment moving along the coast (CSL, 2008a). The beach systems display predominantly dissipative to rhythmic bar and trough intermediate beach states.
2. The mixed-sand gravel coast between the Otaki River and Te Horo, with associated gravel storm ridges and limited sand dune development. The sediment budget is positive and appears to be primarily derived from the Otaki River, with the finer sand from further north largely bypassing (Hawke and McConchie, 2006). This area has accreted at ~0.5 m.y<sup>-1</sup> over the Holocene, and is still accreting (CSL 2008a). The beach becomes progressively sandier towards the south, changing from a composite beach at Otaki River to a mixed sand gravel beach by Te Horo.
3. The sandy southern flank of the cusped foreland between Raumati and Paekakariki. Although this region has accreted over the Holocene, including since the Taupo Eruption according to Gibb (1978), the rate decreases to essentially zero at Fisherman's Table Restaurant. Gibb (1978) identified two regions of long-term erosion that primarily correspond to areas of urban development, particularly the construction of dwellings on the early 1900s foredune. The first subdivisions occurred in 1906 around Raumati and 1907 at Paekakariki, coincident with the establishment of *Ammophila* for dune stabilisation. Gibb (1978) also indicated that accretion had occurred in the central region occupied by Queen Elizabeth II Park. CSL (2008a) identifies this entire zone as undergoing erosion, and suggests that the 1880 and 1958 shorelines determined by Gibb (1978) were incorrect. The beaches are predominantly dissipative to longshore bar and trough beach states.
4. The inlets along the coast are strongly affected by freshwater discharge, and therefore are considered as a separate coastal type. Although there is some tidal influence for most of the inlets, overall they behave more like non-estuarine river mouth lagoons than estuarine lagoons. The frequency and magnitude of flood events, the volume of bedload sediment transport, and the magnitude of longshore sediment transport affect their behaviour. Some of the inlets were created to facilitate drainage of the coastal swamps, most have been modified for at least 80 years as part of flood management works, and the Otaki and Waikanae Rivers have been used as sediment sources, particularly for gravel (Williams, 2011).

It is evident that a single methodological approach to assessing coastal erosion hazard is inappropriate. CSL (2008a & b) accordingly used separate analyses for the open coast and inlets. However, given the differences in prehistoric and historic behaviour for the 4 zones identified, the open coast should not be treated as one type of



morphodynamic system. The inlets have had a long history of modifications that vary significantly between inlets, and there are differences between them in terms of the predominant sediment texture and ranges of discharges. Therefore, the inlets should also not be treated as one type of system.

## Coastal Systems Ltd methodology

The CSL (2008a & b) reports distinguished between coastal areas directly affected by stream and river discharge to the coast (Part 2: Inlets) and the rest (Part 1: Open coast). Different methodologies were used to determine the CEPD for the two types of coastal areas, and these are discussed separately below.

### Open coast erosion

The basic equation used includes the key components suggested by various reviews of Coastal Hazard Zonation methodology (Komar *et al.*, 1999; Healy and Dean, 2000; Ramsay *et al.*, 2012), with no weighting factors for the different components evident in the relationship as expressed in Equation 1 (page 11, CSL, 2008a). An additional combined uncertainty term has been included to give

$$CEPD = LT + ST + SLR + DS + CU$$

where these were defined by CSL (2008a, 2012) as:

1. *CEPD* = Coastal erosion prediction distance (changed from CEHD = coastal erosion hazard distance terminology between the 2008 and 2012 reports).
2. *LT* = Longer-term historic change based on cadastral maps and aerial photographs. Strictly, the long-term change should be over a minimum of 60 years to allow for the fluctuations due to climatic oscillations such as IPO and SAM. However, as discussed below, the time interval used was variable, which is presumably why the *LT* term is referred to as longer-term relative to the shorter-term fluctuations;
3. *ST* = Shorter-term historic fluctuation. From the discussion in CSL (2008a) this was to be derived from statistical analysis of historical data, but in practice it was estimated from the residuals of an Ordinary Least Squares (OLS) fit to the longer-term trend. For assessing coastal erosion, this is probably the most important term as arguably sea level rise does not directly cause erosion for sandy coasts, but acts to increase the elevation to which storm processes affect the beach;
4. *SLR* = Shoreline retreat associated with sea-level rise induced by global warming. CSL (2012) renamed the term *RSLR* to represent the shoreline retreat associated with sea level rise. This terminology assumes that future sea level rise can only cause erosion, and therefore *SLR* will be retained for this discussion. Strictly the *SLR* term should be due to the effect of a change in the rate of sea level rise, as historic sea level rise is already incorporated into the *LT* term;
5. *DS* = Dune stability. This accounts for the scarp retreat to a stable slope after an erosion event. This term is required if the previous terms are predicting the location of the base of the slope and infrastructure of concern is located at the top of the slope;
6. *CU* = Combined uncertainty. CSL (2008a) defines this as the error associated with the previous four terms in the equation, and any other precautionary measures that result from assumptions made in the analysis.

The methodology used by CSL (2008a; 2012) to determine each of these terms is considered in more detail below:

### LT – Longer-term trend derivation and uncertainty

The longer-term trends were derived from aerial photographs, and pre-digitised shorelines determined by the National Water and Soil Conservation Organisation (NWASCO) predominantly from aerial photographs and unspecified cadastral maps. It was noted that a systematic error resulting from using vegetation lines as shoreline indicators in aerial photographs, and reported high tide shoreline at the time of the survey on the cadastral maps produced an over-estimate of shoreline erosion rates. The two different shoreline indicators may be several to tens of metres apart at any one time, depending on beach state.

According to CSL (2008a) landward reference points were used to define 68 locations, and the distance between the shoreline and reference point measured in GIS (presumably, as it was not stated) from the geo-rectified aerial photographs and NWASCO plotted shorelines.

CSL (2008a) assumed that the geo-rectification results in a location error of  $\pm 3$  m, with a further error in estimating the shoreline position of  $\pm 3$  m. It is not clear if this was determined separately for aerial photos and NWASCO shoreline cadastral data. For each location about 9 measurements were made from aerial photographs, and 1-2 from cadastral map shorelines. These should have different uncertainties, as generally the error would be expected to differ with the scale of the aerial photograph and the technique used.

The longer-term trend was determined by Ordinary Least Squares (OLS) regression analysis. Three different trends were determined:

1. Entire record – 1870s to 2007
2. Earlier period – 1870s to early 1950s
3. Later period – 1940s to 2007

These dates are not exact because the survey coverage varies along the coast, so the dates varied with location. The earlier period was assumed to be unaffected by coastal management, but there is clear evidence that the dunes were affected by grazing and burning resulting in extensive vegetation loss and destabilisation (Hesp, 2001; Hilton, 2006). Following the Sand Drift Act (Introduced 1903, enacted 1908) the dunes were planted in *Ammophila* (marram grass), which significantly altered their shape and behaviour (Hilton, 2006).

It can also be argued that land-use changes and flood protection works in the catchments have affected sediment yield over the entire record (Grant, 1991). Development of infrastructure of the dunes also began in the early 1900s. However, coastal protection and flood control structures mostly were first installed in the early 1950s.

NZ studies have identified decadal-scale patterns of shoreline fluctuations (de Lange, 2001), and Grant (1981) identified these patterns for the Kapiti Coast. This means that it is necessary to ensure that the influences of decadal-scale fluctuations are removed from long-term trends, and also the probabilities of coastal hazard extremes (de Lange and Gibb, 2000a & b). CSL (2008a) treated "non-linear" trends using break-point analysis without any constraints on the minimum trend duration that would allow discrimination between trends and fluctuations (Figure 3 CSL, 2008a). This approach has a significant effect on the LT term required for the analysis. In particular, CSL (2008a) uses this approach to replace long-term (~100 year) trends with trends over only a few decades (longer-term). This is demonstrated in Figure 3 of CSL (2008a). In figures 3A and 3C an accretionary trend is transformed into long-term erosion, which is misleading. In Figures 3B and 3D, the magnitude of the trend is altered significantly.

It is claimed by CSL that, apart from the sites in Figure 3 (CSL, 2008a), the later period trend was *qualitatively* similar to the trend over the entire record. No summaries of the longer-term trends were provided. However, summaries of the trends for the earlier and later periods were available in the database. If the later period trend is *quantitatively* similar to the entire trend, then the trends for the two sections should also be similar. Using the data supplied for 47 sites, the ratio of the later period trend to the earlier period trend was calculated, and found to vary from -32 to 815 (Note that a negative sign indicates a switch in trend between periods). This is a very large variation, which is largely due to the effects of 5 sites that have absolute ratios >30. Three sites are at the foreland apex (C13.04 ratio 814, C13.24 ratio 77, C13.44 ratio -32), one on the southern flank (C3.93 ratio 53), and one on the northern flank (C22.06 ratio 32). One of these sites - C13.44 - was identified in Figure 3B of CSL (2008a).

Six sites (Table 1) appear to have a change in the direction of trend between the earlier and later periods (either from accretion to erosion, or vice versa). Three sites located between the end of the northern Raumati seawall and Tikotu Creek (C10.29, C10.61, and C11.17) and one closer to the Waikanae River (C14.20) show a switch from accretion to erosion. Sites C11.17 and C14.20 are shown in Figures 3A and 3C of CSL (2008a). Two sites located further north show a switch from erosion to accretion (C13.44 and C17.88), and Site 13.44 is shown as Figure 3B of CSL (2008a).

**Table 1.** Summary of the changes in trends between the earlier and later periods reported by CSL (2008a) for 47 sites assumed to be unaffected by coastal structures along the Kapiti District coastline.

	Accretion to erosion	Erosion to accretion	Consistent accretion	Consistent erosion	Total
Decelerating	3	0	11	2	16
Accelerating	1	2	17	11	31
Total	4	2	28	13	47

The remaining 41 sites retain the same direction of trend, but either they display deceleration (ratio <1) or acceleration (ratio >1). Ignoring the 5 sites with absolute ratios >30, the mean absolute ratio is  $2.34 \pm 2.43$  for the remaining 42 sites. This indicates that the later period overall has increased trends, as reflected by the values in Table 1. However, the earlier period analysis typically combines 1-3 cadastral survey data points with 1-2 aerial photo points, while the later period analysis is entirely based on aerial photo data. Since there is a difference in the shoreline definition between the two types of data that biases the trend, the inferred trends may be erroneous, and it is not clear if the difference in trends between the two periods reflects a real change in rate or an error.

Not evident in Table 1 is that only one site (C32.54 at the Otaki River mouth) has a ratio that lies in the range 0.8-1.2. The implication of these results is that if the *LT* term was determined in the early 1950s and the same methodology applied to estimate the long-term average shoreline position at the end of the late period, only one site out of 47 would be within ~20% of the actual location. This implication will be examined further in conjunction with the effects of sea level rise below.

Overall, there are significant differences in trends between the two periods analysed, and it is not appropriate to assume that the later period trend is representative of the long-term trend. This is of particular concern because the *LT* trend is extrapolated into the future by 50 and 100 years, and so small variations in the trend will produce large variations in the CBPD.

CSL (2008a) used a comparison of the earlier period trend with the later period trend to assess the impact of coastal structures, in order to predict shoreline response for scenarios where the structures are removed or fail. It was acknowledged that this approach was problematic, as "given that these rates may be exaggerated by the inclusion of tide-based shorelines from cadastral maps, and affected by lack of intermediate data-points, the pre-urban shoreline appears to have been relatively stable" (page 20 CSL, 2008a). Therefore, it was assumed that in the critical area where structures now exist, the longer-term rate prior to construction was "stable". However, this assertion is unsupported by data provided. Instead, Table 1 indicates that few sites were stable, and for most the rates of change are different between the two periods.

CSL derives its longer-term trend from the later period trend, except for those sites with seawalls or a "recent trend change" (Figure 4B CSL, 2008a). Those sites with a recent trend change use a short-term trend determined by the weighted linear model (strictly appears to be a truncated linear model using selected recent data points). Sites with seawalls are assumed to have no longer-term trend while seawalls are present. However, the report notes that there has been accretion at some seawall sites (in one case the seawall is completely buried now - site C12.50).

Hence, there is no consistent approach by CSL in determining the long-term trends for the Kapiti Coast. The main approaches for the calculated rates of shoreline movement in CSL (2008a) are:

1. Trends determined by OLS for the 1940s to 2007 (late period) - a trend over a maximum period of 67 years, which is barely long enough to span the 50-70 year fluctuations in NZ shorelines identified by other studies and probably present along the Kapiti Coast (Grant, 1981; Shepherd in CSL, 2008a).
2. Trends determined by "weighted" OLS for the 1990s to 2007 (non-linear sites) - which is really a short-term trend.
3. "Stable" areas assumed to have no trend due to the presence of seawalls.

Then, if the later period trend is positive (coast is accreting) it is set to zero, unless the weighted OLS trend indicates a recent change to erosion, in which case the recent trend is substituted for the longer-term trend. Hence, a coast that the data and geomorphic evidence shows to be predominantly accreting north of Tikotu Creek is transformed into an erosional coast to assess future risk of erosion.

The uncertainty in the LT factor is determined as follows:

1. The assumed geo-rectification ( $\pm 3$  m) and shoreline detection errors ( $\pm 3$  m) are combined to give an assumed error of  $\pm 4.2$  m.
2. The longshore variation of the "error" in the OLS regression for the later period data was assessed and an estimated 95% upper percentile was used to represent the entire coast. It is not clear exactly which error is referred to, but it appears to have been the Standard Error of Estimate (SEE), which is the standard deviation of the residuals.
3. Other factors that affect the uncertainty are discussed but then ignored.

CSL (2012) states that "alongshore smoothing was carried out to derive the 95% confidence band over adjacent transects where similar cross-shore shoreline behaviour was apparent, thus preserving alongshore trends" (Page 16). This procedure was carried also out for other components in the analysis. It is unclear what was actually done, as the smoothing methodology and derivation of 95% confidence bands is not explained. Further, CSL gives conflicting explanations of the same procedure: CSL (2008a) states "The maximum (95%) value over several transects with similar characteristics was selected to represent that reach" (Page 28); and CSL (2012) states "the



approach used in the present assessment of applying the upper 95% value for longer-term rates and shorter-term variation derived from several adjacent sectors to all those sectors" (Page 63).

The different procedures defined all exaggerate the magnitude of the components being considered, as indicated by CSL (2012), which states that the approach used "may have resulted in an overly large component value being applied to some locations. While general precautionary approaches such as these help to minimize uncertainty and increase the safety margin, they may also result in some hazard distances derived in this report being overly cautious" (Page 63). The assertion made in this statement that a precautionary approach minimises uncertainty is in direct contradiction with an overly cautious CEPD, and is not substantiated by objective analysis.

The error that should be relevant to the *LT* factor when extrapolating the trend into the future is the uncertainty in the OLS gradient (ie. the uncertainty of *b* in Equation 2 of CSL, 2008a). This indicates how much faster or slower the shoreline could be moving relative to the estimated average rate (ie. the confidence limits for the extrapolation at some specified probability). The report states that this was ignored because "the weighting procedure, together with the variance reduction measures of setting positive rates to zero and the selection of the maximum longshore rate, were found to be adequate" (page 26 CSL, 2008a). No evidence is presented to support this assertion, but it is clear that for accreting coasts, the methodology produces a rate that bears no resemblance to the measured rate, and appears to be inappropriate.

The report also states that the  $\pm 3$  m shoreline detection error was found empirically to produce a  $\pm 3.7$  m error in the actual "rates of change" over a 50-year prediction period. Apart from the inconsistent units, it is not evident how this was calculated and why? However, this number is taken to be the *LT* uncertainty for the entire coast. Further, it is assumed that a one-tailed uncertainty distribution is appropriate and hence the only uncertainty to take into consideration is -3.7 m.

Therefore, setting all accreting coastal sites to zero, and then applying an *LT* uncertainty of -3.7 m over 50 years transformed the entire Kapiti coastline into an erosional zone ( $-0.074 \text{ m.y}^{-1}$  cf. an observed long-term trend of  $0.4\text{-}0.6 \text{ m.y}^{-1}$  for most of the coastline). The results do not reflect the true probability of long-term coastal erosion, or the variation of risk along the coast that is evident from historical shoreline changes.

To summarise, the derivation of the *LT* term for the open coast (CSL, 2008a, 2012), is unreliable for the following reasons:

1. The analysis does not assess a long enough record to determine the long-term trend for the Kapiti Coast. Instead, a longer-term trend is based on a maximum of 67 years, and arbitrarily uses shorter intervals if they indicate an erosion trend.
2. The assumption that the later period trend is representative of the longer-term trend is invalid. A comparison of earlier and later period trends indicate that 46 out of 47 sites analysed experienced a different rate of change, and 6 of those also involved a changed direction of change (Table 1). It is not clear if the changed rates of shoreline movement between the earlier and later periods represent a systematic bias in the methodology, a consequence of too short a record to remove 50-60 climatic oscillations, a real change in migration rates, or a combination of all these factors. This indicates that the extrapolation of the derived longer-term trend up to 100 year into the future is very uncertain.
3. By separating the uncertainty from the *LT* term, the analysis incorrectly incorporates components into the *CU* term. In particular, when the accretion rate is set to zero the use of a non-zero uncer-

tainty transforms accreting coasts to an erosional trend. There should be no uncertainty for the application of a constant.

4. The uncertainty for the *LT* term is solely based on the estimated measurement errors for shoreline locations. There is no consideration of the goodness of fit of the OLS trend lines in terms of uncertainties. However, the residual standard deviations are used to estimate the *ST* term as discussed below.
5. Although there is discussion of the use of a 95% confidence band for selection of single values to represent a section of coast (referred to as a *reach*), there is no analysis of the confidence limits of the trends, or the confidence limits of the extrapolated trends.

In conclusion, the *LT* term in CSL (2008a and 2012) does not represent a probabilistic analysis of long-term coastal erosion trends as defined by Ranasinghe *et al* (20120), and hence is not suitable for an appraisal of the risk of coastal erosion.

### *ST* – Shorter-term shoreline fluctuation and uncertainty

The short-term shoreline fluctuation in most coastal erosion hazard assessments accounts for the cut and fill associated with storm events occurring over decadal scales or less. It is generally the most important factor for predicting coastal erosion risk, as it defines the limits of the active beach over decadal time scales. Any structures falling within the shoreline envelope defined by cut and fill cycles can end up within the active beach at some point. If the coast is eroding, the probability of this occurring will increase over time, while the probability will decrease if the coast is accreting. For most of the Kapiti Coast, the probability of being affected by storm cut and fill is likely to decrease in the future due to ongoing accretion.

Analysis of short-term fluctuations can be complicated for several reasons:

1. The erosion phase (cut) is considerably faster than the recovery phase (fill); typically being hours compared to days to decades for the complete return of eroded sediment volume. Usually, up to 80% of the recovery occurs within days to a few weeks if most of the eroded sediment is transported offshore into the offshore bar;
2. If sediment is transported onshore by wave overwash, there may not be a significant recovery phase. This is particularly important for coarser sediments (mixed sand-gravel, and gravel beaches), such as those that occur between the Otaki River and Te Horo. The recovery phase may also be incomplete if the coastal dune vegetation is disrupted, allowing the beach sediment to migrate inland, as has occurred previously along the Kapiti Coast. Without complete recovery, there will be a net loss from the beach sediment budget, resulting in a longer term erosion trend if there is insufficient longshore sediment transport to replace the loss;
3. Storms may occur in clusters, so that the beach may not fully recover before a subsequent erosive event occurs. Studies around the NZ coast have identified that there have been decadal-scale fluctuations in storm frequency and magnitude, which means that a coast can show an erosive trend for several years to decades, followed by an accretionary phase. Coco *et al* (in press) observed the impacts of a cluster of storms on the French coast, and concluded that it is not possible to scale up the effects of individual storms to predict the effects of a cluster of storms. The corollary is that it will be difficult to untangle the cut and fill effects of individual storms during a cluster of storms.
4. The impact of storms along a coast is generally not uniform. Depending on the pre-existing geomorphology, some areas can be severely eroded while other areas accrete. Key elements of the geomor-

phology that have been associated with longshore variations in storm erosion are variations in beach state (Amaroli et al., 2013), variations in offshore bar/shoal locations and presence of major rip systems (Komar et al., 1991; Stephens et al., 1999, Anthony, 2013), and the continuity and elevation of the foredune system (Houser, 2013).

