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Submitter ID:

File No:

greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

Further Submission

on Proposed Natural Resources Plan for the Wellington Region

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Clause 8 of Schedule 1, Resource Management Act 1991.

Please complete this form to make a further submission on the Proposed Natural Resources Plan for the Wellington Region **(PNRP)**. All sections of this form need to be completed for the submission to be accepted.

A further submission may only be made by a person representing a relevant aspect of the public interest, or a person that has an interest in the PNRP greater than the interest that the general public has, or the Wellington Regional Council itself. A further submission must be limited to a matter in support of, or in opposition to, a submission made on the PNRP.

For information on making a further submission see the Ministry for the Environment website:
www.mfe.govt.nz/publications/rma/everyday-guide-rma-making-submission-about-proposed-plan-or-plan-change

Return your signed further submission to the Wellington Regional Council by post or email by 5pm Tuesday 29 March 2016 to:

Greater Wellington Regional Council
Further Submission on Proposed Natural Resources Plan
for the Wellington Region
Freepost 3156
PO Box 11646
Manners Street
Wellington 6142

Regionalplan@gw.govt.nz

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FreePost Authority Number 3156

greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

Free

Greater Wellington Regional Council
Further Submission on Proposed Natural Resources Plan for the Wellington Region
Freepost 3156
PO Box 11646
Manners Street
Wellington 6142

FORM 6: FURTHER SUBMISSION FORM

This is a further submission in support of, or opposition to, a submission on the PNRP.

A. DETAILS OF FURTHER SUBMITTER

FULL NAME

Christopher Ruthe

ORGANISATION (* the organisation that this submission is made on behalf of)

Coastal Ratepayers United Inc.

ADDRESS FOR SERVICE (INCLUDING POSTCODE)

199 Manly Street
Paraparaumu Beach 5032

PHONE

04 904 4144

FAX

EMAIL

christopherruthe@gmail.com

Only certain people may make further submissions

Please tick the option that applies to you:

☒ I am a person representing a relevant aspect of the public interest; or

☐ I am a person who has an interest in the PNRP that is greater than the interest the general public has.

Specify below the grounds for saying that you are within the category you have ticked.

CRU is an incorporated society with members affected by the provisoons in the PNRP.

Service of your further submission

Please note that you must **serve a copy of this further submission on the original submitter no later than five working days after this further submission has been provided to Wellington Regional Council.**

If you have made a further submission on a number of original submissions, then copies of your further submission will need to be served on each original submitter.

Signature: C.B. Ruthe Date: 28/3/16

Signature of person making further submission or person authorised to sign on behalf of person making the further submission. A signature is not required if you make your submission by electronic means.

Please note

All information contained in a further submission under the Resource Management Act 1991 becomes public information. All further submissions will be put on our website and will include all personal details included in the further submission.

B. APPEARANCE AT HEARING

Please select from the following:

☐ I do not wish to be heard in support of my further submission; or

☒ I do wish to be heard in support of my further submission; and, if so,

☐ I would be prepared to consider presenting this further submission in a joint case with others making a similar further submission at any hearing.

Please enter further submission points in the table on the following pages

C. FURTHER SUBMISSION POINTS

Please complete the following table with details of which original submission points you support and/or oppose, and why, adding further rows as necessary.

Details of the submission you are commenting on Name of person/ group making original submission and postal address.	**Original submission number** The original submission number can be found on the submitter address list.	**Position** Whether you support or oppose the submission.	**Part(s) of the submission you support or oppose** Indicate which parts of the original submission (which submission points) you support or oppose, together with any relevant PNRP provisions.	**Reasons** Why you support or oppose each submission point.	**Relief sought** The part or whole of each submission point you wish to be allowed or disallowed.
e.g. *Joanne Bloggs* *12 Pine Tree Avenue* *Redwood*	*e.g.* *submitter S102*	*e.g.* *Oppose*	*e.g.* *Oppose all of submission point S102/41*	*e.g.* *The submission point does not recognise…*	*e.g.* *Disallow the parts of S102/41 relating to…*
Minister of Conservation RMA Shared Services Department of Conservation Private Bag 3072 Hamilton 3240 Attn: Rachel Penney	Submitter S75	Oppose	Statement of support for Objectives 19 – 22, and amendments to incorporate new Natural Hazards Objectives: "In areas potentially affected by coastal hazards … are avoided" (page 7 of S75)	As discussed in S93 we oppose these Objectives and the definition of "coastal hazards" (all being inconsistent with the NZCPS 2010) and seek their substitution by an objective and definition that mirrors the NZCPS 2010 provisions. In the case of the amendment proposed in S75, this is much wider than Policy 25 NZCPS 2010. Polices 25(a) and (b) deal with *avoiding increasing risk of harm/adverse effects* under specific conditions and this is narrower than avoiding increases in risk, residue risk, and adverse effects. In particular the injunction to avoid "increases in … adverse effects" leaves no room for risk or cost/benefit analysis in the decision making. Policies 25(c) – (f) only refers to "encourage", "discourage" and "consider", so the injunction to	Disallow and replace these Objectives as per S93

