

of living crisis. Whilst the 2060 target of 6-7% will still put a significant strain on households, it is much more achievable than the impossible 2040 target provided other funding avenues become available as outlined in the s32, including growth charging and debt funding. In addition to these other avenues, significant central government funding will be required.

- The use of the prohibited activity rule is a very blunt instrument and careful consideration should be given to its use, particularly when considering the tensions that exist between national policy statements for freshwater and urban development (noting that the NPS-UD requires consideration be given to out of sequence urban development). There is insufficient evidence base to support the approach being taken, especially considering the prohibited activity status approach. The definition and associated provisions may result in many unintended consequences with no consenting pathway to consider a proposal located in these areas that may have positive outcomes, including positive outcomes for freshwater.
- The unplanned greenfield maps as they stand will be inconsistent with Panel decisions on the Intensification Planning Instrument, as they appear to be taken from the notified Proposed District Plan. If the maps are retained for unplanned greenfield development, Greater Wellington officers will need to engage with Council's planning officers to ensure they accurately reflect the Hearing Panel's decisions which are being released in December 2023. Otherwise, a policy pathway needs to be provided for the final Future Urban Zoning in Porirua PDP to be subject to Policy P14 and associated rules and methods, rather than Policy P15.
- Council supports in principle Greater Wellington regulating Water Sensitive Urban Design (WSUD) and other stormwater controls to improve freshwater outcomes. However, the provisions seem to be light on detail on how WSUD will be implemented. For example, it is unclear what specifications will apply to WSUD (there are no technical guidelines incorporated into the NRP), how development will be monitored where no resource consent is required (will Greater Wellington be monitoring building consents?), and how will these assets be maintained and by who. If there is an expectation that territorial authorities will play a role, is there going to be an MOU or transfer of functions? Noting that many of these assets will be in land owned by or vested in territorial authorities such as roading corridors and parks. For WSUD to really deliver, a coordinated regional implementation programme is needed.
- There are various new plans and strategies required, we are unclear how these relate to each other, and how they relate to existing programmes such as Council's strategies and Wellington Water's current programme to develop stormwater management strategies.
- PC1 is in a pdf format of 348 pages with no hyperlinked definitions and with A4 maps in appendices. This will eventually be added to the Natural Resources Plan which is also in a similar pdf format and is over 700 pages. This approach is out of step with current technology and best practice where plans are presented in digital formats. All district plans in the region are in eplan format with interactive GIS maps. It is 2023, and we strongly request that Greater Wellington convert both the PC1 and the NRP to an eplan format as soon as practicable to enable plan users to efficiently find information. This will improve regulatory compliance and reduce costs through time savings for plan users.

We welcome the opportunity to discuss our feedback with Greater Wellington Regional Council staff.

Ngā mihi



Anita Baker
Mayor
Koromatua

Chapter No and Name	Provision No. & Title	Type of Change	Stance	RMA Process	Reason for feedback:	Decision Sought *
		Amended New Not applicable to Whaitua Not applicable to Te-Awarua-o-Porirua N/A	Support Oppose Neutral Amend Not stated	Freshwater Part 1 Schedule 1 Both	Please provide a summary of the reasons for your feedback on each provision to help us understand your position.	Please describe the actual changes to the provision that you would like to see and, where possible, include your suggested alternative wording. NOTE: Any deletions should be identified using strikethrough , and insertions should be identified using bold .
2 Interpretation	2.2 Definitions	Amended		Both		
	Earthworks	New	Amend	Part 1 Schedule 1	Support use of National Planning Standards definition, and limiting application to new provisions as to avoid unintended consequences with operative provisions. Note that Council seeks that Rule P.R22 is amended to include exclusions for activities like road maintenance. Also, the reference to the National Policy Statement needs to be updated.	Amend definition as follows: For Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua only: The alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts. Except that, for the purposes of Rules WH.R20, WH.R21 and P.R19, P.R20, 'earthworks' has the same meaning as given in section 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 . Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2023
	Hydrological control	New	Amend	Part 1 Schedule 1	This definition does not provide much assistance in the implementation of associated rules as it does not outline examples of what these controls actually are. In comparison, the definition of 'stormwater treatment system' which has some examples on what types of systems are included along with specifications in Schedule 28.	Amend definition to provide clarity to plan users.
	Impervious surfaces	New	Amend	Part 1 Schedule 1	There is no rule requiring rainwater reuse in PC1 or the NRP. Council supports 'roof areas with rainwater collection' being excluded, as this is regulated through the Three Waters Chapter of the Proposed Porirua District Plan subject to:	Amend definition as follows: Surfaces that prevent or significantly impede the infiltration of stormwater into soil or the ground, includes: • roofs

					<p><i>"The tank must meet the specifications, and be installed in accordance with Acceptable Solution #1 from the Wellington Water guide Managing Stormwater Runoff, The use of rain tanks for hydraulic neutrality, Acceptable solution #1 dated June 2019"</i></p> <p>These specifications provide for some limited reuse for gardening etc via a tap installed on the side of the tank, but they do not require the tanks to be plumbed back into the house. This comes at a significant cost, and this cost had not been assessed in the s32 Evaluation.</p>	<ul style="list-style-type: none"> • paved areas (including sealed/compacted metal) such as roads, driveways, parking areas, sidewalks/foot paths or patios, and excludes: • grassed areas, gardens and other vegetated areas • porous or permeable paving • slatted decks which allow water to drain through to a permeable surface • porous or permeable paving and living roofs • roof areas with rainwater collection and reuse • any impervious surfaces directed to a rain tank utilised for grey water reuse (permanently plumbed)
	Limit	New	Amend	Part 1 Schedule 1	Referring to the source document of the definition would be more consistent with other definitions below e.g. 'Nationally threatened freshwater species'.	<p>Amend definition as follows:</p> <p><u>Has the same meaning as given in section 1.4 of the National Policy Statement for Freshwater Management 2020:</u> <u>A limit on resource use or a take limit.</u></p>
	Redevelopment	New	Amend	Part 1 Schedule 1	<p>This definition does not work in the context of the associated rules.</p> <p>For example, Policy WH.P2 seeks to "encourage" redevelopment, but associated provisions do not permit the associated increases in impervious surfaces that are included in this definition which would be expected with the use of this term in a policy.</p> <p>Another example is WH.R4 which refers to "redevelopment of existing impervious surfaces" which is unnecessary as the definition of redevelopment is inclusive of impervious surfaces</p> <p>Further, this definition would capture very small-scale redevelopment such as rooms being added on to existing homes. These should be exempted as the Proposed Porirua District Plan requires rainwater collection through the Three Waters Chapter which would address these additional surfaces.</p> <p>In addition 'urban environment' is a term defined in the NPS-UD, and it would provide greater certainty than 'urbanised property'.</p>	<p>Amend the definition as follows:</p> <p>For the purpose of assessment of a proposal involving the redevelopment of an existing urbanised property <u>in an urban environment</u> (+e including brownfield development <u>and upgrades</u> to existing roads etc.) in relation to stormwater effects. this includes the replacement, reconstruction or addition (new) of impervious surfaces. Excludes:</p> <ul style="list-style-type: none"> • minor maintenance or repairs to roads, carparking areas, driveways and paving • installation, maintenance or repair of underground infrastructure or network utilities requiring trenching and resurfacing • activities that only involve the re-roofing of existing buildings • <u>extensions to existing buildings</u>

	Unplanned greenfield development	New	Amend	Part 1 Schedule 1	<p>The definition and associated provisions may result in many unintended consequences with no consenting pathway to consider a proposal located in these areas that may have positive outcomes, including positive outcomes for freshwater. This is covered in more detail in relation to Policy P.P2 in this submission.</p> <p>Map 86 will not align with the decisions version of the Proposed Porirua District Plan. This is covered in more detailing relation to Map 86.</p> <p>Further, rezoning development areas requires the application of a range of zones, including from rural to open space zones for future reserves, therefore the following is not always accurate: '(from rural/nonurban/ open space to urban)', nor is the note.</p>	<p>Amend definition as follows:</p> <p>Greenfield development within areas identified as 'unplanned greenfield area' on maps 86, 87, 88 and 89 which also require an underlying zone change (from rural/nonurban/ open space to urban) though a District Plan change to enable the development.</p> <p>Note: Unplanned greenfield areas are those areas that do not have an urban or future urban zone at the time of Plan Change 1 notification, 30th October 2023.</p>
	Urban environment				<p>This definition is required to provide a nationally defined term to use in place of 'urbansied area' in various proposed provisions. This will provide greater regulatory certainty.</p>	<p>Insert definition:</p> <p>Has the same meaning as given in section 1.4 of the National Policy Statement for Urban Development 2020.</p>
	Wastewater network catchment or sub-catchment	New	Amend	Part 1 Schedule 1	<p>It is unclear if this definition is intended to capture the wastewater network that exists on private land, including sewer laterals. It is assumed not.</p>	<p>Amend definition as follows:</p> <p>The wastewater pipes, pumpstations, storage tanks, manholes and associated devices located upstream of or prior to a wastewater treatment plant <u>in public ownership</u>. A wastewater network catchment may be split into a number of sub-catchments.</p>
6 Other methods	6.16 Freshwater Action Plan programme	New		Freshwater		

