

Proposed Natural Resources Plan:

Submitter:

**Kapiti Coast District Council**

Submitter Number:

**S117**



Wellington Regional Council

25 SEP 2015

24 September 2015

Regional Plan Review  
Greater Wellington Regional Council  
PO Box 11646  
WELLINGTON 6142

Dear Sir/Madam

**KĀPITI COAST DISTRICT COUNCIL SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN**

Thank you for the opportunity to submit on the proposed Natural Resources Plan for the Wellington Region (the proposed NRP).

Kāpiti Coast District Council recognises and welcomes that changes have been made to the proposed NRP following consultation on the draft version, and is pleased to see that the efforts both councils have put into harmonisation of provisions between out respective plans have been given effect to. This Council also strongly supports the intentions set out to embark on collaborative approaches with iwi and the community to develop a whole-of-catchment approach to water management.

Council was therefore very concerned to see that the role of critical partners – being territorial authorities - has been largely overlooked. The proposed Natural Resources Plan provided a significant opportunity to cement in working relationships that are necessary between the region and the districts to fully implement our shared responsibility for managing our environment. Further, the absence of any commentary about the complementary regulatory roles, and cross-referencing for users is potentially misleading and risks that a lay user may completely overlook the fact that an activity may well trigger district provisions as well.

This issue is of most significance on the coast, where the absence of any defined CMA boundary beyond river mouths means that the boundary must be established on the ground on a case-by-case basis. This is completely inefficient for councils and ratepayers, and further creates the risk of inconsistent decisions with the consequence of confusion for our residents and ratepayers. Best practice in other jurisdictions has been for some time to define these boundaries clearly on planning maps.

Council is pleased to see that Regional Council has committed formally to the development of a natural hazards strategy. However, it has not committed to a timeframe, or to introducing any regulatory changes at the end of that process. Given that this is a specific responsibility of the regional council under the RMA 1991, this Council would like to see a firm commitment to addressing this gaps.

Council sought a commitment through the Long Term Plan to timetabling the Kāpiti Coast Whaitua process. The clarity sought has not been achieved, and the consequence for this Council is that it has created uncertainty and potential cost for its community as the new stormwater staged consent processes take effect. This Council is already in the process of seeking to re-consent its stormwater discharges; and the consequence of the new rules is that the new consent will be granted for no more than 5 years. At the end of that period this

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Council will be required to seek a limited discretionary consent for its discharges through the second-stage process. This is an unreasonably onerous requirement that carries the risk of decline for a network facility, is inconsistent with the policies that recognise the benefits of regionally significant infrastructure, and inconsistent with the stated desire to enter into collaborative processes to determine both community outcomes and methods for achieving improved water quality outcomes (the Whaitua process).

These matters are described in the formal submission that follows, and is also submitted in electronic form. Please contact Sherilyn Hinton, Principal Policy Planner (email [sherilyn.hinton@kapiticoast.govt.nz](mailto:sherilyn.hinton@kapiticoast.govt.nz) or phone 04 296 4771) in the first instance if you have any queries in relation to the submission points raised.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Pat Dougherty', written in a cursive style.

Pat Dougherty  
CHIEF EXECUTIVE

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## Kāpiti Coast District Council Submission on the Proposed Wellington Regional Natural Resources Plan (NRP)

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### 1. SUBMITTER DETAILS

#### Submission on the Proposed Natural Resources Plan for the Wellington Region

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##### INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz

Your details:

Full name: Pat Dougherty, Chief Executive

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Trade competition

No

[stephen.mcarthur@kapiti.coast.govt.nz](mailto:stephen.mcarthur@kapiti.coast.govt.nz)

I/we could not gain an advantage in trade competition through this submission

I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Attendance and wish to be heard at hearing(s)


Yes

I/we do wish to be heard in support of my/your submission  
[Note: this means that you wish to speak in support of your submission at the hearing(s).]

