

## **ATTACHMENT 1**

### **KAPITI COAST DISTRICT COUNCIL SUBMISSION ON THE PROPOSED WELLINGTON REGIONAL POLICY STATEMENT**

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1. The Kapiti coast District Council may wish to be heard in support of this submission
2. Kapiti Coast District Council (Council) welcomes the opportunity to submit on the Proposed Regional Policy Statement (RPS) and acknowledges the work that has gone into this enormously complex project.
3. The Council supports the general intention of the Proposed Regional Policy Statement, however Council has some concerns regarding particular aspects (as detailed below).

#### **General Comments**

1. The Council is concerned that the Kapiti Coast does not receive sufficient attention from the Regional Council. The Council believes that research and monitoring is not adequately resourced by the Regional Council.
2. The Council notes that many of the anticipated environmental outcomes include goals that are a significant step up from the current situation. Council supports the intention of having forward looking goals but also suggests more immediate interim or step goals that would have the potential to be achieved in the shorter term, especially where these may be influenced by activities in other regions e.g. Manawatu water quality affecting bathing standards on the Kapiti Coast.
3. The Council is supportive of the direction of the Proposed Regional Policy Statement and the more directive and focused approach when compared with the Operative Regional Policy Statement, as this gives greater clarity when giving effect to the policy statement in the District Plan. The Council is also supportive of the layout of the Proposed Regional Policy Statement, which is structured simply and is easy for a layperson to understand.
4. The Council is concerned that implementing the objectives and policies will have significant resource costs for both Council and Iwi. Council would appreciate consideration being given to how Greater Wellington can help financially support these initiatives, especially iwi management plans, along with research and monitoring. There needs to be funding in the Regional Council LTCCP to support policies in the Proposed Regional Policy Statement. This issue was raised in the Council submission on the Draft and noted in the response to submissions but it remains unclear whether funds are committed to these projects in the Greater Wellington LTCCP.

5. The Council notes that the Proposed Policy Statement timeframes associated with policies directing District Plans may need to be changed as a result of the proposed Resource Management Act Amendments, the current timeframes assume a District Plan review will occur and an alternative such as “within 5 years of the operative date of the Regional Policy Statement” may be needed if the proposed Resource Management Act Amendments occur and District Plan reviews are no longer mandatory.
6. The remainder of the submission discusses topics in the order they are presented in section 3 of the Proposed Regional Policy Statement, not in order of priority to the Council.

#### Air Quality

1. In general the Council supports the issues relating to Air Quality.
2. The Council agrees with Objectives 1 and 2 which aim to ensure that discharges of odour, smoke and dust do not adversely affect amenity values and people’s well-being (including health).
3. The Council supports the Proposed Regional Policy Statement which now proposes regulatory as well as non-regulatory methods to manage health impacts of fine particles as requested in Council’s submission on the Draft Regional Policy Statement. Therefore Council supports policies 1 & 2 and the methods proposed.
4. However, The Council is concerned that there has been no monitoring of air quality in the Kapiti District. Due to this lack of monitoring it is not known whether this is a significant issue for our District. The Council strongly requests that air quality monitoring is undertaken to enable early identification of any air quality issues and to ensure these issues can be addressed to meet the air quality standard by 2013. This point was also made in the Council’s submission on the Draft Regional Policy Statement.

#### Coastal Environment

1. The Proposed Regional Policy Statement gives effect to New Zealand Coastal Policy Statement (NZCPS) which is currently being reviewed. The Regional Council needs to ensure that if the NZCPS is changed the Proposed Regional Policy Statement can be adapted accordingly. The NZCPS is not yet final and the Council requests that the Proposed Regional Policy Statement be amended to include any changes to the Proposed NZCPS.
2. The Council agrees and supports the Coastal Issues (1 – 4) identified on page 20 of the Proposed Regional Policy Statement.
3. The Council particularly agrees with the concerns raised in the Proposed Regional Policy Statement regarding the discharge of contaminants affecting the coastal environment. Council believes that this issues needs to be

addressed in conjunction with Horizons Regional Council as many pollutants come from north of the District.

