



Decisions Report: proposed Regional Policy Statement for the Wellington Region 2010

Volume 2

Includes decisions on submissions on the proposed Regional Policy Statement
from policy 20 to end

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DOC#760912

X/08/10/02

May 2010

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2.94 Policy 20: Identifying places, sites and areas with significant historic heritage values – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 20 is on page 1 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust, South Wairarapa District Council and Anthony Roy Edwards made submissions on policy 20 but did not attend the hearing.

Anders Crofoot, Federated Farmers of New Zealand and Genesis Energy submitted on policy 20, and attended the hearing, but did not give oral submissions on policy 20.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Wellington City Council and **Porirua City Council** expressed support in their oral evidence for the recommendations contained in the Staff Report. The Hearing Committee noted their support.

Department of Conservation accepts the staff recommendations and support the changes proposed to policy 20. They believe their submission should be noted as accepted in Part rather than rejected, as was shown in the Staff Report. The Hearing Committee noted their support and considered that the recommendation was to accept in Part their submission point.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/13	Accept
Department of Conservation	31/17	Accept in part
Anthony Roy Edwards	34/2	Reject
Federated Farmers of New Zealand	35/40	Accept in part
Genesis Energy	40/7	Accept in part
New Zealand Historic Places Trust	87/16	Accept in part
Porirua City Council	100/18	Accept
South Wairarapa District Council	112/23	Accept
Wellington City Council	131/89	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend the heading of policy 20, on page 90, to the following:

Policy 20: Identifying places, sites and areas with significant historic heritage values – district and regional plans

District and regional ~~Regional and district~~ plans shall identify places, sites and areas with significant historic heritage values ~~using the following criteria, and having determined that the place, site or area makes an important contribution that contribute~~ to an understanding and appreciation of history and culture under one or more of the following criteria:

Amend first paragraph of the explanation to read as follows:

Policy 20 provides criteria to ensure significant *historic heritage* resources are identified in district and regional plans in a consistent way. The criteria are based on the Resource Management Act definition of *historic heritage* and commonly used assessment methodologies. They provide the basis for describing and evaluating *historic heritage*, including the physical, historic, social and other values that people attach to *historic heritage*. Wellington Regional Council, district and city councils are required to assess a place, site or area against all the criteria, but may use additional criteria. A place, site or area identified must, however, fit one or more of the listed criteria in

terms of ~~contributing making an important contribution~~ to an understanding and appreciation of history and culture in a district in order to have significant *historic heritage* values.

2.95 Policy 21: Protecting historic heritage values – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 21 is on page 6 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Defence Force and New Zealand Historic Places Trust made submissions on policy 21 but did not attend the hearing.

Federated Farmers of New Zealand submitted on policy 21, and attended the hearing, but did not give oral submissions on policy 21.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

The Department of Conservation, Porirua City Council and Wellington City Council expressed support in their oral evidence for the recommendations contained in the Staff Report. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/18	Accept
Federated Farmers of New Zealand	35/41	Accept

Submitter	Submission	Decision
New Zealand Defence Force	86/8	Accept
New Zealand Historic Places Trust	87/17	Accept
Porirua City Council	100/19	Accept
Wellington City Council	131/90	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 21.

2.96 Policy 22: Identifying indigenous ecosystems and habitats with significant biodiversity values – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. policy 22 is on page 7 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anthony Roy Edwards, New Zealand Historic Places Trust and South Wairarapa District Council made submissions on policy 22 but did not attend the hearing.

Winstone Aggregates, Federated Farmers of New Zealand, Kapiti Coast District Council, Lower Hutt Forest and Bird Protection Society, Meridian Energy, Porirua City Council and Wellington City Council submitted on policy 22 and attended the hearing, but did not give oral submissions on policy 22

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Genesis Energy and **Mighty River Power** noted that they supported the amendments proposed in the Staff Report with the exception of the retention of criterion (e) tangata whenua values. They submitted that tangata whenua values would be more appropriately addressed by amending policy 48. The Hearing Committee considered that it is appropriate to retain this criterion in policy 22 because a) there are ecosystems and habitats of significance to tangata whenua for spiritual, historical or cultural reasons and b) their protection is best achieved by their identification in district and regional plans. Policy 48 is a "consideration" policy and is therefore potentially less effective in ensuring protection of these values. Trustpower Limited sought the inclusion of a criterion assessing sustainability in their earlier submission, but due to the extent of loss of ecosystems in the region they would be satisfied if the policy was retained as amended in the Staff Report (with the exception of criteria (e) tangata whenua values) subject to amendments sought to policy 23, which essentially seek a biodiversity offsetting framework. The Hearing Committee considered this matter when considering the submission of Might River Power on policy 11 and the decision of the Hearing Committee is contained in the discussion relating that policy.

Department of Conservation supported the proposed amendments to this policy that are contained in the Staff Report.