I/we do not wish to be heard in support of my/our submission  
[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Regional Council to the Environment Court.]  
If other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date:

Signature:

24/9/15  


## 2. INTRODUCTION

| Introduction  | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details):   |
|---|-------------------------------------|---|---|
| 1.5.1 Statutory framework   | Amend                               | The role of territorial authorities as regulators under the RMA is only alluded to in Figure 1.3, and no explanatory text is provided. This does not help a reader understand the roles of the different agencies, and does not provide clarity regarding jurisdictional boundaries   | Insert a new paragraph under paragraph 2 page 9 "District Plans are regulatory, and restrict use of land that would otherwise be unregulated. District Plans, like Regional Plans, must give effect to national and regional policy statements. Activities can span jurisdictional boundaries, and trigger requirements under both regional and district plans"   |
| 1.5.2 Community views, scientific and technical information<br>- identifying issues | Amend                               | The role of territorial authorities as promoters of community outcomes, as service providers, and as implementers is not raised. If the plan is to be genuinely collaborative, it needs to recognise the role that territorial authorities now play and could play as supporters working with the regional council to achieve joint outcomes. | Insert a new paragraph 1.5.3 "Role of territorial authorities" as follows: "Many issues in the region are shared with the territorial authorities. The territorial authorities can have roles as joint promoters, for example through supporting initiatives through funds and other incentives, as service providers managing activities such as stormwater and wastewater that have positive environmental outcomes, as regulators in common for activities that span boundaries (such as vegetation in wetlands) or affect both regional and district functions (such as earthworks), and as joint implementers of matters such as issuing consents, monitoring, and enforcement. To achieve the best outcomes for communities therefore the different agencies need to work together. |

| Introduction  | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):   |
|---|-------------------------------------|--|---|
| <p>1.5.2 Community views, scientific and technical information - identifying issues</p> | <p>Amend</p>                        | <p>The regional council clearly recognises the significance of the partnership relationship as expressed through its statement on Mahitahi. Such relationships are also expressed in the District dimension. For tāngata whenua, their role as kaitiaki provides motivation for working in partnership with the Kāpiti Coast District Council (council). Clearly, council and tāngata whenua have a role in the management of the environment. The key to this partnership is our commitment to weaving tāngata whenua values and aspirations across and within council planning and management of the districts natural resources. In 1994, mandated organisations from Te Āti Awa, Ngāti Raukawa, Ngāti Toarangatira and council signed a Memorandum of Partnership and established the tāngata whenua partnership committee Te Whakaminenga o Kāpiti. This partnership commits to working collaboratively on opportunities that are of mutual benefit. In regards to councils own district plan review, tāngata whenua were heavily involved through a parallel review process.. Through this process, iwi developed the document; "Te Haerenga Whakamua; A Review of the District Plan Provisions for Māori. A Vision for the Future". This document provides clear articulation of tāngata whenua values with regards to the environment. The document contains tikanga policy which supports locally specific values and district wide aspirations of the three iwi. These tikanga policy are applicable in both a regulatory and non-regulatory</p> | <p>Insert a new paragraph 1.5.4 "Recognising relationships with tāngata whenua in the territorial authority dimension" as follows: Relationships between territorial authorities and tāngata whenua in the context of territorial authority responsibilities are foundational for delivering a partnership perspective in managing the environment at the territorial level. While the same iwi are involved, the dimensions are different. These relationships will be recognised as a strong link point in the development of collaborative programmes between community and regional and territorial authorities."</p> |



|              |                                     |   |   |
|--------------|-------------------------------------|---|---|
| Introduction | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details): |
|              |                                     | <p>approach.</p> <p>A statement in the document Te Haerenga Whakamua reminds us that; "Any planning and environmental outcomes being sought by non-Māori organisations – in this instance KDCDC – must address and account for how Māori interpret the natural world. Without an appreciation and practical application of the Māori world-view, it is likely that meaningful engagement with ART regarding the Kāpiti district will be meaningless, misguided and will not positively progress working relationships".</p> |   |