4. The Council notes the requirement (policy 4) for Districts to define and map the extent of the coastal environment and recognise that a number of criteria are provided to assist in defining the extent. However, further guidance on the implementation of the criteria would be useful, for example whether land which is likely to be affected by sea-level rise associated with climate change (in the next 20 – 50 years) is to be included within the coastal environment.
5. In addition Council requests that Regional Council assist this process with resources for each District Council to undertake the work. It has been the Council's view that Greater Wellington is not adequately discharging its responsibilities to monitor the coastal environment and has not taken a lead role in recognising the impacts of climate change on the region.
6. The Council agrees with Objectives 3 and 4 which aim to protect significant areas, and preserve the natural character of the coastal environment. The Council also supports Objectives 6 and 7, which aim to maintain or enhance coastal water quality, and to protect physical and ecological coastal processes. Council applauds the intent of Greater Wellington (GWRC) to restore natural areas as outlined in Objective 5. Council notes a new objective 8 and policy 52 has been added which relates to public access along rivers and the coast. These are also supported.
7. The Council requests amendments to Policy 3 and 35 relating to “discouraging subdivision, use and development in areas of high natural character the coastal environment”. These policies have been altered in relation to submissions on the Draft Regional Policy Statement but are still not strong enough to prevent developments in currently rural areas along the Kapiti Coast. The Council requests that as a minimum the words “high natural character” be modified to “high natural character or amenity value” in policies 3 and 35 to cover a wider range of land.
8. The reason for this request is that the Council is concerned that ‘high’ natural character is very subjective. It could be argued that an area used for agriculture, this is not entirely ‘natural’, does not have high natural character. On the continuum from indigenous ecosystem to built urban form, a managed pasture is somewhere in the middle and is able to become more natural with some restoration planting. It would be undesirable for only pristine areas to be protected by these policies. Policy 3 seems to read that we will be enabling new subdivision, use and developments in areas that are not identified as having “high natural character”.
9. Policy 35 does go into some detail to assist planners in determining what ‘high natural character’ means. This policy is much more useful for the Kapiti Coast District Council in managing growth via a consolidation framework but the criteria in Policy 35 do not indicate any tipping point for when natural character is no longer ‘high’. There is a significant risk of developers using the proposed policies to support development in areas which could be restored

to be ecologically significant or be retained for future food production. In relation to this greater guidance on coastal subdivision would be useful due to the continuing demand for coastal subdivision.

10. The Council applauds the intention to have tangata whenua involvement (method 31) but has concerns about resource cost to smaller Iwi and Hapu. There needs to be a method that makes links to the GWRC LTCCP process to implement these policies and provide resources to support them. In particular to ensure that there is adequate resources for re-accreditation of Iwi commissioners and resources to develop Iwi management plans.

#### Energy, infrastructure and waste

1. Overall the provisions in the Proposed RPS relating to climate change and energy are very good. There are only a few issues where clarification would be useful including policy 6 and policy 38.
2. The Council supports the intent of Objective 9 and associated policies 6, 8-10, 38, 56 and 65 in relation to energy and emissions reduction, particularly noting the focus on transport emissions. However policy 6 could be strengthened by changing “recognising” to “enabling the development of” in the explanation to the policy it would be more accurate to say “energy generated from renewable sources” rather than “energy generated from renewable energy”
3. The Council supports the issues identified on page 29 of the proposed Regional Policy Statement in particular:
  - concerns about changes in energy supply sources and issues of responding to this change;
  - providing greater opportunities for the use of renewable energy particularly in relation to wind power and solar energy; and
  - concerns about dealing with wastes.
4. The Council supports objectives 10 and 11 and support the intent of the associated policies. Council requests that the Proposed Regional Policy Statement emphasises that a regional waste management strategy is desirable and needs to consider whether a regional landfill is appropriate.

#### Freshwater

1. The Council agrees with the issues raised in this chapter specifically:
  - that freshwater is a fundamental issue for the region both in terms of stormwater discharges from urban areas and agricultural runoff;
  - that in general the rivers and streams of the region are not functioning well; and
  - that there is increasing demand for water across the region. In relation to this issue the Council notes that this is a particular concern for the Kapiti District.