Wellington Botanical Society requested additional criteria to the policy that would cover community values and potential future values of sites. The Hearing Committee considered that it was difficult to measure community values for sites with any consistency. It also considered that the potential future values of a site are dependent on future management actions.

When considering the explanation of policy 22, the Hearing Committee decided not to include the additional wording recommended in the Staff Report as a result of changes to the definitions of indigenous and ecosystems. In all other respects the Hearing Committee adopted the discussion of the Staff Report.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/26	Reject
Department of Conservation	31/19	Accept
Anthony Roy Edwards	34/3	Reject

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/42	Reject
Genesis Energy	40/8	Accept in part
Kapiti Coast District Council	56/9	Accept
Lower Hutt Forest and Bird Protection Society	66/5	Reject
Meridian Energy Limited	82/24	Reject
Meridian Energy Limited	82/25	Accept in part
Mighty River Power	83/27	Accept in part
New Zealand Historic Places Trust	87/18	Accept
Porirua City Council	100/20	Accept
South Wairarapa District Council	112/24	Reject
Trustpower Limited	124/26	Reject
Wellington Botanical Society	130/6	Reject
Wellington City Council	131/91	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Policy 22: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans

District and regional plans shall identify indigenous ecosystems and habitats with significant indigenous biodiversity values that meet one or more of the following criteria:

- (a) Representativeness: high representativeness values are given to Particular ecosystems and habitats that were once typical and commonplace in a district or in the region, and:
 - (i) are no longer commonplace (less than about 30% remaining); or
 - (ii) are poorly represented in existing protected areas (less than about 20% legally protected).
- (b) Rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or

national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.

- (c) Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.
- (d) Ecological context of an area: the ecosystem or habitat:
 - (i) enhances connectivity or otherwise buffers representative, rare or diverse indigenous ecosystems and habitats; or
 - (ii) provides seasonal or core habitat for protected or threatened indigenous species.
- (e) Tangata whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to tangata whenua, identified in accordance with tikanga Māori.

2.97 Policy 23: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 23 is on page 21 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

The Aggregate and Quarry Association of New Zealand, Winstone Aggregates, Anders Crofoot, Kapiti Coast District Council, Lower Hutt Forest and Bird Protection Society, Pamela Joy Meekings-Stewart, Mighty River Power, Porirua City Council and Wellington City Council submitted on policy 23, attended the hearing but did not give oral submissions on policy 23.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Trustpower Limited sought that policy 23 be amended to include an assessment of a site’s sustainability as a Part of a full suite of ecological assessment criteria and also a reference to assessing the effects of proposals to mitigate effects of activities via a biodiversity offsetting framework that is based on established case law. The submitter referred to words appended to their oral submission that form Part of the Horizons One Plan. The submitter noted that biodiversity offsets can be a useful mechanism by which the effects of an activity can be mitigated through the protection and /or enhancement of other areas. The Hearing Committee considered this matter when considering the submission of Mighty River Power on policy 11 and the decision of the Hearing Committee is contained in the discussion relating to that policy. In all other respects the Hearing Committee adopted the recommendations in the Staff Report.

The submitter supported the proposed changes to the explanation of the policy relating to ‘change’.

Department of Conservation submitted that the Staff Report should read “Accept in part” the submission on policy 23. This submitter also noted the reasoning in the Staff Report and supported the recommendations in the Staff Report accordingly. The support was noted.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/6	Reject
Winstone Aggregates	15/27	Reject
Anders Crofoot	25/14	See response on Table 16, Appendix 1
Department of Conservation	31/20	See response on Table 16, Appendix 1
Kapiti Coast District Council	56/10	Accept
Lower Hutt Forest and Bird Protection Society	66/6	Accept
Pamela Joy Meekings-Stewart	81/2	Reject
Mighty River Power	83/28	Accept

Submitter	Submission	Decision
Porirua City Council	100/21	Accept
Trustpower Limited	124/27	Reject
Wellington City Council	131/92	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend the explanation to policy 23, on page 93, as follows:

Explanation

Policy 23 applies to provisions in regional and district plans.

Table 16 in Appendix 1 identifies rivers and lakes with significant indigenous ecosystems and habitats with significant indigenous biodiversity values by applying criteria taken from policy 22 of rarity (habitat for threatened indigenous fish species) and diversity (high macroinvertebrate community health, habitat for six or more migratory indigenous fish species) habitats biodiversity values located in river and lake environments.

Policy 46 will need to be considered alongside policy 23 when changing, varying or replacing a regional or district plan.

Policy 23 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the biodiversity values identified in policy 22.

2.98 Policy 24: Identifying outstanding natural features and landscapes – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 24 is on page 27 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

East Harbour Environmental Association Incorporated, Anthony Roy Edwards, New Zealand Historic Places Trust, South Wairarapa

District Council and Shear Hard Work made submissions on policy 24 but did not attend the hearing.