### 3. OBJECTIVES

| Objectives   | My submission on this provision is: | Reasons for my submission:                                     | I seek the following from WRC (give precise details): |
|--|-------------------------------------|--|---|
| Objective O1: Ki uta ki tai                                      | Support                             | Supports the Whaitua collaborative approach                    | Retain the objective                                  |
| Objective O2: Importance of land and water                       | Support                             | Recognises the role of the environment in community well-being | Retain the objective                                  |
| Objective O9: Recreational values                                | Support                             | Supports a consistent approach to wetland management           | Retain the objective                                  |
| Objective O10: Public access                                     | Support                             | Supports approach to public recreation                         | Retain the objective                                  |
| Objective O11: Māori customary use                               | Support                             | Provides for maori aspirations in wetlands                     | Retain the objective                                  |
| Objective O12: Benefits of regionally significant infrastructure | Support                             | Recognises importance of territorial authority infrastructure  | Retain the objective                                  |
| Objective O13: Protecting regionally significant infrastructure  | Support                             | Recognises importance of territorial authority infrastructure  | Retain the objective                                  |

| Objectives                                       | My submission on this provision is: | Reasons for my submission:                  | I seek the following from WRC (give precise details): |
|--|-------------------------------------|---|---|
| Objective O14: Māori relationships               | Support                             | Recognises role of maori                    | Retain the objective                                  |
| Objective O15: Kaitiakitanga                     | Support                             | Recognises role of maori                    | Retain the objective                                  |
| Objective O16: Ngā Taonga Nui a Kiwa             | Support                             | Recognises role of maori                    | Retain the objective                                  |
| Objective O17: Natural character                 | Support                             | Supports the approach to wetland management | Retain the objective                                  |
| Objective O18: Low energy receiving environments | Support                             | Protects estuarine environments             | Retain the objective                                  |
| Objective O19: Natural processes                 | Support                             | Protects natural functioning                | Retain the objective                                  |
| Objective O20: Risk from natural hazards         | Support                             | Establishes approach to natural hazards     | Retain the objective                                  |
| Objective O21: High hazard areas                 | Support                             | Establishes approach to natural hazards     | Retain the objective                                  |
| Objective O22: Hard engineering                  | Support                             | Establishes approach to natural hazards     | Retain the objective                                  |
| Objective O31: Outstanding water bodies          | Support                             | Establishes approach to protecting wetlands | Retain the objective                                  |

| Objectives  | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details): |
|---|-------------------------------------|--|---|
| Objective O35: Significant indigenous biodiversity values | Support                             | Establishes approach to protecting and biodiversity                    | Retain the objective                                  |
| Objective O53: Functional need in the coastal marine area | Support                             | Establishes approach to managing structures in the coastal marine area | Retain the objective                                  |

#### 4. POLICIES

| Policies  | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):   |
|---|-------------------------------------|--|---|
| Policy P74: First-stage local authority network consents          | Amend                               | Limiting consent duration to 5 years places an unreasonable burden on local authorities and will divert resources into compliance rather than building towards consensus through the Whatua approach | Remove sub clause (d) "limiting resource consents granted under Rule 50 to a maximum of five years" |
| Policy P7: Uses of land and water                                 | Support                             | Recognises the importance of regionally significant infrastructure   | Retain the provision  |
| Policy P8: Beneficial activities                                  | Support                             | Recognises and provides for beneficial operational activities of district councils   | Retain the provision  |
| Policy P12: Benefits of regionally significant infrastructure and | Support                             | Recognises and provides for beneficial operational activities of district councils   | Retain the provision  |

| Policies  | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details): |
|---|-------------------------------------|--|---|
| renewable electricity generation facilities   |                                     |  |   |
| Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities                            | Support                             | Recognises and provides for beneficial operational activities of district councils | Retain the provision                                  |
| Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities | Support                             | Recognises and provides for beneficial operational activities of district councils | Retain the provision                                  |
| Policy P17: Mauri   | Support                             | Recognises importance of relationships   | Retain the provision                                  |
| Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa  | Support                             | Recognises importance of relationships   | Retain the provision                                  |
| Policy P19: Māori values  | Support                             | Recognises importance of relationships   | Retain the provision                                  |
| Policy P20: Exercise of kaitiakitanga   | Support                             | Recognises importance of relationships   | Retain the provision                                  |

