

**SUBMISSION ON**  
**PROPOSED PLAN CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE**  
**WELLINGTON REGION**  
**GREATER WELLINGTON REGIONAL COUNCIL**

**To:** Greater Wellington Regional Council  
By email to: regionalplan@gw.govt.nz

**Submission on:** Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region

**Name of Submitter:** Urban Edge Planning Ltd  
on behalf of Coronation Real Estate Ltd

**Address for service:** Urban Edge Planning  
PO Box 39071  
Wellington Mail Centre  
Lower Hutt 5045

**Attention:** Corinna Tessendorf  
022 304 4187  
Corinna@urbanedgeplanning.co.nz

- This is a submission made on behalf of Coronation Real Estate Ltd concerning Proposed Change 1 to the Natural Resources Plan as notified by Greater Wellington Regional Council on 30 October 2023.
- Coronation Real Estate Ltd could not gain an advantage in trade competition through this submission.
- Coronation Real Estate Ltd would like to be heard in support of this submission.
- Coronation Real Estate Ltd would not consider presenting a joint case with others that make a similar submission.
- Urban Edge Planning on behalf of Coronation Real Estate Ltd seeks an amendment to Map 87 to identify of the site at 9 Comber Place as a planned / existing urban area.

## SITE CONTEXT

### The Site

This submission relates to the site at 9 Comber Place, Johnsonville, Wellington.



Figure 1: 9 Comber Place, Johnsonville (Source: GRIP)

The site can be described as follows:

Address	9 Comber Place, Johnsonville
Size	7,609m <sup>2</sup>
Legal description	LOT 50 DP 486488
Parcel ID	7614310
Title	693794
Location	To the rear of 1/9 and 2/9 Comber Place
Operative WCC District Plan Zoning	Outer Residential Zone in part Open Space B Zone in part
Proposed WCC District Plan Zoning	Natural Open Space Zone
Submission on WCC PDP	Seeks rezoning of the site to Medium Density Residential Activity Area either for the entire site or for part of the site
Current Use and Development	The site is subject to a granted 14 Lot Fee Simple subdivision consent and a land use consent for the construction of 11 new dwellings that was issued on 06 October 2022. This consent replaced and expanded upon a previous resource

	consent for residential development of the site, which was granted in 2013. Work on the site to give effect to this consent is ongoing.
--	---

In summary, the site is located in a residential neighbourhood with adjoining open space and reserves. The site has an existing resource consent for a 14 lot subdivision and multi-unit development that was lodged in May 2022 prior to the notification of the Proposed District Plan and was granted in October 2022 after the notification of the Proposed District Plan. Building consent for earthworks, retaining walls etc. to form allotments 3 to 5 has been granted and the consented work has been partially completed.

## PLANNING CONTEXT

### Proposed Plan Change 1 to the Natural Resources Plan

On 30 October 2023 Greater Wellington Regional Council (GWRC) notified Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region (Plan Change 1).

The main focus of Plan Change 1 is the implementation of the National Policy Statement for Freshwater Management 2020 within the Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua. To achieve this, Plan Change 1 proposed the introduction of new objectives, policies, rules and other methods to achieve the appropriate management of freshwater and coastal water. The proposed provisions regulate earthworks, stormwater discharges, wastewater discharges and rural land use to improve water quality and ecological health.

Of particular relevance to this submission are the provisions of Chapter 8 – Whaitua Te Whanganui-a-Tara in general and those provisions relating unplanned greenfield development in particular.

Maps 86 to 89 identify unplanned greenfield areas (as opposed to planned / existing urban areas) and the related policy WH.P16 and rule WH.R13 introduce a framework that requires the avoidance of all new stormwater discharges from unplanned greenfield development and classify any use of land and associated discharge of stormwater from impervious surfaces from unplanned greenfield development as a prohibited activity. Under this framework any unplanned greenfield development proposal will require a private plan change process to change the relevant map.

### Wellington City Operative District Plan and Proposed District Plan

Under the Wellington City Operative District Plan (ODP) the site is partially zoned Outer Residential and partially zoned Open Space B. The Outer Residential zone covers most of the north-eastern portion of the site while the Outer Space B zone applies to the south-western portion of the site. The Open Space B zoned portion of the site is also subject to Ridgelines and Hilltops overlay.