	Method M36: Freshwater Action Plan programme.	New	Amend	Freshwater	<p>The use of action plans to achieve objectives is supported. Regulation alone will not achieve the significant improvements required within catchments to improve the state of degraded waterways. However, the action plans should be developed in partnership with territorial authorities rather than merely being informed by them. In Porirua, working in partnership would reflect the long-term partnership approach taken under the Harbour Strategy and Action Plan between councils and Ngāti Toa.</p> <p>Council made this point on the pre-notification PC1 consultation, however as paragraph 51 of Part A to the s32 Evaluation states:</p> <p><i>The involvement of communities and institutional stakeholders in action planning is welcomed but it is not considered appropriate to direct partnerships through Plan Change 1.</i></p> <p>Besides not addressing the substance of the feedback provided by Council, this rationale does not make sense as Method M36 seeks to direct a partnership with mana whenua.</p> <p>Council is a key stakeholder as a regulator, land owner and asset owner, therefore an action plan developed in partnership with Council is more likely to be successful.</p>	<p>Amend the method so that territorial authorities are partners to development and delivery of action plans:</p> <p>Method M36: Freshwater Action Plan programme Wellington Regional Council will implement a programme to prepare, deliver, monitor and review Freshwater Action Plans for all part Freshwater Management Units identified in Schedule 27.</p> <p>Freshwater Action Plans will be:</p> <p>(a) developed in partnership with mana whenua and territorial authorities, and be informed by engagement with catchment communities, territorial authorities and stakeholders, and</p> <p>(b) prepared and published for all Freshwater Management Units and/or part Freshwater Management Units in the Wellington region by December 2026, and</p> <p>(c) prepared for all attributes identified in Schedule 27 A2.</p> <p>Freshwater Action Plans may also be prepared for, or incorporate, actions for any other relevant target attribute state or environmental outcome identified in partnership with mana whenua or with the community.</p> <p>Wellington Regional Council, in partnership with mana whenua and territorial authorities, and informed by engagement with catchment communities, territorial authorities and stakeholders, may make changes or additions to any Freshwater Action Plan, at any time, for the purpose of achieving the target attribute states and/or environmental outcomes set in this Plan.</p>
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	Method M38: Freshwater Action Plan for the Rangituhi catchment.	New	Amend	Freshwater	<p>The use of action plans to achieve objectives is supported. Regulation alone will not achieve the significant improvements required within catchments to improve the state of degraded waterways. However, the action plans should be developed in partnership with territorial authorities rather than merely being informed by them.</p> <p>In Porirua, working in partnership would reflect the long-term partnership approach taken under the Harbour Strategy and Action Plan between councils and Ngāti Toa.</p> <p>Council is a key stakeholder as a regulator, land owner and asset owner, therefore an action plan developed in partnership with Council is more likely to be successful.</p> <p>In particular, Method M38(c) can only occur in partnership with Council as the owner of the piped public stormwater network.</p>	<p>Amend so that territorial authorities are partners to development and delivery of action plans:</p> <p>Method M38: Freshwater Action Plan for the Rangituhi catchment Wellington Regional Council will, in partnership with Ngāti Toa Rangatira and Porirua City Council, prepare a Freshwater Action Plan for the Rangituhi catchment to contribute to achieving the target attribute states identified in Objectives P.O3 Table 9.1 and P.O6 Table 9.2 and relevant environmental outcomes identified in Objective P.O3 and P.O6, and including the huanga of mahinga kai and Māori customary use as identified by Ngāti Toa Rangatira. In accordance with Schedule 27, the Rangituhi Freshwater Action Plan will identify, in detail, the actions, including actions to support effective regulation, to achieve the target attribute states and environmental outcomes in Objectives P.O3 and P.O6. The Rangituhi Freshwater Action Plan will include:</p> <ul style="list-style-type: none"> (a) prioritising improvements to hotspot areas of elevated metal concentrations within the harbour, and (b) implementing a targeted pollution prevention programme, and (c) identifying areas of piped stream in the lower reaches of the Rangituhi catchment that could be daylighted.
	Method 39: Freshwater Action Plan for Nationally Threatened freshwater species within Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua.	New	Support	Part 1 Schedule 1	Support the development of a Freshwater Action Plan for the nationally threatened freshwater species	Retain as notified
	Method M40: Fish passage action plan programme for Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua.	New	Support	Freshwater	Support identification and remediation of barriers to fish passage.	Retain as notified
	Method M41: Identifying and responding to degradation in freshwater bodies within Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua.	New	Support	Freshwater	Support monitoring and addressing causes of any degradation of freshwater bodies.	Retain as notified
	6.16 Supporting improved water quality outcomes.	New		Part 1 Schedule 1		
	Method M43: Supporting the health of urban waterbodies.	New	Amend	Part 1 Schedule 1	Support in principle, although this method lacks detail in terms of timing and methodology (i.e. develop a pollution prevention programme by xxxx date).	Amend method to include timeframes and methodology for all actions.

					Council notes that 'deemed to comply' solutions should sit within provisions relating to hydrological controls as outlined in this submission.	
	Method M44: Supporting the health of rural waterbodies.	New	Amend	Part 1 Schedule 1	Support in principle, although this method lacks detail in terms of timing and methodology (i.e. develop a programme of engagement and education with small (<20ha) landowners by xxxx date).	Amend method to include timeframes and methodology for all actions.
	Method M45: Funding of wastewater and stormwater network upgrades	New	Amend	Part 1 Schedule 1	Support in principle, although this method lacks detail in terms of timing and methodology (i.e. develop a funding strategy by xxxx date). It also brings into question the achievability of other regulatory provisions if additional sources of funding cannot be accessed.	Amend method to include timeframes and methodology, and/or amend regulatory policies that are reliant on additional funding for wastewater and stormwater networks to be achievable with existing funding sources.
Chapter 9 Te Awarua-o-Porirua Whaitua	9.1 Objectives	New		Both		
	Objective P.O1: The health of Te Awarua-o-Porirua's groundwater, rivers, lakes, natural wetlands, estuaries, harbours and coastal marine area is progressively improved and is wai ora by 2100.	New	Amend	Part 1 Schedule 1	<p>Support 100 year vision towards full restoration of Te Awarua-o-Porirua waterways.</p> <p>Council acknowledges the input from community and mana whenua into these objectives as outlined in the s32 Evaluation.</p> <p>It is unclear if the text from "Note In the wai ora state..." forms part of the objective or it is some form of explanatory/advisory note. If it does form part of the objective, the word "note" should be deleted.</p> <p>Te Awarua-o-Porirua catchment has been heavily modified by humans and, particularly in urbanised areas, waters are not in a natural state. It is therefore not possible for waters to be in a natural state without the full restoration of the catchment to a pre-human state which is not the intention of this Plan Change, suggest that a qualifier is needed that waters are restored where possible.</p>	<p>Amend objective as follows:</p> <p>Objective P.O1 The health of Te Awarua-o-Porirua's groundwater, rivers, lakes, natural wetlands, estuaries, harbours and coastal marine area is progressively improved and is wai ora by 2100.</p> <p>Note In the wai ora state:</p> <ul style="list-style-type: none"> • Te Awarua-o-Porirua is a taonga of Ngāti Toa Rangatira and must be respected by others • Mauri is restored, and waters <u>restored to are in a natural state where possible</u> • Ecological health is excellent in freshwater and coastal water environments • Rivers flow naturally, with ripples and the river beds are stony • Mahinga kai, taonga, mahinga ika and kaimoana species are healthy, abundant, diverse, present across all stages of life, sizeable, and able to be culturally harvested by mana whenua • Mahinga kai, taonga, mahinga ika and kai moana species are safe to harvest and eat or use, including for mana whenua to exercise manaakitanga • Mana whenua and communities are able to undertake a full range of activities • Mana whenua are able to undertake cultural activities and practices
	Objective P.O2: Te Awarua-o-Porirua's groundwater, rivers, lakes and natural wetlands, and their margins are on a trajectory of measurable improvement towards wai ora.	New	Amend	Freshwater	Support in principle setting a trajectory of measurable improvement towards restoration of Te Awarua-o-Porirua's waterways.	<p>Amend objective to link to specify target attribute states and locations for outcomes being sought, and amend the objective as follows:</p> <p>Objective P.O2</p>

				<p>P.O2 does not link to a table of target attribute states unlike similar objectives, as such it is not clear what locations and what specific state is required to meet these. WH.O8 for example sets out specific E.coli states for primary contact sites, it is unclear what E.coli states need to be achieved to meet primary contact outcomes WH.O2 (f) and (g) in areas outside these specific sites.</p> <p>As outlined in this submission in response to Tables 9.1 and 9.2, Council notes there are significant challenges in terms of the costs to upgrade the wastewater network to achieve this objective in terms of a reduction in E.coli by 2040 to achieve Criteria P.O2 (f) and (g).</p>	<p>Te Awarua-o-Porirua's groundwater, rivers, lakes and natural wetlands, and their margins are on a trajectory of measurable improvement towards wai ora, such that by 2040:</p> <p>(a) water quality, habitats, water quantity and ecological processes are at a level where the state of aquatic life is meaningfully improved, and</p> <p>(b) erosion processes, including bank stability, are improved to significantly reduce the sedimentation rate in the harbour to a more natural level, and</p> <p>(c) the extent and condition of indigenous riparian vegetation is increased and improved, and</p> <p>(d) the diversity, abundance and condition of mahinga kai are increased so that mana whenua are able to harvest healthy mahinga kai for their people, and</p> <p>(e) huanga of mahinga kai and Māori customary use for locations identified in Schedule B (Ngā Taonga Nui a Kiwa) are maintained or improved, and by 2060:</p> <p>(f) mana whenua are able to safely connect with freshwater and are able to practice their customary and cultural practices, including mahinga kai gathering, and</p> <p>(g) mana whenua and communities can safely connect with waterbodies and enjoy a wider range of activities, including swimming, paddling and food gathering, and (...)</p>
	<p>Objective P.O3: The health and wellbeing of coastal water quality, ecosystems and habitats in Pāuatahanui Inlet, Onepoto Arm and the open coastal areas of Te Awarua-o-Porirua is maintained or improved to achieve the coastal water objectives set out in Table 9.1.</p>	New	Amend	<p>Part 1 Schedule 1</p> <p>Support in principle setting a trajectory of measurable improvement towards restoration of Te Awarua-o-Porirua's coastal water quality.</p> <p>As outlined in this submission in response to Tables 9.1 and 9.2, Council notes there are significant challenges in terms of the costs to upgrade the wastewater network to achieve this objective in terms of a reduction in E.coli by 2040 to achieve Criteria P.O3 (g) and (h).</p>	<p>Amend objective as follows:</p> <p>Objective P.O3 The health and wellbeing of coastal water quality, ecosystems and habitats in Pāuatahanui Inlet, Onepoto Arm and the open coastal areas of Te Awarua-o-Porirua is maintained or improved to achieve the coastal water objectives set out in Table 9.1, and by 2040:</p> <p>(a) sediment and metal loads entering the harbour arm catchments either via freshwater bodies or directly are significantly reduced, and</p> <p>(b) high contaminant concentrations, including around discharge points, are reduced, and</p> <p>(c) the diversity, abundance and condition of mahinga kai has increased so that mana whenua access to healthy mahinga kai has increased, and</p> <p>(d) huanga of mahinga kai and Māori customary use for locations identified in Schedule B (Ngā Taonga Nui a Kiwa) are maintained or improved, and</p> <p>(e) the extent and condition of estuarine seagrass, saltmarsh and brackish water submerged macrophytes are increased and improved to support abundant and diverse biota, and</p> <p>(f) coastal areas support healthy functioning ecosystems, and their water conditions and habitats support the</p>