Analysis of the short-term fluctuations requires a time-series data-set that captures the short duration erosion events, as well as the longer duration recovery phases and the decadal-scale effects of storm clustering. It is evident that the aerial photograph and cadastral survey records used for the 2008 study were not suitable for characterising the short-term trend.

CSL (2008a) refers to *shorter-term* fluctuations, which appears to indicate a different approach to the analysis of cut and fill cycles. Some beach profile data were available, but were not utilised (footnote page 27 CSL, 2008a). CSL (2008a) provided a range of reasons for rejecting the profile data sets, largely due to difficulties with locating the profiles in relation to the shorelines derived from vegetation cover.

However, after examining the profile data provided by Kapiti Coast District Council, the profiles do appear to be suitable for characterising the short-term fluctuation. The purpose of the *ST* term is to provide an estimate of the variability of the shoreline location about the longer-term trend resulting from cut and fill. Therefore, provided the profiles are sampled sufficiently frequently at specific locations, it should be possible to determine the variation about an average profile. Commonly, the short-term fluctuations are expressed as multiples of the standard deviation (typically 3 to approximate 99% confidence limits assuming a Gaussian distribution) of the profile change at selected elevations. This type of analysis appears to be feasible for the Kapiti coastline.

Instead CSL (2008a) assumed that the shorter-term fluctuations are represented by the residuals between the measured shoreline location and the trend line. Hence, the *ST* term was based on the standard error of the estimates (SEE) for the OLS best-fit line by assuming it is equivalent to the standard deviation of the measured profiles, giving  $ST = \pm 3 \times SEE$ . However, this is not a reasonable interpretation for several reasons:

1. The shoreline position was recorded using two different approaches: cadastral survey of high water mark or toe of the foredune; and vegetation line determined from aerial photographs. These would correspond to different shoreline positions, even if taken at the same time, and would appear as residuals from the trend. Although the later period trends determined by CSL (2008a) involve only one type of measurement, there is still a measurement error that is incorporated in the residuals. In particular, the errors in geo-rectification and shoreline position determination appear to be of a similar magnitude to the calculated standard error of estimates (Figure 6A CSL, 2008a; Table 3.1 CSL, 2012);
2. The vegetation lines are not likely to represent the average shoreline position (assumed by the CSL methodology). As noted in CSL (2008a), the vegetation line retreats during erosion, and takes time to return to the original position after shoreline recovery. Therefore, the vegetation line is biased towards an eroded shoreline, and there may be a seasonal effect on vegetation extent. Shore profile data may also be biased towards an eroded shoreline, as there is often a tendency to undertake more frequent surveys following a storm, and less when the beach is considered stable or accreting; and
3. The residual approach assumes that the rate of erosion/accretion is constant over time (linear trend). It is likely that this is not the case, as the sediment supply and driving processes are not constant as discussed above, so a proportion of the residuals represents fluctuations in the long-term rate.

Therefore, the variations represented by the residuals probably do not represent the short-term cut and fill fluctuations. It is also of concern that the standard deviation of the residuals appears to be the error term considered for the uncertainty of the *LT* factor, and therefore this has been incorporated into the CEPD more than once.

Appendix C of CSL (2008a) compares the estimated *ST* term with the reported cut and fill shoreline changes of Gibb (1978), focussing on his long-term trend data. CSL (2008a) argues convincingly that the large fluctuations in Appendix 1 of Gibb (1978) are due to errors in the shoreline location on early cadastral maps, and therefore the Gibb (1978) short-term values should be ignored. However, the main body of Gibb (1978) bases short-term fluctuations on measured changes during storm events in the 1970s, particularly the 11-13 September 1976 storm, which occurred at the end of a cluster of storms, that produced a maximum of 15 m erosion at the Rau-mati seawall, and an average of 6 m elsewhere along the coast. This compares to *ST* values from CSL (2008a) ranging from 10 to 36 m, with the lowest values occurring along the southern flank of the foreland, which Gibb reported as having the largest storm cut that he attributed to the influence of seawalls that failed during the storms, and the highest values occurring near the Waikanae River, which experienced much lower storm cut in the 1970s. Overall, the estimated *ST* values of CSL (2008a) appear inconsistent with observed storm cut.

Gibb and Depledge (1980) provide further data on cut and fill for the Paekakariki area for storms that occurred from December 1978 to January 1980, producing maximum storm cut of 7-12 m. Based on the calculated long-term erosion and storm cut, Gibb and Depledge (1980) recommended the immediate removal of 13 NZ Railway houses on the seaward side of the southern end of Ames St, Paekakariki, to be followed by the removal of the next 20 houses further north over 5 years. The first 13 houses were removed from the coast between sites C0.40 and C0.73, while the other properties are still occupied (Appendix A CSL, 2008a). The evacuated properties do not have any seawalls or other coastal protection. Appendix A, and the database provided indicate that there has been a reduction in erosion over the later period analysed by CSL (2008a). However, this includes the erosion from the 1970s that resulted in the house removals. Since the houses were removed, the data indicate stability to slight accretion, contrary to the predictions of Gibb and Depledge (1980).

The uncertainty for the predicted *ST* was derived from the measurement errors related to the OLS determination using an undefined empirical method. This gave an uncertainty of  $\pm 2.6$  m. For the CEPD summation, only negative values for *ST* and the uncertainty were considered. Again, for the accreting areas of the Kapiti Coast, this approach will exaggerate erosional hazard in the future.

There was also an assumption of a 5 m erosional uncertainty if the existing seawalls are maintained, due to vertical scour in front of the structure. It is not clear how the vertical scour translates into horizontal erosion in the presence of a stabilised shoreline.

In conclusion, the derivation of the shorter-term trend by CSL (2008a, 2012) uses a method that differs from standard practice, does not appear to be a valid approach, and does not provide a probabilistic assessment of the cut and fill extent. The predicted values appear to be inconsistent with observed storm events.

#### ***SLR* – Impact of sea level rise determination and uncertainty**

This factor is included to account for accelerating sea level rise anticipated as a consequence of global warming, and CSL (2012) renamed the term *RSLR* to represent the shoreline retreat associated with sea level rise. Since the available evidence shows no relationship between sea level and shoreline retreat along the Kapiti Coast, this



relabeling is inappropriate and reflects an assumption that future sea level rise can only cause erosion. Therefore, the symbol *SLR* will continue to be used in this discussion.

The *LT* factor discussed above already includes the effects of historic relative sea level changes and is extrapolated into the future. Therefore, the *SLR* factor should strictly be based on the additional rates of sea level rise or fall over the period of interest. This was not done, so the *SLR* factors calculated will be biased too high.

For stabilised parts of the Kapiti Coast (with seawalls), it was assumed that sea level rise would not cause erosion while the structures were maintained for up to 50 years (CSL, 2012), while the 100 year predictions assumed all structures were immediately removed. Without a maintained structure, it was assumed that sea level rise would automatically lead to coastal erosion. This assumption is commonly made for the effects of future sea level rise (FitzGerald *et al*, 2008; Ranasinghe and Stive, 2009; Jackson *et al*, 2013). For example Zhang *et al* (2004) suggested that the underlying rate of erosion of sandy coasts is "two orders of magnitude greater than the rate of rise of sea level" (italicised in the original). There are some difficulties with this assumption. Firstly it is clear from observations that past sea level rise is not consistently associated with erosion of sandy coasts (FitzGerald *et al*, 2008; Anthony, 2013), and this is currently the case for most of the Kapiti Coast. Secondly the assumption of future coastal erosion is largely based on numerical predictions derived from the *Brunn Rule* (BR) and/or *Equilibrium Beach Profile* (EBP) concepts (SCOR Working Group 89, 1991; Thieler *et al*, 2000; Ranasinghe *et al*, 2012).

Both conceptual models can only predict erosion due to their inherent assumptions about the response of a beach system to rising water levels (Figure 11), which is primarily that there is an upward and landward adjustment of an idealised beach profile (SCOR Working Group 89, 1991; FitzGerald *et al*, 2008). Note that this approach should also predict accretion for falling water levels as occurs on the Kapiti Coast in response to climatic oscillations, such as ENSO and the IPO (Bell and Hannah, 2012), which has not been observed.

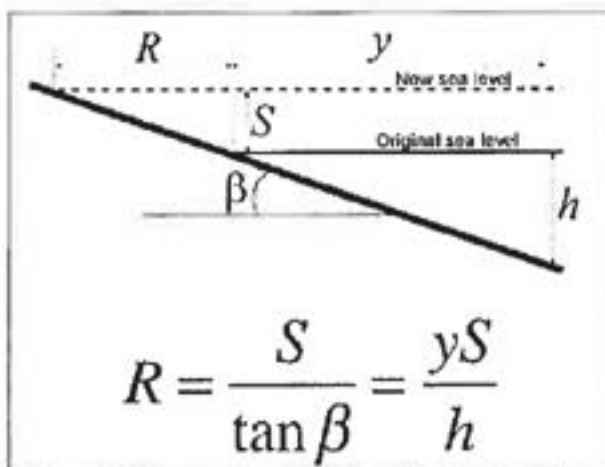


Figure 11. Definition sketch for the mathematical formulation of the Brunn Rule for the shoreline retreat due to sea level rise initially proposed by Brunn (1962).

It should be obvious that the rapid influx of sediment onto the coast of the Manawatu that started around 7,000 BP could not have occurred if the assumptions of the BR or EBP models were valid. Although some aspects of the BR and EBP conceptual models have been demonstrated under controlled laboratory conditions, field tests show that these methods have no predictive value. For example, List *et al* (1997) used the BR and measured relative sea level changes to hindcast the shoreline erosion for Louisiana barrier islands in the USA, and they found no significant correlation. Hence, they concluded that the BR approach has no power for hindcasting or forecasting the effects of sea level rise. Following a series of reviews of

the factors driving coastal change for the entire USA and Hawaiian coast, Hapke *et al* (2013) found that geomorphology and human activities were the primary controls on coastal erosion, probably through their effects on the sediment budget. Anthony (2012) found the same for the southern North Sea. Pickett (2004) assessed the use of

EPB models for predicting coastal hazards in the Bay of Plenty, New Zealand. He found no significant correlation between relative sea level rise and EBP predicted shoreline response.

Consequently it is evident that the BR and EBP approaches are unsuitable for predicting shoreline response to sea level rise (SCOR Working Group 89, 1991; Thieler *et al.*, 2000; Cooper and Pilkey, 2004; Davidson-Arnott, 2005; Fitzgerald *et al.*, 2008). CSL (page 32 2008a) agrees that the BR approach is not appropriate and indicates that it shouldn't be used.

Appendix D (CSL, 2008a) discusses models for predicting shoreline response to sea level rise. It confuses the original BR (Bruun, 263; 1983; 1988) with later variations of it, particularly the Weggel (1979) modification, and mostly discusses estimates of the closure depth. This is largely irrelevant, as most studies have found that the most effective estimate of nearshore slope is based on the surf zone gradient (Weggel, 1979), or the steeper slope of the offshore bar (Dubois, 1977), neither of which are dependent on the closure depth. Essentially, the Bruun Rule states that the shoreline retreat is equal to the ratio of the sea level rise to the slope of the shoreline (Figure 11). The BR method discussed in the report (Equation D1 CSL, 2008a) attempts to approximate this by including the height of the sub-aerial berm or foredune, which is the Weggel (1979) formulation, and a common modification of the BR (Rosati *et al.*, 2013).

CSL (2008a) suggests that the Komar *et al.* (1999) equation is a better alternative. This relationship was developed to predict the extent of storm cut during a single event, albeit for the largest expected storm over a specified time period. It was developed for the Oregon coast, and Komar *et al.* (1999) note that due to tectonic effects parts of the coast are experiencing relative sea level fall, while other areas have a relative sea level rise. They also observed that sea level rise is not a significant factor. Equation (2) in Komar *et al.* (1999), which defines the coastal hazard zone, makes it clear that the method is not a function of sea level rise, as a separate term is included for projected sea level rise effects. Equation (3) in Komar *et al.* (1999) defines the maximum dune erosion, and can be expressed as (see Figure 12 for definition of parameters):

$$R_{max} = \frac{(\eta_{max} - z_{bw}) + \Delta BL}{\tan \beta}$$

This equation predicts the maximum expected dune erosion by assuming that the saturated beach face can be projected inland until it intersects the extreme water level, and all the sediment above that surface is removed by erosion if the extreme water level is above the dune toe elevation (Figure 12). The method also allows for the beach surface to be adjusted for any erosion that occurs during the storm.

The method was tested against available data for dune erosion along the Oregon coast, which seems to have involved dissipative beaches. Further, *Ammophila arenaria* (known as European beach grass in Oregon) was introduced to the Oregon coast in the late 1930s to stabilise drifting sand (Reckendorf *et al.*, 1985). It has progressively invaded the coastal dunes,

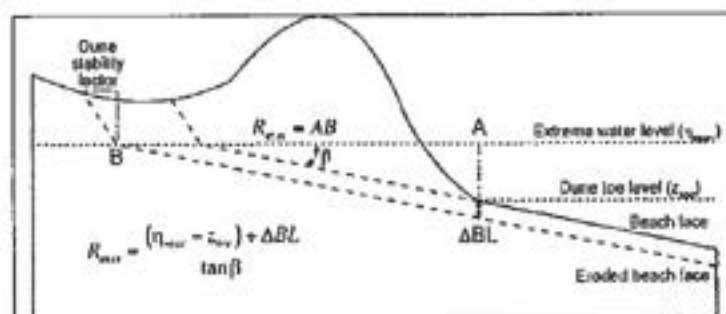


Figure 12. Definition sketch for the foredune erosion model in response to storm events proposed by Komar *et al.* (1999)

leading to artificially high and continuous foredunes that didn't previously exist (Wiedemann, 1996), similar to *Ammophila* dunes in New Zealand (Hilton, 2006). This suggests that the Komar *et al.* (1999) method would be an

appropriate approach for assessing the short-term cut (*ST* term) for the *Ammophila* dunes of the Kapiti Coast in conjunction with the extreme wave and water level probability distributions reported by MetOcean Solutions Ltd (2010).

It appears CSL (2008a) modified Equation (3) of Komar *et al* (1991) by replacing the numerator term with sea level rise, indicating that the *SLR* term is equal to the ratio of sea level rise to the slope of the beach (Equation 3 CSL, 2008a). This is the functional form of the BR, particularly the Weggel (1979) modification. Therefore, for all practical purposes  $\tan\beta = L/[B+d]$ , so there is no real difference between Equation D1 that CSL (2008a) correctly argues should not be used, and Equation 3 that CSL (2008a) did use.

The method used by CSL (2008a) depends on the nearshore slope, which was taken to be the inter-tidal beach slope, and the predicted change in sea level. For the Kapiti Coast, nearshore slope was estimated for 22 sites where repeated profile measurements were available. It seems that the available profile slopes were averaged, but it is not explained how it was done or what the variation about the averages were. The calculated slopes were rounded down in order to increase the predicted shoreline retreat. The profile sites did not coincide with the coastal hazard calculation sites, and so slopes were interpolated. No errors were defined for the interpolated slopes.

The nearshore slopes estimated varied between 0.8° and 6°, although most were around 1-2°. Using Equation 3, the predicted sea level rise is multiplied by 9.5 to 71.6, with most locations having a multiplier of 28.6-57.2. These relatively high multipliers reflect the generally dissipative to intermediate beach state along the Kapiti Coast. Note that based on the measured shoreline response to the historic sea level rise of the order of 17 cm/century assumed in the report, the multipliers should be predominantly negative (-247 for the average accretion rate of 0.42 m/y).

The other component is the predicted sea level change. Both the 2008 and 2012 reports are based on various projections of future sea level derived from economic scenarios used to estimate future radiative forcing, and hence future temperatures. The projections then assume that sea level responds in a predictable manner to global temperatures. So far this has not been the case (Gregory *et al*, 2012), and more than 40 years of sea level projections have not successfully predicted the actual global sea level response (Gehrels 2010; de Lange and Carter, 2013, Houston, 2013). Most studies have found that the global rate of sea level rise determined by long-term tide gauge records has been decelerating for at least the last 50 years (de Lange and Carter, 2013), and this is also evident in the shorter, more recent satellite record (Chen *et al*, in press).

At a regional scale, the projections for the Tasman Sea significantly overpredict the observed sea level rise (Borretti 2012). Finally for the local Kapiti Coast, the measured relative sea level rise of 2.03 mm.y<sup>-1</sup>, which includes the effects of tectonic subsidence (Bell and Hannah, 2012), is lower than the 3.7 mm.y<sup>-1</sup> sea level projections assume the rate has accelerated to by 2013 (IPCC WGI Fifth Assessment Report – Chapter 13). Assuming that the difference between the observed and assumed rates for the Kapiti Coast remains constant for the next 50 years, it would equate to a difference of 0.8 to 6.0 m for predicted *SLR* term. If the observed sea level rise accelerates at a lower rate than assumed for the projections, the difference will be larger, and if the observed deceleration in the rate of sea level rise continues, the difference will increase still further.

Figure 13 compares the average shoreline response (ignoring the *ST* and *DS* terms) for the period 1950-2007 assuming the observed rate of relative sea level rise for Wellington of 2.03 mm.y<sup>-1</sup> (Bell and Hannah, 2012). This

value is higher than the  $1.7 \text{ mm.y}^{-1}$  reported by CSL (2008a) due to subsidence of the Wellington region associated with slow slip earthquakes (Beavan and Litchfield, 2012). Since it is the observed rate at Wellington, it may be a little too high as the effect of the observed subsidence is smaller for Kapiti than Wellington (Beavan and Litchfield, 2012).

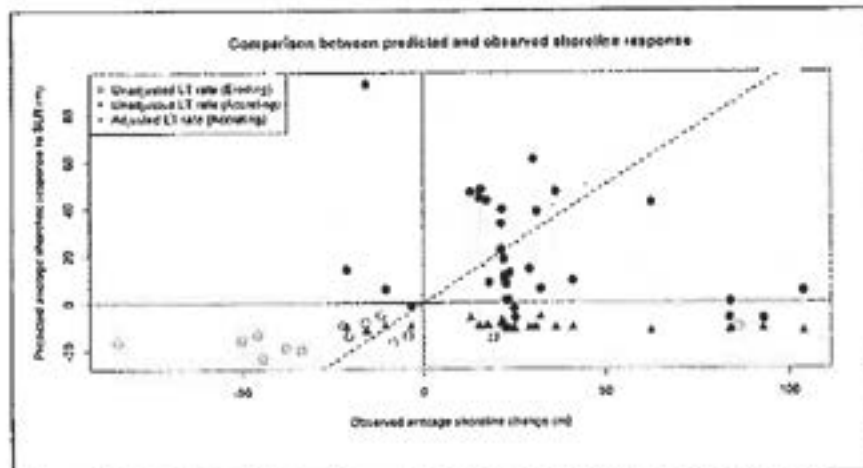


Figure 13. Comparison between the predicted and observed average shoreline change between 1950 and 2007 using the early period *LT* erosion/accretion and the *SLR* erosion determined by the BR method for a rate of sea level rise since 1950 of  $2.03 \text{ mm.y}^{-1}$  (Bell and Hannah, 2012). The adjustment for accreting coasts used by CSL (2008a) was also applied to locations accreting during the early period (red triangles connected to unadjusted predictions by vertical dotted lines). The shaded grey zone indicates agreement between predicted and observed shoreline response allowing for a *CU* term of  $\pm 6 \text{ m}$ .