| Policies                                       | My submission on this provision is: | Reasons for my submission:                                  | I seek the following from WRC (give precise details): |
|--|-------------------------------------|---|---|
| Policy P22: Ecosystem values of estuaries      | Support                             | Recognises ecosystem values                                 | Retain the provision                                  |
| Policy P24: Outstanding natural character      | Support                             | Recognises natural values                                   | Retain the provision                                  |
| Policy P25: Natural character                  | Support                             | Recognises impact of use and development on natural values  | Retain the provision                                  |
| Policy P26: Natural processes                  | Support                             | Recognises importance of natural processes                  | Retain the provision                                  |
| Policy P27: High hazard areas                  | Support                             | Recognises risks of use and development in hazard areas     | Retain the provision                                  |
| Policy P28: Hazard mitigation measures         | Support                             | Provides for a risk based approach to hazards               | Retain the provision                                  |
| Policy P29: Climate change                     | Support                             | Recognises need to have regard to effects of climate change | Retain the provision                                  |
| Policy P30: Natural buffers                    | Support                             | Recognises value of natural buffers                         | Retain the provision                                  |
| Policy P36: Effects on indigenous bird habitat | Support                             | Provides for protection of bird habitat                     | Retain the provision                                  |
| Policy P37: Values of wetlands                 | Support                             | Recognises values of wetlands                               | Retain the provision                                  |

| Policies  | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details): |
|---|-------------------------------------|--|---|
| Policy P38: Restoration of wetlands   | Support                             | Supports restoration of wetlands                                   | Retain the provision                                  |
| Policy P39: Adverse effects on outstanding water bodies   | Support                             | Recognises outstanding water bodies                                | Retain the provision                                  |
| Policy P40: Ecosystems and habitats with significant indigenous biodiversity values                             | Support                             | Recognises significant values to be protected                      | Retain the provision                                  |
| Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values | Support                             | Recognises a hierarchy of avoidance of effects and use of off-sets | Retain the provision                                  |
| Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values    | Support                             | Provides for protection of biodiversity                            | Retain the provision                                  |
| Policy P132: Functional need and  | Support                             | Provides for appropriate controls in CMA                           | Retain the provision                                  |

| Policies  | My submission on this provision is: | Reasons for my submission:                            | I seek the following from WRC (give precise details): |
|---|-------------------------------------|---|---|
| efficient use   |                                     |   |   |
| Policy P134: Public open space values and visual amenity    | Support                             | Provides for cross boundary issues management         | Retain the provision                                  |
| Policy P138: Structures in sites with significant values    | Support                             | Provides for essential infrastructure in CMA sites    | Retain the provision                                  |
| Policy P139: Seawalls                                       | Support                             | Provides for only essential infrastructure in the CMA | Retain the provision                                  |
| Policy P143: Deposition in a site of significance           | Support                             | Provides for essential services                       | Retain the provision                                  |
| Policy P145: Reclamation, drainage and destruction          | Support                             | Provides for essential services                       | Retain the provision                                  |
| Policy P147: Motor vehicles on the foreshore                | Support                             | Provides for essential services                       | Retain the provision                                  |
| Policy P148: Motor vehicles in sites with significant value | Support                             | Provides for essential services                       | Retain the provision                                  |