However, under the Wellington City Proposed District Plan (PDP) as publicly notified by Wellington City Council (WCC) on 18 July 2022 the entire site is proposed to be zoned as Natural Open Space. This includes the portion that is currently zoned residential and has a live resource consent for subdivision and multi-unit development (see Current Consents below). At the same time the surrounding residential properties that are currently zoned Outer Residential in the Operative

District Plan are proposed to be rezoned to Medium Density Residential in the Proposed District Plan.



**Figure 2: Operative and Proposed District Plan Zoning (Source: Wellington City eplan and Wellington City Proposed District Plan)**

### Submission on WCC PDP and Current Consents

As outlined above the Proposed District Plan as notified proposes the rezoning of the entire site a 9 Comber Place to Open Space Zone despite the existing resource consents and partial development on the site. On 5 September 2022 UEP on behalf of Coronation Real Estate Ltd lodged a submission on the Proposed District Plan seeking the rezoning of the entire site to Medium Density Residential Zone. Should this decision sought not be acceptable to Council the submission proposes two alternative options of partial rezoning of the site.

Due to ongoing processing delays WCC has not yet made a recommendation or decision on the rezoning sought by Coronation Real Estate Ltd. The relevant hearing stream for the PDP (Hearings Stream 7 – Rural and Open Space, District Wide Matters, Special Purpose Zones) is currently scheduled to begin on 19 March 2024.

The site is subject to a granted 14 Lot Fee Simple subdivision consent and a land use consent for the construction of 11 new dwellings (SR No. 515059). The resource consent was issued on 06 October 2022 and the decision report states the following:

*Under the Operative District Plan (ODP), the site consists of two areas (split-zone) along its Ridgeline and Hilltops Overlay line; where the Outer Residential Area to the east is where the dwellings will be built and an area of Open Space B to the west where some earthworks will be carried out; the subject site also adjoins the Council Reserve to its west.*

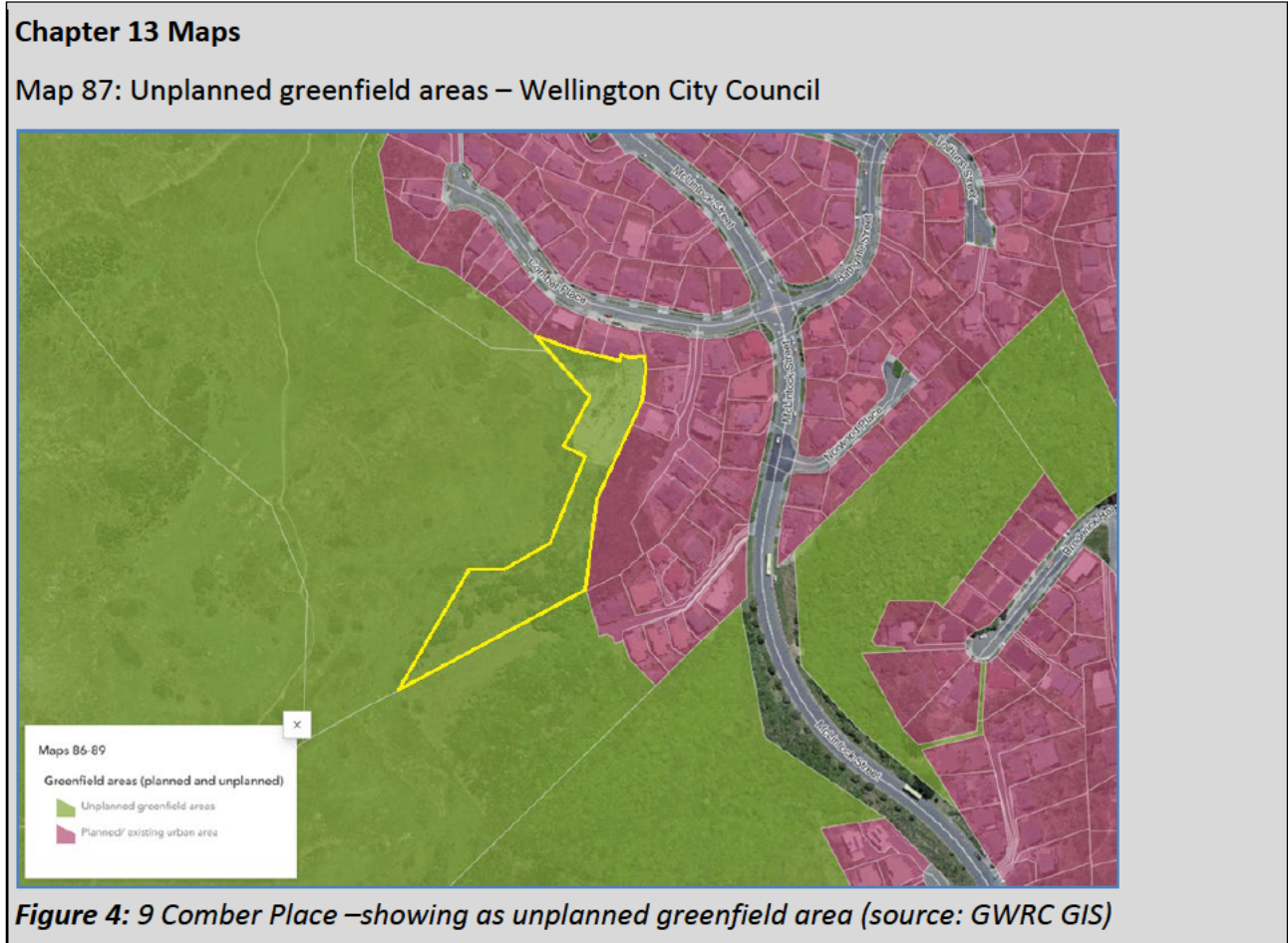
*Under the Proposed District Plan (PDP), the whole of the subject site is zoned Natural Open Space Zone (NOSZ). **The Council District Plan Team has confirmed that this is an error, which will be corrected through the submission process. It should have been a split-zone as it is under the current ODP, but as NOSZ and Medium Density Residential Zone (MRZ) [emphasis added].** Nevertheless, it is currently zoned NOSZ under the PDP until it is formally corrected. Hence, I will be assessing the development site as NOSZ under the PDP in my s104 assessment later in this report.*