The effect of setting the *LT* term to zero for accreting coasts and applying a non-zero uncertainty was also assessed for locations that were accreting during the early period considered by CSL (2008a). Vertical dotted lines connect the predicted shoreline locations without (red triangles) and with (solid circles) an accreting shoreline. The sloping dashed line indicates perfect agreement between predicted and observed coastal

erosion, with the grey shading indicating the *CU* uncertainty adopted by CSL (2008a) of  $\pm 6 \text{ m}$ . It is evident that, using historical data for sea level rise, there is poor agreement between predictions and observations. Further, the adoption of a zero trend for accreting coasts does not improve the agreement, as there were 3 sites within the grey zone before adjustment, and 2 different sites after adjustment. Overall, the methodology of CSL (2008a) provided hindcast predictions within the specified uncertainty for 4-6% of the cases, which does not provide confidence in the predictions for the future.

The hindcast analysis used a known sea level rise, but this is not known for the predictions of the future. Therefore, for an assessment of risk it is of concern that there are no probabilities associated with the sea level projections. Although terminology such as *most likely value* is often applied to sea level projections, this is a qualitative judgement and not a statistical interpretation. CSL (2008a) is based on a value of  $0.6 \text{ m.Century}^{-1}$ , which is three times the observed rate of relative sea level rise for Wellington since 1944, while CSL (2012) used  $0.6 \text{ m.Century}^{-1}$  for the 50-year projection (0.3 m total) and  $0.9 \text{ m.Century}^{-1}$  for the 100 year projection. The assumed sea level rise was described as conservative (page 34 CSL, 2008a).

There is no indication of the probability of occurrence for the assumed sea level rise, which is required for risk assessment. Considering the IPCC AR4 projections (IPCC, 2007), used to develop the Ministry for the Environment guidelines for New Zealand, and the more recent IPCC AR5 projections<sup>1</sup>, the worst case, and hence least likely, scenarios are suggesting maximum sea level rises of  $0.6\text{-}0.8 \text{ m.Century}^{-1}$  with mid-point sea level rises of  $0.4\text{-}0.6 \text{ m.Century}^{-1}$ . Hence, the sea level rises used by CSL (2012) are higher than those summarised by the IPCC

<sup>1</sup> The IPCC AR5 projections are currently only available in draft form and may be changed to align with the published Summary for Policy Makers before being published in 2014.



(2007, in press), and involve rates of sea level rise that have previously only occurred for short durations during meltwater pulses following the Last Glacial Maximum (Standford et al., 2011). Therefore, the probability of the assumed sea levels occurring is likely to be extremely low.

The *SLR* uncertainty is based solely on the estimated error in the measurement of the nearshore slope, and was determined to be  $\pm 1.6$  m. It is unclear why the slope measurement was converted to an angle for this determination. The slope error was originally  $\pm 0.001$  grad, and, since this calculation effectively takes the reciprocal of the slope, the error analysis should have been based on percentage error. The uncertainty should also consider the variability of the nearshore slope, particularly since the method is based on the most variable part of nearshore geomorphology. The *SLR* uncertainty should consider the uncertainty of the sea level projections as well as the slope measurements.

In conclusion, the *SLR* term was determined by an inappropriate methodology that incorrectly determines the response to sea level as demonstrated by hindcasting 57 years of shoreline change for the Kapiti Coast (Figure 13). No analysis of the probability distributions of the key parameters used was undertaken, and therefore, the results cannot be used in a risk assessment.

#### **DS – Dune stability factor determination and uncertainty**

The *DS* factor takes into account the slope adjustments that occur after an erosion event, particularly the scarp retreat that results in an additional landward migration of the upper dune face, assuming that the erosion has scarped the frontal dunes. In relation to the Kapiti Coast assessment, this scarp adjust has already been accounted for because the shoreline is based on the vegetation line (ie. landward of any scarp, after a period of time during which it is likely that the face has adjusted to a stable angle). As discussed above, the *LT* and *ST* factors are both based on the vegetation line and will already include any *DS* adjustment. Therefore, for the CEPD the *DS* term is double dipping.

The methodology used to assess *DS* is quite common, and assumes that the material falling from the top of the slope accumulates at the toe until a stable slope is achieved. CSL (2008a) assumes that half of the stable slope occurs landward of the dune toe at the end of the storm, and the other half occurs seaward. Hence, the *DS* term is half of that often applied by assuming the stable slope is located entirely landward of the storm dune toe. The result depends on the assumed stable slope angle and the height of the scarp. CSL (2008a) assumed a stable angle of  $34^\circ$  for the Kapiti Coast dunes, while noting that some stable dune scarps around Paekakariki have angles of  $41^\circ$ . In contrast, Gibb and Depledge (1980) assumed a stable angle of  $40^\circ$  based on measurements after storm scarping of the dunes at Paekakariki that ranged from  $35^\circ$  for loose dry sand to  $45^\circ$  for vegetated damp dunes. Therefore, the *DS* term is likely to overestimate the retreat required to produce a stable slope.

CSL (2008a) assumed that the scarp height resulting from future erosion equated to the maximum dune height along sections of similar coast including each location for sites south of Otaki, and equal to the maximum for the entire Kapiti Coast for sites north of Otaki. This is only valid if the final future erosion event termination is coincident with the maximum dune height. Overall, the approach used will over-estimate *DS*, as noted in the report (page 36 CSL, 2008a).

The uncertainty is based on the root mean square (RMS) measurement error for the estimated maximum dune height, and was calculated as  $\pm 2.3$  m. It does not include any consideration of the uncertainty in the assumed

stable slope angle, which is likely to underestimate the steepness of the dune scarp as observed by Gibb and Depledge (1980).

In conclusion, the *DS* term should not have been included in the CEPD assessment. Further the methodology used over-estimates the *DS* term, although this is offset by assuming that only half the *DS* term occurs landward of the dune toe at the end of the storm.

#### **CU – Combined uncertainty determination**

There are some issues with the approach to the uncertainty as expressed in the definition of Equation 1 in the original report:

1. Some factors are time dependent (*LT* and *SLR*, which involve multiplying a factor by the time interval being considered) while others are not (*ST*, which is a fluctuation about zero, and *DS*, which is a one-off adjustment). Strictly the uncertainties of the time dependent factors will increase with time, and the others will not.
2. It is not clear why there should be additional uncertainty factors beyond those that are already incorporated into the uncertainties of *LT*, *ST*, *SLR* and *DS*. However, there do not appear to be any such factors actually included in the *CU* term.
3. The methodology repeatedly selects values that maximise the possible erosion as a conservative or precautionary approach. There is no analysis of the extent to which this increases the final CEPD, or what the CEPD would be if alternatives that minimise coastal erosion were used.

The uncertainties derived for the *LT*, *ST*, *SLR* and *DS* factor were combined using the Root Sum Squares (RSS) approach. The report states that the *CU* factor was also included in the RSS summation (Page 38 CSL, 2008a), but it shouldn't be included and it does not appear to have been. It was also stated that the 5 factors are independent. However, the *LT* and *ST* factors are highly correlated and their uncertainties were derived from the same measurement errors by unspecified empirical methods, and Equation 5 indicates *CU* is a function of the other terms.

The calculated *CU* factor was  $\pm 5.3$  m, which was rounded up to  $\pm 6$  m for the 50 year CEPD (CSL, 2008a). It is clear from Figure 13 that this underestimates the errors in the predicted shoreline changes. CSL (2012) recalculated the *CU* factor for the 100 year CP, and obtained  $\pm 9.5$  m, which was rounded up to  $\pm 10$  m suggesting an increased confidence in the results for the second half of the century.

CSL (2012) also lists a number of contributions to uncertainty that were considered unnecessary to be included because the conservative and precautionary methodology already over-estimated the erosion, and that this compensated for the uncertainty of the projections of future climate. This is an unusual approach to quantifying uncertainty, and seems to advocate a particular planning position on acceptable risk rather being an objective approach to risk assessment.

It is evident that at each step of the determination of the CEPD, the analysis maximises the estimated future shoreline erosion, and the effect it had on the resulting CEPD has not been quantified. Of particular concern is that this approach ignores any mitigating factors, except for the presence of some seawalls. Overall, it has the effect of exaggerating the future hazard and almost certainly has identified areas as being hazardous that are unlikely to experience any coastal erosion. Therefore, it represents an unrealistic assessment of the potential risk associated with coastal erosion.

## Removal of structures

CSL (2008a, 2012) also has predicted the CEPD for locations currently protected by seawalls based on three scenarios:

1. The seawalls maintain their current level of protection for the duration of the prediction period (*Seawalls hold*);
2. The seawalls occasionally fail, but are quickly repaired or replaced (*Seawalls repaired*); and
3. The seawalls fail and are removed at some stage during the prediction period (*Seawalls removed*). This scenario was omitted from the 2012 update (CSL, 2012).

Somewhat confusingly, the three scenarios were also applied to regions with no seawalls, but using a different methodology. Only the coast south of Marine Parade, Paraparaumu Beach (site C11.17) appears to have sites where the three scenarios have some relevance. CSL (2008a) also distinguishes between *official* and *private* seawalls, where official seawalls were built and/or maintained by the Kapiti Coast District Council and protect multiple properties and public land. Private seawalls are built and maintained by private individuals, and it is assumed that they only provide partial protection. It is not clear if the distinction resulted in a different methodological approach.

CSL (2008a) does not clearly explain the methodology for the different scenarios, stating that the methodology was defined in the database. The approach appears to have been:

1. *Seawalls hold* methodology set all the terms to zero, so the CEPD is zero;
2. *Seawalls repair* methodology assumes that there is some coastal erosion before the seawall is repaired, and this erosion consists of *ST*, *DS*, and *CU* terms. The *ST* term was interpolated from adjacent non-seawalled sites and seems to be 15 m for most sites. The *DS* term was calculated from the local maximum dune height, and the *CU* term was increased to  $\pm 9$  m to account for scour in front of the damaged seawall. It is assumed that the maximum possible erosion occurs regardless of the extent of damage, or the duration of the repair.
3. *Seawalls removed* methodology includes all the same terms as used for an unprotected shoreline. The only difference is the calculation of the longer-term rate, which represented the sum of an estimated rate of shoreline change if the seawall had not been constructed ( $LT_{50}$ ) and a catch-up allowance for the amount of erosion that may have occurred over the past 50 years if the seawall was not present ( $LT_{50}$ ). For a 50 year prediction period, the two components are equal ( $LT_{50} = LT_{50}$ ) so (CSL, 2008a) effectively replaced *LT* with  $2 \times LT_{50}$ . This approach implies that for a 100 year prediction the *LT* would be  $3 \times LT_{50}$  (100 years of the long term trend plus the 50 years of catch-up). However, the values given in Appendix D (CSL, 2012) correspond to  $4 \times LT_{50}$ . The longer-term rate used to calculate  $LT_{50}$  was based on the calculated earlier period trends. The calculated trends for adjacent sections of coast were smoothed and the 95% maximum erosion rate estimated (Accreting trends were set to zero). The erosion rate was then rounded to the nearest  $0.05 \text{ m.y}^{-1}$  to allow for the less reliable cadastral-based data for the earlier period rate. CSL (2012) discusses an alternative approach based on the behaviour of the unprotected coast between Paekakariki and Raumati South, and concluded that the CSL (2008a) methodology was appropriate.

Overall, the methodology used is likely to over-estimate the shoreline erosion, particularly in the case of the *seawalls removed* scenario. This arises due to over-estimation of the erosion rates, and also because of the assump-

tion that the erosion occurs for the full duration of the prediction period (no consideration of when the seawalls are removed), or to the maximum possible extent during a seawall repair with no mitigation measures to minimise erosion, to repair the effects of erosion.

### Inlet methodology

Where a stream or river discharges at the coast a tidal inlet typically forms. Different types of inlets can form depending on the balance between freshwater discharge, tidal flows and longshore sediment transport (Hart, 2009a & b). The type of inlet is not too important for a hazard zone assessment, but the amount of inlet migration is a factor. Over time the inlet position can move along the coast, generally in the direction of longshore sediment transport, with erosion on the downdrift side and accretion on the updrift side of the inlet forming a longshore spit and tidal lagoon. There tends to be a maximum amount of lateral movement, as flood events tend to breach the longshore spit and effectively straighten the inlet. The spit may also be artificially breached to achieve the same effect.

CSL (2008b) argues that for the Kapiti Coast, the hazards associated with tidal inlets are significantly different to those experienced on the intervening open coasts. This is reasonable in that inlet migration only occurs at inlets, and requires that the future behaviour of the inlet be reliably predicted. The open coast CEPD equation was modified by replacing the short-term fluctuation with an Inlet migration factor (*IM*) to account for inlet migration (CSL, 2008b, 2012). Note that the subtraction operation in the equations defining the *IEPD* (Equation 2 CSL, 2008b; Equation 6 CSL, 2012) is incorrect, as the terms are all added together to define the landward movement of the shoreline. The *IEPD* merely replaces the short-term fluctuations due to wave process (*ST*) with the short-term fluctuations associated with channel migration. It does not take into account any of the other hazards, such as flood inundation, that may be associated with inlets.

To determine the inlet migration CSL (2008b) selected points that represented the maximum landward excursions evident in aerial photographs since 1939 based on the location of vegetation regardless of longshore position. This doesn't really correspond with accepted interpretations of inlet migration that relate to the longshore stability of the main channel (viz. Hayes, 1980; Komar, 1996; Hart, 2009b). It is difficult to envisage how the CSL (2008b) approach will provide suitable data for a probabilistic analysis of coastal erosion risk.

Further, by using vegetation to indicate shorelines, there is likely to be a significant lag between the migration of the shoreline and establishment of vegetation, particularly if grazing and other anthropic factors are present. Earlier cadastral surveys, which were based on the position of the high tide mark, were only used to estimate the location of the main inlet channel(s).

The maximum landward excursions from the entire set of inlet shorelines measured were then combined to produce a *composite shoreline*, which represents the maximum landward extent of the envelope of all inlet shoreline positions. Note that at no time during the period of analysis did the inlet shoreline simultaneously occupy all positions along the composite shoreline. The composite shoreline is then transformed into the *inlet migration curve* (*IMC*) by fitting a curve that was "consistent with the general shape" (page 15 CSL, 2008b) of the local maximum landward inflexion points along the composite shoreline. Finally the *LT*, *SLR* and *DS* terms from the nearest open coast site were used to calculate an offset that was combined with the inlet *CU* term ( $LT+SLR+DS+CU$ ) to shift the inlet migration curve inland to become the *IEPD*.



The uncertainty term *CU* for the inlets used by CSL (2008b) should differ from the open coast *CU* term (CSL, 2008a) due to the substitution of the *ST* term with the *IMC*. CSL (2008b) calculated the *IMC* uncertainty solely from the measurement error of the digitised inlet shorelines, and determined a total *CU* over 50 years of  $\pm 5.9$  m (cf.  $\pm 5.4$  m for the open coast), which was then rounded up to  $\pm 6$  m, matching the open coast *CU* value adopted by CSL (2008a). Similarly CSL (2012), derived an inlet *CU* term of  $\pm 10$  m over 100 years that matched the open coast value. There was no quantification of the uncertainties involved in the conversion from measured shorelines to the inlet migration curve. In particular, the fitting a curve to approximate the general shape introduces additional errors not account for by the *CU* term. Therefore, the uncertainty is likely to be larger than indicated by the *CU* term.

CSL (2008b) distinguished between *unmanaged*, *transitional*, and *managed* in analysis periods (summarised in Table 2 below). The distinction between unmanaged and managed inlets was on the basis of the inferred effectiveness of any inlet management structures and/or procedures such as the deliberate breaching of any berm blocking the inlet as permitted for many of the inlets by the Greater Wellington Regional Council. Transitional inlets represented time periods where the effectiveness of management was uncertain. Data for transitional periods were excluded from the derivation of inlet migration curves. CSL (2008b) further distinguished between the northern and southern sides of inlets primarily on the basis of the interpreted behaviour of the open coast, the presence or absence of open coast structures, or the potential influence of structures or inlets updrift of the inlet.

It is evident that the application of the methodology varied between inlets by considering different time periods, and the interpretation of the influence of structures, management regimes such as barrier breaching, and the influence of coastal processes. The methodology for determining the inlet migration curve was modified at Mangaone Stream to account for an assumed change in beach morphology. Finally the methodology was also altered for Whareroa and Wainui Streams to incorporate the effect of open coast seawalls not specifically part of the inlet system.

Table 2. Summary of the analysis periods used by CSL (2008b) for the inlets along the Kapiti Coast.

Inlet	Unmanaged period	Transitional period	Managed period
Waiorongomai Stream - North	1942 - 1965	1965 - 1972	1972 - 2007
Waiorongomai Stream - South	1942 - 2007		
Waitohu Stream	1942 - 1966	1966 - 1973	1973 - 2007
Otaki River	1939 - 1946	1946 - 1957	1957 - 2007
Mangaone Stream	1948 - 2007		
Hadfield Stream	1948 - 2007		
Waimaha Stream	1942 - 1966	1966 - 1973	1973 - 2007
Waikanae River	1942 - 1966	1966 - 1980	1980 - 2007
Tikotu Creek	1942 - 1965	1965 - 1972	1972 - 2007
Wharemauku Stream - North			1952 - 2007
Wharemauku Stream - South	1942 - 1966	1966 - 1973	1973 - 2007
Whareroa Stream	1942 - 2007		
Wainui Stream	1942 - 2007		
Waikakariki Stream	1942 - 1956	1956 - 1979	1979 - 2007

An interesting aspect evident from the discussions of the historical development of the inlets in CSL (2008b) is the progressive southward appearance of a pulse of sediment affecting the inlet morphology. This is reported for the northern-most inlets as starting in the 1940s, affecting the Waikanae River in the 1950s and 1960s and finishing at the southern-most inlets in the 1970s. Further, it is suggested that it represents a 50-60 year quasi-cyclic process, which is consistent with the findings of Grant (1981) and corresponds to the IPO oscillation

modulation of precipitation and wind climate, with a lagged influence along the coastline associated with the rate of longshore sediment transport. The data presented also suggest that another pulse of sediment has been affecting the northern-most inlets for at least the last decade.

The methodology has several problems:

1. The aggregating of multiple inlet shorelines into a shoreline envelope to define the composite shoreline ignores the behaviour of the inlet over time, which means that there are no probabilities associated with shoreline locations. This makes it impossible to assess the risk of erosion. It also obscures any systematic patterns of behaviour that could be used to predict the future pattern of inlet migration.
2. The composite shorelines, and more importantly the IMCs derived from them, do not appear to consider the geomorphology consistently. For example, CSL (2008b) adjusted the IMC for the southern side of the Mangaone after assuming that the 1948 shoreline was in response to a lowered beach berm height. However, there is no allowance for the dunes formed since 1948, which would restrict shoreline erosion.
3. The analysis depends on the determination of what constitutes a managed or unmanaged inlet. The historical summaries presented (CSL, 2008b, 2012) indicate that all of the inlets have been modified in various ways and extents throughout the entire analysis period, particularly the period of aerial photography. It seems that the distinction is based mostly on an arbitrary assessment of the type of structures built within the inlet, presumably to fit with the seawall scenarios on the open coast. There is no analysis of the impacts the structures have on the probability of inlet erosion, apart from recognition that they may restrict inlet migration.
4. Although the data show that most of the inlets occur on accreting coasts, it is assumed that the inlet migration curve can shift landwards in the future.
5. The overall analysis appears to be sensitive to the availability and quality of the data, and the choices made by the analyst.

The Waimeha Inlet (Figure 14) demonstrates the last issue. CSL (2013) undertook a reassessment of the northern side of Waimeha Inlet. This reassessment included aerial photographs taken in 2010 and 2013, higher quality aerial photographs for 1973 and 1988, and additional historical data on inlet modifications. The reanalysis considered two different time periods for the transition between managed and unmanaged inlet conditions – the original from CSL (2008a, 2012) given in Table 2, and an alternative transition period of 1980-1988. This corresponds to 3 different



Figure 14. Comparison between the original CSL (2008a) predictions (unchanged in CSL, 2012), and the revised CSL (2013) predictions for 50-year CEPD lines of the northern side of Waimeha inlet. See text for discussion of the revisions.

predictions of the 50 year managed shoreline based on different time periods: 1973-2007; 1973-2013; and 1988-2013.