2. The Council supports Objective 12 regarding safe-guarding the quantity and quality of freshwater but requests that greater consideration be given to water supplies, and the impact of development on these supplies and associated policies.
3. The Council supports the intention of policies 12 (allocating water), 18 (using water efficiently) and 19 (prioritising water use) which are all to be implemented by regional plans.
4. The Council particularly supports the need to have sediment control as part of earthworks consents in policy 14.
5. The Council is particularly concerned that the possible influence of climate change has not been included in this section. Climate change will have significant impacts on the availability of freshwater resources that are reliant on rainfall. It will also affect the quantity of stormwater reaching rivers, streams and the Coast.
6. The Council requests that Policies 13 (minimizing contamination in stormwater) be stronger by specifying a desired level or by particular method such as those set out in policy 41. It may be useful to either include a specific target such as Auckland Regional Councils “75% removal of total suspended solids (TSS) on all sites”, noting that this is a very high standard that Auckland is having trouble meeting or identify problem areas and have continuous improvement in those areas. Current practice is to seek continuous improvement in trouble spots identified through water quality monitoring. Setting a high target could be very expensive for developers and the Council.
7. Council supports policy 16 but seeks that this policy be improved by including a regional rule and/or methods in regional plans to require hydraulic neutrality for all new subdivision and developments. Council believes that it is important to control the frequent stormwater events (greater than the Q1.5 to Q2 event) as this improves the structure and functionality of an ecosystem by maintaining local geomorphology (pools, riffles and runs), particle size and organic content of benthos, aquatic and riparian vegetation, and populations of organisms with a long life-cycle. Council also notes that collecting and diverting rainfall into on-site systems can reduce surface flows.
8. Council supports the intent of Policy 41 but has concerns that the specific wording of this policy may enable unwilling developers to continue to send stormwater through kerbs and pipes only. In particular there are concerns that the wording of (e) could result in an argument that Council cannot ensure that adverse effects on groundwater will not occur as a result of a development using soakpits (e.g. for runoff from carparks or industry) due to the lack of research and monitoring of potential effects on groundwater. Council is concerned at the potential for debate over which alternative roof materials should be recommended to result in less pollution (policy 41 (c)). There is insufficient research into contaminants from other roof materials at this time. In conclusion, while the intent of these provisions is to achieve low-impact

design in subdivisions the wording used may result in weakening the Council's policies on this issue.

9. The Council supports the policy initiative taken to promote the efficient use of water (Policies 18 and 44). This management of an improved water resource is an important issue for Council.
10. The Council is supportive of Policy 65 which is aimed at reducing demand and wastage of water through non-regulatory means, and of Policy 44 (water needs for new subdivision and land-use consents). The Council is implementing a long term strategy of demand management which would achieve these aims.
11. Developers of greenfield subdivision in the District have been required for some time to provide water demand management solutions (such as rainwater tanks or greywater irrigation). Council has notified Plan Change 75 which is extending this principle to all development in Residential zone. The Council has adopted the approach that garden irrigation needs should be met through non-potable on-site supplies and that water for toilet flushing can generally be provided from such sources. In the Council's view, relying on non-regulatory methods alone will not sufficiently reduce water usage. Council has initiated Plan Change 75 on the Kapiti Coast to improve water use efficiency as non-regulatory methods have had only limited success.
12. Council supports the intent of method 33 (developing a regional water strategy) but notes that the Kapiti Coast and Wairarapa differ from the rest of the region in that they have separate water supplies and therefore may have different objectives than the more urban parts of the region.

#### Historic Heritage

1. The Council supports these policies which are in accordance with our existing approach. In particular, it welcomes the further guidance around the criteria for listing buildings and natural heritage in the District Plan Heritage Register.

#### Indigenous Ecosystems

1. The indigenous ecosystems chapter is a well thought out directive chapter that clearly defines the issues. Council supports the explicit listing of ecosystem types that are significantly reduced in extent and therefore a priority for action. This certainly provides clear guidance to decision makers by eliminating uncertainty.
2. The Council supports Policies 22, 23, and 46 which provide a standard minimum framework with which to assess the indigenous biodiversity values of indigenous ecosystems, identification of significant ecosystems and protection of these. This is something that the Council has already done. The inclusion of these policies in the Proposed Regional Policy Statement will assist in retaining protection for these areas as part of the District Plan review.

3. The Council supports Policy 64 as this policy also reinforces the approach the Council has taken with respect of indigenous ecosystems to date in that it places an obligation on local authorities to encourage environmental restoration through non regulatory methods such as the provision of information and grants.
4. Overall this proposed Proposed Regional Policy Statement will result in a better environmental outcome for indigenous ecosystems in the region particularly through changes to District Plans. Potentially it will produce greater innovation and enthusiasm around conservation from which we could follow as best practice.

### Landscape

1. Council supports objective 17 and policies 24, 25 and 26 in relation to identifying and protecting outstanding natural features and landscapes. Council is pleased to see amenity areas and natural features included as well as more general landscapes. The criteria in the policies are very helpful both when changing District Plans and considering resource consents.
2. Council is concerned that there is limited recognition, identification and management for potentially significant or notable landscapes i.e. currently degraded landscapes that could be outstanding. This is similar to the issue relating to natural character. In addition it is unclear that large features such as the Tararua ranges will be considered as significant landscapes under the criteria suggested. The Council requests that this be given further consideration in the policy statement.

