

Greater Wellington RPS Change 1 – s42A - Natural Character

Appendix 1 – Summary of Submissions

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Decision Requested	Summary Recommendation
S16.032	Kāpiti Coast District Council	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	We consider the proposed amendments will result in the policy being more consistent with the requirements of the NZCPS.	Retain.	Accept in part
S30.033	Porirua City Council	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	Council supports being consistent with the NZCPS.	Retain as notified.	Accept in part
FS25.066	Peka Peka Farm Limited	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	The submission provides a comprehensive analysis of the proposed change including in relation to matters of scope and jurisdiction. It is supported without prejudice to the specific relief sought in the primary submission or this further submission by Peka Peka Farm Ltd.	Allow	Accept in part
S32.010	Director-General of Conservation	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	The proposed changes give better effect to Policy 13 of the NZCPS. Some elements proposed to be removed from the explanation could potentially be retained or reworded, but doing so would not alter the effect of the Policy.	Retain as notified	Accept in part
FS30.288	Beef + Lamb New Zealand Ltd	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Oppose	B+LNZ generally oppose the submission on the grounds that's B+LNZ are seeking changes of the plan change are restricted to those necessary to give effect to the National Policy Statement for Urban Development and that any other matters should be subject to proper review in the Schedule full review of the RPS in 2024 and in the scheduled reviews of the Natural Resources Plan in 2023 and 2024. This is because the changes materially impact on communities, including rural communities and B+LNZ do not consider that the necessary engagement has been undertaken to adequately inform these provisions or to meet the requirements of Part 3.2 of the NPS-FM. Furthermore, there is a risk that including matters relating to climate change and indigenous biodiversity before key national legislation is gazetted or implemented is premature	Delete notified change	Reject

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				and will lead to the inefficient implementation and confusion amongst those who it impacts materially.		
S78.008	Beef + Lamb New Zealand Limited	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Not Stated / Neutral	Accepts that amendments to operative Policy 3 are required to give effect to the NPS-UD but neither supports nor opposes the provisions.	Retain as notified	Accept in part
FS20.316	Ātiawa ki Whakarongotai Charitable Trust	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Oppose	Ātiawa oppose the entire submission by Beef + Lamb New Zealand Limited. The relief sought by Beef + Lamb is to withdraw all proposed amendments, apart from those which give effect to NPS-UD. The basis for deleting the proposed amendments (apart from NPS-UD provisions) is to delay decision-making until further national direction is gazetted or until the scheduled full review of the RPS. Ātiawa do not accept that delaying proposed RPS Change 1 is an appropriate course of action, further delays would permit further degradation of te taiao and continue to have perverse outcomes for mana whenua.	Disallow: Disallow the relief sought where the submitter seeks the deletion of proposed amendments.	No recommendation
S100.013	Meridian Energy Limited	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Oppose	This part of the operative explanation remains relevant. The protection required by the RMA is against inappropriate (not appropriate) use and development.	Reinstate part of the deleted text and insert reference to the words of s. 6 (a) of the RMA as follows (or in a similar manner to achieve the same effect): "Section 6 (a) of the Resource Management Act requires that the preservation of the natural character of the coastal environment must be recognised and provided for and protected from inappropriate use and development. The Resource Management Act does not preclude appropriate use and development in the coastal environment."	Accept in part

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S102.081	Te Tumu Paeroa Office of the Māori Trustee	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	Generally supports Policy 3 for the Coastal Environment.	Retain as notified.	Accept in part
S115.032	Hutt City Council	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	No reasons provided	Retain as notified	Accept in part
S131.055	Ātiawa ki Whakarongotai Charitable Trust	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support in part	Policy 3 does not provide strong policy direction, particularly providing the clear distinction between how matters in clause (a) and (b) should be considered. The policy relies on the explanation to clarify that matters in (b) can compromise, modify or otherwise diminish the natural character. Ātiawa seeks that Regional Council partner with mana whenua when identifying areas with high natural character. Ātiawa maintain their rangatiratanga within the Ātiawa rohe. Te Tiriti guarantees a partnership approach to resource management.	Amend to: In partnership with mana whenua, district and regional plans shall include policies, rules and/or methods to protect high natural character in the coastal environment from inappropriate subdivision, development and/or use. Natural character should be assessed considering the following matters, with a site determined as having high natural character when the landscape is slightly modified or unmodified, the land-cover is dominated by indigenous vegetation and/or the vegetation cover is natural and there are no apparent buildings, structures, or infrastructure:	Accept in part

