

Submitter ID:

File No:

Further Submission

on Proposed Natural Resources Plan for the Wellington Region



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Clause 8 of Schedule 1, Resource Management Act 1991.

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

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

For information on making a further submission see the Ministry for the Environment website:

www.mfe.govt.nz/publications/rma/everyday-guide-rma-making-submission-about-proposed-plan-or-plan-change

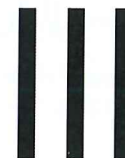
Return your signed further submission to the Wellington Regional Council by post or email by 5pm Tuesday 29 March 2016 to:

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

Regionalplan@gw.govt.nz

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FreePost Authority Number 3156



FORM 6: FURTHER SUBMISSION FORM

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

A. DETAILS OF FURTHER SUBMITTER

FULL NAME

Wendy Walker

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

Porirua City Council

ADDRESS FOR SERVICE (INCLUDING POSTCODE)

PO Box 50-218
16 Cobham Court
Porirua 5240

PHONE

04 237 5089

FAX

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wwalker@pcc.govt.nz

Only certain people may make further submissions

Please tick the option that applies to you:

- I am a person representing a relevant aspect of the public interest; or
 I am a person who has an interest in the PNRP that is greater than the interest the general public has.

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

Porirua City Council is a local authority within the Greater Wellington Region. Porirua City Council has responsibility to manage the local network infrastructure (e.g. roads, sewage disposal, water, stormwater) and community infrastructure (libraries, parks and recreational facilities). The Council also has responsibility for environmental management and planning the future needs of the local district. The PNRP sets objectives, policies and methods for the use of the region's resources which Porirua City Council must follow in carrying out their functions.

Service of your further submission

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

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

Signature:

Wendy Walker

Date:

23.3.16

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

Please note

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

B. APPEARANCE AT HEARING

Please select from the following:

- I do not wish to be heard in support of my further submission; or
 I do wish to be heard in support of my further submission; and, if so,
 I would be prepared to consider presenting this further submission in a joint case with others making a similar further submission at any hearing.

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

C. FURTHER SUBMISSION POINTS

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

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Name of person/group making original submission and postal address. e.g. Joanne Bloggs 12 Pine Tree Avenue Redwood	e.g. submitter S102	e.g. Oppose	Indicate which parts of the original submission (which submission points) you support or oppose, together with any relevant PNRP provisions. e.g. Oppose all of submission point S102/41	Why you support or oppose each submission point. e.g. The submission point does not recognise...	The part or whole of each submission point you wish to be allowed or disallowed. e.g. Disallow the parts of S102/41 relating to...
Wellington Water Limited C/- Colin Crampton Private Bag 39804 Wellington Mail Centre Lower Hutt 5045	S135/105	Support	Support all of submission point S135/105. Definition: Ephemeral flow path	This request is to amend the definition of ephemeral flow path. The amendments are considered functional and reasonable by Porirua City Council.	Allow submission point S135/105: (a) Amend "does not have an active bed" to be consistent with other definitions. (c) Amend to "only conveys water during, and immediately following a significant rainfall (> than x mm per hour) or similar effect.
Dairy NZ and Fonterra Co-operative Group Ltd C/- Oliver Parsons PO Box 10002 Wellington 6143	S316/028	Oppose	Oppose all of submission point S316/028. Objective 13: Protecting regionally significant infrastructure.	This request is to add 'regionally significant industry' to Objective 13. Porirua City Council do not consider it appropriate to allow this change. Regionally significant industries are not defined, providing considerable uncertainty as to the range and types of activities, and their related effects, that might fall into and be	Disallow submission point S316/028: Amend Objective O13 as follows: "The use and ongoing operation of regionally significant infrastructure, <u>regionally significant industry</u> and renewable electricity generation activities are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity."