Federated Farmers of New Zealand, Lower Hutt Forest and Bird Protection Society, Meridian Energy Limited, Masterton District Council, Winstone Aggregates, Kiwi Income Property Trust, Kiwi Income Properties Limited, Kiwi Properties Management Limited and Porirua City Council submitted on policy 24 and attended the hearing, but did not give oral submissions on policy 24.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Anders Crofoot submitted that the factor ‘naturalness’ would potentially capture a pastoral landscape and that pastoral landscapes do not need more regulation. The Hearing Committee reiterated that the Environment Court has determined the factors, including ‘naturalness’, that are to be used to determine such landscapes and consequently these factors are now deemed to be best practice for assessing landscapes nationally. Therefore, the Hearing Committee considered it appropriate to use them in this policy.

John and Julie Martin opposed the factor (b) aesthetic values, including (b)(iii) naturalness, as it protected the areas of ‘high’ natural character from inappropriate subdivision, use and development. The Hearing Committee noted that this policy will identify outstanding natural features and landscapes and not areas of ‘high’ natural character. The Hearing Committee pointed out that the protection of areas of ‘high’ natural character is covered in the proposed Regional Policy Statement within the coastal policy framework. It is therefore considered appropriate to retain the factor (b) aesthetic values as this has been determined by the Environment Court to assist in the identification of outstanding natural features and landscapes.

The Department of Conservation, Genesis Power Limited, Shona McCahon and Wellington City Council all supported policy 24. This support was noted by the Hearing Committee.

Mighty River Power submitted that policies 24 and 26 should be combined as it would be more appropriate from a landscape assessment perspective. The Hearing Committee considered it appropriate to keep the two policies separate as they address two distinct Parts of the Act, being Section 6(b) and Section 7(c) and, therefore, they considered that combining these two policies may cause confusion when interpreting it.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/15	Reject
Department of Conservation	31/21	Reject
East Harbour Environmental Association Incorporated	33/11	Reject
Anthony Roy Edwards	34/4	Reject
Federated Farmers of New Zealand	35/43	Reject
Genesis Power Limited	40/9	Accept in part
Lower Hutt Forest and Bird Protection Society	66/7	Reject
Shona McCahon	67/1	Accept
John and Julie Martin	73/3	Reject
Meridian Energy Limited	82/26	Accept in part
Meridian Energy Limited	82/27	Accept in part
Mighty River Power	83/29	Reject
New Zealand Historic Places Trust	87/19	Accept
Porirua City Council	100/22	Accept
South Wairarapa District Council	112/25	Accept
Wellington City Council	131/17	Accept in part See also recommended changes to policy 3
Shear Hard Work	141/2	Reject

All further submissions in support of or in opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 24, on page 93, as follows:

District and regional plans shall identify outstanding natural features and landscapes ~~using the following criteria, and~~ having determined that the natural feature or landscape is exceptional or out of the ordinary ~~under one or more of the criteria~~ and that its the natural components dominate over the influence of human activity, taking into account the following factors:

- (a) Natural science values: these values relate to the geological, ecological, topographical and natural process components of the natural feature or landscape:
 - (i) Representativeness: the combination of natural components that form the feature or landscape strongly typifies the character of an area.
 - (ii) Research and education: all or parts of the feature or landscape are important for natural science research and education.
 - (iii) Rarity: the feature or landscape is unique or rare within the district or region, and few comparable examples exist.
 - (iv) Ecosystem functioning: the presence of healthy ecosystems is clearly evident in the feature or landscape.
- (b) Aesthetic values: these values relate to scenic perceptions of the feature or landscape:
 - (i) Coherence: the patterns of land cover and land use are in harmony with the underlying natural pattern of landform and there are no significant discordant elements of land cover or land use.
 - (ii) Vividness: the feature or landscape is visually striking and is widely recognised within the local and wider community for its memorable and sometimes iconic qualities.
 - (iii) Naturalness: the feature or landscape appears largely unmodified by human activity and the patterns of landform and land cover appear to be largely the result of intact and healthy natural systems.
- (c) Expressiveness (legibility): the feature or landscape clearly shows the formative ~~natural~~ processes ~~and/or~~ ~~historic influences~~ that led to its existing character.

- (d) Transient values: the consistent and noticeable occurrence of transient natural events, such as seasonal change in vegetation or in wildlife movement, contributes to the character of the feature or landscape.
- (e) Shared and recognised values: the feature or landscape is widely known and is highly valued for its contribution to local identity within the immediate and wider community.
- (f) Tangata whenua values: Māori values inherent in the feature or landscape add to the feature or landscape being recognised as a special place.
- (g) Historical associations: knowledge of historic events that occurred in and around the feature or landscape is widely held and substantially influences and adds to the value the community attaches to the natural feature or landscape.

Amend the first two paragraphs of the explanation as follows:

Policy 24 provides ~~criteria~~ factors to ensure outstanding *natural features* and *landscapes* are consistently identified in district and regional plans. The ~~criteria~~ factors are consistent with significant case law² and commonly used landscape assessment methodologies.