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<p>FS2.64</p>	<p>Rangitāne o Wairarapa Inc</p>	<p>Policy 3: Protecting high natural character in the coastal environment - district and regional plans</p>	<p>Support</p>	<p>Rangitāne support the amendment to the Policy proposed by Ātiawa, which seeks partnership with mana whenua in defining and protecting natural character Co-design under a treaty house model is about shaping plans and resource management avenues alongside mana whenua that appropriately recognise the intergenerational prosperity of the uri of Ngā Hapu o Otaki and the wider community. There are ongoing concerns Ngā Hapu o Otaki maintain with GWRC in regard to the policies addressing Co-governance, Co-management, Co-leadership and Co-collaborative operational processes. This submission goes to great length to define where and how further considerations can be made recognising the interconnected nature of mātauranga māori, the inequitable impact environmental decline will have on mana whenua/tangata whenua and offers insight to the intuitive and inherent awareness mana whenua need to maintain to ensure our intergenerational survival and prosperity.3.4 Freshwater including Public Access - Support in Principal3.6 Indigenous Ecosystems - Support in Principal3.9 Regional Form, Design and Function - Support in Principal. Ātiawa views regarding Freshwater, indigenous ecosystems and Regional design and function resonate with insights Ngā Hapu o Otaki maintain. Ngā Hapu o Otaki would like opportunity to speak further to such views during the hearing process. We share Ātiawa's concerns for Mātauranga Māori as a foundation for equitable interchange of decision making. Their concerns regarding intensification and the further degradation of taonga across our coastline rings true to the ongoing journey we are on as mana whenua facing intense growth for the coming generation. We seek to join the conversation and endorse provisions that will see our whanaunga and other mana whenua groups recognise their environmental resilience and the cultural agility our shared whakapapa offers.</p>	<p>Allow</p>	<p>Reject</p>
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FS29.325	Ngā Hapu o Otaki	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	Co -design under a treaty house model is about shaping plans and resource management avenues alongside mana whenua that appropriately recognise the intergenerational prosperity of the uri of Ngā Hapu o Otaki and the wider community. There are ongoing concerns Ngā Hapu o Otaki maintain with GWRC in regard to the policies addressing Co-governance, Co-management, Co-leadership and Co-collabroative operational processes. This submission goes to great length to define where and how further considerations can be made recognising the interconnected nature of mātauranga māori, the inequitable impact environmental decline will have on mana whenua/tangata whenua and offers insight to the intuitive and inherent awareness mana whenua need to maintain to ensure our intergenerational survival and prosperity.3.4 Freshwater including Public Access - Support in Principal3.6 Indigenous Ecosystems - Support in Principal3.9 Regional Form, Design and Function - Support in Principal Ātiawa views regarding Freshwater, indigenous ecosystems and Regional design and function resonate with insights Ngā Hapu o Otaki maintain. Ngā Hapu o Otaki would like opportunity to speak further to such views during the hearing process. We share Ātiawa's concerns for Mātauranga Māori as a foundation for equitable interchange of decision making. Their concerns regarding intensification and the further degradation of taonga across our coastline rings true to the ongoing journey we are on as mana whenua facing intense growth for the coming generation. We seek to join the conversation and endorse provisions that will see our whanaunga and other mana whenua groups recognise their environmental resilience and the cultural agility our shared whakapapa offers.	Not stated	Reject
S140.034	Wellington City Council (WCC)	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support	Support as proposed.	Retain as notified.	Accept in part
S148.030	Wellington International Airport Ltd (WIAL)	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support in part	Support the changes made to this policy, however it is not clear as to how such amendments fit within the general theme of this policy.	Accept the amendments.	No recommendation