## 5. DISCHARGES TO WATER

| Rules - Discharges to water                     | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details):   |
|---|-------------------------------------|---|---|
| Rule R42: Minor discharges – permitted activity | Amend                               | Discharges from dewatering activities may exceed clause (b) suspended solids concentration. Requiring discretionary consents for these activities places an unreasonable burden on local authorities. | <p>Option 1: Create new rule "Minor discharges from dewatering activities for regionally significant infrastructure" as follows: The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretion, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) where the discharge may enter groundwater, the discharge is not located within 50m of a bore used for water abstraction for potable supply or stock water, and</li> <li>(b) if the discharge is from dewatering, the discharge is not from contaminated land, and</li> <li>(c) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</li> <li>(d) the discharge shall not give rise to the following effects after the zone of reasonable mixing: <ul style="list-style-type: none"> <li>(i) a change in the pH of <math>\pm 0.5</math>pH unit, or</li> <li>(ii) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</li> <li>(iii) any conspicuous change in the colour or visual clarity, or</li> <li>(iv) any emission of objectionable odour, or</li> </ul> </li> </ul> |

| Rules - Discharges to water  | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details):   |
|--|-------------------------------------|---|---|
| Rule R42: Minor discharges – permitted activity  | Amend                               | Discharges from dewatering activities may exceed clause (b) suspended solids concentration. Requiring discretionary consents for these activities places an unreasonable burden on local authorities.   | (v) the fresh water is unsuitable for consumption by farm animals, or<br>(vi) any significant adverse effects on aquatic life:<br>or  |
| Rule R50: Stormwater from a local authority network at plan notification – controlled activity       | Amend                               | Limiting consent duration to 5 years places an unreasonable burden on local authorities and will divert resources into compliance rather than building towards consensus through the Whatua approach  | Option 2: Create new rule "Minor discharges from dewatering activities for regionally significant infrastructure - controlled activity" as follows: the discharge of water from dewatering activities for regionally significant infrastructure that does not meet permitted activity standards is a controlled activity<br><br>Remove "Matters of Control" point 3 "Duration of consent up to a maximum of five years" |
| Rule R51: Stormwater from a local authority network two years after public notification – restricted | Amend                               | Creating risk that a stormwater application might be declined is an unreasonable imposition. Stormwater systems provide essential services that can not be turned off; and while the concept of improving water quality over time is supported, it must be reasonable and achievable. | Rule 51 is categorised as "controlled"  |

| Rules - Discharges to water | My submission on this provision is: | Reasons for my submission: | I seek the following from WRC (give precise details): |
|-----------------------------|-------------------------------------|----------------------------|---|
| discretionary activity      |                                     |                            |   |

## 6. LAND USE

| Rules - Land use  | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details):                                     |
|---|-------------------------------------|---|---|
| Rule R99:<br>Earthworks – permitted activity                                  | Amend                               | Users may not be aware of provisions in District<br>Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R100:<br>Vegetation clearance on erosion prone land – permitted activity | Amend                               | Users may not be aware of provisions in District<br>Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R101:<br>Earthworks and vegetation clearance – discretionary activity    | Amend                               | Users may not be aware of provisions in District<br>Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |

| Rules - Land use  | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):                                     |
|---|-------------------------------------|--|---|
| Rule R102:<br>Plantation forestry harvesting on erosion prone land – permitted activity | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R103:<br>Plantation forestry harvesting – controlled activity                      | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |

## 7. WETLANDS

| Rules - Wetlands and beds of lakes and rivers  | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):                                     |
|--|-------------------------------------|--|---|
| Rule R104: Structures in natural wetlands and significant natural wetlands – permitted activity  | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R106: Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – controlled activity                    | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R107: Activities in natural wetlands and significant natural wetlands –   | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |

| Rules - Wetlands and beds of lakes and rivers   | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):                                     |
|---|-------------------------------------|--|---|
| discretionary activity  |                                     |  |   |
| Rule R108: Activities in natural wetlands and significant natural wetlands – non-complying activity | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R109: Activities in outstanding natural wetlands – discretionary activity                      | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |
| Rule R110: Activities in outstanding natural wetlands – non-complying activity                      | Amend                               | Users may not be aware of provisions in District Plans that might also apply | Retain provision, and insert footnote *see also provisions in the relevant district plan" |