Figure 14 shows the changes between the managed CEPD lines derived from the three different time periods considered to be affected by inlet management (2008 managed CEPD was based on the 1973-2007 time period). It is evident that the combination of shorelines used to create the inlet migration curve significantly affects the outcome. In particular, the exclusion of the 1980 and 1988 shorelines appears to be the sole factor causing the difference between 50-year managed shorelines based on the 1973-2013 and 1988-2013 periods (Figures 14 & 15)

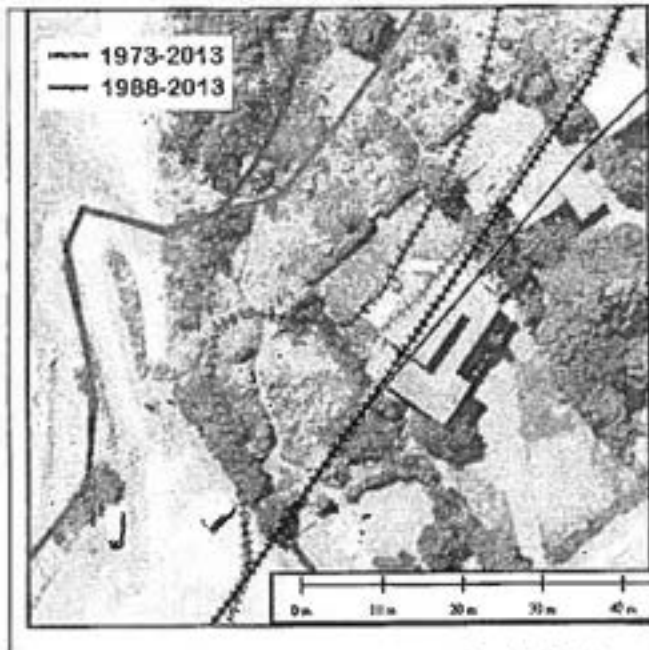


Figure 15. Close-up of northern side of Waimeha inlet showing the CEPD lines (black solid line and hatched lines), with the *IMCs* and managed shorelines from Figure 2 of CSL superimposed (red/green solid and hatched lines respectively).

CEPD is offset in the longshore direction. It would also be legitimate to question why the CEPD doesn't coincide with *IMC* for the region that is protected by a hard structure. Finally, Figures 14 and 15 also demonstrate how the choice of data and how it is included has different impacts on properties in the affected region.

### Summary of methodological concerns

The preceding sections outlined concerns with various aspects of the methodology used by CSL (2008a, 2008b, 2012 and 2013), ranging from serious to minor. It should be self-evident that the CEPD lines produced are the consequence of a series of assumptions made and the specific methodology used to derive them. There are three main aspects that invalidate the CEPD lines for the purpose of providing an assessment of the coastal erosion hazard for the Kapiti Coast:

1. At almost every step of the analysis, a procedure was followed that maximised the predicted erosion, which was justified as being a precautionary or conservative approach. The only exception was the choice to distribute the effect of the dune stability factor on either side of the predicted storm erosion extent. However, the dune stability factor was also inflated by the choice of dune scarp height, stable

It is also evident that the interpretation of the influence of structures, as the groyne and stormwater outlet located to the right of the sharp bend in the Waimeha Stream as it exits onto the beach was ignored in the earlier assessments due to the poor quality of the aerial photographs and not being noticed during the site visit (CSL, 2013). The inclusion of these structures produces the bulge on the seaward side of the property at 21 Field Way.

Comparing Figures 1 and 2 from CSL (2013) also suggests that there is an issue with the implementation of the methodology using GIS (Figure 15). The methodology states that the CEPD is a landward translation of the *IMC* by a distance determined by the sum of the other terms, but doesn't explicitly state the orientation of this displacement. For the example in Figure 15, the

angle and the inclusion of an estimated scour factor for the seawall repair scenario (dropped for CSL 2012). Since the shorelines were derived from vegetation lines at the top of the dune scarps, the dune stability factor should have been omitted. Consequently, the CEPD represents an extremely unlikely worst-case scenario. Hence, while it may be reasonable to assume that areas landward of the CEPD will not be affected by coastal erosion, it is unreasonable to assume that all areas seaward of the CEPD will be affected. Also, this procedure means that the analyst is deciding what is an acceptable level of risk at each stage of the procedure, rather than those responsible for coastal management.

2. The methods used are inappropriate for the purpose. Aspects of particular concern are:
  - a. The *longer-term trend (LT)* is based on too short a time period to separate the long-term trend from fluctuations associated with the IPO. Further, the assertion that the later period trend is qualitatively consistent with the overall trend is demonstrably incorrect.
  - b. By separating the uncertainty from the *LT* term, the analysis incorrectly transforms accreting coasts to an erosional trend. The use of very short sequences of data to represent the long-term trend is not justified. There is no basis for expecting a sudden reversal of the observed long-term accretion trends.
  - c. The derivation of the shorter-term trend from the standard deviation of the residuals from the OLS fit for the longer-term trend differs from standard practice. It does not appear to be a valid approach, and the predicted values appear to be inconsistent with observed storm events.
  - d. Available shore profile data would provide a better estimate of the likely cut and fill response for the Kapiti Coast.
  - e. The *SLR* term is derived using a common variant of the Bruun Rule, despite it being recognised that the Bruun Rule should not be applied.
  - f. The *DS* term should not have been included because the shorelines used in the analysis were based on vegetation lines, and therefore already incorporate the effects of slope instability.
  - g. Using the methodology to hindcast the shoreline response over 57 years indicates that the method is a very poor predictor of the observed response. A simpler and more effective method is to extrapolate the long-term trend covering all available data.
  - h. The inlet IEPD is based on an assumed landward inlet migration, and not the longshore migration of the inlet that would normally be used to assess inlet stability.
  - i. The landward inlet migration is derived from an envelope of shoreline positions. The methodology used is very sensitive to the selection of which shorelines are included, and the assessment of the effects of any structures present. Overall the method for inlets does not seem robust or reliable.
  - j. The uncertainty terms are largely based on measurement errors and do not consider errors introduced by the methodology followed. The terms used are not strictly independent, there are unexplained empirical derivations, and values are arbitrarily inflated to account for unspecified uncertainties. Only single-sided *CU* terms are applied to the final CEPD and IEPD lines.
  - k. The analysis does not include a probabilistic analysis of the components of the CEPD or IEPD, and hence cannot form the basis of a coastal erosion risk assessment.



3. Apart from the distinction between the open coast and inlets, the methodology is assumed to apply to the entire coast. There is good evidence to show that the behaviour of mixed-sediment beaches is significantly different to that assumed for sandy beaches. This affects the coast between the Otaki River and Te Horo Beach, and the southern area of Paekakariki to a lesser extent. There is a growing body of evidence that dunes with established native vegetation respond differently to storm events than those stabilised by introduced *Ammophila*. Further, *Ammophila* affects the inland loss of sediment from the coast. As community initiatives are replacing *Ammophila* with native dune species along the Kapiti Coast, the response to coastal forcing is changing and should be accounted for with more suitable methods. Overall, it is evident that a single methodology for the entire open coast is not appropriate.
4. A risk assessment of coastal erosion should include a probabilistic analysis of the drivers and responses for the coast. In terms of drivers for coastal erosion, the analysis adopts values for sea level rise that are suggested for consideration by the Ministry for Environment 2008 guidelines, but does not consider their applicability or probability of occurrence. The analysis assumes that the future climate will adversely affect sediment supply to the Kapiti Coast, but does not quantify the probability of this occurring. It should be noted that the NIWA climate projections (<http://www.niwa.co.nz/our-science/climate>) do not show any significant change in the coastal drivers other than sea level before 2050, and there is low to moderate confidence in some change by 2090, but the regional effects are very uncertain. Having assessed the probability of changes to the processes driving coastal erosion, the analysis should also have quantified the risk of coastal erosion, allowing for existing mitigating factors. This would provide the necessary data to assess the risk to coastal areas, and also permit a cost-benefit analysis for any proposed management responses.

CSL (2012) recognised that some of the CEPD and IEPD lines were "overly cautious" (Page 63). However, it is evident that, due to the methodology followed, all the CEPD and IEPD lines represent an extremely unlikely worst-case scenario. Further, the available data for the evolution of the Kapiti Coast indicate that the shoreline migration is largely determined by the sediment budget, and this budget has been influenced by decadal scale variations in storm activity and not by changing sea level. Climate projections for the next century do not indicate any major changes in storm activity for the Kapiti Coast. Therefore, it is unlikely that significant changes in sediment budget, and thus shoreline migration, will occur in the next century. Hence, the observed changes over the past century, allowing for the effects of structures and management practices, will be a good indicator of coastal erosion hazard (as demonstrated by comparing earlier and later period shoreline trends).

Based on this reasoning, areas experiencing historic shoreline accretion are unlikely to experience an erosion trend in the future, and hence are low risk. In contrast, areas experiencing historic erosion are not likely to experience significant accretion trends in the future, which would make them high risk. However, as noted in CSL (2008a, 2008b, 2012) those areas where historic erosion has affected properties have been modified to mitigate the risk, either by the construction of structures, or the removal of affected infrastructure. Therefore, unless it is policy to remove structures, the future risk is low. Examination of the CEPD and IEPD lines indicate that the majority of properties seaward of the lines occur in areas of accretion, or have protective structures. Hence, it can be concluded that the majority of properties are low risk.

In order to better quantify the actual level of risk, a probabilistic approach should be applied, as discussed below.

## Alternative approach

From the available evidence of the Holocene evolution of the cusate foreland summarised above, and historical shoreline changes for the Kapiti Coast (Gibb, 1978; CSL, 2008a & b), the primary driver of shoreline accretion or erosion is the available sediment (*net sediment budget*). The sediment budget is affected by variations in sediment supply, primarily in response to climatic fluctuations in rainfall and windiness, and to a lesser degree by anthropic factors such as land-use changes and sediment extraction (*viz.* Grant, 1981, 1991). Local sea level variations due to eustatic sea level changes do not have any identifiable impact on shoreline location. Abrupt, large relative sea level changes due to local earthquakes appear to have relatively minor effects on open coast shoreline position, but may affect inlets and can alter the accommodation space for sediment deposition. Local earthquakes can be associated with large increases in sediment supply (Goff *et al.*, 2008) and local tsunami, which have probably caused significant changes to the coastal geomorphology of the Kapiti District in the past (Goff *et al.*, 2007).

Given the importance of the coastal sediment budget, an alternative approach would be to first determine the sediment budgets for sections of the Kapiti Coast corresponding to the major geomorphological units. Walton Jr *et al.* (2012) review sediment budget methodologies and propose a simplified approach for inlets that can also be utilised for the open coast, although the purpose of their analysis is to identify what can be achieved with a sediment budget.

Table 3 below summarises the data available for assessing the overall sediment budget for the Kapiti Coast. The main sources and sinks of sediments were discussed above in relation to the Holocene evolution of the coastline. Gibb (1978) estimated the volume of sediment required to renourish the Paekakariki and Raumati coast in response to the observed erosion. His estimates correspond to 64 t/m/m of sediment (mass of sediment per metre of beach width per metre of shoreline advance or retreat). This is an under-estimate as it didn't consider the sand volume in the dunes, but gives a reasonable indication of the magnitude. However, taking this value over the entire Kapiti Coast, the observed rate of accretion represents 1.2 kt.y<sup>-1</sup>. Hence, it is likely that the observed shoreline changes involve mass transport at least an order of magnitude smaller than the potential sediment input to the system.

Table 3. Possible components of a sediment budget for the Kapiti Coast.

Sediment inputs		Sediment outputs
Longshore drift — 80-240 kt.y <sup>-1</sup>		Local Shoreline advance — 1.2 kt.y <sup>-1</sup> Inland — unknown Offshore — unknown
Regional Rivers — 170 kt.y <sup>-1</sup>	Local Rivers — 28 kt.y <sup>-1</sup>	
Coastal erosion — unknown	Coastal erosion — unknown	
Inner shelf — unknown	Inner shelf — 0 kt.y <sup>-1</sup>	

Although there are components of the sediment budget missing from Table 3 because they could not be estimated from the literature assessed for this report, they are either relatively easy to assess, such as from comparisons of hydrographic charts for the offshore sediment outputs, or likely to be smaller than the uncertainties in the river sediment inputs. The available data do indicate that a substantial change in the sediment budget would be required to transform the entire Kapiti Coast to an erosional coast.

The sediment budget can be refined by considering smaller sections of the Kapiti Coast, particularly to assess the effects of the 12 inlets along the coast. This would clearly identify areas that have sufficient input of sediment to offset any potential future tendency towards long-term erosion. It would also be useful to assess the effects of

sediment pulses moving along the coast. It is expected that such an analysis would replicate the existing pattern of erosion and accretion reported by CSL (2008a), rather than the predicted patterns of coastal erosion implied by the CEPD and IEPD lines.

For areas that are accreting and have a significant surplus of sediment, the CEPD should be predominantly a function of the short-term fluctuations associated with storm events. The extent of erosion can be determined from profile measurements, which is preferred because it would permit a probabilistic analysis, or by the application of analytical models such as Komar *et al* (1991) or Larson *et al* (2004), or numerical models such as XBeach (Roelvink *et al.*, 2009). The long-term trends would only need to be considered if there is an intention to continue development seaward of existing property boundaries.

For areas that are eroding, or are identified as likely to experience a sediment deficit in the future, there should be a probabilistic analysis of the CEPD using a process-based model. Ranasinghe *et al* (2012) provide an example of such an approach for Narrabeen Beach, Sydney, Australia, that would be applicable to the Kapiti Coast. The key steps of such an analysis for the Kapiti Coast, assuming the shoreline corresponds to the dune toe, are:

1. Use a Monte Carlo simulation to generate a time series of storms for the future interval of interest using observation based joint probability distributions of the storm characteristics. MetOcean Solutions Ltd (2010) has already evaluated the necessary data for the Kapiti Coast.
2. Estimate the range of mean sea level elevations for the time each storm occurs. Generally, the most recent IPCC projections are used, as they should represent a complete review of the available projections. Note that it is not appropriate to select either the worst case, or best case, scenarios.
3. For each storm estimate the amount of coastal erosion. This is best based on historical observations, but can be estimated by model predictions. There must be allowance for shoreline recovery between storm events, which is best determined from historical observations. Note that this model can be applied to an accreting coast by adjusting the recovery phase to incorporate the long-term trend.
4. Estimate the final shoreline position at the end of the prediction period by temporally averaging the last 2 years (this reduces the influence of any storms that occur in the last 2 years, and therefore haven't had sufficient time for the recovery phase).
5. Subtract the initial position from the final position to estimate the shoreline change (negative values correspond to erosion).
6. Repeat steps 1-5 until the exceedance probabilities > 0.01% converge (bootstrapping).

Ranasinghe *et al* (2012) found that using this approach, with the numerical SBEACH estimating the coastal erosion, and an assumed sea level rise of 0.92 m relative to 1990 by 2100, the BR method (used by CSL, 2008a, 2012) estimates corresponded to probabilities of exceedance between 8% and <1% depending on the shoreline slope used (higher probabilities associated with steeper slopes). They used BR sea level multipliers of 34-68 *cf.* 28-57 for most of the sites analysed by CSL (2008a). However, they didn't use the technique to hindcast the observed shoreline response to historic sea level rise, so it is difficult to assess how reliable the method is for forecasting.

An important aspect of the methodology suggested by Ranasinghe *et al* (2012) is recognition of shoreline recovery following storm events. This would facilitate consideration of the impacts of coastal management. de Lange *et al* (1997) developed a similar methodology to assess the overall impact of climate change on the New Zealand coast. This was extended to islands in the Pacific (Kench and Cowell, 1996), and is incorporated into the Sim-

CLIM climate impact modelling software. Based on this approach, Warrick (2006) determined that for the IPCC 2001 worst-case scenario, an annual accretion rate of 0.015  $\text{km}^{-1}$  of beach length would be sufficient to offset the predicted erosion. This is several orders of magnitude smaller than the observed rate of accretion for the Kapiti Coast, and suggests that the proposal of Gibb (1978) to utilise the offshore sand resource to renourish the Paekakariki to Raumati shoreline would be a successful strategy.

There does not appear to be an existing probabilistic model for predicting future inlet response. Development of a model for the Kapiti Coast will be complicated by the long history of inlet modification.

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Form 5  
Submission on publicly notified proposal for policy statement or plan

*Clause 6 of First Schedule, Resource Management Act 1991*

To **Greater Wellington Regional Council**

Name of submitter: **Christopher Ruthe on behalf of Coastal Ratepayers United Inc.**

This is a submission on the following proposed plan:

**Proposed Natural Resources Plan for the Wellington Region**

**We could not gain an advantage in trade competition through this submission.**

The specific provisions of the proposal that my submission relates to are: **The Whole Plan**

My submission is:

- **We oppose the whole plan**
- **For the reasons given in the attached submission.**

We seek the following decision from the local authority:

**See the attached submission for details on decisions sought.**

We wish to be heard in support of our submission.

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

**Christopher Ruthe** on behalf of CRU Inc.

Signed

**23 September 2015**

Date

Address for service of submitter: **199 Manly Street, Paraparaumu Beach 5032**

Telephone: **04 904 4144**

Fax/email: **Email christopherruthe@gmail.com**

Contact person: **Christopher Ruthe**  
**Chair, Coastal Ratepayers United Incorporated**

Proposed Natural Resources Plan:

Submitter:

**Heritage New Zealand**

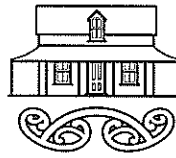
Submitter Number:

**S94**





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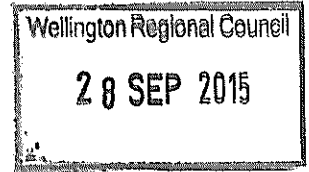
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HERITAGE NEW ZEALAND  
POUHERE TAONGA

23 September 2015

File ref: 33002-014

Greater Wellington Regional Council  
P O Box 11-646  
Manners Street  
WELLINGTON 6142



By email: regionalplan@gw.govt.nz

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA PROPOSED NATURAL  
RESOURCES PLAN FOR THE WELLINGTON REGION**

**1. This is a submission on the following proposed plan**

Proposed Natural Resources Plan for the Wellington Region

**2. The specific provisions of the proposal that Heritage New Zealand's submission relates to are:**

The entire plan, in particular the provisions relating to historic and cultural heritage.

**3. Heritage New Zealand's submission is:**

See attached table

**4. The reasons for Heritage New Zealand's position are as follows:**

See attached table

**5. Heritage New Zealand seeks the following decision from the local authority:**

See attached table

**6. Heritage New Zealand wishes to be heard in support of our submission.**

Yours sincerely

Claire Craig  
General Manager  
Central Region  
New Zealand Historic Places Trust Pouhere Taonga

Attachments:

1. Submission Table
2. Suggested expansion of the Clyde Quay Boat Harbour



Address for Service:

Jillian Kennemore

Heritage Adviser-Planning

Heritage New Zealand

PO Box 2629

Wellington 6140

DDI: 04-494-8325

Email: [HAPlanningCR@heritage.org.nz](mailto:HAPlanningCR@heritage.org.nz)



Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

	Proposed Plan Provision	Support or Oppose	Reasons for Submission	Relief Sought
1.	1.5.2 Community views, scientific and technical information – identifying issues	Support	Heritage New Zealand supports the recognition of heritage protection as an issue to be addressed in the plan.	Retention of these provisions.
2.	Section 3 Objectives Section 3.7 Sites with significant values	Support	<p>Heritage New Zealand supports the grouping of objectives relating to the protection of historic heritage values with similar objectives under the heading 'Sites with Significant Values'. In particular, Heritage New Zealand supports the following heritage related objectives:</p> <p><i>Objective O33: Sites with significant mana whenua values are protected and restored.</i></p> <p><i>Objective O34: Significant historic heritage values are protected from inappropriate modification, use and development.</i></p>	Retention of these provisions.
3.	Section 4 Policies – all relating to historic and cultural heritage	Support	<p>Heritage New Zealand supports the provision for historic heritage (and mana whenua sites) in the various policies of the proposed regional plan.</p> <p>Heritage New Zealand notes that these policies (along with the objectives) have influenced how various activities are provided for in the rules and schedule sections. The policies will also provide appropriate guidance when assessing proposals that require a resource consent application under the rules of the regional plan, where effects on historic and cultural</p>	Retention of policies relating to historic and cultural heritage.



Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

			heritage are relevant.  Heritage New Zealand notes and supports Policy P2 in that it requires consideration of any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plans when assessing a resource consent application. This would cover cross boundary situations where there is the potential for proposals in the Coastal Marine Area to have effects on historic heritage located above MHWS, such in Wellington Harbour.	
4.	All rules applying to Schedule C (mana whenua) and Schedule E4 (archaeological sites)	Support	Under various rules, the disturbance of Schedule C (mana whenua) and E4 (archaeological sites) in various situations requires a resource consent application in which case the objectives and policies of the plan require careful consideration of heritage effects. Heritage New Zealand supports these provisions.	Retention of these provisions.
5.	Coastal Rules Applying to Structures Identified in Schedules E1(Heritage Structures), E2 (Wharves and Boatsheds) & E3 (Navigation Aids)	Support	Heritage New Zealand considers that the proposed Coastal Rules provide suitable provisions for the protection and conservation of historic heritage on Schedule E3: Sites with significant historic heritage values. In particular, the following aspects of these rules are noted: <ul style="list-style-type: none"> <li>• Maintenance and repairs are provided for as a Permitted Activity for existing structures, with appropriate Permitted Activity Conditions.</li> <li>• Major additions and alterations to scheduled heritage structures require consent as at least a Restricted Discretionary Activity, with</li> </ul>	Retention of these provisions, but with appropriate cross referencing and the use of clearer rule headings and web navigation options.





Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

			<p>appropriate reference to the need to consider heritage effects (in addition to the policies discussed in submission point 3 above).</p> <ul style="list-style-type: none"> <li>Removal, demolition or replacement of a scheduled heritage structures requires resource consent as a Discretionary Activity. Heritage New Zealand usually prefers the Non-Complying Activity status for this type of proposal. However, in this case this status is considered to be sufficient given that Policy P47 is very restrictive about when demolition is considered to be appropriate.</li> </ul> <p>We have found the rules complicated and suggest the use of cross referencing to direct readers around this part of the plan. Clearer rule headings and the use of web navigation techniques for the online document would also help in this respect.</p>	
6.	Section 6 Other Methods 6.11 Historic Heritage	Support in part	<p>Heritage New Zealand supports the following method:</p> <p><i>Method 23: Archaeological Discovery Protocol</i>  <i>Wellington Regional Council will require consent holders to have an archaeological discovery protocol in place, as a condition of resource consent, for ground disturbance activities. These protocols will ensure that appropriate actions take place should any archaeological material be uncovered unexpectedly.</i></p> <p>Such protocols are suitable for situations where it is unlikely for archaeological material to be discovered. However, in situations where ground disturbance is</p>	<p>Retention of Method 23, but the addition of a method regarding the use of Advice Notes on resource consents regarding the provisions of the Heritage New Zealand Pouhere Taonga Act 2014, such as:</p> <p><i>The Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) provides protection for all archaeological sites, whether recorded or not. It is unlawful to</i></p>



**Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015**

		<p>taking place near recorded archaeological sites or in places known to have been associated with human activity that occurred before 1900, Heritage New Zealand prefers that the Council include an Advice Note on resources consents regarding the need for separate consents under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy and archaeological site.</p>	<p><i>modify or destroy an archaeological site without the prior authority of Heritage New Zealand.</i></p> <p><i>Section 2 of the HNZPTA defines an archaeological site as:</i></p> <p>a) <i>any place in New Zealand, including any building or structure (or part of a building or structure), that—</i></p> <p><i>(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</i></p> <p><i>(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand;</i></p> <p><i>By careful project design, it is frequently possible to avoid any such modification. However, where avoidance of an archaeological site is not possible, an Archaeological Authority will be required. An Authority is also required if there is</i></p>
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**Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015**

				<p><i>reasonable cause to suspect that an archaeological site may be modified or destroyed.</i></p> <p><i>Part 3 of the HNZPTA sets out the requirements for protecting archaeological sites and applying for authorities to modify or destroy such sites. All applications for Archaeological Authorities must be made to Heritage New Zealand.</i></p>
<p>7.</p>	<p>Schedule E: Sites with significant historic heritage values - inclusion of places on the New Zealand Heritage List/Rārangī Kōrero</p>	<p>Support in part</p>	<p>Heritage New Zealand supports the inclusion of sites on a schedule, which in the case of the proposed regional plan is the key to controlling heritage effects via the proposed rules. In this case, it is noted that the schedules include suitable statements regarding the heritage significance of each item.</p> <p>In preparing or reviewing a resource plan under the Resource Management Act, Councils are required under Section 66(2) (c)(iia) to have regard to relevant entries in the New Zealand Heritage List/Rārangī Kōrero, to the extent that they have a bearing on resource management issues of the area covered by the plan.</p> <p>Accordingly, Heritage New Zealand supports the inclusion within Schedule E of the following places that are either on or associated with the New Zealand Heritage List/Rārangī Kōrero. It is noted that some of these places are part of the Wellington Harbour Board Historic Area, which is still at the proposal stage:</p>	<p>Retention of these provisions but clarification of whether the Taranaki Street Wharf and Queens Wharf items on Schedule E2 (and the rules that apply to it) include the Customs Post building located on Taranaki Wharf and the heritage Wellington Harbour Board gates located in the vicinity of both wharves. If not, Heritage New Zealand seeks the specific addition of these items.</p> <p>Heritage New Zealand seeks that the Clyde Quay Boat Harbour item on Schedule E1: Historic heritage structures be extended to cover the foreshore at the northwest end of the pool building, as shown on Attachment 2 of this submission.</p>



		<p><u>Schedule E.1: Historic heritage structures</u></p> <ul style="list-style-type: none"> <li>• Clyde Quay Boat Harbour – adjoins Freyberg Pool, Category 1 Historic Place (List No. 9440). Heritage New Zealand seeks that the area of this item be extended to cover the foreshore at the northwest end of the pool building, as shown on Attachment 2 of this submission to enable consideration of possible cross boundary heritage effects from any changes in this part of the coastal marine area.</li> <li>• Eastbourne Ferry Terminal Building, Tug Wharf, Waterloo Quay – Category 2 Historic Place (List No. 7807) and included within the Wellington Harbour Board Historic Area proposal (List No. 7036);</li> <li>• Evans Bay Patent Slip - Category 2 Historic Place (List No. 2895);</li> <li>• Shed 3 (Dockside Restaurant) – included in Wellington Harbour Board Historic Area proposal (List No. 7036);</li> <li>• Shed 5 (restaurant) – included in Wellington Harbour Board Historic Area proposal (List No. 7036);</li> <li>• Skerrett Boat Shed, Lowry Bay - Category 2 Historic Place (List No. 3582)</li> <li>• Tripod and level-luffing cranes, Queens Wharf - included in Wellington Harbour Board Historic Area proposal (List No. 7036).</li> </ul>	
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Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

	<p><u>Schedule E2: Historic heritage wharves and boatsheds</u></p> <ul style="list-style-type: none"> <li>• Days Bay Wharf - Category 2 Historic Place (List No. 3574);</li> <li>• Ferry Wharf - included in Wellington Harbour Board Historic Area proposal (List No. 7036);</li> <li>• Patent Slip Wharf – Category 2 Historic Place (list No. 2895);</li> <li>• Queens Wharf - included in Wellington Harbour Board Historic Area proposal (List No. 7036), although it is not clear whether this item includes the heritage Wellington Harbour Board gates in this vicinity;</li> <li>• Railway(inter-islander) Wharf included in Wellington Harbour Board Historic Area proposal (List No. 7036);</li> <li>• Rona Bay Wharf, Rimu Street, Eastbourne – Category 2 Historic Place (List No. 7474);</li> <li>• Taranaki Street Wharf - included in Wellington Harbour Board Historic Area proposal (List No. 7036), although it is not clear whether this item includes the Customs Post building on Taranaki Wharf and the heritage Wellington Harbour Board gates in this vicinity;</li> <li>• Waterloo Quay Wharf (Wool Jetty) - included in Wellington Harbour Board Historic Area proposal (List No. 7036);</li> </ul>	
	<p><u>Schedule E4: Archaeological sites</u></p> <ul style="list-style-type: none"> <li>• Korohiwa Whaling Station, Porirua – Category 2 Historic Place (List 6162);</li> <li>• Mahanga Bay Wharf –associated with Fort</li> </ul>	



Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

	<p>Balance, Category 1 Historic Area (List No. 5074);</p> <ul style="list-style-type: none"> <li>• Mana Island Whaling Station – associated with Te Mana o Kupe Wāhi Tapu (list No. 7674);</li> <li>• Te Kahuoterangi Whaling Station, Kapiti Island – Category 1 Historic Place (List No. 7662).</li> </ul> <p><u>Schedule E5: Historic heritage freshwater sites</u></p> <ul style="list-style-type: none"> <li>• Kourarau Hydroelectric Dam, Gladstone – Category 2 Historic Place (List No. 7814);</li> <li>• Ladle Bend Bridge, Rimutaka Incline – included in Rimutaka Incline Historic Area (List No. 7511);</li> <li>• Lower Karori Dam – Category 2 Historic Place (List No. 7750);</li> <li>• Ngatiawa Bridge, Reikorangi – Category 2 Historic Place (List No. 7189);</li> <li>• Pakuratahi Bridge, Rimutaka Incline – included in Rimutaka Incline Historic Area (List No. 7511);</li> <li>• Upper Karori Dam – Category 1 Historic Place (List No. 7740).</li> </ul>	
8.	<p>Non-inclusion of heritage places within Schedule E: Sites with significant historic heritage values</p>	<p>Oppose</p>
	<p>Given that inclusion in Schedule E is the key mechanism for protection via the regional plan rules, Heritage New Zealand is concerned that two of the wharves within the proposed Wellington Harbour Board Historic Area are not included in Schedule E2: Historic Wharves and boatsheds:</p> <ul style="list-style-type: none"> <li>• Kings Wharf</li> <li>• Glasgow Wharf</li> </ul> <p>Heritage New Zealand understands that the reasons for not scheduling these wharves include:</p>	<p>That the following structures be added to Schedule E2: Historic heritage wharves and boatsheds:</p> <ul style="list-style-type: none"> <li>• Kings Wharf</li> <li>• Glasgow Wharf</li> </ul>



Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

		<ul style="list-style-type: none"> <li>• Their inclusion within the Commercial Port Area;</li> <li>• That the inclusion of other wharves within the proposed Wellington Harbour Board Historic Area provides sufficient representation of this type of wharf;</li> <li>• Only one side of Kings Wharf is exposed to the water as it is on the edge of the container reclamation.</li> </ul> <p>However, Heritage New Zealand points out that the historic finger wharf configuration is an important characteristic of this part of Wellington Harbour, including when viewed from the many surrounding viewpoints that overlook the harbour. Accordingly, Heritage New Zealand would be concerned about any 'filling in' of the spaces between and around any of the finger wharves in this part of the harbour e.g. by reclamation or wharf extension.</p> <p>If Kings and Glasgow Wharves are not included on Schedule E2, Heritage New Zealand considers that the finger wharf character may be compromised by the 30 metre horizontal expansion permitted under Rule R173 for structures in the Commercial Port Area. Furthermore, for larger horizontal expansion or reclamations (i.e. requiring a resource consent), consideration of historic heritage effects does not appear to be provided for in either the rules or the policies of the proposed regional plan.</p> <p>Accordingly, Heritage New Zealand seeks the inclusion of Kings and Glasgow Wharves on Schedule E2: Historic wharves and boatsheds.</p>	
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Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

9.	Schedule C: Sites of significance to various Iwi - inclusion of places on the New Zealand Heritage List/ Rārangī Kōrero	Support	Retention of these provisions
	<p>Heritage New Zealand supports the inclusion of sites on a schedule, which is the key to controlling heritage effects via the proposed rules of the regional plan. It is noted that the schedules includes suitable statements regarding the heritage significance of each item.</p> <p>In preparing or reviewing a resource plan under the Resource Management Act, Councils are required under Section 66(2)(c)(iia) to have regard to relevant entries in the New Zealand Heritage List/Rārangī Kōrero, to the extent that they have a bearing on resource management issues of the area covered by the plan.</p> <p>Accordingly, Heritage New Zealand supports the inclusion within Schedule C of the following places that are either on or associated with the New Zealand Heritage List/Rārangī Kōrero:</p> <p><u>Schedule C3: Sites of significance to Ngāti Toa Rangatira</u></p> <ul style="list-style-type: none"> <li>• Mana Island Shoreline – Te Mana o Kupe is a Wāhi Tapu (List No. 7674);</li> <li>• Ohariu – Wharehou Bay – archaeological site that is a Category 2 Historic Place (List No. 6143);</li> <li>• Tapu te Ranga – Owhiro-Haewai – Tapu te Ranga Island is a Wāhi Tapu (List No. 7654);</li> <li>• Te Ika a Maru, Ohau Bay – various archaeological sites that are Category 2 Historic Places (List No.s 6045, 6046, 6048, 6049, 6050, 6051, 6052, 6053);</li> <li>• Whitiareia – various archaeological sites that are Category 2 Historic Places (List No.s 6118-6121, 6123-6137, 6142, 6145- 6146, 6153-6157, 7259, 7260).</li> </ul>		





Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region, September 2015

			<p><u>Schedule C4: Sites of Significance to Taranaki Whānui ki te Upoko o te Ika a Maui</u></p> <ul style="list-style-type: none"> <li>• Ohariu – Wharehou Bay – archaeological site that is a Category 2 Historic Place (List No. 6143);</li> <li>• Te Ika a Maru, Ohau Bay – various archaeological sites that are Category 2 Historic Places (List No.s 6045, 6046, 6048, 6049, 6050, 6051, 6052, 6053)</li> <li>• Tapu te Ranga – Owairo-Haewai – Tapu te Ranga Island is a Wāhi Tapu (List No. 7654).</li> </ul> <p><u>Schedule C5: Sites of Significance to Ngāti Kahungunu ki Wairarapa and Rangitāne o Wairarapa</u></p> <ul style="list-style-type: none"> <li>• Matakītiki coast, Palliser Bay – Matakītiki a Kupe Historic Area (List No. 7093);</li> <li>• Waikēkeno stream mouth, Glenburn Road, Waimoana – Waikēkeno Historic Area (List No. 7669).</li> </ul>	
10.	Non-inclusion of places on the New Zealand Heritage List/ Rārangī Kōrero within Schedule C: Sites of significance to iwi	Oppose	<p>In preparing or reviewing a resource plan under the Resource Management Act, Councils are required under Section 66(2)(c)(iia) to have regard to relevant entries in the New Zealand Heritage List/Rārangī Kōrero, to the extent that they have a bearing on resource management issues of the area covered by the plan.</p> <p>Heritage New Zealand notes that the following Wāhi Tapu Area on the New Zealand Heritage List/ Rārangī Kōrero has <u>not</u> been included within Schedule C:</p> <ul style="list-style-type: none"> <li>• Rangitatau – Wāhi Tapu Area (List No. 9648).</li> </ul>	<p>That the following place be added to at least one of the lists within Schedule C:</p> <ul style="list-style-type: none"> <li>• Rangitatau – Wāhi Tapu Area (List No. 9648).</li> </ul>



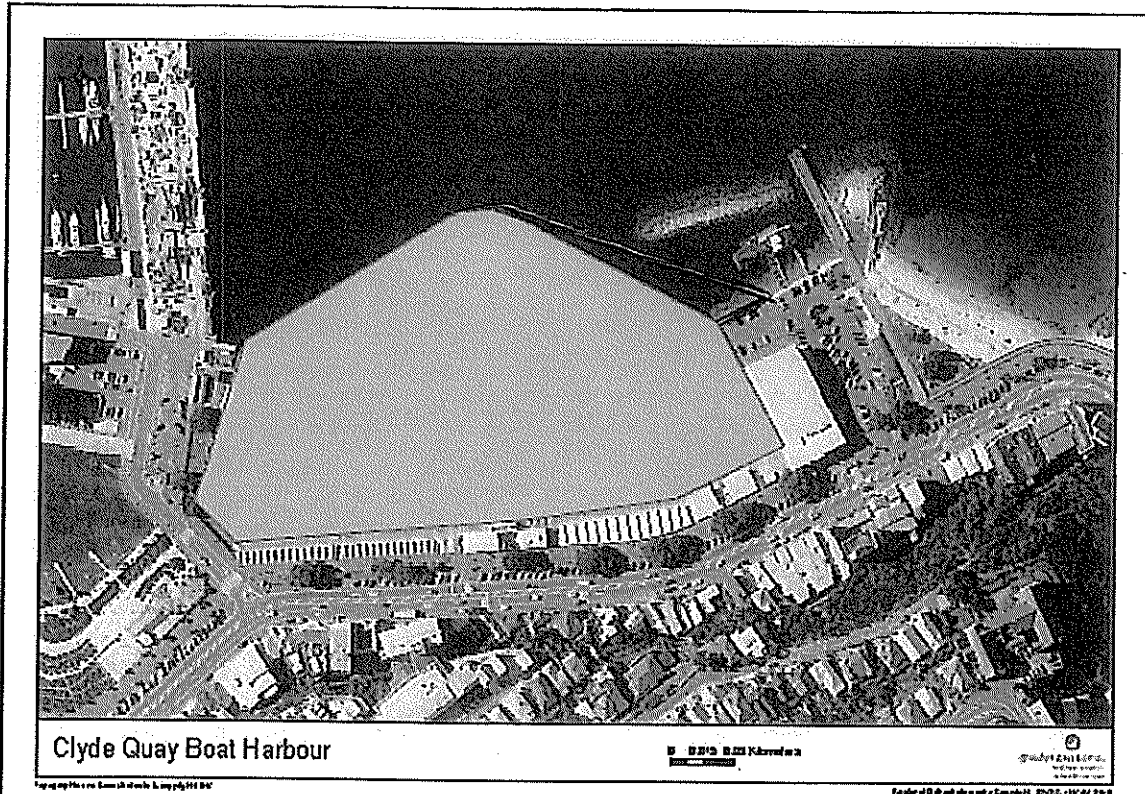
**Attachment 1: Heritage New Zealand Pouhere Taonga Submission on Proposed Natural Resources Plan for the Wellington Region,  
September 2015**

			<p>This site extends both above and below Mean High Water Springs, and it is noted that the landward side is provided for in the Wellington City District Plan. Accordingly, Heritage New Zealand seeks that complementary provisions are included in the Wellington Regional Natural Resources Plan. Consultation with regional iwi will be required.</p>	
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Appendix 2

Heritage New Zealand  
submission





Proposed Natural Resources Plan:

Submitter:

**Phillip Walker**

Submitter Number:

**S95**

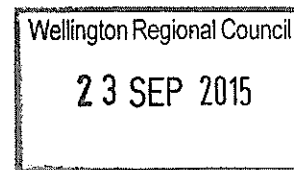




**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Phillip Walker

Organisation name: (If applicable)

Address for Service: Resourceful Planning and Policy Ltd;  
 P.O. Box 11060; Wellington  
 Attn Y Legarth

Telephone no's: Work: Home: 022 0493300 Cell: 022 0493300

Contact person: Yvonne Legarth

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: yvonne@resourcefulplanning.co.nz

**Trade competition**

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:
  - I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 180 and Rule 183, Section 5.7.9	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Rule R180 of the proposed Plan permits new swing moorings in mooring areas. Clause (a) of the permitted activity rule includes any associated occupation of space in the coastal marine area. The rule does not permit existing swing moorings.  I have looked elsewhere in the proposed Plan to see how existing moorings will be treated when current resource consents expire. Rule R183 requires resource consent for renewal of existing resource consents for occupation of space by structures.