**SUBMISSION**

Urban Edge Planning on behalf of Coronation Real Estate Ltd opposes the identification of the site at 9 Comber Place as unplanned greenfield area and the related provisions that require the avoidance of all new stormwater discharges from unplanned greenfield development and make any use of land and associated discharge of stormwater from impervious surfaces from unplanned greenfield development a prohibited activity.

The particular provisions that this submission relates to are:



<b>RMA Process</b>	Part 1 Schedule 1
<b>Feedback</b>	Oppose, Seek Amendment
<b>Reason for Feedback</b>	<p>We oppose the identification of the site at 9 Comber Place, Johnsonville as an unplanned greenfield area on Map 87.</p> <p>The identification as unplanned greenfield area is obviously based on the erroneous zoning of the site as Open Space under the Proposed District Plan.</p> <p>There are currently several resource consents for subdivision and land use, the latest issued in October 2022 which granted a 14 lot subdivision and the related multi-unit residential development of the site. The built development of the site has commenced and is ongoing.</p>



	<p>As outlined above the latest subdivision and land use consent decision report (SR515059) describes the proposed zoning of the entire site as Open Space Zone as an error.</p> <p>However, due to ongoing process delays for the PDP this error has not been corrected yet and the relevant hearing will only be held in March 2024. Consequentially, Map 87 of Plan Change 1 now identifies the site at 9 Comber Place as unplanned greenfield area with immediate legal effect.</p> <p>We consider that the unreflective reliance on the proposed zoning maps of the PDP for the identification of unplanned greenfield areas is not appropriate given the immediate legal effect and wide reaching consequences of this identification. This approach does not reflect the possibility and likelihood of future changes to the zones in response to submissions. It is unclear how any changes to the spatial extent of the proposed zones can be carried over into the NRP maps.</p> <p>In the meantime the impending prohibitive activity status for any future development as well as the temporary discretionary activity status under s87B of the RMA creates significant risk and uncertainty for the landowner and threatens the ongoing and consented development of the site.</p>
<b>Decision Sought</b>	Urban Edge Planning on behalf of Coronation Real Estate Ltd seeks the amendment of Map 87 to show the site at 9 Comber Place, Johnsonville as Planned / Existing Urban Area.