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Fish and Game PO Box 1325 Palmerston North 4440	S308/043	Oppose	Oppose all of submission point S308/043. Policy P4: Minimising adverse effects	<p>protected by this definition and be subject to this objective. This change would also afford an unreasonable bias or weighting to prioritising the protection of some industry types, from the sensitivity effects of a range of other legitimate and potentially equally valued other activity types.</p> <p>This request looks to strengthen protection of the environment by requiring the avoidance of adverse effects in many instances, rather than minimisation.</p> <p>Porirua City Council consider this proposed amendment as overly restrictive and not practical in many instances. In some instances effects minimisation may be the only practical option. The submitters request if granted could act to impede future urban development.</p>	<p>Disallow submission point S308/043:</p> <p>Delete and replace with a new policy that ensures that:</p> <ul style="list-style-type: none"> • sustainable management is achieved • adverse effects are avoided, remedied, and mitigated, and that • significant adverse effects are avoided, and that • the outcomes from the policy are clear; and that • application of the policy is consistent with achieving the freshwater outcomes set in section 3 tables • Avoid adverse effects outstanding habitats; • Avoid adverse effects on natural wetlands • Avoid adverse effects on riparian vegetation • Avoid adverse effects on natural character • Avoid adverse effects on ecosystems and habitats with significant biodiversity values • Avoid adverse effects on fish spawning and juvenile rearing habitats and fish migration.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Wellington City Council C/- Alison Newbald PO Box 2199 Wellington 6140	S286/015	Support	Support all of submission point S286/015. Policy P4: Minimising adverse effects	This submission requests amending the policy to ensure it is more practicable. Porirua City Council consider the suggestion as appropriate.	Allow submission point S286/015: Amend Policy 4 to state: Where minimisation of adverse effects is required by policies in this plan.....to the smallest amount <u>reasonably practicable</u> and shall include <u>giving consideration</u> to:....
Royal Forest and Bird Protection Society C/- Amelia Geary PO Box 631 Wellington 6140	S353/053	Oppose	Oppose all of submission point S353/053. Policy P4: Minimising adverse effects	This submission requests amending the policy to use the words 'avoid, remedy, or mitigate' instead of minimise. Porirua City Council do not consider the amendment as being practicable and that the word minimise is more appropriate.	Disallow submission point S353/053: Delete policy P4 and replace all references to "minimise" in the plan with appropriate language consistent with the RMA, e.g. avoiding, remedying or mitigating.
Wellington City Council C/- Alison Newbald PO Box 2199 Wellington 6140	S286/001	Support	Support all of submission point S286/001. Section 4.2 Beneficial use and development.	This submission requests a new policy is included in the NRP that provides for the benefits of existing urban areas, identified future urban areas and infrastructure to be recognised. Porirua City Council consider this relief to be reasonable given the significant contribution to social, economic and cultural wellbeing, that is associated with developing land for urban purposes	Allow submission point S286/001: Include a new policy (or similar) in Section 4.2 Beneficial use and development: <u>Recognise the contribution</u> <u>existing urban areas, identified urban</u> <u>growth areas and infrastructure make to</u> <u>the social, economic and cultural</u> <u>wellbeing of people and communities and</u> <u>provide for their ongoing use and</u> <u>development.</u>
Hutt City Council C/- Allison Tinsdale Private Bag 31912 Lower Hutt 5040	S84/003	Support	Support all of submission point S84/003. Policy P7: uses of land and water.	This submission requests the addition of 'urban use and development' to recognise the importance of this activity in the region.	Allow submission point S84/003: Amend P7 to include 'urban use and development' to the list of uses in Policy 7.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Wellington Water Limited C/- Colin Crampton Private Bag 39804 Wellington Mail Centre Lower Hutt 5045	S135/068	Support	Support all of submission point S135/068. Policy P33 Protecting indigenous fish habitat.	<p>Porirua City Council consider this to be appropriate and practicable relief.</p> <p>This submission requests a number of changes to ensure the policy is more achievable, while still maintaining the intent of the policy.</p> <p>Porirua City Council support the proposed amendments as they are considered more practicable.</p>	<p>Allow submission point S135/068:</p> <p>In the first paragraph, replace "avoided" with "reduced to a practical minimum" or like effect. Include a practical time element into (c). Either delete "particularly" in the first sentence of the policy or include "relevant migration times" in (c). Revise the language in a way that protects indigenous fish habitat from significant adverse effects (rather than any adverse effect) and to recognise that effects cannot always be avoided completely and nor is it always necessary or appropriate to do so.</p>
Royal Forest and Bird Protection Society C/- Amelia Geary PO Box 631 Wellington 6140	S353/144	Oppose	Oppose all of submission point S353/144. Rule 107 Activities in natural wetlands and significant natural wetlands - discretionary activity	<p>The submission point requests that (c) is a non-complying activity by moving it to Rule 108.</p> <p>Porirua City Council consider this change to be overly restrictive.</p>	<p>Disallow submission point S353/144:</p> <p>Make (c) a non-complying activity by moving it to Rule 108</p>
Environmental Defence Society Incorporated C/- Madeleine Wright PO Box 91736 Victoria Street West Auckland 1042	S110/015	Oppose	Oppose all of submission point S110/015. Rule 107 Activities in natural wetlands and significant natural wetlands - discretionary activity	<p>The submission point requests a non-complying activity status, which Porirua City Council consider to be overly restrictive</p>	<p>Disallow submission point S110/015:</p> <p>Replace discretionary activity status with non-complying.</p>