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S165.042	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Support in part	This policy only provides protection for areas of high natural character in the coastal environment. NZCPS policy 13 requires the protection of all areas of natural character. While the mapping requirement only extends to areas of high natural character, the obligation to avoid significant adverse effects applies more broadly (see NZCPS policy 13(1)(b) and (d)).	Amend this policy, or include a new policy, to ensure that all areas of natural character in the coastal environment are adequately protected in accordance with policy 13 NZCPS.	Accept in part
FS17.012	Wellington International Airport Limited ("WIAL")	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Oppose	WIAL oppose the relief sought as it is inconsistent with WIAL's primary submission.	Disallow	Accept in part
FS30.319	Beef + Lamb New Zealand Ltd	Policy 3: Protecting high natural character in the coastal environment - district and regional plans	Oppose	B+LNZ generally oppose the submission on the grounds that's B+LNZ are seeking changes of the plan change are restricted to those necessary to give effect to the National Policy Statement for Urban Development and that any other matters should be subject to proper review in the Schedule full review of the RPS in 2024 and in the scheduled reviews of the Natural Resources Plan in 2023 and 2024. This is because the changes materially impact on communities, including rural communities and we do not consider that the necessary engagement has been undertaken to adequately inform these provisions or to meet the requirements of Part 3.2 of the NPS-FM. Furthermore, there is a risk that including matters relating to climate change and indigenous biodiversity before key national legislation is gazetted or implemented is premature and will lead to the inefficient implementation and confusion amongst those who it impacts materially.	Disallow	Reject

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<p>S166.021</p>	<p>Masterton District Council</p>	<p>Policy 3: Protecting high natural character in the coastal environment - district and regional plans</p>	<p>Support in part</p>	<p>The Wairarapa Combined District Plan Coastal Environment Area Overlay types will remain which controls the way development is considered in the coastal environment with tighter restrictions than the receiving zone. What are the bottom lines?</p>	<p>Retain as notified. However: Further clarity is required:- Will this mean we can't do protection work on the coast?- Is the intent to block hard infrastructure?- If we still use hard infrastructure, how do we do it? i.e. where in the RPS is this covered?- Need to reference sea level rise and implications</p>	<p>Accept in part</p>
<p>S167.069</p>	<p>Taranaki Whānui</p>	<p>Policy 3: Protecting high natural character in the coastal environment - district and regional plans</p>	<p>Support in part</p>	<p>Taranaki Whānui supports the amendments to Policy 3, however we would like to see regional council resource and partner with mana whenua in identifying and protecting areas of high natural character.</p>	<p>Retain as notified.</p>	<p>Accept in part</p>

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S11.023	Outdoor Bliss Heather Blissett	General comments - overall	Support in part	Can we remove all the words information, promote, support and encourage to an action. We have been doing this for years and now is time for action. Still too passive. My local Council have been ignoring your information, promotion, support and encouragement to date. The document is far too passive.	Use stronger language throughout the document: Replace "information", "promote", "support" and "encourage" with "implement" or "incentivize" (or better word), Replace "consideration" with "essential". Replace "non-regulatory" with "regulatory".	Reject
S16.097	Kāpiti Coast District Council	General comments - overall	Support in part	Objectives : Many objectives are not drafted clearly with regard to what outcome is sought, and some do not appear to be achievable within the scope of a regional policy statement.	Ensure all objectives are specific, state what is to be achieved where and when, clearly relate to (or state) an issue, and can be determined through implementation and monitoring whether the objectives have been met. Delete all objectives that are not achievable within the scope of a regional policy statement (with respect to legal justification, and the effectiveness and efficiency in light of alternative methods outside of the regional policy statement).	Reject
S16.0100	Kāpiti Coast District Council	General comments - overall	Oppose	Inappropriate use of verbs within objectives and policies: There are a number of examples throughout RPS Change 1 that proposes the use of verbs within objectives and policies that do not align with the RMA or relevant higher-level statutory planning documents. Council submits that the use of the correct verb in each instance is of critical importance due to their specific meaning and requirements for implementation that have been determined through case law. Council has not identified all instances of the use of inappropriate verbs, but this submission requests all verbs are reviewed and replaced where appropriate.	All verbs used in objectives and policies are reviewed and replaced with the appropriate verb in accordance with the RMA and relevant higher-level statutory planning documents.	Reject
S16.0102	Kāpiti Coast District Council	General comments - overall	Oppose	Use of 'and/or' throughout RPS Change 1: We note the use of and/or generally means a choice can be made. This is an issue across RPS Change 1 where it appears there is uncertainty as to whether there should be a choice or not. We request all instances of 'and / or' are reviewed and 'and' or 'or' are specifically used where appropriate.	All instances of and/or are reviewed and 'and' or 'or' are specifically used where appropriate.	Accept in part