						<p>presence, abundance, survival, and recovery of taonga species and At-risk and Threatened species, and by 2060:</p> <p>(g) mana whenua are able to safely connect with and access the coastal marine area and practice their customary and cultural tikanga, and</p> <p>(h) mana whenua and communities can safely connect with the coastal marine area and enjoy a wider range of activities, including food gathering, swimming and paddling.</p>
	Table 9.1: Coastal water objectives.	New	Amend	Part 1 Schedule 1	<p>Table 9.1 sets a 2040 timeframe for all waterways to meet the various target attribute states. In the pre-notification consultation two options were proposed for E.coli - 2040 or 2060.</p> <p>In its pre-notification feedback on these options, Council raised concerns about the lack of information on the scale of infrastructure investment required to achieve the objectives, as well as not knowing the impact of these limits on development capacity. According to the s32 Part A (para 45), these concerns were also raised by Kāinga Ora, other territorial authorities and Wellington Water.</p> <p>An addendum to the s32 Report (page 32 of Part C) outlines how the position of GWRC councillors did not align with the GWRC officers' recommendation to set 2060 as the target, and 2040 was set through Plan Change 1 in line with the Whaitua Implementation Plans. GWRC officers recommended a longer timeframe due to funding and implementation challenges in achieving this timeframe.</p> <p>GWRC councillors noted that not enough information was presented by the territorial authorities to compel the Regional Council to extend the WIP timeframes. However, Council was not in a position to provide this information as outlined in the pre-notification feedback:</p> <p><i>"More information is required on the achievability of target attribute states, including impact on Council assets and development capacity, for Council to make an informed decision."</i></p> <p>The relief sought by Council was:</p> <p><i>"Prior to notification, provide a briefing from GWRC technical staff to understand the modelling</i></p>	<p>Amend the timeframe for target states for E.coli and enterococci coastal water objectives to 2060.</p>

underpinning limits and targets, including the impact on Council assets and city-wide development capacity. This will allow Council to make an informed submission.”

No such briefing was provided to Council. As such, Council was not able to have an informed discussion with GWRC officers or elected members about the proposed options. Reviewing Part C of the s32 Evaluation, it appears that:

- The modelled percentage reductions in E. coli load needed to achieve the target attribute states in Te Awarua o Porirua range between 59% (Takapū) and 92% (Te Rio o Porirua and Rangituhi) (para 102)
- An economic assessment has been completed to understand the cost and affordability of the wastewater network improvements required to meet the E. coli target attribute states by GHD. This assessment has used ‘% increase cost to ratepayers’ as a metric to understand the scale of investment required to achieve the target attribute states (para 107)
- The estimated undiscounted costs for the capital works required to upgrade the wastewater network to achieve the E. coli target attribute states has been calculated by GHD as between \$344-419 million for Te Awarua-o-Porirua Whaitua and between \$2.5-3.1 billion for Te Whanganui-a-Tara Whaitua. These costs are likely to go up as further investigations are completed, and remedial work gets underway. (para 109)
- For Porirua City the increased cost to ratepayers to meet the 2040 E.coli limit is 12-14% per year (Table C3).

Council notes that this would be on top of BAU rates increases of anywhere between 10-30%. It is highly unlikely that our ratepayers will be able to afford 12-14% increases on top of this. While the 2060 target of 6-7% will still put a significant strain on households, it is much more achievable than the 2040 target provided other funding avenues are explored as outlined in the s32 including growth charging and debt funding. In addition to these other avenues, significant central government funding will be required.

These numbers also do not take into account debt affordability and availability with Local Government

				<p>Funding Agency Covenants. Council has debt limits which currently require the cutting of various programmes, with the introduction of accelerated costs we would have to further deprioritise other major projects.</p> <p>Repairing the public network would only reduce a proportion of the contaminant load. There are known issues with private laterals that make up half the network by length and a significant portion of untreated discharges to land and water. The costs that would fall on landowners to upgrade pipes within the private network are not figured into the s32 Evaluation, and these investments would be substantial to meet the 2040 target.</p> <p>The s32 Evaluation notes (para 104) that:</p> <p><i>Approximately half of the network, by length, is on private property, and is the responsibility of the private landowner. In some cases, it is appropriate for landowners to be required to fix issues on their properties. However, this can be time consuming. Particularly in older suburbs is far more efficient for the infrastructure provider to do this work.</i></p> <p>Laterals on private property are the responsibility of the landowner, and they must bear the costs to fix them when faulty rather than the ratepayer. Wellington Water does undertake investigations to identify issues with pipes on private properties that are discharging into the stormwater network, however the costs to fix these fall on the landowner. If Council undertook the work, or funded it upfront with cost recovery, there are numerous practical administrative issues that would arise. For example, if an owner refuses to pay do we enforce, undertake the works, or place owners into debt collection? Does a legal instrument need to be placed on the title to prevent sales without remedy? These are all detail matters however it is not as simple as “find, fund, and fix”.</p> <p>Many of these issues are historic and costly to address, and could cost anywhere from \$10,000 to \$20,000 per property or more. Wellington Water’s high level indicative estimates for the identification</p>	
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					and repair of cross connections and leaking private wastewater laterals is between \$250 – 350 million ¹ . The impact of the above funding requirements on housing and business development capacity is not sufficiently explored in the s32 Evaluation.	
	Objective P.O4: The extent, condition, and connectivity of habitats of nationally threatened freshwater species are increased, and the long-term population numbers of these species and the area over which they occur are increased, improving their threat classification status.	New	Support	Part 1 Schedule 1	Support in principle.	Retain as notified.
	Objective P.O5: Groundwater flows and levels, and water quality, are maintained.	New	Support	Freshwater	Support in principle.	Retain as notified.
	Objective P.O6: Water quality, habitats, water quantity and ecological processes of rivers are maintained or improved.	New	Support	Freshwater	Support in principle.	Retain as notified.
	Table 9.2: Target attribute states for rivers.	New	Amend	Freshwater	<p>Table 9.2 sets a 2040 timeframe for all waterways to meet the various target attribute states. In the pre-notification consultation two options were proposed for E.coli - 2040 or 2060.</p> <p>In its pre-notification feedback on these options, Council raised concerns about the lack of information on the scale of infrastructure investment required to achieve the objectives, as well as not knowing the impact of these limits on development capacity. According to the s32 Part A (para 45), these concerns were also raised by Kāinga Ora, other territorial authorities and Wellington Water.</p> <p>An addendum to the s32 Report (page 32 of Part C) outlines how the position of GWRC councillors did not align with the GWRC officers' recommendation to set 2060 as the target, and 2040 was set through Plan Change 1 in line with the Whaitua Implementation Plans. GWRC officers recommended a longer timeframe due to funding and implementation challenges in achieving this timeframe.</p>	Amend the timeframe for target states for e.coli and enterococci coastal water objectives to 2060.

¹ GWRC (2020) An overview of the Wellington City, Hutt Valley and Wainuiomata Wastewater and Stormwater networks and considerations of scenarios that were assessed to improve water quality)

GWRC councillors noted that not enough information was presented by the territorial authorities to compel the Regional Council to extend the WIP timeframes. However, Council was not in a position to provide this information as outlined in the pre-notification feedback:

“More information is required on the achievability of target attribute states, including impact on Council assets and development capacity, for Council to make an informed decision.”

The relief sought by Council was:

“Prior to notification, provide a briefing from GWRC technical staff to understand the modelling underpinning limits and targets, including the impact on Council assets and city-wide development capacity. This will allow Council to make an informed submission.”