## 8. WATER ALLOCATION

| Rules - Water allocation                      | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):  |
|---|-------------------------------------|--|--|
| Rule R140:<br>Dewatering – permitted activity | Amend                               | The time limitation of one month is unreasonable for the construction and maintenance of regionally significant infrastructure on the Kapiti Coast. Most construction and maintenance activities require significantly more dewatering time than this, which under the proposed provisions will default to discretionary. This will add significant time and cost to each activity, which will be to the disbenefit of the community it serves | Option 1: Delete part of sub clause (a) as follows "but does not exceed one month"; as<br>or   |
| Rule R140:<br>Dewatering – permitted activity | Amend                               | The time limitation of one month is unreasonable for the construction and maintenance of regionally significant infrastructure on the Kapiti Coast. Most construction and maintenance activities require significantly more dewatering time than this, which under the proposed provisions will default to discretionary. This will add significant time and cost to each activity, which will be to the disbenefit of the community it serves | Option 2: Create new rule "Dewatering for regionally significant infrastructure" as follows:<br>The take of water and the associated diversion and discharge of that water for the purpose of dewatering a site, including but not limited to, maintenance, excavation, construction or geotechnical testing for regionally significant infrastructure, is a permitted activity, provided the following conditions are met:(a) the take continues only for the time required to carry out the work , and<br>(b) the take and diversion and discharge is not from, onto or into contaminated land or potentially contaminated land, and<br>(c) the take does not cause ground subsidence, and<br>(d) the take does not deplete water in a water body, and (e) there is no flooding beyond the |

| Rules - Water allocation                      | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):  |
|---|-------------------------------------|--|--|
|   |                                     |  | boundary of the property. (Option2)  |
| Rule R140:<br>Dewatering – permitted activity | Amend                               | The time limitation of one month is unreasonable for the construction and maintenance of regionally significant infrastructure on the Kapiti Coast. Most construction and maintenance activities require significantly more dewatering time than this, which under the proposed provisions will default to discretionary. This will add significant time and cost to each activity, which will be to the disbenefit of the community it serves | Create new rule "Dewatering activities for regionally significant infrastructure - controlled activity" The take and use of water for dewatering activities for regionally significant infrastructure that does not meet permitted activity standards is a controlled activity |



## 9. COASTAL MANAGEMENT

| Rules - Coastal management   | My submission on this provision is: | Reasons for my submission:                          | I seek the following from WRC (give precise details): |
|--|-------------------------------------|---|---|
| Rule R189: Clearance of stormwater pipes – permitted activity              | Support                             | Provides for maintenance activities                 | Retain the provision                                  |
| Rule R191: Disturbance associated with beach grooming – permitted activity | Support                             | Provides for maintenance of amenity                 | Retain the provision                                  |
| Rule R193: River and stream mouth cutting – permitted activity             | Support                             | Provides for maintenance of river and stream mouths | Retain the provision                                  |
| Rule R197: Motor vehicles for certain purposes – permitted activity        | Support                             | Provides for maintenance and safety activities      | Retain the provision                                  |

## 10. OTHER METHODS

| Other methods   | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details):   |
|---|-------------------------------------|--|---|
| Method M3:<br>Wellington regional hazards management strategy | Amend                               | The plan does identify that a natural hazards strategy will be developed, but does not commit to either a timeframe, or to developing any legal framework within the regional plan to give effect to it. The RMA requires Councils to make changes to plans to ensure they give effect to a National Policy Statement as soon as practicable. An indefinite timeframe and no commitment to change or vary the plan does not meet this test | Amend Method 3 to read "Wellington Regional Council will work with city and district councils and the community to: (a) identify areas of significant natural hazards, and (b) develop and implement a hazard management strategy, and (c) produce maps of areas of significant natural hazards and other instruments by the end of 2017 for inclusion in the Plan by change or variation |
| Method M4: Sea level rise                                     | Support                             | This information is important for managing future effects of natural hazards   | Retain the method   |
| Method M15:<br>Regional stormwater working group              | Support                             | Supports the Whaitua concept   | Retain the method   |
| Method M20:<br>Wetlands                                       | Support                             | Supports working with communities to better manage wetlands  | Retain the method   |