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S16.0103	Kāpiti Coast District Council	General comments - overall	Oppose	Plan-wide provisions that are based on the misconception that district plan content, decision making on Plan-wide provisions that are based on the misconception that district plan content, decision making on resource consents or notices of requirement by the Council are not limited by legislation: There are many examples in the plan change where there is a misconception that a district plan can require certain actions or require specific changes in behaviour. There are many free-market factors that district plans cannot regulate, and therefore should be pursued by the regional council via non-regulatory methods. Examples include but are not limited to: • Emission of greenhouse gases. • Transportation mode choice. • Restoration and enhancement activities. Nature based solutions	Delete all district plan requirements where the proposed methods (including the consideration of RPS policies, district plan making, resource consents, and notices of requirement) attempt to regulate free-market activities and behaviours of individuals that are not clearly supported by the RMA or a higher-level statutory planning document.	Reject
S16.0104	Kāpiti Coast District Council	General comments - overall	Oppose	Explanations to objectives and policies: There are many examples where explanations to objectives and policies either contain information that is unnecessary, or content that should be included in the relevant objective or policy itself. Explanations can provide useful context in some situations, but as they have no legal status under the RMA they should be used sparingly and appropriately.	Review and amend all explanations to objectives and policies to: a. Delete those that are unnecessary; and b) Delete text that should have been included in the relevant objective or policy	Reject
S16.0106	Kāpiti Coast District Council	General comments - overall	Oppose	Provisions that are not supported by the RMA, statutory planning documents, or an evidence base that supports and justifies the proposed provisions: We have been unable to find an evidence base supporting and justifying a number of provisions in the plan change. The section 32 evaluation does not assist us in understanding the resource management basis or evidence base for many of the proposed provisions - particularly where a regulatory method is proposed.	Delete all provisions that are not supported by the RMA, statutory planning documents, or a robust evidence base that supports and justifies their inclusion in a regional policy statement.	Reject
S30.0116	Porirua City Council	General comments - overall	Not Stated / Neutral	The real value of regional policy statements is to provide policy direction that either does not exist at a national level or exists at a national level but needs to be articulated at a regional level. Council is concerned about the many provisions in Proposed Change 1 that either duplicate or are inconsistent with matters now comprehensively addressed by national direction. In some instances, they duplicate national direction without giving specific guidance in a Wellington Region context.	Greater alignment with National Direction	Reject

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FS25.033	Peka Peka Farm Limited	General comments - overall	Support	The submission provides a comprehensive analysis of the proposed change including in relation to matters of scope and jurisdiction. It is supported without prejudice to the specific relief sought in the primary submission or this further submission by Peka Peka Farm Ltd.	Allow	Reject
FS25.159	Peka Peka Farm Limited	General comments - overall	Support	The submission provides a comprehensive analysis of the proposed change including in relation to matters of scope and jurisdiction. It is supported without prejudice to the specific relief sought in the primary submission or this further submission by Peka Peka Farm Ltd.	Allow	Reject
S30.0117	Porirua City Council	General comments - overall	Not Stated / Neutral	Council has concerns over jurisdictional issues, particularly in relation to the discharge of contaminants to air, land and water; and the management of fresh waterbodies. We consider that various provisions are ultra vires in terms of our respective functions under sections 30 and 31 of the RMA. Further, territorial authorities do not have the capacity or capability to undertake these functions. Many of the provisions as required would require a transfer of powers from regional councils to territorial authorities.	Query in relation to s30 and s31 functions, RMA, 1991	Reject
FS25.034	Peka Peka Farm Limited	General comments - overall	Support	The submission provides a comprehensive analysis of the proposed change including in relation to matters of scope and jurisdiction. It is supported without prejudice to the specific relief sought in the primary submission or this further submission by Peka Peka Farm Ltd.	Allow	Reject
S30.0120	Porirua City Council	General comments - overall	Not Stated / Neutral	Not stated	In addition to the relief sought as set out in our submission, as outlined above Council considers that the best course of action would be to withdraw much of Proposed Change 1, or otherwise work with councils on a variation to significantly amend most of its contents.	Reject