The Wellington Regional Council, district and city councils are required to assess landscapes and natural features against all the ~~criteria~~ factors, but may use additional ~~criteria~~ factors. An outstanding natural landscape or natural feature ~~must fit one or more of the listed criteria and~~ will be exceptional and out of the ordinary, having taken into account all of the in accordance with that criteria factors, and where the natural components ~~will~~ dominate over the influence of human activity. This does not mean that evidence of human activity cannot be present, but that it should be subordinate to the natural components.

Insert new footnote to paragraph one in the explanation as follows:

2. Pigeon Bay Aquaculture Ltd v Canterbury Regional Council Environment Court Decision, 1999 (C32/99) and the Wakatipu Environment Society Incorporated v Queenstown Lakes District Council Environment Court Decision, 1999 (C180/99)

2.99 Policy 25: Protecting outstanding natural features and landscape values – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included

summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 25 is on page 39 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

New Zealand Historic Places Trust and the Tararua Tramping Club made submissions on policy 25 but did not attend the hearing.

Federated Farmers of New Zealand, Masterton District Council, Meridian Energy Limited, Aggregate and Quarry Association of New Zealand, Pamela Joy Meekings-Stewart, Mighty River Power, Winstone Aggregates, Anders Crofoot, Kiwi Income Property Trust, Kiwi Income Properties Limited, Kiwi Properties Management Limited and Porirua City Council submitted on policy 25 and attended the hearing, but did not give oral submissions on policy 25.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

The Department of Conservation, TrustPower Limited and Wellington City Council all supported policy 25. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/7	Accept in part
Department of Conservation	31/22	Accept
Federated Farmers of New Zealand	35/44	Accept
Pamela Joy Meekings-Stewart	81/3	Reject
Mighty River Power	83/30	Accept
New Zealand Historic Places Trust	87/21	Accept

Submitter	Submission	Decision
Porirua City Council	100/23	Accept
Tararua Tramping Club	114/13	Reject
TrustPower Limited	124/28	Reject
Wellington City Council	131/18	Accept in part Also see recommendation for policy 3

All further submissions in support of or in opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No change is made to policy 25.

2.100 Policy 26: Identifying significant amenity landscape values – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 26 is on page 44 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

New Zealand Historic Places Trust, East Harbour Environmental Association Incorporated, Anthony Roy Edwards and South Wairarapa District Council made submissions on policy 26 but did not attend the hearing.

Kiwi Income Property Trust, Kiwi Income Properties Limited, Kiwi Properties Management Limited and Porirua City Council submitted on policy 26 and attended the hearing, but did not give oral submissions on policy 26.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Shona McCahon, Wellington City Council, TrustPower Limited, Genesis Power Limited and the **Department of Conservation** all expressed their support for the amendments recommended for this policy. The Hearings Committee noted their support.

Anders Crofoot, Horticulture New Zealand, Federated Farmers of New Zealand and **Masterton District Council** stated that ‘significant amenity landscape’ is a new term and not a term used in the Resource Management Act. They requested that it be deleted from the proposed Regional Policy Statement. In terms of significant amenity landscape being a new term, the Hearing Committee considered that it is not a new term and that it is appropriate for this policy to remain, the reasons for which are discussed in relation to section 3.7 Landscape – issue 1.

Anders Crofoot in his original submission stated that while it may be reasonable to identify farmland as significant, it must be recognised that farmland is a working landscape that provides a livelihood for the owner. The Hearing Committee agreed with the submitter and considered the explanation for policy 27 to be the appropriate place to address this concern. Refer to the discussion for policy 27, for an outline of the Hearing Committee’s reasons.

Federated Farmers sought that as an alternative to deleting reference to significant amenity landscapes, the term ‘significant amenity landscapes’ be amended to ‘amenity landscapes’. The Hearing Committee decided that it should remain as ‘significant amenity landscapes’. Section 7(c) of the Resource Management Act, 1991 states that in achieving the purpose of the Act all persons exercising functions under it shall have particular regard to the maintenance and enhancement of amenity values. However, when giving regard to this particular section of the Act, it became apparent that it would be unrealistic to identify all amenity landscapes across the region, as practically every landscape has amenity value. Therefore, it was decided to qualify it with the term 'significant', and only those landscapes that have important values, which did not meet the threshold for outstanding, would be captured. Although territorial authorities could identify all amenity landscapes, the suggested amendment would go beyond addressing the issue for the landscape provisions in the proposed Regional Policy Statement. Therefore, this submission was rejected.

Meridian Energy expressed concern that this policy could be misinterpreted or misused to seek protection of areas or landscapes that are of importance only in a highly personal or localised sense and are not genuinely significant landscapes for wider amenity reasons. They requested further guidance on what ‘important’ means or to whom it must be important. The Hearing Committee agreed with the evidence presented at the hearing and asked that further clarification be provided in the explanation as to what local authorities should be

identifying through this policy. Refer to wording changes to the explanation of policy 26.

