

Proposed Natural Resources Plan:

Submitter:

**Best Farm Limited, Hunters Hill
Limited and Stebbings Farmlands
Limited**

Submitter Number:

S149

To: Freepost 3156
 Wellington Regional Council
 PO Box 11646
 Wellington 6142

Or email: regionalplan@gv7.govt.nz

Your details

Full name: _____
 Organisation name: _____
 (If applicable) Best Farm Ltd, Hunters Hill Ltd and Stebbings Farmlands Ltd
 Address for Service: 107B Westchester Drive, Churton Park, Wellington 6037

Telephone no's: Work: _____ Home: _____ Cell: 021 544 384

Contact person: Rod Halliday

Address and telephone no (if different from above): _____

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: rod.halliday@hmlimited.co.nz

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your 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.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Chapter 4 - Policy 73 & 79 (Minimising Adverse effects of Stormwater Discharges)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	We oppose the requirement to retain pre-development hydrographs and overland flow paths in new subdivision and development. This is unrealistic and should not be required where land has been zoned for residential use by local authorities and/or is identified as a special housing area. Such a requirement adds significantly to the cost of supply of land for housing that the government is actively trying to reduce. The Policies and the use of Water Sensitive Urban Designs (WSUD) options do not recognise the steep topography in Wellington and the challenges this presents for the development of land. Furthermore, there is no consideration of TA's willingness to take ownership of such structures.

	I seek the following decision from WRC (give precise details): →	Delete this statement (last 2 lines) in the policy. Alternatively, the policy should recognise that this is not achievable on many sites in Wellington.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 4 - Policy 89 (Discharges from Contaminated Land)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The discharge of stormwater from former landfills is typically managed through a landfill closure plan that takes into account leachate and other effects arising from stormwater runoff. The policy should refer to this.
	I seek the following decision from WRC (give precise details): →	Include a reference to landfill closure plans

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 4 - Policy 102 (Reclamation or Drainage of the beds of Lakes or Rivers)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The recognition of Special Housing Areas (SHA's) under clause (b) policy is supported as is clause (c). However clause (c) should be amended to include strategies and frameworks under the RMA 1991. An additional clause should also be added to refer to the Urban Development Area of the City
	I seek the following decision from WRC (give precise details): →	Amend clause (c) as follows '....approved by a local authority under the RMA 1991 or the Local Government Act 2002'. Add another clause to include 'land within the UDA of the City and land covered by a structure plan in a District Plan where the areas of highest ecological significance have been identified; and where these significant areas are not affected by reclamation.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy 74 & 75 (Local Authority Network Consents)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	These new policies represents a major policy shift in terms of how stormwater, in particular point source discharges, are approved and managed by TA's. It places a large burden on them to develop and implement stormwater management plans for their existing and new networks. On reading the policies it appears this will need to focus on land based treatment solutions to improve water quality before it discharges into open watercourses. We are interested in how these solutions will be developed as well as how the 'global consents' will be processed, approved and monitored. Our concern is that too stringent requirements will ultimately be passed onto private individuals and developers resulting in resource consent conditions that may or may not be achievable or viable. The risk is therefore that all housing and residential development in the City comes to a halt including those in Special Housing Areas where growth is being supported by TA's and central government. In addition, existing developments that have received resource consent and or have been planned and designed to connect to an existing public network may be jeopardised by this policy, particularly if requirements imposed by GWRC on TA global consents are simply passed onto private developers and/or individuals.
	I seek the following decision from WRC (give precise details): →	The policy needs to recognise the above flow on effects and recognise that there are numerous existing networks have already been designed and built to take future development. The policy also needs to recognise topographical constraints that exist in development areas in Wellington and the willingness of TA's to accept WSUD solutions in their road or recreation reserves.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 -Rule 112	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The wording of Rule 112(g) is not clear. Clarification on the meaning of 'cable, pipe and duct' is required for the purpose of correct rule interpretation. There is no definition of it. Consultants are regularly asked to seek consent for upgrading structures such as pipes and culverts however clause (g) then excludes them. I.e. It excludes the very structures the rule is supposed to apply to.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 -Rule 115	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Culverts are often built under roads that are typically 20m in legal width. The current rule does not allow for wingwalls etc that are often part of culverts
	I seek the following decision from WRC (give precise details): →	Amend (h) to increase maximum culvert length to 30m

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 Rule 122	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Rule 122 is unclear. The rule relates to removing vegetation from the 'bed' of any river or lake. However the 'bed' is not defined in the definitions. The definitions do refer to Active Bed however the rule does not use this term.
	I seek the following decision from WRC (give precise details): →	Clarify rule