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
<p>Roading, Parks and Gardens and Solid Waste departments of Hutt City Council & Upper Hutt City Council</p> <p>C/- John Clemo PO Box 2083 Wellington 6140</p>	S85/077	Support	<p>Support all of submission point S85/077. Rule 107 Activities in natural wetlands and significant natural wetlands - discretionary activity</p>	<p>The submission point requests to amend the rules to permit local authorities to undertake amenity works in wetlands.</p> <p>Porirua City Council consider the proposed change to be more practicable than the current wording.</p>	<p>Allow submission point S85/077:</p> <p>Amend the rules to permit local authorities to undertake works in wetlands for amenity Purposes to recognise the benefit of this activity.</p>
<p>NZ Transport Agency</p> <p>C/- Caroline Horrox PO Box 5084 Lambton Quay Wellington 6145</p>	S146/172	Support	<p>Support all of submission point S146/172. 5.5.4 Beds of lakes and rivers General Conditions</p>	<p>The submission point requests a more practicable approach to this rule, particularly during construction and maintenance works.</p> <p>Porirua City Council consider the proposed change to be more acceptable than the current wording.</p>	<p>Allow submission point S146/172:</p> <p>Amend the 5.5.4 general conditions Beds of lakes and rivers general conditions for activities in the beds of lakes and rivers that apply as specified in Rules R112 to R125: ... (d) <u>Once constructed, structures are designed and, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times.... and (x) during construction or maintenance works, fish passage shall not be restricted for a duration longer than necessary to undertake the activity and must not be restricted for a period longer than 12 hours in any 72hour period; and . . . (i) all reasonable steps shall be taken to minimise the duration of the diversion of water, and any diversion of water required to undertake the activity shall: ... (ii) must be contained within the bed of the river, and...</u></p>
<p>Wellington Water Limited</p> <p>C/- Colin Crampton</p>	S135/226	Support	<p>Support all of submission point S135/226. 5.5.4 Beds of lakes and rivers General</p>	<p>The submission point requests that the majority of network-related maintenance activities in the beds of streams and rivers be permitted</p>	<p>Allow submission point S135/226:</p> <p>The majority of network-related maintenance activities in the beds of</p>

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Private Bag 39804 Wellington Mail Centre Lower Hutt 5045			Conditions	activities with conditions. Porirua City Council consider this request to be practicable given the necessity and temporary nature of the works.	streams and rivers be permitted activities with conditions appropriate to the temporary nature of works and scale of environmental effects.
Wellington Water Limited C/- Colin Crampton Private Bag 39804 Wellington Mail Centre Lower Hutt 5045	S135/160	Support in part	Support in part submission points relating to conditions (d), (e), (f) and (k) on S135/226. 5.5.4 Beds of lakes and rivers General Conditions	The submission point requests a number of changes to the general conditions, particularly in relation to stormwater networks. Porirua City Council consider this request to be practicable given the necessity of the works.	Allow submission points in relation to conditions (d), (e), (f) and (k) on S135/226: No change to (d). Change to allow for short term stormwater networks maintenance activities to be permitted. (e) & (f) Specify exclusion for storm debris clearance work in the stormwater network. Condition (k) - extend the condition to include removal of flood debris against the stormwater intake structure and immediately upstream of it.
Wellington Water Limited C/- Colin Crampton Private Bag 39804 Wellington Mail Centre Lower Hutt 5045	S135/163	Support	Support all of submission point S135/163. Rule R114: River crossing structures - permitted activity	The submission point requests the acknowledgment of existing dams, clarification/permitted rule for temporary stream damming and diversion. Porirua City Council consider this request to be practicable given the potential necessity of damming and diversion for construction works.	Allow all of submission point S135/163: Allow for "The damming and diversion of water by a structure that was existing and lawful on the date of notification of this Plan as a Permitted Activity" or similar. Clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions). Allow all of submission point S146/175:
NZ Transport Agency Caroline Horrox PO Box 5084 Lambton Quay Wellington	S146/175	Support	Support all of submission point S146/175. Rule R114: River crossing structures - permitted activity	The submission point requests small changes to facilitate the construction (in addition to the placement) of a river crossing structure. Also requests the	Amend Rule 114 The placement <u>or</u> construction <u>or</u> use of a river crossing structure, including, but not limited to,