Mighty River Power requested that policies 24 and 26 should be combined as it would be more appropriate from a landscape assessment perspective. The Hearing Committee considered it appropriate to keep the two policies separate as they address two Parts of the Resource Management Act, being Section 6(b) and Section 7(c) and therefore combining these two policies may make interpretation difficult. However, the factors within policy 26 have been amended to reflect that it is only identifying significant amenity landscapes, and therefore reference to features has been deleted. These amendments also go some way towards addressing the concerns of **Anthony Roy Edwards** who submitted on this policy but did not attend the hearing, requesting that policies 24 and 26 be either merged or adequately differentiated.

Transpower New Zealand Limited stated in their evidence that this policy should relate to identifying 'regionally significant amenity landscapes' as well as including some thresholds as to regional significance versus local significance. The Hearing Committee considered that the request by Transpower New Zealand Limited would be taking Wellington Regional Council down the same route followed back in the mid 1990's, with the failed Regional Landscape Plan. Wellington Regional Council released a proposed Regional Landscape Plan, which was withdrawn after public submissions persuaded Wellington Regional Council that those matters could be better addressed by city and district councils, with additional help from non-statutory landscape guidelines. Lessons learnt from that experience have guided the Hearing Committee to this bottom-up approach, whereby the identification and management will be undertaken at a local level with input from local communities and landowners. Although an identified significant amenity landscape may be of 'regional significance', to address the issue the policy is also required to address those significant amenity landscapes at a district level. Therefore the Hearing Committee considered that the term 'significant amenity landscape' would be retained.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/16	Accept in part (see recommended changes to policy 27)
Department of Conservation	31/23	Accept in part
East Harbour Environmental Association Incorporated	33/12	Reject
Anthony Roy Edwards	34/5	Accept in part
Federated Farmers of New Zealand	35/45	Reject
Genesis Power Limited	40/10	Accept in part
Shona McCahon	67/2	Accept
Masterton District Council	75/20	Reject
Meridian Energy Limited	82/28	Reject
New Zealand Historic Places Trust	87/22	Accept in part
Porirua City Council	100/24	Accept in part
South Wairarapa District Council	112/26	Accept
Transpower New Zealand Limited	123/21	Reject
TrustPower Limited	124/29	Reject
Wellington City Council	131/19	Accept in part Also see recommended changes to policy 3

All further submissions in support of or in opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 26, on page 94, as follows:

Policy 26: Identifying significant amenity landscapes values – district and regional plans

District and regional plans shall identify significant amenity landscapes ~~using the following criteria and having determined the~~

landscape has important landscape value under one or more of the criteria taking into account the following factors:

- (a) Natural science values: these values relate to the geological, ecological, topographical and natural process components of the ~~natural feature or~~ landscape:
 - (i) Representativeness: the combination of natural components that form the ~~feature or~~ landscape strongly typifies the character of an area.
 - (ii) Research and education: all or parts of the ~~feature or~~ landscape are important for natural science research and education.
 - (iii) Rarity: the ~~feature or~~ landscape is unique or rare within the district or region, and few comparable examples exist.
 - (iv) Ecosystem functioning: the presence of healthy ecosystems is clearly evident in the ~~feature or~~ landscape.
- (b) Aesthetic values: these values relate to scenic perceptions of the feature or landscape:
 - (i) Coherence: the patterns of land cover and land use are in harmony with the underlying ~~natural~~ pattern of landform and there are no significant discordant elements of land cover or land use.
 - (ii) Vividness: the ~~feature or~~ landscape is visually striking and is widely recognised within the local and wider community for its memorable and sometimes iconic qualities.
 - (iii) Naturalness: the ~~feature or landscape appears largely unmodified by human activity and the~~ patterns of landform and land cover appear to be largely the result of intact and healthy natural systems.
- (c) Expressiveness (legibility): the ~~feature or~~ landscape clearly shows the formative ~~natural~~ processes ~~and/or historic influences~~ that led to its existing character.
- (d) Transient values: the consistent and noticeable occurrence of transient natural events, such as seasonal change in vegetation or in wildlife movement, contributes to the character of the ~~feature or~~ landscape.

- (e) Shared and recognised values: the ~~feature or~~ landscape is widely known and is highly valued for its contribution to local identity within the immediate and wider community.
- (f) Tangata whenua values: Māori values inherent in the ~~feature or~~ landscape add to the ~~feature or~~ landscape being recognised as a special place.
- (g) Historical associations: knowledge of historic events that occurred in and around the ~~feature or~~ landscape is widely held and substantially influences and adds to the value the community attaches to the ~~natural feature or~~ landscape.