		The proposed Plan compared with the operative Regional Coastal Plan has introduced differences between the treatment of new and existing moorings. These provisions are inconsistent, confusing and will create uncertainty and misunderstanding amongst boat owners about whether a resource consent under the RMA or mooring licence from the Harbourmaster, or both, are required.
	I seek the following decision from WRC (give precise details): →	<p>The relief I seek is:</p> <p>(i) amend Rule R180 as follows:</p> <p>Rule R180: Swing moorings inside Mooring Areas – permitted activity A swing mooring inside a Mooring Area shown on Map 36, Map 37, Map 38, Map 39, Map 40 and Map 41 and the associated use of the swing mooring in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the mooring area has available mooring space, and (f) a mooring licence has been obtained from the Wellington Regional Council Harbourmaster, or a resource consent is held, and (g) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p>OR</p> <p>(ii) amend the proposed Plan to ensure existing moorings are permitted activities or relief that meets the same outcome.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R180 and Rule R183	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	see above
	I seek the following decision from WRC (give precise details): →	see above

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Yvonne Legarth

Date: 23 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Christopher Butler**

Submitter Number:

**S96**



FORM 3: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991 S.96

NAME/ORGANISATION #1526049

CHRISTOPHER BUTLER

NUMBER STREET NAME 26 TAINGUI STREET

SUBURB/TOWN POSTCODE RAUMATI BEACH KAPITI COAST 5032

PHONE EMAIL 021 2255775 christopher.butler@paradise.net.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: THE COASTAL Please specify the provision/section number: PROVISIONS OF THE PNRP AS A WHOLE

My submission on this provision is: I support the provision I oppose the provision I wish to have the specific provision amended

Wellington Regional Council 24 SEP 2015

Reasons for my submission: SEE SUBMISSION ENCLOSED

I seek the following decision from WRC (give precise details): SEE SUBMISSION ENCLOSED

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s) I/We do wish to be heard in support of my/our submission at hearings Note: This means that you wish to speak in support of your submission at the hearing(s) I/We do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition [Cross out this shaded section if you could not gain an advantage in trade competition through this submission] I/we could not gain an advantage in trade competition through this submission I/we could gain an advantage in trade competition through this submission I/we am/am not directly affected by an effect of the subject matter of my submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Publication of details The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: CHRISTOPHER BUTLER Date: 21 September 2015 Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission





## **Attachment to the Submission of Christopher Butler**

**The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to are:**

The Coastal Provisions of the PNRP.

### **Submission on the Provisions**

Oppose and seek amendment.

### **Reasons for the Submission**

The Coastal Provisions of the PNRP do not adequately address and enable coastal hazard mitigation (including protection) measures, in particular for areas of significant existing development.

Such measures should be provided for as permitted or controlled activities. Where resource consent is required, there should be provisions in the objectives and policies that would enable consent to be obtained, not simply provisions that would hinder it.

The PNRP should make clear that hazard identification/risk assessment is an objective process and that scientific or expert reports need to be evidence based and neutral rather than policy-based and precautionary. Reports should cover not only forecasts but also their uncertainties, and enable submitters to participate in an informed way.

I have been informed that the PNRP may not be in accordance with the Resource Management Act 1991, insofar as appropriate s 32 RMA evaluations and reports have not been undertaken, and that it may also fail to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

### **Decision sought:**

Revise the PNRP to address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other relevant areas, including rivers and streams, especially for areas of significant existing development.

Include rules, objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development, and support the right of communities to integrate effectively with their environment.



Include provisions that, if a resource consent is required, provide grounds for consents being obtained, not simply provisions that would hinder consents being granted.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities and ensure that none is (or could become due to other rules) a non-complying or prohibited activity. .

Revise the PNRP to clarify that hazard identification/risk assessment needs to be an objective process.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, and give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake RMA s 32 evaluations and prepare revised s 32 reports, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities.

**This submission supports in principle that of Coastal Ratepayers United**



# Proposed Natural Resources Plan:

Submitter:

**Alan Jefferies**

Submitter Number:

**S97**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

S97 #1529656

NAME/ORGANISATION

ALAN SEFAER IES

NUMBER STREET NAME

08 MOERAKI ROAD

SUBURB/TOWN

POSTCODE

UPPER HUTT

PHONE

EMAIL

04 5263133

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: Please specify the provision/section number:

My submission on this provision is: S5 R124

- I support the provision
- I oppose the provision
- I wish to have the specific provision amended

Wellington Regional Council  
25 SEP 2015

Reasons for my submission: The rule does not make it unambiguously clear that the rule permits entry and passage across but not along a river "bed".

I seek the following decision from WRC (give precise details): Amend the rule to state that the rule does not permit access along a river "bed". In order to restrict access to private land along a river "bed" the word "directly" should precede the word across.

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings  
Note: This means that you wish to speak in support of your submission at the hearing(s)
- I/We do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]


- ~~I/we could not gain an advantage in trade competition through this submission~~
- ~~I/we could gain an advantage in trade competition through this submission~~

I/we am/am not directly affected by an effect of the subject matter of my submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: 

Date: 26-9-15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142













FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

ALAN JEFFERIES

NUMBER STREET NAME

68 MOERAKI ROAD

SUBURB/TOWN

UPPER HUTT

POSTCODE

PHONE

04 5263133

EMAIL

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to Please specify the provision/section number:

Wellington Regional Council

25 SEP 2015

My submission on this provision is: Maps 21a to 21e

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: The maps are misleading, contradictory and inaccurate.

I seek the following decision from WRC (give precise details): Delete the misleading maps or in the alternative produce an accurate set of maps

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings
I/We do not wish to be heard in support of my/our submission.
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission

I/we am/am not directly affected by an effect of the subject matter of my submission that:

- adversely affects the environment; and
does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Handwritten Signature]

Date: 23-9-15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142









FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

NAME/ORGANISATION

ALAN JEFFERIES

NUMBER STREET NAME

6B MOERAKI ROAD

SUBURB/TOWN

UPPER HUTT

POSTCODE

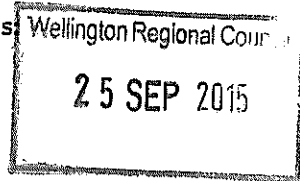
PHONE

04 526 9133

EMAIL

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: Please specify the provision/section number: 55



My submission on this provision is:

- I support the provision
I oppose the provision
I wish to have the specific provision amended

Reasons for my submission: All rules in this section which are ostensibly permitted activities are referenced to "general conditions" some of which (presumably) don't apply to some of the rules. Who decides (and when) which "general conditions" apply to which rules.

I seek the following decision from WRC (give precise details): Rewrite the individual rules in a coherent manner

Please continue on separate sheet(s) in similar format or download a submission form from www.gw.govt.nz/regional-plan-review

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings
I/We do not wish to be heard in support of my/our submission.
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

I/we could not gain an advantage in trade competition through this submission
I/we could gain an advantage in trade competition through this submission

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

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: [Handwritten Signature] Date: 23-9-15

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to: Freepost 3156 Wellington Regional Council PO Box 11646 Wellington 6142







Proposed Natural Resources Plan:

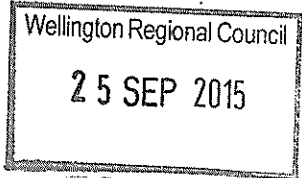
Submitter:

**Spark New Zealand Trading Limited**

Submitter Number:

**S98**





25 September 2015

Freepost 3156  
Wellington Regional Council  
PO Box 11646  
**Wellington 6142**

By e-mail: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Dear Sir/Madam

**Form 5: Submission on the Proposed Natural Resource Plan for the Wellington Region**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

**NAME OF SUBMITTER:** Spark New Zealand Trading Limited (Spark)

**ADDRESS FOR SERVICE:** Level 4 Purple, Spark City  
167 Victoria Street West  
Private Bag 92028  
**AUCKLAND 1010**

Attention: Graeme McCarrison  
Ph: 09 357 2807  
Email: [Graeme.McCarrison@spark.co.nz](mailto:Graeme.McCarrison@spark.co.nz)

Spark New Zealand Trading Limited (Spark) welcomes the opportunity to make a submission on the Proposed Natural Resources Plan (PNRP). There are a number of matters that in the view of Spark require amendment prior to the PNRP being made operative. Equally there are a number of proposed provisions that Spark supports. These are detailed in the table attached to this submission.

**Background to Spark**

Spark (formerly Telecom New Zealand Limited) is now primarily a retailer of telecommunications services, both fixed and mobile, to consumers and businesses. Spark owns a mobile network and the National Transport Network linking exchanges up and down the country. Spark is New Zealand's largest provider of broadband services with 669,000 customers and 894,000 fixed line connections. As at 30 June 2013 there were more than 5.3 million mobile connections in New Zealand. Spark has more than 1.9 million connections, representing 33.7 percent market share. The New Zealand mobile market is growing at approximately 2 percent per annum, which is primarily driven by growth in mobile data and handset sales. The increase in mobile data usage has been driven by the increased uptake of smartphones.

Spark has also now launched a complimentary Wi-Fi network utilising public phone boxes around the country to supplement our mobile offering. To support the "smartphone revolution" we are recently upgrading the existing mobile sites with the deployment 4G technology throughout New Zealand including Hurunui district. More than 60 percent of mobile customers now use a smart phone, with the ability to receive and upload data. The average data use per "data-using" customer on the Spark network in April 2014 was 465MB per month, up from 411MB in March – representing a 13 percent increase. With the rapid uptake in social media messaging apps such as Whatsapp, Viber, Snapchat and Facebook. Aligned to this growth in the "macro" network, developing technological breakthroughs have enabled the deployment of micro cells, small cells and cel-fl units to provide improved in building and black spot coverage.

The purpose of the Resource Management Act 1991, as embodied in section 5, is promotion of the sustainable management of natural and physical resources. Telecommunications infrastructure is a significant physical resource, and the safe, reliable and efficient functioning of the network is vital for the regional economy and is in the public interest (both in terms of allowing people and communities to provide for their "wellbeing", and also for assisting to ensure their "health and safety").

Spark is a major telecommunication network provider within Greater Wellington region. The network is utilised for a wide range of purposes that are essential to modern mobile society. Access for residents and business to quality, reliable telecommunications is a fundamental requisite for the region to be a competitive, attractive and safe place to live and work. The pivotal role of modern telecommunications as a catalyst for social and economic development is now widely recognised around the world. This includes personal and commercial communications, wireless data transfer, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities, and other emergency services communications.

The provision of resilient telecommunication networks during emergencies is critical, as has been highlighted in the case of the Canterbury earthquakes and recent flooding event within the region. Telecommunication is being recognised as Significant Infrastructure i.e. the whole network and a critical lifeline utility. The telecommunications network needs to be regularly upgraded, to respond to and provide for growth, to ensure reliability for Public Protection and Disaster Recovery (PPDR), as well as providing for technological developments. Recognising this and catering for its development will be key to ensuring Greater Wellington region retains its place as an attractive place for talent and capital to locate.

Within any Plan there is a need to provide a balance between the policy and rules framework that provides for the efficient maintenance and rollout of network utility infrastructure, while appropriately managing the effects on the environment from this infrastructure. There has been in recent years a shift in how these two issues are balanced with the provision for infrastructure historically playing a passive background role. The recent shift places significantly greater importance on the need to allow for critical infrastructure and network utilities.

The Spark network is subject to constant maintenance, modification and upgrading as the number of customers and services increase, and changes in technology occur rapidly. Technological advances during the life of the Plan, along with more instances of telecommunications providers seeking to co-locate on each other's assets, are also likely to occur requiring existing assets to be upgraded. Therefore any new plan provisions should be



created with such technological advancements and/or provision for co-location of equipment being kept in mind.

### **Electronic Communication**

Spark are happy to receive information about the Proposed Natural Resource Plan via email. Can all email communication please be emailed to [Graeme.McCarrison@spark.co.nz](mailto:Graeme.McCarrison@spark.co.nz) and a copy sent to [tom@incite.co.nz](mailto:tom@incite.co.nz)

### **Trade Competition**

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

### **Submission on the Proposed Plan Provisions**

Sparks' submissions on the Proposed Natural Resources Plan are set out in the attached table. In relation to the matters raised, Spark seeks further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

### **Attendance and Wish to be heard at Hearings**

Spark wishes to speak to our submission at relevant hearings and would be willing to discuss these further with Greater Wellington staff prior to the hearings themselves. If there are any issues of clarification required please contact Graeme McCarrison of Spark on 0274 811816 or [Graeme.McCarrison@spark.co.nz](mailto:Graeme.McCarrison@spark.co.nz) or Tom Anderson of Incite on 04 801 6862 or [tom@incite.co.nz](mailto:tom@incite.co.nz).

Yours sincerely



**Paul Hallowes**  
Spark New Zealand Trading Limited

25 September 2015



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
<p><b>General:</b> The following submission document proposes wording changes to the Proposed Plan. This wording, or wording with the same or similar effect or resulting in or from consequential changes to other sections are supported.</p>			
<p><b>Chapter 2 – Interpretation (Section 2.2 Definitions):</b></p>			
1	Support	Spark supports the definition of Earthworks as it specifically excludes cable or pipe laying and maintenance activity, and the construction, repair or maintenance of telecommunication structures.	Retain this definition in its current form.
2	Support with amendment or delete	Spark supports a definition for Functional Need, however the definition in its current form could lead to ambiguity around what is 'dependent', and could potentially restrict Spark's core activities which occur in the CMA.	Amend the definition to provide greater clarity around what the word 'dependent' entails. The definitions of both function and operational need to be reviewed or the delete both definitions.
3	Support with amendment or delete	Spark supports a definition for Operational Requirement, however, similar to the definition for Function Need, the definition in its current form could lead to ambiguity around what is 'needs to be carried out'.	Amend the definition to provide greater clarity around what 'needs to be carried out' entails. The definitions of both function and operational need to be reviewed or the delete both definitions.
4	Oppose	There is no definition of "strategic telecommunication /radiocommunication facility" in either the Telecommunications Act or the Radiocommunications Act.  Key concerns with the definition in the Proposed Plan include: <ul style="list-style-type: none"> <li>• The confusion and uncertainty generated by the reference to</li> </ul>	Amend bullet point two and three of the definition as follows: <ul style="list-style-type: none"> <li>• <i>strategie telecommunication facilities, as defined in section 5 of the Telecommunications Act 2001</i></li> <li>• <i>strategie radiocommunications as defined in section 2(1) of the RadioCommunications Act 1989.</i></li> </ul>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>"strategic telecommunication /radiocommunication facility", with no direction provided as to what this encompasses</p> <ul style="list-style-type: none"> <li>The lack of recognition (by trying to identify some aspects as "strategic") that telecommunication and radiocommunication facilities are interlinked, and as a whole they are essential to the region in terms of their economic and social benefits, as well as being critical in times of emergency and disaster.</li> </ul> <p>This issue has been previously raised with the Greater Wellington Regional Council, most recently in relation to the hearing of Proposed Plan Change 16 to the Porirua City District Plan as well as in relation to this definition contained within the Regional Policy Statement.</p>	
<b>Chapter 3 – Objectives</b> 5	Beneficial use and development Objective O12	Spark seeks inclusion of the recognition of the potential health and safety benefits of regionally significant infrastructure.  As per the submission on the "Regionally significant infrastructure" definition above, a change is sought to make it clear that all telecommunication and radiocommunication facilities (which are interlinked) are covered by the definition.	Amend Objective 012 as follows:  <b>Objective 012 (Coastal)</b> <i>The social, economic, cultural, and environmental and health and safety benefits of regionally significant infrastructure and renewable electricity generation activities.</i>  <b>Objective 012A</b> <u>Recognise that some existing and future regionally significant infrastructure has a functional need and/or</u>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
6	Support	Spark supports the objective that the use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity. References to existing regionally significant infrastructure within the CMA must be enhanced.	<p><u>operational requirement to be located and/or operated in a particular environment.</u></p> <p>Amend Objective O13 as follows:  <i>The <b>existing</b> use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i></p>
7	Oppose	Spark seeks recognition of a functional and operational need to provide for telecommunications in some instances within high hazard areas (e.g. cables attached to a structure across a riverbed, or cables above, or on or below a seabed or riverbed). Noting the stringent requirement to "avoid" in the objective, specific recognition is sought in the policy as to when the use and development in these areas may be appropriate.	<p>Amend Objective O21 as follows:  <i>Inappropriate use and development in high hazard areas is avoided, <b>other than</b></i>  <b>(a) where it has a functional need and/or operational requirement to be located there, and/or</b>  <b>(b) where it is necessary to enable the efficient operation of regionally significant infrastructure.</b></p>
<b>Chapter 4 – Policies:</b>			
8	Oppose in part	Spark considers that the policy could be improved by making it clear that "the smallest practicable amount is related to the nature and objectives of the activity. Otherwise it could be read as requiring reduction to close to nil.	<p>Amend Policy P4 as follows:  <i>Where minimisation of adverse effects is required by policies in the Plan minimisation means reducing adverse effects of the activity to the smallest amount practicable <b>having regard to the nature and objectives of the activity and shall include: . . .</b></i></p>

Plan Provision		Support/ Oppose/ Amend	Submission Reasons	Decision Sought
9	Beneficial Use and Development Policy P7	Support with amendment	Spark supports the intent of Policy P7, but considers that Regionally Significant Infrastructure should also be given recognition when considering uses of land and water.	Amend Policy P7 as follows: <i>The cultural, social and economic benefits of using land and water for:</i> <b><u>(j) Regionally Significant Infrastructure</u></b>
10	Beneficial Use and Development Policy P9	Support with amendment	There are potential instances where, due to the installation of Regionally Significant Infrastructure, public access to and along the Coastal Marine Area and the beds of rivers and lakes is temporarily disrupted. This should be recognised as an exception in Policy P9	Amend Policy P9 as Follows: <i>Reduction in the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers shall be avoided except where it is necessary to:</i> <b><u>(d) protect Regionally Significant Infrastructure</u></b>
11	Beneficial Use and Development Policy P12	Support with amendment	Spark supports the intent of the policy in recognising the benefits of regionally significant infrastructure. However it is considered that provision (e) should also recognise the functional need of regionally significant infrastructure being located in the certain areas. The Port is not the only Regionally Significant Infrastructure provider which has a functional need to be located in the Coastal Marine Area.	Amend Policy P12 as follows: <i>(e) <u>the functional need for and the operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities, including where those activities are proposed within areas of outstanding natural character and landscapes, high hazards, sites of significant value, ecosystems and habitats with significant indigenous biodiversity value, natural features, sites significant historic heritage value, and sites with significant Mana Whenua.</u></i>
12	Beneficial Use and Development Policy P13	Support with amendment	Spark supports the intent of the policy as recognising the use, operation, and upgrade of existing regionally significant infrastructure as beneficial and generally appropriate. The removal of infrastructure should also be acknowledged in the policy framework.	Amend Policy P13 as follows: <i>The use, operation, maintenance, and upgrade, and removal of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</i>