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 Rule 127	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Policy 102 recognises the need for some reclamation (particularly for SHA's etc) However, Rule 127 then classifies reclamation as a non-complying activity. This is unnecessarily restrictive.
	I seek the following decision from WRC (give precise details): →	Rule 127 should be reclassified as a discretionary activity as it is under the operative freshwater plan.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Entire Plan</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>The PNRP is focussed on the regions natural resources but fails to adequately recognise the regions urban environment in this context. The document has been written under the RMA 1991 and prioritises the management of the Regions natural resources but in our view fails to adequately balance the social and economic outcomes embodied within the meaning of sustainable management defined in Part 2. It does not adequately recognise that the Region provides a place for us to live and grow and for that growth to continue there has to be recognition that natural and physical resources will be used. The PNRP will sit above all TA planning documents in the plan hierachy and there is a requirement for all District Plans to not be inconsistent with higher order documents. If the PNRP is approved without adequate recognition of the urban environment there will be disjoint between the GWRC and TA's who are, through their planning documents, providing for Wellingtons growth.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Incorporaiton of a new policy and rule structure to recognise and provide for activities in Wellingtons Urban environments.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule G & definiton of Biodivesity offset.</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>The RMA does not require the complete offset of environmental effects moreover the RMA requires effects of activities to be avoided, remedied or mitigated to the extent that they are no more than minor. Therefore there is no legislative mandate for a 'no net ecological loss' policy advocated in the PNRP. In addition, the assessment on effects contained in resource consent applications is an overall assessment considering all effects arising from an activity e.g. noise, traffic, amenity. Section 104(1)(a) then requires an overall assessment of effects arising from a proposal with an 'on balance' approach being taken when concluding on a proposals effects.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>The Schedule and associated policies should be amended to state that biodiversity offsetting is encourgaged where possible but achieving 'no net loss' is not mandatory. Alternatively remove all reference to 'no net loss'</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 42 & 48 (Minor Discharges and Stormwater from an Individual Property)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This rule refers to stormwater emanating from properties being a permitted activity but does not include discharge from contaminated land. The definitions describe contaminated land as having contamination confirmed in the SLUR for the Wellington Region. This system tags entire properties (titles) when often only a small area of the site is potentially contaminated. This rule is therefore unfair and not appropriate where the area is contamination is known. The rules are also unclear as to how they relate to subdivisions, where new infrastructure is built.
	I seek the following decision from WRC (give precise details): →	Amend (b) to clarify that this relates only to area(s) of the site that are affected by contamination (confirmed). Amend rule to clarify how it applies to subdivisions.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 50 & 51 (Stormwater from a local Authority Network)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This new rule places considerable burden on TA's and Wellington Water to improve water quality but it is not clear whether these rules apply to new stormwater infrastructure built and vested with WCC as part of greenfield subdivisions. Will the developer or TA be required to obtain a consent or will new infrastructure be covered by the global consent issued to WW.
	I seek the following decision from WRC (give precise details): →	Amend or re-write rules to be clear how they relate to new infrastructure to be vested with TA's

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 55 (Discharge from Contaminated Land)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This rule relates to the discharge of contaminants from contaminated sites. However there is no definition of a 'contaminant' and therefore it is unclear what the rule is trying to control..
	I seek the following decision from WRC (give precise details): →	Clarify the rule.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 97 (Access to the Bed of Surface Water Bodies by Livestock)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Clause (a) is ambiguous. The use of the word 'significant pugging' is subjective and dependant on individual interpretation. The rule is therefore unclear. Realistically, most stock average 250-300kg and will easily pug a wet stream bank. Consideration therefore needs to be given to rule clarity and practical implementation/enforcement
	I seek the following decision from WRC (give precise details): →	Clarify what constitutes 'significant'. Clause (a) and (d)(ii) Alternatively re-write rule.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

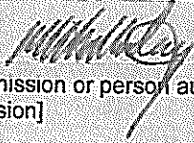
The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 100 (Vegetation Clearance on Erosion Prone Land)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This rule is overly onerous and the 2ha maximum area should be increased. In addition, the definition of erosion prone land is only 20 degrees that will capture a vast amount of land.
	I seek the following decision from WRC (give precise details): →	Increase the area of allowable clearance to 5ha and amend the definition of erosion prone land to land greater than 45 degrees or similar

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- We do wish to be heard in support of my/our 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 Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date:

30/9/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