Explanation

Policy 26 ~~provides criteria~~ lists the factors to ensure *significant amenity landscapes* are ~~consistently~~ identified in district and regional plans in a consistent way. The ~~criteria~~ factors are consistent with ~~significant case law and~~ commonly used *landscape* assessment methodologies and case law².

Wellington Regional Council and district and city councils are required to assess landscapes ~~and natural features~~ against all the ~~criteria~~ factors, but may use other additional criteria factors. A significant amenity landscape will be distinctive and widely recognised by the community for the contribution its landscape amenity values make to the pleasantness, aesthetic coherence, cultural and recreational attributes of ~~have important amenity values and make an important contribution to the maintenance of amenity values in the district, city or region, and may be dominated by either natural elements or human activity.~~

Significant amenity landscapes have, when assessed under the factors listed in Policy 26:

- (a) important but not clearly exceptional landscape values in an area where the **natural components** of landscape character dominate; or
- (b) important including exceptional landscape values in an area where the modification of landscape by **human activity** is a dominant influence on landscape character.

In contrast the natural components **must** dominate and the landscape must be exceptional to be an outstanding natural landscape under policy 24.

Regional plans will identify significant amenity landscapes in the *coastal marine area* and the beds of *lakes* and *rivers*; district plans will identify significant amenity landscapes for all other land.

Method 49 outlines the development of a regional landscape character description which will describe and categorise the region's landscapes to assist with implementing policy 26.

Insert new footnote to paragraph one in the explanation as follows:

2. Pigeon Bay Aquaculture Ltd v Canterbury Regional Council Environment Court Decision, 1999 (C32/99) and the Wakatipu Environment Society Incorporated v Queenstown Lakes District Council Environment Court Decision, 1999 (C180/99)

2.101 Policy 27: Maintaining and enhancing significant amenity landscapes – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 27 is on page 53 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Shear Hard Work and Tararua Tramping Club made a submission on policy 27 but did not attend the hearing.

Kiwi Income Property Trust, Kiwi Income Properties Limited, Kiwi Properties Management Limited, Meridian Energy Limited and Porirua City Council submitted on policy 27 and attended the hearing, but did not give oral submissions on policy 27.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Federated Farmers of New Zealand, Masterton District Council, Horticulture New Zealand and **Anders Crofoot** stated that 'significant amenity landscape' is a new term and not a term used in the Resource Management Act. They requested that it be deleted from the proposed Regional Policy Statement. In terms of significant amenity landscape being a new term, the Hearing Committee considered that it is not a new term and that it is appropriate for this policy to remain. The reasons for this decision have already been discussed in regard to landscape – issue 1.

Masterton District Council, Federated Farmers of New Zealand and Horticulture New Zealand stated that ‘the protection’ of significant amenity landscapes artificially elevates the statutory status of these landscapes to that of protection. **Anders Crofoot** also stated that this policy may have the effect of requiring farmers to continue current land use and, therefore, if a farmer wanted to change their farming system then they would require yet another resource consent to do so. The Hearing Committee stated that these provisions are in relation to the ‘maintenance and enhancement of’ not ‘protection of’ as stated by the submitters. Also, policy 27 is not about freezing the land into a point in time where no change can occur, it is about managing those amenity values within the landscape to ensure that they are maintained or enhanced, which has been inserted into the explanation for this policy. However, the Hearing Committee concurred with Anders Crofoot and Federated Farmers of New Zealand and considered that it is appropriate to reflect that primary production activities have in some cases moulded these landscapes and also explain that these landscapes need to continue to evolve with ever changing productive activities. The Hearing Committee considered it appropriate to add to the explanation of policy 27 to address these submitters’ concerns.

Department of Conservation and Wellington City Council both expressed their support for this policy. The Hearings Committee noted their support.

Mighty River Power sought that this policy be amended so that it states that the maintenance or enhancement of a significant amenity landscape will occur where it is reasonably practicable to do so. This submitter also sought to include in the explanation that sometimes the benefits of a development will mean that a compromise on the maintenance or enhancement of a significant amenity landscape will need to occur. The Hearing Committee adopted the discussion in the Staff Report, and made no change to policy 27 as a result of this submission.

Transpower New Zealand Limited requested this policy be amended to relate to ‘regionally significant amenity landscapes’. The Hearing Committee considered it appropriate to retain the term significant amenity landscape, the reasons for which have already been discussed in relation to policy 26.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/17	Accept
Department of Conservation	31/24	Accept in part
Federated Farmers of New Zealand	35/46	Reject
Masterton District Council	75/18	Reject
Mighty River Power	83/31	Reject
Porirua City Council	100/25	Accept in part
Tararua Tramping Club	114/14	Reject
Transpower New Zealand Limited	123/22	Reject
Wellington City Council	131/20	Accept in part Also see recommended changes to policy 3
Shear Hard Work	141/3	Reject

All further submissions in support of or in opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 27, on page 95, as follows:

Policy 27: ~~Maintaining and enhancing~~ Managing significant amenity landscapes values – district and regional plans

Where significant amenity landscapes have been identified in accordance with policy 26, district and regional plans shall include policies, rules and/or methods ~~that~~ for managing these landscapes in order to maintain or enhance their significant amenity landscape values.