### Natural Hazards

1. The Council generally supports the intention of Objective 18 regarding avoiding or minimising natural hazard risk. However, the Council has concerns in relation to the practicalities of implementing policy 28 specifically in relation to fault rupture and flooding.
2. The Council supports the intent of policy 28 and 50 which is to ‘avoid subdivision and development in high hazard risk areas’ when developing plans and assessing resource consents and specifically includes fault rupture zones in the list of hazards.
3. The Council notes that the interpretation of “high hazard risk areas”, particularly in relation to climate change impacts, currently varies across the region. A regionally consistent approach would be very valuable, and we would advocate that this be developed between Councils as a non-regulatory measure as part of the Plan.
4. The Council requests changes to Policy 28 to make it more specific that impacts of climate change need to be included in these assessments, e.g. “Assessment of hazards shall include the potential for climate change and sea level rise to increase the frequency or magnitude of hazard events”. Council

also requests that the explanation to this policy be amended to reflect the uncertainties relating to earthquake fault traces and flooding by removing the word 'likely' from the explanation to the policy or that a definition 'likely' is included to clarify the situation for low probability high risk hazards which could be seen as unlikely at any given time if the dictionary definition of 'likely' is to be relied upon.

#### Resource management with tangata whenua

1. The Council believes that the role of tangata whenua is not given prominence in the Proposed Regional Policy Statement. The Council would like to see tangata whenua issues outlined at the start of the policy statement.
2. Generally the Council is supportive of the intent of the objectives and policies.
3. The Council notes that Method 31 shows iwi management plans as a significant document that will inform statements and policies. There is concern as to whether iwi will receive adequate support to develop these plans. There are currently very few iwi management plans across the GWRC region, if these are not readily available, what will be the mechanism that GWRC will use in the interim to ensure that iwi world view are reflective in statements and policies? What resources will be put towards supporting iwi to develop these plans given the increased significance placed on these documents? Council requests that significant resources be provided to enable iwi to develop these management plans.

#### Regional Form design and function

1. The Council supports Objective 21 and the inclusion of policies 29, 30, 31, 32, 53, 54, 55, 56, 57, 58 and 67. This integrated approach to land use and transportation is appreciated by Council.
2. The Council supports Policy 30 in principle, which is for the '*Identification and promotion of higher density and mixed use development*'. Council notes that the intention is for District and City Councils to identify specific areas for intensification around transport nodes and local centres. Council requests that the wording needs to be more specific to reflect the intent as expressed in the Wellington Regional Strategy. Council made a submission on the Draft Policy Statement suggesting a more specific policy which has only been partially addressed in the Proposed Policy Statement.
3. An important part of targeted intensification is ensuring that intensification away from key centres is discouraged. Policy 55 for rural areas links to relevant Council strategies and the use of similar criteria would assist in making policy 30 more robust.
4. Within all the district's centres we need to carefully manage the mix of uses and avoid intensification at the smallest commercial nodes. The Council has committed to only exploring intensification where there has been extensive community consultation and agreed level of community comfort with the



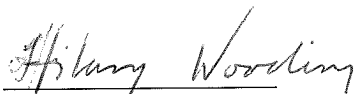
concept. This could be eroded by private plan changes relying on policy 30 as it is currently written.

5. The policy could be reworded to include a reference to Council Strategies or the key centres in the WRS if there is no relevant local council strategy

#### Soils and Minerals

1. The Council supports the objectives and policies, in particular policy 33 on avoiding development of contaminated land.
2. Council also supports Policy 55 on managing development in Rural areas (included in the regional form section) includes consideration of productivity as well amenity considerations. Council is pleased to see that the policy recognises that Councils may have development frameworks which also need to be taken into account. Council strongly supports this policy. The Council is currently under pressure to allow development of land which is suitable for on-going food production, and greater policy support in this area will be useful. With predicted changes to energy supply the availability of local food production will be more important in future.
3. Council is also pleased to see policy 59 which specifically addresses highly productive soils. The Council would prefer this policy to be broader to address a wider range of productive potential it is accepted that this is covered in policy 55. Council however supports the inclusion of policy 59.

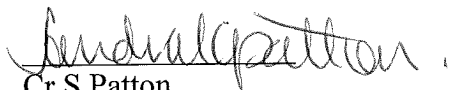
DATED at Paraparaumu this 8th day of June 2009.



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