## 11. SCHEDULES

| Schedules  | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details): |
|--|-------------------------------------|---|---|
| Schedule F:<br>Ecosystems and habitats with significant indigenous biodiversity values | Support                             | Scheduling sites, particularly wetland sites in Schedule F3, provides an adequate trigger for awareness by landowners of the sites of importance to the region. Wetlands are often a subset of mapped areas of biodiversity significance, and overlapping maps can create confusion regarding what applies where. | Retain the scheduling approach                        |

## 12. MAPS

| Maps  | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details):   |
|---|-------------------------------------|---|---|
| <p>Maps 42-48: Coastal marine area and river mouth boundaries</p> | <p>Amend</p>                        | <p>The plan as drafted does not give effect to the NZ Coastal Policy Statement, or to the Wellington Regional Council's own Regional Policy Statement.</p> <p>S62 of the RMA requires the regional policy statement to allocate responsibilities for specifying the objectives, policies, and methods for the control of the use of land to avoid or mitigate natural hazards or any group of hazards.</p> <p>The NZCPS requires that local authorities</p> <ul style="list-style-type: none"> <li>• identify areas at risk from coastal hazards,</li> <li>• avoid increasing the risk of harm resulting from coastal hazards,</li> <li>• avoid redevelopment or change in land use that would increase the risk of adverse effects of coastal hazards,</li> <li>• undertake an assessment of options for reducing coastal hazards, and</li> <li>• importantly, it requires that a coordinated management or control of activities within the coastal environment particularly where activities could cross the local authority boundary between the coastal marine area and land.</li> </ul> <p>The Regional Policy Statement notes that the methods for implementing these requirements will be via regional and district plan implementation. It allocates (via Policy</p> | <p>Council establishes, and includes a mapped boundary to the CMA for all of the landward boundary, and prepares maps that show the location of coastal protection structures in relation to the CMA boundary within the Regional Plan.</p> |

| Maps | My submission on this provision is: | Reasons for my submission:   | I seek the following from WRC (give precise details): |
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|      |                                     | <p>62) responsibility to the region for developing objectives, policies, rules and other methods within the CMA, and to both region and the districts for developing objectives and policies on land outside the CMA, to districts for rules on land outside the CMA, and both for non-regulatory methods.</p> <p>Policy 29 further states that regional and district plans shall identify areas at high risk from natural hazards, and include policies and rules to avoid inappropriate subdivision and development in these areas. Policies 51 and 52 further develop considerations to be taken in terms of minimising the risks and consequences of natural hazards, and minimising adverse effects of hazard mitigation measures.</p> <p>The proposed Plan further develops the themes in terms of definitions and policies, but does not 1) identify areas of coastal hazards (other than the entire CMA) or 2) provide any guidance beyond the RMA about the location of the landward CMA boundary other than at river mouths.</p> <p>The plan does identify that a natural hazards strategy will be developed, but does not commit to either a timeframe (other than, one assumes, within the life of the plan), or to developing any legal framework within the regional plan to give effect to it. The RMA requires Councils to</p> |   |

| Maps | My submission on this provision is: | Reasons for my submission:  | I seek the following from WRC (give precise details): |
|------|-------------------------------------|---|---|
|      |                                     | <p>make changes to plans to ensure they give effect to a National Policy Statement “as soon as practicable”. An indefinite timeframe and no commitment to change or vary the plan does not meet this test.</p> <p>This definition of the CMA boundary is critical for implementation as many activities can span the boundary, and where property either extends into the CMA, or is bounded by the CMA at MHWS. The consequence of this is that users and administrators are forced to identify the boundary case-by-case, which creates risks of uncertainty and inconsistency. The problem is further exacerbated by the conundrum that can be created where hard protection structures effectively alter the positioning of MHWS, impacting on neighbouring land and on natural processes. Both of these effects are contrary to the Proposed Plan, the Regional Policy Statement and the NZCPS, and must be addressed.</p> <p>Coastal protection structures are in the process of being identified, but have not yet been mapped</p> |   |