Amend the explanation, as a result of the submissions above and as a result of the submission of Anders Crofoot in relation to policy 26, as follows:

Appropriate subdivision, use and development ~~respects those needs to be compatible with the~~ values identified within the ~~landscape or natural feature~~. Therefore, activities within an identified significant amenity landscape must be planned and undertaken with respect for the ~~Planning for, developing and undertaking activities within an identified significant amenity landscape must be done with a full understanding of its values.~~

When local authorities develop provisions within their respective plans they will need to state what the significant amenity landscape values are and how they are to be managed.

Policy 27 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the landscape amenity values identified in policy 26. Primary production activities such as pastoral farming, vineyards and forestry have significantly contributed to the evolution of many of our current rural landscapes and these landscapes will continually change as rural economies and land uses evolve over time.

It is important that change within these landscapes is managed to ensure that the significant amenity landscape values identified using the factors in policy 26 are maintained or enhanced whilst still supporting the continuing and ever changing productive activities within these rural environments. This may include ensuring that the special natural, cultural or visual values in areas such as ridgelines, headlands, routes and character areas, are maintained and that ecological corridors, such as waterways, are enhanced.

2.102 Policy 28: Avoiding subdivision and development in areas at high risk from natural hazards – district plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 28 is on page 59 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anthony Roy Edwards, GNS Science, Wellington Regional Council Regional Council, East Harbour Environmental Association Incorporated and Pritchard Group Ltd made submissions on policy 28 but did not attend the hearing.

Kapiti Coast District Council, Federated Farmers of New Zealand, Meridian Energy Limited, Oil Companies, Transpower NZ Limited and Trustpower Limited submitted on policy 28 and attended the hearing, but did not give oral submissions on the policy.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Agenda Development Planning (Alistair De Joux) sought the insertion of an additional clause to consider land use activities, that would require local authorities to identify, manage and retire land from certain uses in high hazard areas. The Hearing Committee considered this requirement to be unacceptable as it would be expensive and litigious and too difficult scientifically for councils to undertake. The Hearing Committee agreed that policy 51 deals with hazard mitigation measures and would allow district and regional plans to implement policies to stage managed retreat or land retirement in hazardous areas if appropriate. It was noted that authorities, such as Hutt City Council and Wellington City Council already have policies regarding development on and around the Wellington Fault that prevent Particular types of development. The Hearing Committee believes that policy 28 will strengthen the ability of local authorities to implement rules in this regard. It was agreed that the policy is sufficiently strong to manage land development in high hazard areas, including fault zones, flood plains and the coastal margin around the region.

Horticulture New Zealand made a general request that there be more support for rural activities in the proposed Regional Policy Statement, including policy 28. The Hearing Committee agreed that policy 28 does not affect day to day farming as it does not apply to land use activities. If a land owner was proposing a new development in a high hazard area, it would be subject to the usual consenting process.

Porirua City Council submitted that the policy should allow subdivision in high hazard areas where appropriate and raised a concern that the policy would prevent unit title adjustments. It was argued that district plans are the appropriate place to determine where subdivision and development should occur. Porirua City Council requested that the policy be reworded to avoid inappropriate *subdivision* and development. The Hearing Committee disagreed and decided that new subdivision should not occur in high hazard areas, but that the policy should be amended to allow unit title adjustments, alongside minor boundary adjustments. The Hearing Committee agreed that, whilst there are some areas in the region that are Particularly affected by hazard events, there are many places that are only affected to a low to moderate degree. The implementation of policy 28 would not unduly curtail subdivision as it still leaves many areas able to be developed. The Hearing Committee considered that it is no longer acceptable to place communities at high risk from hazard events, because it is becoming increasingly expensive to build hazard mitigation works and manage natural disasters. The Wellington Regional Council has a statutory requirement to assist in the management of natural hazards, especially in the beds of rivers, lakes and streams and in the coastal marine area. Furthermore, many features in the environment that are associated with natural hazards

such as rivers and faults pass through multiple territorial boundaries and require management at a regional level. Porirua City Council accepted other amendments recommended in the Staff Report.

Upper Hutt City Council submitted that the policy was overly restrictive and applied two tests by including in the explanation a requirement that plans prevent new development in areas that would require extensive mitigation works. The Hearing Committee heard that in some areas it would be possible to construct large scale mitigation works to lower the risk from a natural hazard event. The Hearing Committee was concerned that if this section of the explanation was removed, it would send a signal that constructing large scale engineered mitigation works, such as seawalls or stopbanks may be an acceptable way to reduce hazard risk and allow subdivision to proceed in high hazard areas. The Hearing Committee took the position that it is no longer acceptable practice to ‘engineer’ our way out of high hazard areas. Large scale mitigation works are extremely expensive to construct and maintain and leave a residual risk, that in many places will get worse over time as a result of sea level rise and potential increases in extreme rainfall events. Effectively, the policy prevents subdivision in areas that would otherwise require extensive mitigation works to allow safe development. High hazard areas usually require large scale mitigation works. The aim of including this in the explanation is to support and clarify the definition of a high hazard area, rather than introducing another test for a proposal to pass. In this respect the Hearing Committee considered policy 28 was consistent with policies 50 and 51.