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
				avoid is not supported by these Policies. The matters relating to climate change are completely new. The likely effects of climate change are incorporated in the definition of *coastal hazards* and need no further consideration here ("areas potentially affected by coastal hazards" having been identified pursuant to Policy 24).	
ditto	ditto	Oppose	Statement of support for Objective 53 as drafted citing Policy 6(2)(c) & (d) of the NZCPS (page 9).	As discussed in S93 Policy 6(2)(d) states "activities that do not have a functional need for location in the coastal marine area generally should not be located there" [emphasis added]. The Objective goes beyond this. Policy 27 of the NZCPS specially deals with managing risks that might arise in areas of significant existing development.	Disallow and revise Objective 53 to incorporate an appropriate modifier.
ditto	ditto	Oppose	Statement of support for Objective 56 as drafted (page 10).	As discussed in S93 the test for "appropriateness" doesn't include consideration of the development's purpose.	Disallow and revise Objective 56 to include purpose as a consideration.
ditto	ditto	Oppose	Statement of support for Policy 3 citing Policy 3 NZCPS (page 10).	S93 sets out the various problems with this Policy given the NZCPS, and DoC's own guidance on the matter.	Disallow and revise the Policy as per S93.
ditto	ditto	Oppose	Statement of support for how minimisation will be carried out under Policy 4 (page 10).	As pointed out in S93 Policy 4(b) will not always be possible or required under the RMA.	Disallow and add a qualification to Policy 4(b) to include a community well-being test.
ditto	ditto	Oppose	Statement of support for Policy 24 citing Policy 13(a) NZCPS. Statement of support for	In both cases S93 sets out how this Policy fails to give effect to Policy 13 NZCPS (areas have not been identified, and the requirements to "preserve" and "avoid" is not	Disallow and delete both Policy 24 and 25 or revise so they give effect to NZCPS.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
			Policy 25 with amendment to Policy 25(d) citing Policy 13(b) NZCPS (page 11) (page 11).	consistent with the NZCPS).	
ditto	ditto	Oppose to the extent that support is given to these Policies.	Statement of support for Policies 26 – 30, with amendments to Policies 27 (100 years), 29 (not increasing risk and 100 years) and 30 (consistency with Policy 26 NZCPS).	These Policies fail to give effect to the risk based approach required under the NZCPS (see pages 25 – 26 S93).	Disallow and delete and replace Policies 26-30 as per S93.
ditto	ditto	Oppose apart from the proposal to manage effects.	Statement of support for Polices 39 - 43, and amendments to strengthen and add to Policy 41 (page 14 -16).	These Policies either prevent appropriate activities in the areas specified (that are widely drawn) or make obtaining consent unreasonably difficult or both (see page 26 S93). In part the suggested additional Policy seeks to manage the effects rather than areas and thereby limit Policy 41. This still leaves the other issue raised in S93.	Disallow and revise the Policies so they are less extreme and focus on the attributes that create the value.
ditto	ditto	Oppose	Statement of support for Policy 132 on the basis of consistency with NZCPS (page 21).	The Policy is inconsistent and overall directive (see page 29 S93).	Disallow and revise the Policy.
ditto	ditto	Oppose	Statement of support for Policy 138 extended to give effect to Policy 11 NZCPS (page 210.	The Policy is too extreme in terms of coverage and of the NZCPS in excluding consideration of both the management of effects or alternatives (see page 30 S93)	Disallow and revise the Policy.
ditto	ditto	Oppose apart from the proposal to manage effects.	Statement of support for Policy 139 amended to avoid adverse effects in terms of Policy 27 (3) NZCPS (page 21).	The Policy is not able to be rescued by the proposed amendment as discussed in S93 (page 30).	Disallow and delete Policy completely and replace with a Policy giving effect to Policy 27 NZCPs in full.
ditto	ditto	Oppose support to retain Policy	Statement of support for Policies 143 and 145 with some amendments.	S93 (pages 30 -31) set out problems with both these policies.	Disallow and revise the Policies.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
ditto	ditto	Oppose general support for the proposed Rules, Methods and Schedules.	Statement of support for Rules, Methods and Schedules (pages 21 – 38) that are otherwise recommended for deletion or amendment in S93.	S93 sets out a large number of concerns about the Objectives and Policies (addressed in detail above) and some significant across-the-board issues (e.g. risk management). These all impact on the Rules, Methods and Schedules leading CRU oppose all of Chapter 5 unless where support is expressed, and to seek amendments to Chapter 6. A number of the Schedules also require changes. Accordingly S75's general statements of support for these is opposed.	Disallow support and any related proposed amendments

If you require more space for additional comments, please insert new rows as needed