Plan Provision		Support/ Oppose/ Amend	Submission Reasons	Decision Sought
13	Beneficial Use and Development Policy P14	Support	Spark supports the intent of the policy in providing protection from reverse sensitivity effects for regionally significant infrastructure. However effects from incompatible activities can be more than just reverse sensitivity type effects, and this should be recognised in the policy.	Amend Policy P14 as follows:  <i>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any adverse effects, including any reverse sensitivity effects.</i>
14	Natural Character Policy P24	Support with amendment	Spark supports the intent of the policy, in protecting outstanding natural character in the coastal marine area, however use of the word 'avoid' without the sequential words remedy or mitigate is not appropriate.	Amend Policy P24 as follows:  <i>Areas of outstanding natural character in the coastal marine area will be preserved by:</i> <i>(a) avoiding avoid, remedy or mitigate adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and</i> <i>(b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and</i> <i>(c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and</i> <i>(d) maintaining the high levels of naturalness of these areas, and</i> <i>(e) avoiding avoid, remedy or mitigate the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</i>
15	Natural Character Policy P25	Support with amendment	Spark supports the intent of the policy, in protecting outstanding natural character in the coastal marine area, however use of the	Amend Policy P25 as follows:

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		word 'avoid' without the sequential words remedy or mitigate is not appropriate.	<p>Use and development shall avoid, remedy or mitigate significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</p> <p>(a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and</p> <p>(b) the presence or absence of structures and buildings, and</p> <p>(c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and</p> <p>(d) whether it is practicable to protect natural character from inappropriate use and development through:</p> <p>(i) using an alternative location, or form of development that would be more appropriate to that location, and</p> <p>(ii) considering the extent to which functional need or existing use limits location and development options.</p>
16	Support with amendment	Spark supports the intent of the policy, in limiting the extent of hard engineering mitigation methods. However there are instances when these are necessary, and the use of the word avoid within the policy is not appropriate.	<p>Amend Policy P28 as follows:</p> <p><del>Hard engineering mitigation and protection methods shall be avoided-except only be implemented where it is necessary to protect existing development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor</del></p>
17	Support with amendment	Spark supports the intent of the policy, however use of the word avoid within the policy is not appropriate.	<p>Amend Policy P39 as follows:</p> <p>The adverse effects of use and development on outstanding water bodies and their significant values</p>



Plan Provision		Support/ Oppose/ Amend	Submission Reasons	Decision Sought
18	Sites with Significant Values Policy P49	Support with amendment	Spark supports the overall intent of the policy but considers that the policy could be improved by focusing on inappropriate use and development. Otherwise it could be read as requiring absolute protection and avoidance of all adverse effects from all activities.	identified in Schedule A (outstanding water bodies) shall be avoided, <u>remedied or mitigated</u> .  Amend Policy P49 as follows:  <i>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by <u>seeking to:</u></i> <i>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</i> <i>(b) avoiding adverse cumulative effects <u>from inappropriate use and development on the values of an outstanding natural feature or landscape.</u></i>
19	Primary Coastal Policies Policy P132	Support with amendment	Spark supports the policy as it recognises regionally significant infrastructure as having a functional and operational need to be located in the coastal marine area.  The term where practicable in clause (g) is also supported as there are situations where locating development in existing areas (e.g. siting marine cables) may not be practical Recognition of the location of existing infrastructure should also permeate through this policy.	Amend Policy 132 as follows <i>Use and development in the coastal marine area shall...</i> <i>(h) recognise the <u>location, operation and function of existing regionally significant infrastructure.</u></i>
<b>Chapter 5 – Rules</b>				
20	Emergency Power Generators Rule R12	Support with amendment	Spark supports the use of emergency power generators as a permitted activity. However a further situation needs to be recognised within the rule, being load shedding (also known as Peak Load	Amend Rule R12 as follows:  <i>The discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (e) applies from the</i>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
21	Contaminated Land Rule R54	<p>Generation). From time to time, Spark is approached by electricity generation companies and lines companies to make generators available for load shedding. This only occurs at times when the electricity network is under extreme pressure (crisis peak demand) and is facing the likelihood of area supply cuts.</p>	<p>combustion of diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:</p> <p>(a) the electricity network is disrupted through weather, accidents, or any unforeseen circumstances, or</p> <p>(b) the person operating the equipment is undertaking necessary maintenance or testing of the device, or</p> <p>(c) the electricity connection is not available is a permitted activity; <u>or</u></p> <p><b><u>(d) load shedding/peak load generation is required.</u></b></p>
	Oppose but support with a significant rewrite and amendment	<p>Spark supports the need to manage works in contaminated environments. The use of site investigations to assess hazardous substances that may be present in soil are an important tool. The proposed rules R54, R55 and R69 appear to impose a regulatory regime that is excessive and contrary to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. The need to provide a Site Investigation Report should be set at the same threshold as the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, in order to avoid situations where an investigation report may be necessary under one document but not the other.</p> <p>The rules related to contaminated land and discharges need a full and comprehensive</p>	<p>In the current form Rules 54, R55 and R69 should be deleted and rewritten with at least the amendments proposed below in submission points 21, 22 and 23.</p> <p>Consideration should be given to the introduction of a accidental discovery protocol for contamination as a management tool.</p> <p>Amend Rule 54 as follows:</p> <p><i>The use of land to assess the concentration of hazardous substances that may be present in the soil and any associated discharge into air is a permitted activity, provided the following conditions are met:</i></p> <p><i>(a) the assessment is undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011), and</i></p> <p><i>(b) if more than 25m<sup>3</sup> per 500m<sup>2</sup> of soil is disturbed, the assessment is reported in accordance with the</i></p>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
22	Oppose but support with a significant rewrite and amendment	<p>review and rewrite to recognise and provide for works undertaken by infrastructure providers. Given the changes sought to Rule R55 around when regionally significant infrastructure providers should be excluded, a note should be added to Rule R54 to ensure consistency.</p>	<p>Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011), and</p> <p>(c) a copy of the report is provided to the Wellington Regional Council two months after the completion of the assessment.</p> <p><u>Note, regionally significant infrastructure providers are specifically excluded from requiring to comply with Rule R54, provided the exclusion parameters listed under Rule R55 (and any subsequent provisions) are met.</u></p>
		<p>For the same reasons as outlined above for Rule R54 and R69 Spark supports the intent of Rule R55, however there are concerns that there are no thresholds set as to when provisions (a) and (b) must be complied with. The implementation of some of Spark's below ground linear infrastructure through contaminated land utilising 'trenchless' methods (i.e. drilling, boring and thrusting) can lead to negligible discharges of contaminants. As such, Spark seek that implementation of trenchless method linear infrastructure is excluded from Rule R55. A further permitted rule is required to establish the thresholds as to when the provisions of Rule R55 are necessary.</p>	<p>In the current form Rules 54, R55 and R69 should be deleted and rewritten with at least the amendments proposed below in submission points 21, 22 and 23.</p> <p>Consideration should be given to the introduction of a accidental discovery protocol for contamination as a management tool.</p> <p>Amend Rule R55 as follows:</p> <p><i>The discharge of contaminants onto or into land from contaminated land where the discharge may enter water is a permitted activity provided the following conditions are met:</i></p> <p>(a) a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional Council within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>(b) the site investigation report concludes that:</p>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
			<p>(i) the concentration of contaminants in groundwater meets the Drinking-Water Standards New Zealand 2005 (Revised 2008) for potable water for 90% of species, and</p> <p>(ii) the concentration of contaminants in groundwater, at the property boundary, or at the location of existing bores, or at any point where the groundwater exits to the surface meets the Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of species</p> <p><u>The use of trenchless methods to install infrastructure is a permitted activity and does not need to comply with provisions (a) and (b) but subject to manage discharges to the environment from trenches acting as migration pathways for contaminants.</u></p> <p><u>Note that if the provisions in Rule R55B are compiled, compliance with Rule R55 is not necessary.</u></p> <p><u>Rule R55B</u></p> <p><u>Disturbance of soil or fill material containing elevated levels of contaminants must not exceed</u></p> <p><u>(a) 200m<sup>3</sup> per site, or</u></p> <p><u>(b) 200m<sup>3</sup> per project on one site with multiple projects occurring concurrently where the volume of all disturbances of soil within 100 metres of one another does not exceed 200m<sup>3</sup>, or</u></p> <p><u>(c) A depth up to 2m and width of 1m where the works comprise linear trenching by infrastructure providers, are above the groundwater table and are located in the road, motorway or state highway, or railway corridor. For the purposes of this rule the railway corridor does not include rail workshops, stabling yards and rail depots or land more than 10m from the rail tracks.</u></p>

Plan Provision		Support/ Oppose/ Amend	Submission Reasons	Decision Sought
23	Discharge to Land Rule R69	Oppose but support with a significant rewrite and amendment	For the same reasons as outlined above for Rule R54 and R55, Spark supports the intent of Rule R69, however there are concerns that there are no thresholds set as to when provisions (a), (b) and (c) must be complied with. The implementation of some of Spark's below ground linear infrastructure through contaminated land utilising 'trenchless' methods (i.e. drilling, boring and thrusting) can lead to negligible discharges of contaminants. As such, Spark seek that implementation of trenchless method linear infrastructure is excluded from Rule R69. A further permitted rule is required to establish the thresholds as to when the provisions of Rule R69 are necessary.	<p><u>(d) The duration of soil disturbance on a site should not exceed 3 months, or on one site with multiple projects occurring concurrently, each separate project should not exceed 3 months.</u></p> <p>In the current form Rules 54, R55 and R69 should be deleted and rewritten with at least the amendments proposed below in submission points 21, 22 and 23.</p> <p>Consideration should be given to the introduction of a accidental discovery protocol for contamination as a management tool.</p> <p>Amend Rule R69 as follows:</p> <p><i>The discharge of contaminants onto or into land that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited under any other rule in this Plan is a permitted activity provided the following conditions are met:</i></p> <p>(a) the contaminant shall not enter water, and  (b) the contaminant shall not cause an adverse effect beyond the boundary of the property, and  (c) the contaminant is not a hazardous substance</p> <p><u>The use of trenchless methods to install infrastructure is a permitted activity and does not need to comply with provisions (a) and (b) but subject to manage discharges to the environment from trenches acting as migration pathways for contaminants.</u></p> <p><u>Note that if the provisions in Rule R69B are complied, compliance with Rule R69 is not necessary.</u></p> <p><b>Rule R69B</b></p>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
24			<p><u>Disturbance of soil or fill material containing elevated levels of contaminants must not exceed</u></p> <p><u>(a) 200m<sup>3</sup> per site, or</u></p> <p><u>(b) 200m<sup>3</sup> per project on one site with multiple projects occurring concurrently where the volume of all disturbances of soil within 100 metres of one another does not exceed 200m<sup>3</sup>, or</u></p> <p><u>(c) A depth up to 2m and width of 1m where the works comprise linear trenching by infrastructure providers, are above the groundwater table and are located in the road, motorway or state highway, or railway corridor.</u></p> <p><u>For the purposes of this rule the railway corridor does not include rail workshops, stabling yards and rail depots or land more than 10m from the rail tracks.</u></p> <p><u>(d) The duration of soil disturbance on a site should not exceed 3 months, or on one site with multiple projects occurring concurrently, each separate project should not exceed 3 months.</u></p>
25	Support	Spark supports the definition of earthworks in excluding cable or pipe laying and maintenance activity, and the construction, repair or maintenance of telecommunication structures.	Retain Rule R99 in its current form
25	Oppose in part	Spark seeks an amendment to specifically provide for the repair, replacement, upgrade or use of telecommunication lines as a permitted activity.	<p>Amend Rule R112 as follows:</p> <p><i>The maintenance, repair, replacement, upgrade or use of a structure or a part of a structure (excluding the Barrage Gates and Telecommunications Lines) that is fixed in, on, under, or over the bed of a river or lake, including any associated:</i></p> <p><i>(a) disturbance of the river or lake bed, and</i></p> <p><i>(b) deposition on the river or lake bed, and</i></p> <p><i>(c) diversion of water, and</i></p> <p><i>(d) discharge of sediment to water</i></p>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
26	New Structures – Rule R117	Spark supports the rule and the specific exclusion in clause (f) for adding pipes or cables to an existing structure.	<p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</p> <p>(f) the resulting structure is contained within the form of the existing structure, or</p> <p>(g) the resulting structure, excluding any cable, pipe or duct and including any deposition, adds no more to the existing structure than whichever is the lesser of:</p> <p>(i) 5% of the plan or cross-sectional area of the structure in the river or lake bed, or</p> <p>(ii) 1m in horizontal projection and 1m in vertical projection measured from the structure as it was on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed.</p> <p><u>Note, while Telecommunication Lines are expressly excluded from the provisions of Rule R112, their maintenance, repair, replacement, upgrade or use are subject to compliance with the general conditions in section 5.5.4.</u></p>
27	Coastal Management general conditions – 5.7.2(c)	Spark have telecommunications cables which cross the foreshore and seabed within the Hutt Valley Aquifer Zone. All Spark cables which cross the seabed are buried within the bed material. The 0.5m depth restriction is overly restrictive in the Hutt Valley Aquifer Zone, and as such a depth of 2.0m is sought.	<p>Retain Rule R117 in its current form.</p> <p>Amend Coastal Management General Condition 5.7.2 (c) as follows:</p> <p>(c) there is no disturbance of the foreshore or seabed to a depth greater than <u>0.5m 2.0m</u> below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 30, and</p>

Plan Provision		Support/ Oppose/ Amend	Submission Reasons	Decision Sought
28	New Structure, Addition or Alteration outside sites of significance Rule R161	Oppose in part	Spark seeks amendment to the proposed rule in order to clarify the differentiation between minor additions or alterations to structures (R150) and new structures or alterations to structures outside sites of significance.	Amend Rule R150 and R161 to clearly define thresholds for minor additions or alterations to structures.
29	New Structure, Addition or Alteration inside an identified site Rule R162	Oppose	Spark considers the rule should not apply to additions or alterations to existing structures.	Amend Rule R162 as follows:  <i>A new structure, addition or alteration to a structure and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated...</i>



Proposed Natural Resources Plan:

Submitter:

**Kapiti Coast Airport Holdings Limited**

Submitter Number:

**S99**



25 SEP 2015

## Submission

# ON A PUBLICLY NOTIFIED PROPOSED POLICY STATEMENT OR PLAN



Under Clause 6 of the First Schedule to the Resource Management Act 1991

**TO** Greater Wellington Regional Council (the 'Council')

**SUBMISSION ON** The Proposed Natural Resources Plan for the Wellington Region 2015 (the 'Proposed Plan')

**NAME OF SUBMITTER** Kapiti Coast Airport Holdings Limited ('KCAHL')

## INTRODUCTION

Kapiti Coast Airport Holdings Limited ('KCAHL') makes the following submissions on the Proposed Natural Resources Plan for the Wellington Region 2015 (the 'Proposed Plan').

KCAHL is the owner of Kapiti Coast Airport (the 'Airport'). The Airport is a significant resource for both aviation and non-aviation activities for the Wellington Region and is strategically important for the economic growth, development and well-being of Kapiti District and its residents.

The Airport site consists of the following certificates of title and legal descriptions listed in Table 1 below.

**TABLE 1: LEGAL DESCRIPTION OF KAPITI COAST AIRPORT**

CERTIFICATE OF TITLE	LEGAL DESCRIPTION
WN53D/165	Part Ngarara West B5 Block, Part Ngarara West B7, 1 Block, Part Ngarara West B7, 2A Block and Part Ngarara West B7, 2B Block
WN46C/570	Part Ngarara West B4 Block
WN46C/569	Part Ngarara West B4 Block and Defined on Survey Office Plan 20377
WN46C/576	Part Ngarara West B4 Block
WN46C/574	Part Lot 1 Block IV Deposited Plan 2767
WN46C/575	Part Lot 3 Block IV Deposited Plan 2767 and Lot 1, Lot 3, Lot 5 and Part Lot 7 Deposited Plan 13859

The Airport is of regional significance as Kapiti District shares boundaries with six other District Councils. The Airport represents a significant part of District and Regional transport infrastructure.

KCAHL's submission on the Proposed Plan can be broken down into the following topics:

- Classification of Wharemauku Stream and its Tributaries;
- Objectives, policies and rules relating to:
  - Mana Whenua values;
  - Regionally Significant Infrastructure;
  - Habitats with significant indigenous ecosystems;
  - Natural wetlands;
  - Stormwater; and
  - Earthworks.
- Interpretation of Regionally Significant Infrastructure; and
- Identification of Kapiti Coast Airport on the Planning Maps.

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

**OVERALL SUBMISSION**

**1.0 CLASSIFICATION OF WHAREMAUKU STREAM AND ITS TRIBUTARIES**

KCAHL **opposes** the inclusion of the tributaries of the Wharemauku Stream that is located within the Airport site as a river of significant ecological value in Schedule F1 of the Proposed Plan.

The Proposed Plan incorrectly identifies rivers on the Airport site as containing significant indigenous biodiversity values. Although the Wharemauku Stream and its tributaries that are located on the Airport have some ecological value, it is considered that these values are low to moderate as assessed by appropriately qualified ecologists previously engaged in providing advice and assessments on the Stage 1 and Stage 2 Airport development applications made to Greater Wellington Regional Council. The *King Salmon*<sup>1</sup> decision highlights the need to be careful in both mapping and defining of characteristics / values and precise locations of each area that requires protection.

Due to the inclusion of the tributaries of the Wharemauku Stream in Schedule F1, KCAHL are subject to stringent objectives, policies and rules contained in the Proposed Plan. The applicability of these objectives, policies and rules of the Proposed Plan provide an extremely high threshold for environmental protection which may undermine the effective operation, maintenance, use and development of the Airport that represents a significant part of District and Regional transport infrastructure.

The wording of the objectives and policies relating to Schedule F1 rivers implies that greater weight be provided to environmental protection and avoidance of all adverse effects when compared to those addressing the benefits of activities and the benefits of the use, development and maintenance of Regionally Significant Infrastructure ('RSI').

It is considered that there is no sound or balanced resource management justification to include the Wharemauku Stream and its tributaries on the Airport in Schedule F1.

**1.1 RELIEF SOUGHT**

**KCAHL seeks the following decision from the Council:**

- 1.1.1 Amend the row relating to Wharemauku Stream in the table of Schedule F1 'Rivers and lakes with significant indigenous ecosystems' in the Proposed Plan to exclude Kapiti Coast Airport as follows (deletions in strikethrough, amendments underlined):

Wharemauku Stream		Stream and all tributaries, <del>located on the site of Kapiti Coast Airport</del> <u>excluding those located on the site of Kapiti Coast Airport</u>	Stream and all tributaries, <del>located on the site of Kapiti Coast Airport</del> <u>excluding those located on the site of Kapiti Coast Airport</u>		Banded kokopu, koaro, longfin eel, redfin bully, shortfin eel and shortjaw kokopu
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AND

- 1.1.2 Delete any reference to streams identified as Schedule F1 from the Maps of the Proposed Plan affecting the site of the Kapiti Coast Airport.

AND

- 1.1.3 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of KCAHL, including amendments to the objectives and policies.

<sup>1</sup> *Environmental Defence Society Inc v New Zealand King Salmon Company Limited*

## 2.0 MANA WHENUA VALUES

KCAHL **opposes** the inclusion of the Wharemauku Stream on the Airport as a site with significant mana whenua values in Schedule C. Specifically, Wharemauku Stream is identified in Schedule C2 as a site of significance to Te Atiawa ki Whakarongotai.

KCAHL does not oppose the fact that Wharemauku Stream is identified as having mana whenua values; however, it opposes the uncertainty in the Proposed Plan over what is deemed to be the site affected by mana whenua values and the implications this may have given the proposed objectives, policies and rules relating to these sites. For example, Policy 45 requires the avoidance of activities in sites of significance in the first instance and if they can't be avoided, then more than minor effects must be evaluated through a cultural impact assessment ('CIA') undertaken by the relevant iwi authority or authorities. The effects are then to be managed in accordance with tikanga and kaupapa maori as recommended in the CIA to, amongst other things, avoid more than minor adverse effects. In the case of RSI, and indeed other forms of development, that may not be practicable or appropriate overall. Furthermore, any recommendation in a CIA needs to be assessed by Council in its regulatory role as part of an application rather than necessarily adopted. Similarly, Policy P138 'Structures in sites with significant values' requires new or replacement structures or alterations in these areas to be avoided, except in certain circumstances. These circumstances do not include the provision of, or recognise the requirements of, RSI.