No such briefing was provided to Council. As such, Council was not able to have an informed discussion with GWRC officers or elected members about the proposed options. Reviewing Part C of the s32 Evaluation, it appears that:

- The modelled percentage reductions in E. coli load needed to achieve the target attribute states in Te Awarua o Porirua range between 59% (Takapū) and 92% (Te Rio o Porirua and Rangituhi) (para 102)
- An economic assessment has been completed to understand the cost and affordability of the wastewater network improvements required to meet the E. coli target attribute states by GHD. This assessment has used ‘% increase cost to ratepayers’ as a metric to understand the scale of investment required to achieve the target attribute states (para 107)
- The estimated undiscounted costs for the capital works required to upgrade the wastewater network to achieve the E. coli target attribute states has been calculated by GHD as between \$344-419 million for Te Awarua-o-Porirua Whaitua and between \$2.5-3.1 billion for Te Whanganui-a-Tara Whaitua. These costs are likely to go up as further investigations are completed, and remedial work gets underway. (para 109)

• For Porirua City the increased cost to ratepayers to meet the 2040 E.coli limit is 12-14% per year (Table C3).

Council notes that this would be on top of BAU rates increases of anywhere between 10-30%. It is highly unlikely that our ratepayers will be able to afford 12-14% increases on top of this. While the 2060 target of 6-7% will still put a significant strain on households, it is much more achievable than the 2040 target provided other funding avenues are explored as outlined in the s32 including growth charging and debt funding. In addition to these other avenues, significant central government funding will be required.

These numbers also do not take into account debt affordability and availability with Local Government Funding Agency Covenants. Council has debt limits which currently require the cutting of various programmes, with the introduction of accelerated costs we would have to further deprioritise other major projects.

Repairing the public network would only reduce a proportion of the contaminant load. There are known issues with private laterals that make up half the network by length and a significant portion of untreated discharges to land and water. The costs that would fall on landowners to upgrade pipes within the private network are not figured into the s32 Evaluation, and these investments would be substantial to meet the 2040 target.

The s32 Evaluation notes (para 104) that:

Approximately half of the network, by length, is on private property, and is the responsibility of the private landowner. In some cases, it is appropriate for landowners to be required to fix issues on their properties. However, this can be time consuming. Particularly in older suburbs is far more efficient for the infrastructure provider to do this work.

Laterals on private property are the responsibility of the landowner, and they must bear the costs to fix them when faulty rather than the ratepayer. Wellington Water does undertake investigations to identify issues with pipes on private properties that are discharging into the stormwater network,

					<p>however the costs to fix these fall on the landowner. If Council undertook the work, or funded it upfront with cost recovery, there are numerous practical administrative issues that would arise. For example, if an owner refuses to pay do we enforce, undertake the works, or place owners into debt collection? Does a legal instrument need to be placed on the title to prevent sales without remedy? These are all detail matters however it is not as simple as “find, fund, and fix”.</p> <p>Many of these issues are historic and costly to address, and could cost anywhere from \$10,000 to \$20,000 per property or more. Wellington Water’s high level indicative estimates for the identification and repair of cross connections and leaking private wastewater laterals is between \$250 – 350 million².</p> <p>The impact of the above funding requirements on housing and business development capacity is not sufficiently explored in the s32 Evaluation.</p>	
	9.2 Policies	New		Both		
	9.2.1 Ecosystem health and water quality	New		Both		
	Policy P.P1: Improvement of aquatic ecosystem health.	New	Support	Part 1 Schedule 1	Support the progressive reduction of contaminants and restoration of habitats.	Retain as notified.
	Policy P.P2: Management of activities to achieve target attribute states and coastal water objectives.	New	Amend	Part 1 Schedule 1	<p>Council has a number of concerns with regard to the prohibition on unplanned greenfield growth under Policy P.P2 and associated provisions.</p> <p>The prohibition of unplanned greenfield development may result in unintended consequences with no consenting pathway to consider a proposal located in these areas that may have positive outcomes, including positive outcomes for freshwater.</p> <p>This activity status is a blunt instrument that would also make an incursion into these areas prohibited no matter how small. For example it is possible that a new road connecting urban areas (or urban to rural areas) would need to “clip” an area mapped as unplanned to avoid a sensitive feature in the planned area. This would be prohibited.</p>	<p>Amend the policy as follows:</p> <p>Policy P.P2 Management of activities to achieve target attribute states and coastal water objectives Target attribute states and coastal water objectives will be achieved by regulating discharges and land-use activities in the Plan, and non-regulatory methods, including Freshwater Action Plans, by:</p> <p>(a) prohibiting-avoiding unplanned greenfield development and for managing other greenfield developments minimising the contaminants and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and</p> <p>(b)-encouraging redevelopment activities within existing urban areas to reduce the existing urban contaminant load, and</p> <p>(c) imposing hydrological controls on urban development and stormwater discharges to rivers, and</p>

² GWRC (2020) An overview of the Wellington City, Hutt Valley and Wainuiomata Wastewater and Stormwater networks and considerations of scenarios that were assessed to improve water quality)

				<p>Council considers that this policy direction should be amended to “avoid” with a non-complying activity status for these reasons.</p> <p>The application of a prohibited activity status requires a high level of evaluation to justify its use. Council does not consider that the s32 Evaluation is sufficient.</p> <p>Firstly, the s32 Evaluation contains contradictory statements with regard to the ability of PC1 to mitigate contaminants from urban developments. Paragraph 64 of Part C states:</p> <p><i>The plan change manages the water quality effects of urban development as set out in Part D of this report. It requires all urban developments and redevelopments to incorporate contaminant treatment and hydrological controls. New greenfield developments within planned urban areas are required to offset any residual contaminant loads via financial contributions.</i></p> <p>If this is the case and PC1 does manage all water quality effects, including residual effects (e.g through provisions relating to financial contributions including WH.)15, WH.R6), it is hard to see how a prohibited activity status could be justified on an effects management basis.</p> <p>The prohibition on greenfield development is also inconsistent with the NPS-UD. Unplanned greenfield development is defined as areas identified in maps 86,87, 88 and 89.</p> <p>For Porirua, Map 86 is already inconsistent with the recently released decisions on the Proposed District Plan. In some instances the unplanned area in includes areas confirmed as Future Urban Zone in decisions including in Waitangirua, Pukerua Bay and Judgeford. There are also parts of Judgeford that were not rezoned as Future Urban Zone due to natural hazard risk. The Panel’s decision weighed up evidence brought by submitters and Council directly related to the degree in which the PDP gives effect to the NPS-UD, therefore the avoid/prohibited approach may therefore directly conflict with Council’s ability to give effect to the NPS-UD.</p>	<p>(d) requiring a reduction in contaminant loads from urban wastewater and stormwater networks, and</p> <p>(e) stabilising stream banks by excluding livestock from waterbodies and planting riparian margins with indigenous vegetation, and</p> <p>(f) requiring the active management of earthworks, forestry, cultivation, and vegetation clearance activities, and</p> <p>(g) soil conservation treatment, including revegetation with woody vegetation, of land with high erosion risk, and</p> <p>(h) requiring farm environment plans (including Freshwater Farm Plans) to improve farm practices that impact on freshwater.</p>
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Another issue is that Hongoeka has been identified as an area of unplanned urban development, meaning any greenfield development in this area is prohibited. This will likely be of huge concern to Hongoeka Whanau. Hongoeka is partly urban in nature in terms of lots sizes, and has reticulated sewerage and drinking water supply. Council worked in partnership with Te Rūnanga and with the Hongoeka Marae Committee on creating an enabling zoning for this area in the PDP.

Further, Policy 8 of the NPS-UD requires:

Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:
a) unanticipated by RMA planning documents; or
b) out-of-sequence with planned land release.

A prohibited activity status makes it difficult for territorial authorities to consider a plan change in an unplanned greenfield area. The s32 Evaluation says that this (part C para 65):

“Unplanned greenfield developments are also prohibited in order to enable a future regional plan change to be considered alongside a change to the district plan to facilitate any such urban development...It should not be regarded as an impediment to urban development, merely the solution to managing the competing directives of the two NPSs.”

Having to undertake two plan changes (both a district and regional plan change) would most certainly be an administrative and financial impediment to urban development. A single plan change under the RMA is very expensive and complex, and undertaking two would be doubly so. While Council understands the intent behind the approach, the economic impact of having to undertake two parallel plan changes is high. This impact has not been fully assessed in the s32 with regard to the NPS-UD, or in terms of the impact on housing and business capacity.

Council is unclear of the intent of P.P2(b) and considers it is not consistent with an duplicates (c) and (d). Council supports the regulation of contaminant discharges from redevelopment