<b>Chapter 8 Whaitua Te Whanganui-a-Tara</b>	
<b><i>Policy WH.P16: Stormwater discharges from new unplanned greenfield development</i></b>	
<i>Avoid all new stormwater discharges from unplanned greenfield development where the discharge will enter a surface water body or coastal water, including through an existing local authority stormwater network.</i>	
<b>RMA Process</b>	Part 1 Schedule 1
<b>Feedback</b>	Oppose, Seek Amendment
<b>Reason for Feedback</b>	<p>We consider that the proposed policy is too narrow since it does not provide any pathway or guidance other than avoidance.</p> <p>Considering the underlying effects based approach we are unclear why new stormwater discharge from unplanned greenfield development is treated differently from stormwater discharge from planned development? We consider the effects are the same and can potentially be managed (e.g. through an effects management hierarchy).</p>
<b>Decision Sought</b>	<p>Amend the proposed policy to provide a pathway where the effects from additional stormwater discharges can be managed appropriately.</p> <p>Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.</p>



## Chapter 8 Whaitua Te Whanganui-a-Tara

### **Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity**

*The use of land and the associated discharge of stormwater from impervious surfaces from unplanned greenfield development direct into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or proposed stormwater network, is a prohibited activity.*

#### **Note**

*Any unplanned greenfield development proposals will require a plan change to the relevant map (Map 86, 87, 88 or 89) to allow consideration of the suitability of the site and receiving catchment(s) for accommodating the water quality requirements of the National Policy Statement for Freshwater Management 2020, and the relevant freshwater and coastal water quality objectives of this Plan. Any plan change process should be considered concurrent with any associated change to the relevant district plan, to support integrated planning and assessment.*

<b>RMA Process</b>	Part 1 Schedule 1
<b>Feedback</b>	Oppose, Seek Amendment
<b>Reason for Feedback</b>	<p>We oppose the proposed prohibited activity status for the use of land and associated discharge of stormwater for unplanned greenfield development.</p> <p>Our main reasons for opposing the proposed rules are:</p> <ul style="list-style-type: none"><li>▪ The prohibited activity status does not allow for an effects assessment since no application can be made under this rule. It essentially means that the associated effects are too significant and therefore cannot be managed – we are unsure how these effects can then be managed through a plan change process.</li><li>▪ A prohibited activity status fails to recognize that greenfield development can provide a range of opportunities to more effectively undertake catchment based stormwater management and enhance the environment, particularly those that are already in a degraded state.</li><li>▪ The rule does not differentiate between the use of land and the associated stormwater discharge.</li><li>▪ It is our understanding that the prohibited activity status is intended to prevent increased contaminant load from new development – we consider this can be appropriately addressed through RC process and does not require a plan change process.</li><li>▪ A full plan change process to change the status from unplanned greenfield development to planned greenfield development allows for the consideration of much wider effects, which could be interpreted as an attempt to widen the scope and result in duplication with the related District Plan change.</li></ul>



	<ul style="list-style-type: none"> <li>▪ A discretionary or non-complying activity status would provide applicants with two options – either apply for a resource consent for an unplanned greenfield development in the knowledge that future additions or amendments may require further consents or apply for a plan change to achieve the long term change to the NRP that would provide a (potentially) easier pathway for future development.</li> <li>▪ The main differences between a resource consent process and a plan change process seem to be longer time frames, wider scope and the additional further submission phase for a plan change. The general requirement for a plan change is therefore not an efficient or effective response.</li> <li>▪ We are unsure how a combined district and regional plan change process as indicated in the advice note would work.</li> <li>▪ A prohibited activity status is not adequately reconciled in the context of other national direction, including the NPS-UD.</li> </ul>
<b>Decision Sought</b>	<p>Replace the prohibited activity status with a discretionary or non-complying activity status to allow for an assessment of the actual effects of the activity and their management.</p> <p>Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.</p>

### Conclusion - Decision sought

Urban Edge planning on behalf of Coronation Real Estate Ltd seeks the following decision from Greater Wellington Regional Council:

- Amend Map 87 – Unplanned Greenfield Areas – Wellington City Council to include the site at 9 Comber Place as planned/existing urban area.
- Amend Policy WH.P16 and Rule WH.R13 to provide for unplanned greenfield development as a discretionary or non-complying activity.
- Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.



Corinna Tessendorf  
Urban Edge Planning Ltd

On behalf of:  
Coronation Real Estate Ltd

14 December 2023