The term 'site' is not defined in the Proposed Plan, and while it is assumed that the area of the site that holds mana whenua values is restricted to the identified streams in Schedule C and their margins, there is uncertainty as to how this will be interpreted when implementing the rules relating to Schedule C2 sites contained in the Proposed Plan.

This uncertainty in interpretation of 'site' for mana whenua values has the potential to impose stringent objectives, policies and rules on the Airport with no clear resource management purpose.

## 2.1 RELIEF SOUGHT

**KCAHL seeks the following decision from the Council:**

- 2.1.1 Amend the preamble of Schedule C 'Sites with significant mana whenua values' to define and clarify what constitutes the 'site' for each place/waterbody.

**OR**

Confirm that the site identified by 'Wharemauku Stream – East' and/or 'Wharemauku Stream – West' in Schedule C2 of the Proposed Plan is limited to the stream only and not the surrounding land of the Airport.

**AND**

- 2.1.2 Amend the objectives, policies and rules in the Proposed Plan that relate to sites with significant mana whenua values to ensure that they are appropriately balanced with relevant consideration of, including the efficient provisions of, regionally significant infrastructure and related development.

**AND**

- 2.1.3 Amend the Maps of the Proposed Plan to accurately identify the location of 'sites' with significant mana whenua values.

**AND**

- 2.1.4 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the KCAHL.

### 3.0 REGIONALLY SIGNIFICANT INFRASTRUCTURE

KCAHL **supports** the inclusion of the Kapiti Coast Airport as Regionally Significant Infrastructure ('RSI') in the policy framework of the Proposed Plan and the recognition of the Airport in policy P135 (Safe passage for Aircraft), policy P137 (Airport height restriction areas), rule 159 (Structures in airport height restriction areas). However, KCAHL **opposes** the particular wording of many of the objectives, policies and status of rules that seek to manage RSI and the effects of such infrastructure.

The wording of the policy framework to 'provide for' and 'enable' RSI is not as directive as the objectives, policies and rules that are applicable to the protection and avoidance of all adverse environmental effects on lakes and rivers. One outcome of the *King Salmon* decision is a clear move away from an overall judgement approach to the implementation of provisions in higher order documents when giving effect to them. The decision also clarified that policies expressed in directive terms carry greater weight than those expressed in less directive terms (i.e. 'avoid' is stronger than 'recognise').

Under the current policy framework of the Proposed Plan, when assessing an application for works associated with the use, operation, maintenance or development of RSI, the Council would be required to give greater weight to the strong directive terminology of objectives and policies that protect certain aspects of the environment, rather than those that enable and recognise RSI.

It is therefore considered important that the policy framework of the Proposed Plan takes a more balanced resource management approach and provides more directive wording to the objectives, policies and rules that apply to RSI. This would recognise the important role that RSI, including the Airport, has on the economic growth, development and well-being of residents in the Wellington Region.

The wording of the objectives, policies and rules for RSI in the Proposed Plan are inconsistent with the Regional Policy Statement for the Wellington region 2013 (the RPS).

Objective 10 of the RPS states:

*'The social, economic, cultural and environmental benefits of regionally significant infrastructure are recognised and protected.'*

Policy 8 of the RPS states:

*'Protecting regionally significant infrastructure – regional and district plans'*

The protection of RSI is therefore supported by RPS objectives and policies that are to be implemented in regional and district plans. However, many of the objectives and policies of the Proposed Plan seek only to recognise RSI, not protect it. It is therefore considered that the policy framework of Proposed Plan inconsistent with the RPS and needs to be amended to protect RSI.

It is also considered important that the rules of the Proposed Plan recognise the importance of RSI by applying a less restrictive activity status to activities associated with the use, operation, development and maintenance of RSI. A controlled activity status would reflect and be consistent with the objectives and policies of the Proposed Plan and RPS that relate to RSI, whilst still appropriately managing the effects of RSI on less significant habitats and ecosystems. However, it is considered appropriate to apply a more stringent activity status, such as discretionary, to manage the effects of RSI activities that are undertaken within sites of significance that are identified in the Schedules of the Proposed Plan.

### 3.1 RELIEF SOUGHT

**KCAHL seeks the following decision from the Council:**

- 3.1.1 Amend Objective O12 in Section 3.2 of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

'Objective O12

*The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are ~~recognised~~ enabled.'*

**AND**

- 3.1.2 Retain Objective O13 in Section 3.2 of the Proposed Plan as notified without modification.

**AND**

3.1.3 Amend Policy P12 in Section 4.2 of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

*'Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities*

*The benefits of regionally significant infrastructure and renewable energy generation activities are recognised enabled by ~~having regard to~~ consideration of:*

*(a) the strategic integration of infrastructure and land use, and*

*(b) the location of existing infrastructure and structures, and*

*(c) the need for renewable energy generation activities to locate where the renewable energy resources exist, and*

*(d) the functional need for port activities to be located within the coastal marine area, and*

*(e) operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.'*

**AND**

3.1.4 Amend Policy P13 in Section 4.2 of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

*'Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities*

*The use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.'*

**AND**

3.1.5 Retain Policy P14 in Section 4.2 of the Proposed Plan as notified without modification.

**AND**

3.1.6 Amend Policy P102 in Section 4.8.12 of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

*'Policy P102: Reclamation or drainage of the beds of lakes and rivers*

*The reclamation or drainage of the beds of lakes and rivers and natural wetlands (including those listed in the Schedules of this Plan) shall be avoided except where the reclamation or drainage is:*

*(a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or*

*(b) associated with a qualifying development within a special housing area, or*

*(c) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or*

*(d) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or*

*(e) associated with the creation of a new river bed and does not involve piping of the river, and*

*(f) in respect of (a) to (e) there are no other reasonable or practicable alternative methods of providing for the activity, or*

*(g) the reclamation or drainage is of an ephemeral flow path.*

*For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.'*

**AND**

3.1.7 Include a new Rule R106a in Section 5.5 'Wetlands and beds of lakes and rivers' to provide for activities associated with RSI to be considered as controlled activities when they are undertaken in natural wetlands, but not in wetlands identified as significant natural wetlands or outstanding natural wetlands. Include new Rule R106a in Section 5.5 as follows (deletions in strikethrough, amendments underlined):

*'Rule R106a: Activities of regionally significant infrastructure outside sites of significance – controlled*

*Activities of regionally significant infrastructure located outside any outstanding natural wetland identified in Schedule A3 ('Wetlands with outstanding indigenous biodiversity values') or any significant natural wetland identified by Schedule F3 ('Identified significant wetlands') is a controlled activity.'*

**AND**

Include new and appropriate 'Matters of control' for Rule R106a relating to regionally significant infrastructure.

AND

Amend the activity table at the start of Section 5.5 'Wetlands and beds of lakes and rivers' by inserting a new row as follows (deletions in strikethrough, amendments underlined):

.....

Rules – Wetlands and beds of lakes and rivers	Page	P	C	RD	D	NC	Pr
<u>Rule R106a: Activities of regionally significant infrastructure outside sites of significance</u>	<u>160</u>		● —				

.....

AND

3.1.8 Retain Policy P135 in Section 4.10.1 of the Proposed Plan as notified without modification.

AND

3.1.9 Retain Policy P137 in Section 4.10.1 of the Proposed Plan as notified without modification.

AND

3.1.10 Retain Rule P159 in Section 5.7.5 of the Proposed Plan as notified without modification.

AND

3.1.11 Amend Rule 214 in Section 5.7.18 of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

*'Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance – ~~discretionary controlled~~*

*Reclamation and drainage for regionally significant infrastructure activities outside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:*

- (a) occupation of space in the common marine and coastal area, and*
- (b) destruction of the foreshore or seabed, and*
- (c) disturbance of the foreshore or seabed, and*
- (d) deposition in, on or under the foreshore or seabed, and*
- (e) discharge of contaminants, and*
- (f) diversion of open coastal water*

*is a controlled ~~discretionary~~ activity.'*

AND

Include appropriate 'Matters of control' for Rule R214.

AND

Amend the activity table at the start of Section 5.7 'Coastal management' by changing the activity status in the row relating to Rule R214 as follows (deletions in strikethrough, amendments underlined):

.....

Rules – Coastal management (CM)	Page	P	C	RD	D	NC	Pr
<u>Rule R214: Reclamation and drainage for regionally significant infrastructure outside sites of significance</u>	<u>235</u>		● —		●		

.....

AND

3.1.12 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the KCAHL.



#### 4.0 HABITATS WITH SIGNIFICANT INDIGENOUS ECOSYSTEMS AND NATURAL WETLANDS

KCAHL recognises the need for the Proposed Plan to have a policy framework that provides appropriate for the appropriate protection and management of habitats that that have significant indigenous ecosystems. However, KCAHL **opposes** the wording of some objectives and policies that seek to manage the effects of activities on such habitats. In particular, the wording of some objectives and policies have the potential to create uncertainty in their implementation as they use terminology that is not consistent with other documents prepared under the Resource Management Act 1991 (the 'RMA').

The objectives and policies of the Proposed Plan place too much focus on the natural environment and do not appropriately recognise that urban activity is also part of the environment. The wording of some objectives and policies implies that activities themselves are inappropriate, not the potential effects that they may create.

#### 4.1 RELIEF SOUGHT

KCAHL seeks the following decision from the Council:

- 4.1.1 Amend Objective O22 in Section 3.4 as follows (deletions in strikethrough, amendments underlined):

'Objective O22

Hard engineering mitigation and protection methods ~~are only used as a last~~ can be used as part of the best practicable option.

AND

- 4.1.2 Amend Policy P4 in Section 4.1 as follows (deletions in strikethrough, amendments underlined):

'Policy P4: Minimising adverse effects

Where ~~minimisation of adverse effects is required by policies in the Plan, minimisation means reducing~~ minimisation of adverse effects of the activity to the smallest amount practicable and shall include may include:

(a) consideration of alternative locations and methods for undertaking the activity that would have less adverse effects, and

(b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and

(c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and

(d) using good management practices for reducing the adverse effects of the activity, and

(e) designing the activity so that the scale or footprint of the activity is ~~as small as practicable~~ appropriately reduced.

AND

- 4.1.3 Amend Policy P41 in Section 4.1 by deleting the last paragraph as follows (deletions in strikethrough, amendments underlined):

'.....

~~Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through biodiversity offsets, the activity is inappropriate.~~

.....'

OR

Amend the last paragraph of Policy P41 in Section 4.1 as follows (deletions in strikethrough, amendments underlined):

'.....

Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through biodiversity offsets, the effects of the activity is are inappropriate.

.....'

AND

- 4.1.4 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the KCAHL.

## 5.0 STORMWATER

Policy P78 provides for the management of stormwater on larger sites such as the Airport. This policy is **supported** to the extent that it recognises that discharges from these sites are managed to minimise adverse effects and implement good management practice, while recognising that improved management may need to be introduced progressively and over time.

However, KCAHL **opposes** the inconsistency created by the stormwater discharge rules in the Proposed Plan. Specifically, stormwater discharges from an individual property (which has no area threshold) is permitted under Rules R48 and R49. Conversely, stormwater discharges from Airports are assessed as a restricted discretionary activity under Rule R52, regardless of whether they can demonstrate compliance with the same standards that apply to an individual property under Rules R48 and R49.

There is no resource management justification for the Proposed Plan to create inconsistency between how various activities are regulated. RSI, such as the Airport, should be afforded the same activity status as activities on individual properties if they can satisfy the same standards that manage the environmental effects of stormwater discharge. It would therefore be an appropriate resource management response to include RSI as permitted activities in Rules R48 and R49, and to remove Rule R52 from the Proposed Plan. This would recognise, and be consistent with, the policy framework of the Proposed Plan and the RPS by enabling the effective operation, use and maintenance of RSI.

KCAHL **opposes** Rule R67 of the Proposed Plan that applies a non-complying activity status on stormwater discharges within sites of significance even though the activity complies with the permitted standards in Rules R48 and R49. It is also considered inappropriate to apply a blanket non-complying activity status for any discharge in a site of significance. Rule R67 does not promote a balanced resource management approach and it does not acknowledge the strategic importance of RSI for the economic growth, development and well-being of residents in the Wellington Region

## 5.1 RELIEF SOUGHT

**KCAHL seeks the following decision from the Council:**

- 5.1.1 Retain Policy P78 in Section 4.8.3 of the Proposed Plan as notified without modification.

**AND**

- 5.1.2 Amend Rule R48 in Section 5.2.3 'Stormwater' of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

*'Rule R48: Stormwater from an individual property – permitted activity*

*The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, from an individual property (including any property that contains regionally significant infrastructure) is a permitted activity, provided the following conditions are met:*

*.....'*

**AND**

- 5.1.3 Amend Rule R49 in Section 5.2.3 'Stormwater' of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

*'Rule R49: Stormwater to land – permitted activity*

*The discharge of stormwater onto or into land, including where contaminants may enter groundwater, from an individual property (including any property that contains regionally significant infrastructure) is a permitted activity provided the following conditions are met:*

*.....'*

**AND**

5.1.4 Delete Rule R52 'Stormwater from large sites – restricted discretionary activity' in Section 5.2.3 of the Proposed Plan in its entirety as follows (deletions in strikethrough, amendments underlined):

~~'Rule R52: Stormwater from large sites – restricted discretionary activity~~

~~The discharge of stormwater into water, or onto or into land where it may enter water, from a port, airport or state highway is a restricted discretionary activity.~~

~~Matters for discretion~~

- ~~1. The management of the adverse effects of stormwater capture and discharge, including cumulative effects, of stormwater on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use~~
- ~~2. The management of effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)~~
- ~~3. Minimisation of the adverse effects of stormwater discharges through progressive improvement over time'~~

**AND**

Amend the activity table at the start of Section 5.2 'Discharges to water' by deleting the row relating to Rule R52 as follows (deletions in strikethrough, amendments underlined):

.....

Rules – Stormwater	Page	P	C	RD	D	NC	Pr
<del>Rule R52: Stormwater from large sites</del>	121			<del>●</del>			

.....'

**AND**

5.1.5 Amend Rule R67 in Section 5.2.8 'All other discharges' in the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

~~'Rule R67: Discharges inside sites of significance – non-complying activity~~

~~The discharge of water or contaminants into water, or onto or into land where it may enter water:~~

- ~~(a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites), and~~
- ~~(b) that is not permitted by Rules R42, R43, R44, ~~or R45, R48 or R49~~~~

~~is a non-complying activity.'~~

**AND**

5.1.6 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the KCAHL.

## 6.0 EARTHWORKS

KCAHL generally **supports** Rule R99 'Earthworks and vegetation clearance – permitted' and Rule R101 'Earthworks and vegetation clearance – discretionary'. The earthworks threshold of a contiguous area of 3,000m<sup>2</sup> per property per 12 month period is considered to be appropriate to effectively manage the effects of earthworks.

## 6.1 RELIEF SOUGHT

KCAHL seeks the following decision from the Council:

6.1.1 Retain Rule P99 'Earthworks and vegetation clearance – permitted' in Section 5.4.4 of the Proposed Plan as notified without modification.

**AND**

6.1.2 Retain Rule 'Earthworks and vegetation clearance – discretionary' in Section 5.4.4 of the Proposed Plan as notified without modification.

**AND**

6.1.3 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the KCAHL.

## 7.0 INTERPRETATION OF REGIONALLY SIGNIFICANT INFRASTRUCTURE

KCAHL **supports** the definition of Regionally Significant Infrastructure ('RSI') as this definition includes Paraparaumu Airport. However, when the Airport changed ownership in 2011 the name of the Airport was changed from Paraparaumu Airport to Kapiti Coast Airport.

The definition of RSI therefore needs to be amended to accurately reflect the new name of the Airport.

### 7.1 RELIEF SOUGHT

KCAHL **seeks the following decision from the Council:**

7.1.1 Amend the definition of 'Regionally Significant Infrastructure' as provided in Chapter 2 of the Proposed Plan as follows (deletions in strikethrough, amendments underlined):

'Regionally significant infrastructure includes:

- Pipelines for the . . . . .  
. . . . .
- ~~Paraparaumu Airport~~ Kapiti Coast Airport  
. . . . .'

**AND**

7.1.2 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the KCAHL.

## 8.0 IDENTIFICATION OF KAPITI COAST AIRPORT ON THE PLANNING MAPS

KCAHL **supports** the inclusion of Kapiti Coast Airport in the Maps of the Proposed Plan. However, it is noted that the lines, labels and height restrictions identified by the Maps for the Airport are out of date and do not reflect current or future operations. It is therefore considered important that the Maps of the Proposed Plan are amended to ensure consistency with the policy framework of the Proposed Plan and protects the Airport as significant infrastructure in the Wellington Region.

### 8.1 RELIEF SOUGHT

KCAHL **seeks the following decision from the Council:**

8.1.1 Amend the Maps contained in the Proposed Plan that relate to the Kapiti Coast Airport showing lines, labels and height restrictions to ensure they correctly identify current and future Airport operations.

**AND**

8.1.2 Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the KCAHL.

KCAHL WISH TO BE HEARD IN SUPPORT OF ITS SUBMISSION

IF OTHERS MAKE A SIMILAR SUBMISSION KCAHL WILL CONSIDER PRESENTING A JOINT CASE WITH THEM AT A HEARING.

A handwritten signature in black ink, consisting of several overlapping loops and lines, positioned above the signature label.

SIGNATURE:

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

DATE: 25 September 2015

ADDRESS FOR SERVICE OF SUBMITTER:

Kapiti Coast Airport Holdings Limited  
C/- Harrison Grierson Consultants Limited  
P O Box 2313 CMC  
WELLINGTON 6140

Telephone: 04 385 0005  
Facsimile/email: p.israelson@harrisingrierson.com  
Contact Person: Poul Israelson, Planning Manager

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Proposed Natural Resources Plan:

Submitter:

**Southern North Island Wood Council**

Submitter Number:

**S100**





Submission on the Proposed Natural Resources Plan for the Wellington Region



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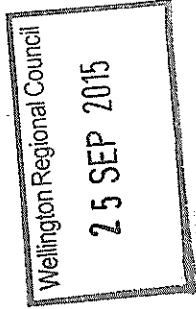
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Plimmerton  
(04) 894 8901

5247

richard.cook@pwlison.com

297731904



Trade competition

Yes /we could not gain an advantage in trade competition through this submission

No /we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

No /we are directly affected by an effect of the subject matter of my submission that adversely affects the environment

and does not relate to trade competition or the effects of trade competition.

Yes /we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment

and does not relate to trade competition or the effects of trade competition.

Attendance and wish to be heard at hearing(s)

Yes /we do wish to be heard in support of my/our submission

(Note: this means that you wish to speak in support of your submission at the hearing(s).)

No /we do not wish to be heard in support of my/our submission

(Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal

any decision made by the Wellington Regional Council to the Environment Court.]

Yes if other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date:

25/09/2015



Interpretation

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Erosion prone land	Amend

Proposed change is one site fits all approach where we believe erosion prone land is better described under current regional soil plan taking underlying strata (rock, soil, slope erosion susceptibility and vegetation) into account.

Definition and rules around erosion prone land for forestry should remain constant with current soil plan for: "any land within Area 1 with a slope of greater than 23 degrees, and any land within Area 2 with a slope of greater than 28 degrees".



**Policies**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Policy P7: Uses of land and water

Amend

Forestry as a land use has not been considered to add cultural, social or economic benefit to the region despite delivering a wide range of benefits including improving water quality, erosion control, carbon sequestration and employment.

Forestry should be included as a beneficial use of land and water resources



**Rules - Discharges to water**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

<b>Rule R42: Minor discharges – permitted activity</b>	<b>Amend</b>

Remove i.50g/m3 and ii.100g/m3 tolerances and concentrate on zone of reasonable mixing

Low tolerance for suspended solids that will be hard to measure.