					activities, and considers that the “encouraging” policy direction is inconsistent with the “imposing” and “requiring” policy direction in (c) and (d).	
	Policy P.P3: Freshwater Action Plans role in the health and wellbeing of waterways.	New	Amend	Freshwater	<p>Support the use of action plans to achieve objectives. Regulation alone will not achieve the significant improvements required within catchments to improve the state of degraded waterways. However, the action plans should be developed in partnership with territorial authorities rather than merely being informed by them.</p> <p>Council is a key stakeholder as a regulator, land owner and asset owner, therefore an action plan developed in partnership with Council is more likely to be successful.</p>	<p>Amend the policy as follows:</p> <p>Policy P.P3: Freshwater Action Plans role in the health and wellbeing of waterways Wellington Regional Council shall, in partnership with mana whenua and territorial authorities, prepare and deliver Freshwater Action Plans in accordance with Schedule 27 (Freshwater Action Plan). The first iteration of Freshwater Action Plans, to cover all rivers and lakes in Te Awarua-o-Porirua Whaitua, shall be completed by December 2026. Freshwater Action Plans shall identify, in detail, the actions, including to support effective regulation, to achieve the target attribute states, and support relevant environmental outcomes, set in this Plan.</p>
	Policy P.P4: Contaminant load reductions.	New	Support	Part 1 Schedule 1	Support in principle the reduction in annual sediment load.	Retain as notified.
	8.2.1 Discharges to water	New		Both		
	Policy P.P5: Localised adverse effects of point source discharges.	New	Support	Part 1 Schedule 1	Support in principle the reduction in point source discharges.	Retain as notified.
	Policy P.P6: Point source discharges.	New	Support	Part 1 Schedule 1	Support in principle the reduction in point source discharges.	Retain as notified.
	Policy P.P7 Discharges to groundwater.	New	Amend	Freshwater	Support in principle the reduction in point source discharges to ground water. However, this policy is somewhat unclear, especially compared to similar proposed policies for other contaminants/ waterbodies. For example, it is not clear how will these discharges be managed or how the quality of groundwater will be measured in terms of water quality attributes.	Review wording of policy to clarify intent.
	Policy P.P8 Avoiding discharges of specific products and waste.	New	Amend	Part 1 Schedule 1	<p>Support in principle avoiding discharges of these contaminants, regulation of trade premises is possible but it is near impossible to regulate individual landowners from discharging cleaning products and paints. Non-regulatory methods need to be used to educate people.</p> <p>As written, clause (b) would capture any animals that are confined, including sheep in a paddock at a low density. If the intent of to capture intensive indoor farming this should be clarified.</p>	<p>Amend policy as follows:</p> <p>Policy P.P8 Avoiding discharges of specific products and waste Avoid discharges to freshwater and coastal water, including where this is via the stormwater network, of: (a) chemical cleaning products, paint, solvents, fuels and coolant, oil, wet cement products and drill cooling water, or (b) animal effluent from an animal effluent storage facility or from an area where animals are confined indoors, or (c) untreated industrial or trade waste, or (d) untreated organic waste or leachate from storage of organic material.</p>
	9.2.2 Stormwater	New		Part 1 Schedule 1		

	Policy P.P9: General stormwater policy to achieve the target attribute states and coastal water objectives.	New	Support	Part 1 Schedule 1	Support the policy in principle.	Retain as notified.
	Policy P.P10: Managing adverse effects of stormwater discharges.	New	Amend	Part 1 Schedule 1	<p>Support in principle Greater Wellington regulating stormwater contaminants through hydrological control and water sensitive urban design measures (WSUD) to improve freshwater outcomes.</p> <p>Council notes that there is a degree of overlap with district plan rules which also manage hydrology of stormwater to manage the demand on the three waters network from urban development. The s32 Evaluation has not addressed this overlap in functions. For hydrological controls and WSUD to really deliver, a coordinated regional implementation programme is needed.</p> <p>The Proposed Porirua District Plan manages this demand through the Three Waters Chapter which requires hydraulic neutrality measures to assist with managing peak stormwater runoff from development sites so the risk of downstream flooding is not increased, and to assist with prolonging the life of existing stormwater management systems.</p> <p>While the THWT-Three Waters chapter does not explicitly require water sensitive design, this is promoted through the requirements for hydraulic neutrality and compliance with the Wellington Water Regional Standard for Water Services May 2019. It also provides specifications for rules such as rainwater tanks which are required for new residential units: <i>"The tank must meet the specifications, and be installed in accordance with Acceptable Solution #1 from the Wellington Water guide Managing Stormwater Runoff, The use of rain tanks for hydraulic neutrality, Acceptable solution #1 dated June 2019"</i></p> <p>In comparison, the PC1 provisions are light on detail on how hydrological controls and WSUD will be implemented. For example, it is unclear what specifications will apply to WSUD (there are no technical guidelines incorporated into the NRP) and what would be considered an acceptable solution to comply with the provisions.</p> <p>If the NRP included technical specifications, it would mean that smaller developments could rely</p>	Develop a more comprehensive policy and implementation framework with regard to hydrological control and water sensitive urban design measures, including acceptable solutions and amend policy accordingly.

					<p>on these without having to develop a bespoke solution for their site and undertake expensive hydrological and/or engineering calculations to demonstrate compliance.</p> <p>Support recognition of catchment scale communal schemes which may be more appropriate from a maintenance perspective than lots of small systems.</p>	
	Policy P.P11: Discharges of a contaminant in stormwater from high risk industrial or trade premises.	New	Support	Part 1 Schedule 1	Support managing these discharges.	Retain as notified.
	Policy P.P12: Managing stormwater network discharges through a Stormwater Management Strategy.	New	Amend	Part 1 Schedule 1	<p>Support the use of stormwater management strategies to achieve freshwater outcomes. However clause (c) could be strengthened to be more active, as other contaminants are transported via the stormwater system that need to be reduced to achieve objectives and target attribute states including E.coli and sediment.</p>	<p>Amend policy as follows:</p> <p>Policy P.P12: Managing stormwater network discharges through a Stormwater Management Strategy Stormwater discharges from local authority and state highway networks shall be managed by:</p> <p>(a) reducing the copper and zinc loads in discharges to the coastal water management units of Onepoto Arm and Pāuatahanui Inlet in Map 82 and the harbour arm catchments in Map 84 by 15% for copper and 40% for zinc to contribute to meeting the target attribute states and coastal water objectives for copper and zinc in the Onepoto Arm and Pāuatahanui Inlet of Te Awarua-o-Porirua, and</p> <p>(b) reducing the copper and zinc loads in discharges to the Open Coast coastal water management units to contribute to meeting the coastal water objectives to maintain or improve, and</p> <p>(c) reducing the concentration and contaminant loads of copper and zinc from discharges to surface water bodies in order to maintain, and in degraded part Freshwater Management Units improve, the water quality state for dissolved copper and zinc to contribute to meeting the target attribute states in those part Freshwater Management Units, and</p> <p>(d) supporting the achievement of any <u>reducing the concentration of contaminant loads to achieve</u> other relevant target attribute states or coastal water objectives including for ecosystem health, nutrients, visual clarity and <i>Escherichia coli</i> or enterococci, and</p> <p>(e) implementing a stormwater management strategy and stormwater management plans prepared in accordance with the information and requirements set out in Schedule 31 (stormwater strategy – whaitua), and</p> <p>(f) monitoring and modelling the stormwater network to identify catchments to be prioritised, the copper and zinc concentrations and loads in the discharge, and changes in</p>

						discharge volume and quality over time following improvements in the network infrastructure, and (g) prioritising the reduction, removal, and/or treatment of stormwater discharges to Schedule A (outstanding water bodies) or Schedule C (mana whenua) sites, or mahinga kai.
	Policy P.P13: Stormwater discharges from new and redeveloped impervious surfaces.	New	Amend	Part 1 Schedule 1	'Minimised' means the same as 'reduced to the extent practicable'. Changes suggested so clause WH.P14(b) aligns with P.R6 and P.R7.	Amend the policy as follows: Policy P.P13: Stormwater discharges from new and redeveloped impervious surfaces The adverse effects of stormwater discharges from new greenfield development <u>and redevelopment of existing urban areas shall be minimised, and adverse effects of stormwater discharges from existing urban areas reduced to the extent practicable, upon redevelopment,</u> through implementing: (a) an on-site stormwater treatment system or an off-site communal stormwater treatment system that is designed to: (i) receive at least 85% of the mean annual runoff volume stormwater generated from new and redeveloped impervious surfaces of the property, and (ii) achieve copper and zinc load reductions factors equivalent to that of a raingarden/bioretenion device, and (b) where stormwater discharges will enter a river <u>directly or indirectly (through an existing local authority stormwater network),</u> hydrological controls either on-site, or off-site via a communal stormwater treatment system.
	Policy P.P14: Stormwater contaminant offsetting for new greenfield development.	New	Support	Part 1 Schedule 1	Support policy in principle – provides a pathway for development while addressing residual adverse effects.	Retain as notified.
	Policy P.P15: Stormwater discharges from new unplanned greenfield development.	New	Oppose	Part 1 Schedule 1	As outlined above, there is an insufficient evidence base to support the approach being taken, especially considering that there is a prohibited activity status associated with new unplanned greenfield development. Council considers that a consenting pathway is required through a non-complying activity status to avoid any unintended consequences that may result through taking a prohibited approach. Regardless of the above relief sought, this policy directly duplicates P.P2(a) and is therefore unnecessary.	Amend policy as follows: Policy P.P15: Stormwater discharges from new unplanned greenfield development 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>Note</i> Any unplanned greenfield development proposals will require a plan change to the regional plan alongside any required plan change to rezone land within the relevant district plan.
	9.2.3 Wastewater	New		Both		