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
6145				deletion of 'small' from 'small bridges'. Porirua City Council consider this request to be practicable.	weirs, fords and small bridges, excluding culverts and a river crossing that dams a river, that is fixed in, on, under, or over the bed of a river including any associated...
Egon Guttkie 6 Glengavel Grove Papakowhai Porirua 5024	S14/38	Support in part	Support the second part submission point S14/38. Rule R114: River crossing structures - permitted activity	The submission point requests a deletion to rule R114(f) OR, enable landowners to establish small river crossings. Porirua City Council consider it acceptable to allow, with a minimum of regulation, landowners to construct small or minor crossings across small depressions and hollows that may occasionally form a minor ephemeral flow path, and that are treated as rivers by GWRC.	Allow part of submission point S14/38: Enable landowners to establish small river crossings with a minimum of regulation in areas identified in (f)(i).
Roading, Parks and Gardens and Solid Waste departments of Hutt City Council & Upper Hutt City Council C/- John Clemo PO Box 2083 Wellington 6140	S85/42	Support	Support submission point S85/42. Rule R114: River crossing structures - permitted activity	The submission point requests the plan clarifies that temporary stream damming and diversion required for instream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions). Porirua City Council consider this to be a reasonable request.	Allow submission point S85/42: Amend the plan to clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).
New Zealand Defence Force C/- Rob Owen Private Bag 902 National Service Centre Cnr Alexander and Dante Roads Upper Hutt 5018	S81/33	Support	Support submission point S81/33. Rule R114: River crossing structures - permitted activity	This submission point requests clarification around 'small bridge' and provide for temporary structures in river beds. Porirua City Council consider this to be a practicable and reasonable request.	Allow submission point S81/33: Amend R114 to clarify how a "small bridge" is defined. Provide for temporary structures in river beds, for consistency with other regional plans across the country.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
<p>NZ Transport Authority Caroline Horrox PO Box 5084 Lambton Quay Wellington 6145</p>	S146/176	Support	<p>Support submission point S146/176. Rule R115: Culverts - permitted activity</p>	<p>This submission point requests some changes to the wording of the rule to better support the construction and use of a culvert.</p> <p>Porirua City Council consider this to be a practicable and reasonable request.</p>	<p>Allow submission point S146/176:</p> <p>Amend Rule 115: The placement or construction and subsequent use of a culvert and associated protective structures, that is fixed in, or on, or under the bed of a river including any associated... (j) the culvert shall be positioned so that its alignment and gradient are generally the same as the river, and...</p>
<p>Roading, Parks and Gardens and Solid Waste departments of Hutt City Council & Upper Hutt City Council</p> <p>C/- John Clemo PO Box 2083 Wellington 6140</p>	S85/43	Support	<p>Support submission point S85/43. Rule R115: Culverts - permitted activity</p>	<p>The submission point requests the plan clarify and provide for temporary damming and diversion as a permitted activity.</p> <p>Porirua City Council consider this request to be a practicable and reasonable request.</p>	<p>Allow submission point S85/43:</p> <p>Amend the plan to clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).</p>
<p>Wellington Water Limited</p> <p>C/- Colin Crampton Private Bag 39804 Wellington Mail Centre Lower Hutt 5045</p>	S135/164	Support	<p>Support submission point S135/164. Rule R116: Establishing a small dam and existing dams - permitted activity</p>	<p>This submission point requests that the plan recognise existing structures for damming and diverting water and provide for temporary damming and diversion of water.</p> <p>Porirua City Council consider this request to be a practicable and reasonable request.</p>	<p>Allow submission point: S135/164:</p> <p>Allow for "The damming and diversion of water by a structure that was existing and lawful on the date of notification of this Plan as a Permitted Activity" or similar.</p> <p>Clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).</p>

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Fish and Game PO Box 1325 Palmerston North 4440	S308/126	Oppose	Oppose submission point S308/126. Rule R116: Establishing a small dam and existing dams - permitted activity	This submission point requests that this rule only applies to existing small dams and that new small dams should be discretionary. Porirua City Council consider this change to be overly restrictive.	Disallow submission point: S308/126: Amend rule so that it only applies to existing small dams. New small dams should be discretionary activity.
NZ Transport Agency Caroline Horrox PO Box 5084 Lambton Quay Wellington 6145	S146/180	Support	Support submission point S146/180: Rule R124: Entry or passage over bed (excluding livestock access) - permitted activity	This submission point acknowledges that disturbance and deposition occur when driving over the bed of a river, and that this rule should provide for this activity. Porirua City Council consider this request to be a practicable and reasonable request.	Allow submission point S146/180: Amend Rule 124 to be inclusive of other uses of rivers and lakes such as disturbance and deposition which cannot be avoided when driving over the bed.