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FS25.038	Peka Peka Farm Limited	General comments - overall	Support	The submission provides a comprehensive analysis of the proposed change including in relation to matters of scope and jurisdiction. It is supported without prejudice to the specific relief sought in the primary submission or this further submission by Peka Peka Farm Ltd.	Allow	Reject
S34.0111	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council	General comments - overall	Oppose in part	Council has not: • undertaken a complete check of whether detailed relief sought in this submission, could be/are partly or fully addressed by other provisions in RPS PC1 • undertaken a full review of background documents and higher order documents supporting or relating to these provisions • identified all consequential amendments needed in response to relief sought on specific provisions or that might address our concerns	Seeks any and all other amendments that will address the relief sought.	Reject
S34.0113	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council	General comments - overall	Oppose in part	Use of negative rather than neutral language in issue statements: Council is concerned the issues are worded in strong negative language in the absence of any evidence, that Council is aware of, to support this negatively framed position, and these set a negative presumption and tone for the proposed cascading provisions.	Council requests the issues are amended to be written in neutral language with a balanced approach to the issue.	No recommendation
S34.0115	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council	General comments - overall	Oppose	Requirements for district plans to include provisions for regional council functions or that extend beyond the ability of regional council to direct: Council has significant concerns that many of the proposed provisions attempt to require city and district councils to carry out some of the functions of regional councils or require Council to address resource management issues in its district plan that are beyond its statutory functions, powers and duties under the RMA. GWRC is not able to legitimately direct these outcomes. Council considers these provisions ultra vires.	Council opposes the provisions and seeks that the RPS is reviewed and amended to more appropriately and accurately reflect the powers, functions and duties of the regional, district and city councils.	Reject
S34.0116	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council	General comments - overall	Oppose	Lack of higher order document or evidentiary support for provisions, and policies which duplicate national direction: Many of the proposed provisions do not appear to be adequately supported within the Section 32 Assessment by robust evidence, including any existing legislation or higher-level strategic planning document such as a national policy statement. This is particularly evident for the proposed climate change and indigenous biodiversity provisions.	Council submits that a full legal and planning review is undertaken to address these inconsistencies and seeks relief to specific provisions as identified in Table 1 below.	Reject

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S34.0117	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council	General comments - overall	Oppose	Lack of consideration of scale of provisions: The requirements and evidence base to develop the thresholds require significant effort and resourcing, which Council is not in a position to undertake, and in some cases, thresholds may not be an appropriate mechanism to address effects	Council contends that GWRC should further consider the practicalities associated with threshold-based provisions, to determine if this is the most appropriate method to achieve an objective or policy or develop guidance jointly with territorial authorities to support the development of provisions and decision-making process. Council seeks relief to specific provisions as identified in Table 1 below.	No recommendation
S34.0118	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council	General comments - overall	Oppose	Inadequacy of Section 32 Assessment: Council is concerned that the Section 32 assessment is not sufficiently evidenced and does not fully evaluate whether many of the regulatory provisions are practical / can be achieved and are the best method of achieving the outcomes sought.	These provisions should be deleted and considered in a later plan change.	Reject
S34.0120	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council	General comments - overall	Oppose	Council considers that there are fundamental issues with the proposed provisions that require significant revision or deletion to ensure the RPSPC1 is legally robust and practical to implement. Thus, Council seeks that GWRC undertake a full legal and planning review of the proposed provisions and amend the RPSPC1 to address these concerns, including detailed submission points on individual provisions included in Table 1.	Council also seeks any other consequential amendments to remedy errors and address relief sought.	Reject
S30.0123	Porirua City Council	General comments - consideration policies	Oppose	Council opposes all "consideration" policies since they often duplicate or conflict with "regulatory" policies and represent regulatory overreach without sufficient s32 evaluation or other evidence. We consider that they will create unnecessary regulatory costs due to the way they are drafted. They assume a level of knowledge and expertise on a range of matters generally not available to consent authorities, and in some cases represent a transfer of s31 functions to territorial authorities.	Not stated.	No recommendation
FS25.041	Peka Peka Farm Limited		Support	The submission provides a comprehensive analysis of the proposed change including in relation to matters of scope and jurisdiction. It is supported without prejudice to the specific relief sought in the primary submission or this further submission by Peka Peka Farm Ltd.	Allow	Reject
S30.099	Porirua City Council	General comments - definitions	Oppose	Clear and concise definitions are critical to assist in interpretation and implementation of the RPS.	Add any further definitions for any terms that are unclear and where a definition would assist in interpretation and implementation, including any relevant terms proposed to be introduced in response to submissions.	No recommendation

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FS25.132	Peka Peka Farm Limited	General comments - definitions	Support	The submission provides a comprehensive analysis of the proposed change including in relation to matters of scope and jurisdiction. It is supported without prejudice to the specific relief sought in the primary submission or this further submission by Peka Peka Farm Ltd.	Allow	No recommendation
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