	Policy P.P16: General wastewater policy to achieve target attribute states and coastal water objectives.	New	Amend	Part 1 Schedule 1	Support in principle the maintenance and improvement of wastewater discharges, subject to relief sought in regard to target attribute states for E.coli in Table 9.1 and 9.2.	Retain as notified provided target attribute states for E.coli amended to 2060 in Table 9.1 and 9.2.
	Policy P.P17: Progressing works to meet Escherichia coli target attribute states.	New	Amend	Freshwater	This policy duplicates Local Government Act responsibilities in that it directs operational asset management decision making rather than directing what matters will be considered in assessing resource consents for wastewater network catchment discharges	Delete policy, or reframe to direct decision making on wastewater network catchment discharges.
	Policy P.P18: Managing wastewater network catchment discharges.	New	Amend	Part 1 Schedule 1	<p>Support in principle the maintenance and improvement of wastewater discharges, subject to relief sought in regard to target attribute states for E.coli in Tables 9.1 and 9.2.</p> <p>It is unclear under criterion (d) what constitutes an inflow and infiltration programme, and who this will be prepared by and when.</p> <p>Criterion (h) duplicates Local Government Act responsibilities, it appears to direct operational decision making and asset management planning rather than directing what matters will be considered in assessing resource consents for wastewater network catchment discharges.</p> <p>Various other changes are sought to the wording of the policy to reduce unnecessary repetition.</p>	<p>Amend policy as follows:</p> <p>Policy P.P18: Managing wastewater network catchment discharges All wastewater network catchment discharges, including those which discharge via a stormwater network, shall be managed by: (a) progressively reducing the frequency and/or volume of wet weather overflow events to meet or exceed the containment standard of no more than 2 per year through the implementation of the methodologies set out in a Wastewater Network Catchment Improvement Strategy prepared in accordance with Schedule 32 (wastewater strategy), and (b) prioritising the removal of wet weather overflows in wastewater network sub-catchments where wet weather overflows are discharging to Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule H (contact recreation and Māori customary use) sites and mahinga kai, and (c) progressively reducing the frequency and/or volume of dry weather discharges or the potential for these discharges through the implementation of a Wastewater Network Catchment Improvement Strategy prepared in accordance with Schedule 32 (wastewater strategy) to contribute to meeting the target attribute states for <i>Escherichia coli</i> in Table 9.2 and the coastal water objectives for enterococci in Table 9.1, and (d) implementing an inflow and infiltration programme to proactively upgrade the pipe network to progressively reduce stormwater and groundwater infiltration and inflow into the wastewater network catchment, and (e) engaging with mana whenua on their values and interests in relation to discharges and receiving waters, including adverse effects on Māori customary use and mahinga kai, and (f) avoiding wastewater network catchment discharges entering private property or educational facilities, and (g) avoiding increasing the frequency and/or volume of wastewater network catchment discharges as a result of</p>

						climate change, or new urban development and intensification, and (h) monitoring and modelling the wastewater network catchment to identify catchments to be prioritised, the Escherichia coli or enterococci concentration in the discharge, and changes in discharge frequency, volume and quality over time following improvements in the network infrastructure.
	Policy P.P19: Managing existing wastewater treatment plant discharges.	New	Amend	Part 1 Schedule 1	Clauses (d), (e) and (g) duplicate Local Government Act responsibilities including directing operational asset management decision making rather than directing the matters that will be considered in assessing resource consents for wastewater treatment plant discharges.	Amend policy as follows: Policy P.P19: Managing existing wastewater treatment plant discharges All existing wastewater discharges from a treatment plant shall be managed by: (a) maintaining or reducing the <i>Escherichia coli</i> or enterococci load in the discharge where the target attribute state for <i>Escherichia coli</i> in Table 9.2 or the coastal water objectives for enterococci as set out in Table 9.1 are met, and (b) monitoring the discharge to identify trends over time, the <i>Escherichia coli</i> or enterococci concentration and loads in the discharge, and changes to receiving water quality at the zone of reasonable mixing over time, and (c) engaging with mana whenua on their values and interests in relation to the discharge and receiving water, including adverse effects on Māori customary use and mahinga kai, and (d) assessing the adequacy of existing and planned capacity of wastewater treatment plant systems, and (e) maintaining and upgrading existing wastewater treatment plants to provide for population growth and climate change, and (f) monitoring mahinga kai health within and at the outer extent of the zone of reasonable mixing, and (g) investigating technological improvements and other methods to reduce or remove wastewater discharges to water. Note Kaitiaki monitoring teams within the Whaitua must be engaged with and be provided the opportunity to undertake the kaitiaki monitoring.
	9.2.4 Rural Land Uses and Earthworks	New		Both		
	Policy P.P20: Managing diffuse discharges of nutrients and <i>Escherichia coli</i> from farming activities.	New	Amend	Freshwater	Support reducing diffuse discharges from farming activities, however consider this policy can be deleted as it unnecessarily cross references other policies.	Amend policy as follows: Policy P.P20: Managing diffuse discharges of nutrients and Escherichia coli from farming activities Reduce diffuse discharges of nitrogen, phosphorus and <i>Escherichia coli</i> from farming activities by:

						1. capping, minimising and reducing diffuse discharges from individual rural properties in accordance with Policies P.P21, P.P22 and P.P24, and 2. applying target attributes states as limits on rural land use change and on the intensification of farming activities, and 3. progressively establishing and maintaining woody vegetation on highest erosion risk land (pasture) as a limit on land use, and 4. excluding stock from water bodies as a limit on land use, and 5. supporting good management practice through Wellington Regional Council's environmental restoration programmes.
	Policy P.P21: Capping, minimising and reducing diffuse discharges of nitrogen from farming activities.	New	Support	Freshwater	Support reducing diffuse discharges from farming activities.	Retain as notified.
	Policy P.P22: Achieving reductions in sediment discharges from farming activities on land with high risk of erosion.	New	Amend	Freshwater	Support reducing hill country erosion to reduce sediment loads into waterways. The planting of native species should be encouraged where these can provide suitable stabilisation for erosion prone land, this would also assist improving biodiversity values within the catchment.	<p>Amend policy as follows:</p> <p>Policy P.P22: Achieving reductions in sediment discharges from farming activities on land with high risk of erosion</p> <p>Reduce discharges of sediment from farming activities on high erosion risk land and highest erosion risk land by:</p> <p>(a) identifying highest erosion risk land (pasture) and high erosion risk land (pasture), and</p> <p>(b) requiring that farm environment plans prepared for farms with highest erosion risk land (pasture) and/or high erosion risk land (pasture) include an erosion risk treatment plan, and</p> <p>(c) ensuring erosion risk treatment plans:</p> <p>(i) deliver permanent woody vegetation cover on at least 50% of highest risk erosion land (pasture) that is in pasture on a farm within 10 years and appropriate erosion control treatment for the remaining highest risk erosion land (pasture) and high erosion risk land (pasture) that is in pasture on the farm, and</p> <p>(ii) identify and respond to risks of sediment loss on high erosion risk land (pasture) associated with grazing livestock, earthworks or vegetation clearance, by using effective erosion control treatment, and</p> <p><u>(iii) encouraging planting of native species where these can provide suitable stabilisation for erosion prone land, and</u></p> <p>(d) Wellington Regional Council providing support to landowners to implement erosion risk treatment plans.</p>
	Policy P.P23: Phasing of farm environment plans.	New	Support	Freshwater	Support phased timetable for implementing farm plans.	Retain as notified.
	Policy P.P24: Managing rural land use change.	New	Support	Freshwater	Support restricting land use change to those that maintain or reduce diffuse discharges.	Retain as notified.

	Policy P.P25: Promoting stream shading.	New	Support	Freshwater	Support progressive shading of streams to improve habitats.	Retain as notified.
	Policy P.P26: Achieving reductions in sediment discharges from plantation forestry.	New	Support	Freshwater	Support reduction of sediment discharges from forestry.	Retain as notified.
	Policy P.P27: Management of earthworks sites.	New	Support	Part 1 Schedule 1	Support management of sediment discharges from earthworks.	Retain as notified.
	Policy P.P28: Discharge standard for earthworks sites.	New	Amend	Part 1 Schedule 1	Generally support intent of policy, but this is written more like a rule or a standard	Reword as a policy, or relocate into rules section of Chapter.
	Policy P.P29: Winter shut down of earthworks.	New	Oppose	Part 1 Schedule 1	<p>This policy is linked to a rule which makes earthworks between June and September a non-complying activity. The s32 Evaluation says this is because there is higher risk for discharges of sediment over the winter period.</p> <p>However, large storm events typically cause larger pulses of sediment discharges. Large storm events are becoming more unpredictable and can occur anytime throughout the year, especially in the Southern Hemisphere cyclone season. A poor summer earthworks season due to adverse weather may result in significant lost time to safely undertake earthworks, and the winter period may be appropriate where needed for projects to catch up on progress and stabilise the land.</p> <p>Council considers that the BAU approach for winter earthworks should be maintained, i.e. as a standard condition of consent as a discretionary activity. These conditions allow for GW to provide permits to undertake earthworks within this period as appropriate and subject to conditions.</p>	<p>Amend policy as follows:</p> <p>Policy P.P29: Winter shut down of earthworks Earthworks over 3,000m² in area shall: (a) be shut down from 1st June to 30th September each year, and (b) prior to shut down, be stabilised against erosion and have sediment controls in place using good management practices in accordance with the Greater Wellington Regional Council Erosion and Sediment Control Guidelines for Land-Disturbing Activities in the Wellington Region (2021).</p>
	9.3 Rules	New		Both		
	9.3.1 Discharges of contaminants	New		Both		
	Rule P.R1: Point source discharges of specific contaminants – prohibited activity.	New	Support	Part 1 Schedule 1	Support in principle the avoidance of these discharges, however reducing them will rely heavily on non-regulatory means including education as monitoring will be almost impossible (e.g. regulating cars being washed in front of homes and people cleaning off paint brushes).	Retain as notified.
	Rule P.R2: Stormwater to land – permitted activity.	New	Amend	Freshwater	Support in principle, however as network utility operators, territorial authorities control new connections to discharge to the network. As written, this rule requires all new connections to the stormwater network to obtain a regional resource consent. It is unclear why this needs to now be regulated by the Regional Council, and this is possibly a drafting error.	<p>Consolidate P.R2 and P.R3 into one rule, or amend as follows:</p> <p>Rule P.R2: Stormwater to land – permitted activity The discharge of stormwater onto or into land, including where contaminants may enter groundwater (a) that is not from a high risk industrial or trade premise, or (b) that is not connected to that does not discharge from, or to, a local authority stormwater network</p>

					Further, this rule appears to duplicate P.R3 to a large extent, they both control storm water to land/water with similar conditions.	is a permitted activity provided the following conditions are met: (...)
	Rule P.R3: Stormwater from an existing individual property to surface water or coastal water – permitted activity.	New	Amend	Part 1 Schedule 1	<p>Support in principle, however as network utility operators, territorial authorises control new connections to discharge to the network. As written, this rule requires all new connections to the stormwater network to obtain a regional resource consent. It is unclear why this needs to now be regulated by the Regional Council, and this is possibly a drafting error.</p> <p>Further, this rule appears to duplicate P.R2 to a large extent, they both control storm water to land/water with similar conditions.</p>	<p>Consolidate P.R2 and P.R3 into one rule, or amend as follows:</p> <p>Rule P.R3: Stormwater from an existing individual property to surface water or coastal water – permitted activity</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 existing individual property</p> <p>(a) that is not from a high risk industrial or trade premise, or</p> <p>(b) that is not from a state highway, or</p> <p>(c) that is not connected to that does not discharge from, or to, a local authority stormwater network</p> <p>is a permitted activity provided the following conditions are met: (...)</p>
	Rule P.R4: Stormwater from an existing high risk industrial or trade premise – permitted activity.	New	Support	Part 1 Schedule 1	Support in principle.	Retain as notified.
	Rule P.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity.	New	Amend	Part 1 Schedule 1	<p>Generally support Greater Wellington taking a greater role in regulating changes in impervious surfaces and requiring interventions, but note that the 30sqm threshold in this rule for requiring hydrological controls for any impervious surfaces is a low threshold and will impact the cost of development and create a regulatory burden on GWRC.</p> <p>This rule does not outline what types of hydrological controls should be implemented and it is unclear what would be considered an acceptable solution to comply with the provisions. The definition of 'hydrological control' doesn't provide any guidance in this regard. The s32 Evaluation does not outline the costs of acceptable controls and the economic impact on urban development.</p> <p>One possible acceptable solution for a hydrological control, at least for new buildings, are rainwater tanks. Council's District Plan requires that rain tanks be installed on new residential buildings that comply with Wellington Water's guide 'Managing Stormwater Runoff', however, this only sets the sizes for rainwater tanks for buildings with a roof area larger than 40sqm. As this is the only</p>	<p>Develop an acceptable solution for compliance with WH.R5(c)(ii) either through incorporating guidance by reference, within the rule itself, or as an appendix to the plan.</p> <p>Amend the rule as follows and/or delete WH.R5(c)(ii):</p> <p>Rule P.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity</p> <p>The use of land for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment activities of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or new local authority stormwater network, that is not a high risk industrial or trade premise or unplanned greenfield development, is a permitted activity, provided the following conditions are met:</p> <p>(a) the proposal involves the creation of new, or redevelopment of existing impervious areas of less than 1,000m² (baseline property existing impervious area as at 30 October 2023) and</p>

				<p>acceptable solution known to Council for hydrological controls, it is recommended that the threshold start at 40sqm at a minimum.</p> <p>For this rule to be successfully implemented, there needs to be more guidance for plan users on how they can comply with the rule, either through incorporating guidance by reference, within the rule itself, or as an appendix to the plan.</p> <p>Nor does the s32 Evaluation outline the costs to GW to monitor compliance with this rule. It is assumed that GWRC officers will need to review building consents to monitor this rule, and may need to install staff within territorial authorities to undertake this role.</p> <p>The term “an existing urbanised property” is not necessary as this is outlined in the definition of redevelopment.</p> <p>Council seeks changes to enable our Parks & City Services Team to carry out their business-as-usual activities in line with the Proposed District Plan for Porirua.</p> <p>Most earthworks activities carried out by the Parks & City Services Team are carried out in the context of open space, typically grassed or vegetated areas with a lot of porous surfaces, and in sensitivity to the environment in accordance with the Reserves Act 1977. We consider that this is distinct from the activities that this rule is designed to control.</p> <p>The construction, operation, and maintenance earthworks activities carried out by the Parks & City Services Team are generally low-risk in terms of environmental impacts due to the factors raised above.</p> <p>Finally, there is difficulty siting permanent hydrological control in reserves that have limited flat land and competing uses, for instance ecological restoration/management, recreation, play, and infrastructure. Further, the land on which reserves are situated usually has a lot of porous surfaces such as grass and vegetation, mitigating the need for on-site hydrological control. For these reasons, we consider that this level of hydrological control is not required on reserve land.</p>	<p>(b) all new building materials associated with the development shall not include exposed zinc (including galvanised steel) or copper roof, cladding and spouting materials, and</p> <p>(c) the proposal provides hydrological control measures (for example rain tanks) onsite or offsite, where discharges will enter a surface water body (including via an existing local authority stormwater network):</p> <p>(i) for all impervious areas associated with a greenfield development, or</p> <p>(ii) for all redeveloped and new impervious areas involving greater than 4030m² of impervious area of a redevelopment (an existing urbanised property), and (...)</p> <p><u>Note: this rule does not apply to the construction, operation, and maintenance of tracks, boardwalks, and playground equipment on land managed under the Reserves Act 1977</u></p>
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					All earthworks are carried out in accordance with good environmental management principles, including control of stormwater and sediment runoff, in accordance with GWRC's Erosion and Sediment Control Guideline.	
	Rule P.R6: Stormwater from new greenfield impervious surfaces – controlled activity.	New	Amend	Part 1 Schedule 1	<p>Generally support Greater Wellington taking a greater role in regulating changes in impervious surfaces and requiring interventions, but note that this rule will have a significant economic impact on urban development and create a regulatory burden on GWRC.</p> <p>This rule does not outline what types of hydrological controls should be implemented and it is unclear what would be considered an acceptable solution to comply with the provisions. The definition of 'hydrological control' doesn't provide any guidance in this regard. The second matter of control refers to best practicable options, but it does not outline what these are (as opposed to stormwater treatment system which has some guidance on acceptable types of systems in the definition along with specifications in Schedule 28)</p> <p>The s32 Evaluation does not quantify the costs of acceptable controls and the economic impact on urban development.</p>	Develop an acceptable solution for compliance with either through incorporating guidance by reference, within the rule itself, or as an appendix to the plan.
	Rule P.R7: Stormwater from new and redeveloped impervious surfaces of existing urbanised areas– controlled activity.	New	Amend	Part 1 Schedule 1	<p>Generally support Greater Wellington taking a greater role in regulating changes in impervious surfaces and requiring interventions, but note that this rule will have a significant economic impact on urban development and create a regulatory burden on GWRC.</p> <p>This rule does not outline what types of hydrological controls should be implemented and it is unclear what would be considered an acceptable solution to comply with the provisions. The definition of 'hydrological control' doesn't provide any guidance in this regard. The second matter of control refers to best practicable options, but it does not outline what these are (as opposed to stormwater treatment system which has some guidance on acceptable types of systems in the definition along with specifications in Schedule 28)</p> <p>The s32 Evaluation does not quantify the costs of acceptable controls and the economic impact on urban development.</p>	Develop an acceptable solution for compliance with either through incorporating guidance by reference, within the rule itself, or as an appendix to the plan.
	Rule P.R9: Stormwater from new state highways– discretionary activity.	New	Amend	Part 1 Schedule 1	It is unclear what constitutes a new state highway. For example, it is unclear if a slight widening of seal	Review rule wording.

					on shoulders be considered new state highway, or is this intended to capture entirely new stretches of state highway.	
	Rule P.R10: Stormwater from new and redeveloped impervious surfaces– discretionary activity.	New	Support	Part 1 Schedule 1	Support this policy, including reference to a schedule setting out requirements for a stormwater impact assessment.	Retain as notified.
	Rule P.R11: All other stormwater discharges – non-complying activity.	New	Select stance	Part 1 Schedule 1		
	Rule P.R12 – Stormwater discharges from new unplanned greenfield development – prohibited activity.	New	Amend	Part 1 Schedule 1	<p>Council has a number of concerns with regard to the prohibition on unplanned greenfield growth under P.P1 and associated provisions.</p> <p>The prohibition of unplanned greenfield development may result in unintended consequences with no consenting pathway to consider a proposal located in these areas that may have positive outcomes, including positive outcomes for freshwater.</p> <p>This activity status is a blunt instrument that would also make an incursion into these areas prohibited no matter how small. For example it is possible that a new road connecting urban areas (or urban to rural areas) would need to “clip” an area mapped as unplanned to avoid a sensitive feature in the planned area. This would be prohibited.</p> <p>The application of a prohibited activity status requires a high level of evaluation to justify its use. Council does not consider that the s32 Evaluation is sufficient.</p> <p>Firstly, the s32 Evaluation contains contradictory statements with regard to the ability of PC1 to mitigate contaminants from urban developments. Paragraph 64 of Part C states:</p> <p><i>The plan change manages the water quality effects of urban development as set out in Part D of this report. It requires all urban developments and redevelopments to incorporate contaminant treatment and hydrological controls. New greenfield developments within planned urban areas are required to offset any residual contaminant loads via financial contributions.</i></p> <p>If this is the case and PC1 does manage all water quality effects, including residual effects (e.g through provisions relating to financial contributions including WH.)15, WH.R6), it is hard</p>	<p>Amend rule as follows:</p> <p>Rule P.R12: Stormwater discharges 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 <u>non-complying</u> activity.</p>

to see how a prohibited activity status could be justified on an effects management basis.

The prohibition on greenfield development is also inconsistent with the NPS-UD. Unplanned greenfield development is defined as areas identified in maps 86,87, 88 and 89.

For Porirua, Map 86 is already inconsistent with the recently released decisions on the Proposed District Plan. In some instances the unplanned area includes areas confirmed as Future Urban Zone in decisions including in Waitangirua, Pukerua Bay and Judgeford. There are also parts of Judgeford that were not rezoned as Future Urban Zone due to natural hazard risk. The Panel's decision weighed up evidence brought by submitters and Council directly related to the degree in which the PDP gives effect to the NPS-UD, therefore the avoid/prohibited approach may therefore directly conflict with Council's ability to give effect to the NPS-UD.

Further, Policy 8 of the NPS-UD requires:

Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:
a) unanticipated by RMA planning documents; or
b) out-of-sequence with planned land release.

A prohibited activity status makes it difficult for territorial authorities to consider a plan change in an unplanned greenfield area. The s32 Evaluation says that this (part C para 65):

"Unplanned greenfield developments are also prohibited in order to enable a future regional plan change to be considered alongside a change to the district plan to facilitate any such urban development...It should not be regarded as an impediment to urban development, merely the solution to managing the competing directives of the two NPSs."

Having to undertake two plan changes (both a district and regional plan change) would most certainly be an administrative and financial impediment to urban development. A single plan

					change under the RMA is very expensive and complex, and undertaking two would be doubly so. While Council understands the intent behind the approach, the economic impact of having to undertake two parallel plan changes is high. This impact has not been fully assessed in the s32 Evaluation with regard to the NPS-UD, or in terms of the impact on housing and business capacity.	
	9.3.3 Wastewater	New		Part 1 Schedule 1		
	Rule P.R13: Wastewater network catchment discharges to water – restricted discretionary activity.	New	Amend	Part 1 Schedule 1	Support in principle the maintenance and improvement of wastewater discharges, subject to relief sought in regard to target attribute states for E.coli in Table 9.1 and 9.2.	Retain as notified provided target attribute states for E.coli amended to 2060 in Table 9.1 and 9.2.
	Rule P.R14: Existing wastewater discharges from a treatment plant to coastal and freshwater – discretionary activity.	New	Support	Part 1 Schedule 1	Support.	Retain as notified.
	Rule P.R15: All other discharges of wastewater – non-complying activity.	New	Support	Part 1 Schedule 1	Support.	Retain as notified.
	9.3.4 Land uses	New		Freshwater		
	Rule P.R16: Vegetation clearance on highest erosion risk land– permitted activity.	New	Amend	Freshwater	Support in principle the reduction of sediment discharges from forestry. However, there is a need to provide for the creation of firebreaks as a permitted activity to allow people to defend their homes and property from the risk of wildfires.	<p>Rule P.R16: Vegetation clearance on highest erosion risk land – permitted activity</p> <p>Vegetation clearance on highest erosion risk land (woody vegetation) and any associated discharge of sediment to a surface water body is a permitted activity provided the following conditions are met:</p> <p>(a) the vegetation clearance is:</p> <p>(i) to implement an action in the erosion risk treatment plan for the farm, or</p> <p>(ii) for the control of pest plants, or</p> <p><u>(iii) for the creation or maintenance of a firebreak;</u> and</p> <p>(b) debris from the vegetation clearance is not placed where it can enter a surface water body.</p>
	Rule P.R17: Vegetation clearance on highest erosion risk land – controlled activity.	New	Support	Freshwater	Support reduction of sediment discharges from forestry.	Retain as notified.
	Rule P.R18: Vegetation clearance – discretionary activity.	New	Support	Freshwater	Support reduction of sediment discharges from forestry.	Retain as notified.
	Rule P.R19: Plantation forestry – controlled activity.	New	Support	Freshwater	Support reduction of sediment discharges from forestry.	Retain as notified.
	Rule P.R20: Plantation forestry – discretionary activity.	New	Support	Freshwater	Support reduction of sediment discharges from forestry.	Retain as notified.

	Rule P.R21: Plantation Forestry on highest erosion risk land – prohibited activity.	New	Support	Freshwater	Support reduction of sediment discharges from forestry.	Retain as notified.
	9.3.5 Earthworks	New		Both		
	Rule P.R22: Earthworks – permitted activity.	New	Support	Freshwater	<p>The ‘and’ after clause b means that any earthworks City-wide that aren’t on a farm require technically require consent no matter how small. This is unlikely the intent of the rule and is likely a drafting error.</p> <p>The earthworks definition is now aligned with the National Planning Standards. This removes an exemption for road maintenance activities. These activities involve activities such as resealing and realignment of existing impervious surfaces. As such they should be exempt to remove the need to apply for unnecessary consents which will add significant costs and delays to the road maintenance programme. Rather than an exclusion in the definition as per the Operative NRP, it would be best to include an exclusion in the rule itself to comply with the National Planning Standards.</p> <p>Earthworks consents required for coastal restoration, conservation, and management activities will discourage such projects and work against coastal resilience and enhancement.</p> <p>Soft engineering approaches to coastal protection, in particular, placement of compacted fill, are increasingly used as the effects of sea level rise start to impact coastlines. Using compacted fill provides a sacrificial fill and temporary protection of infrastructure, and is low impact relative to rock armouring and other coastal protection methods.</p> <p>Excluding these activities will enable soft engineering approaches to be undertaken without the need to apply for consents which will add significant costs and delays to Council’s coastal adaptation programme. This approach is consistent with the Proposed Porirua District Plan and the New Zealand Coastal Policy statement which both seek to enable soft-engineering measures to address natural hazard risk.</p>	<p>Amend rule as follows:</p> <p>Rule P.R22: Earthworks – permitted activity Earthworks is a permitted activity, provided the following conditions are met:</p> <p>(a) the earthworks are to implement an action in the erosion risk treatment plan for the farm, or (b) the earthworks are to implement an action in the farm environment plan for the farm, and-or (c) the area of earthworks does not exceed 3,000m² per property in any consecutive 12-month period, and (d) the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and (e) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and (f) the area of earthworks must be stabilised within six months after completion of the earthworks, and (g) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a surface water body or the coastal marine area, including via a stormwater network, and (h) erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</p> <p><i>Note</i></p> <ul style="list-style-type: none"> • <u>This rule excludes coastal restoration, conservation, and management activities where undertaken by a statutory authority or their nominated contractor.</u> • <u>This rule excludes repair or maintenance of existing roads, or repair, sealing or resealing of a road, footpath or driveway where undertaken by a statutory authority or their nominated contractor.</u> • Earthworks management guidance is available within the <i>Greater Wellington Regional Council, Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (2021)</i>.

	Rule P.R23: Earthworks – restricted discretionary activity.	New	Amend	Part 1 Schedule 1	<p>This rule makes earthworks between June and September a non-complying activity. The s32 Evaluation says this is because there is higher risk for discharges of sediment over the winter period.</p> <p>However, large storm events typically cause larger pulses of sediment discharges. Large Storm events are becoming more unpredictable and can occur anytime throughout the year, especially in the Southern Hemisphere cyclone season. A poor summer earthworks season due to adverse weather may result in significant lost time to safely undertake earthworks, and the winter period may be appropriate where needed for projects to catch up on progress and stabilise the land.</p> <p>Council considers that the BAU approach for earthworks should be maintained, i.e. as a standard condition of consent as a discretionary activity. These conditions allow for GW to provide permits to undertake earthworks within this period as appropriate and subject to conditions.</p>	<p>Amend rule as follows:</p> <p>Rule P.R23: Earthworks – restricted discretionary activity Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water, or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, that does not comply with Rule WH.R23 is a restricted discretionary activity, provided the following conditions are met:</p> <p>(a) the concentration of total suspended solids in the discharge from the earthworks shall not exceed 100g/m³, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m³, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than:</p> <p>(i) 20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</p> <p>(ii) 30% in any other river, and</p> <p>(b) earthworks shall not occur between 1st June and 30th September in any year.</p>
	Rule P.R24: Earthworks – non-complying activity.	New	Support	Part 1 Schedule 1	Support in principle.	Retain as notified.
	9.3.6 Nutrients and sediment from pastoral farming	New		Freshwater		
	Rule P.R25: Farming activities on properties of between 4 hectares and 20 hectares – permitted activity.	New	Support	Freshwater	<p>Generally support reducing diffuse discharges from farming activities.</p> <p>However, note that the associated rules regulating nitrogen discharges from smaller properties will create a regulatory burden for landowners. Greater Wellington needs to ensure that resources dedicated to this process do not come at the expense of other programmes that may have a greater impact on water quality elsewhere in the catchment.</p>	
	9.3.7 Take and use of water	New		Freshwater		
	Map 86: Unplanned greenfield areas – Porirua City Council.	New	Amend	Part 1 Schedule 1	For Porirua, Map 86 is already inconsistent with the recently released decisions on the Proposed District Plan. In some instances the unplanned area includes areas confirmed as Future Urban Zone in decisions including in Waitangirua, Pukerua Bay and Judgeford. There are also parts of Judgeford that were not rezoned as Future Urban Zone due to natural hazard risk. The Panel’s decision weighed up evidence brought by submitters and Council directly related to the degree in which the PDP gives effect to the NPS-UD, therefore the	Amend map to reflect decisions version of the planning maps in the Proposed Porirua District Plan. Include the Hongoeka Māori Purpose Zone within the Planned/existing urban area.

				<p>avoid/prohibited approach may therefore directly conflict with Council's ability to give effect to the NPS-UD.</p> <p>Another issue is that Hongoeka has been identified as an area of unplanned urban development, meaning any greenfield development in this area is prohibited. This will likely be of huge concern to Hongoeka Whanau. Hongoeka is partly urban in nature in terms of lots sizes, and has reticulated sewerage and drinking water supply. Council worked in partnership with Te Rūnanga and with the Hongoeka Marae Committee on creating an enabling zoning for this area in the PDP.</p>	
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