Department of Conservation expressed support in their oral evidence for the recommendations on policy 28 contained in the Staff Report. The Hearing Committee noted their support.

Wellington City Council expressed support in their oral evidence for the recommendations on policy 28 contained in the Staff Report. The Hearing Committee noted their support.

The word ‘inappropriate’ is now inserted before ‘development’ to allow for special cases where it may be acceptable to allow a development to proceed, following a full risk assessment. Associated clarifications have been made in the explanation and to Policy 50, which will now guide a decision on what is considered ‘appropriate development’. It was not accepted by the Hearing Committee that subdivision would ever be appropriate in high hazard areas. However, this should not preclude minor boundary adjustments and unit title adjustments and the explanation is amended accordingly. Clarifications have also been made to the explanation of extensive mitigation works (as it appeared in the Staff Report’s recommendation) and the need to avoid areas that would otherwise require large scale structural engineering to allow safe development. The word precautionary has been added into the explanation alongside ‘risk-based’ when describing the policy to reflect the amended

wording in the policy, which is now both precautionary in terms of subdivision and risk-based in terms of development.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Agenda Development Planning	2/5	Reject
Department of Conservation	31/25	Accept
East Harbour Environmental Association Incorporated	33/13	Accept
East Harbour Environmental Association Incorporated	33/14	Accept
Anthony Roy Edwards	34/6	Reject
Federated Farmers of New Zealand	35/47	Accept in part
GNS Science	42/1	Reject
GNS Science	42/2	Accept
Wellington Regional Council	46/1	Accept
Horticulture New Zealand	50/26	Accept in part
Kapiti Coast District Council	56/28	Accept in part
Meridian Energy Limited	82/29	Accept
Oil Companies	92/11	Accept in part
Porirua City Council	100/26	Accept in part
Porirua City Council	100/27	Accept in part
Transpower NZ Limited	123/23	Accept in part
Trustpower Limited	124/30	Accept in part
Upper Hutt City Council	125/6	Accept in part
Wellington City Council	131/93	Accept
Pritchard Group Ltd	142/1	Reject

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 28, on page 96, as follows:

Policy 28: Avoiding subdivision and inappropriate development in areas at high risk from natural hazards – district and regional plans

Regional and District plans shall:

- (a) identify areas at high risk from natural hazards; and
- (b) include policies and rules to avoid subdivision; and
- (c) include policies and rules to avoid inappropriate development in those areas.

Explanation

Whilst this policy requires an avoidance of subdivision in *high hazard areas*, it is not intended that this prevent minor boundary adjustments or unit title adjustments.

The term ‘*areas at high risk*’ refers to ~~those areas~~ locations potentially affected by *natural hazard* events that are likely to cause moderate to high levels of damage to the subdivision or development, including the buildings, infrastructure, or land on which it is situated, ~~or which~~ and would otherwise require extensive mitigation works to enable safe development.

Areas at *high risk* from *natural hazards* are those areas that would experience serious *consequences* in a hazard event – such as *fault rupture* zones, beaches that experience cyclical or long term erosion, failure prone hill slopes, or areas that are subject to serious flooding – and those areas facing potential adverse impacts from climate change and sea level rise.

Policy 50 will need to be considered alongside policy 28 when changing, varying or reviewing a regional or district plan, and/or when making a decision on whether a development is inappropriate in a high hazard area.

~~This policy will require district plans to prevent new development in areas that would require extensive hazard mitigation works.~~

Extensive mitigation works are those involving structural ~~works~~ engineering methods that:

- cover and/or affect a large geographical area
- may adversely modify natural processes

- significantly alter the natural landscape
- have high establishment and maintenance costs
- leave a *residual risk*, and/or
- are likely to be permanent, and their effects irreversible.

This policy promotes a precautionary, risk-based approach, taking into consideration the characteristics of the *natural hazard*, its ~~likelihood~~ magnitude and frequency, potential impacts and the *vulnerability* of development.

Examples of how this may be achieved include: *fault rupture* avoidance zones 20 metres either side of a fault trace; setback distances from an eroding coastline; hazard areas on floodplains; or, requirements for a geotechnical investigation before development proceeds on a hill slope identified as prone to failure.

Guidance documents that could be used to assist in the process include:

- Risk Management Standard AS/NZS 4360:2004
- Guidelines for assessing planning policy and consent requirements for landslide prone land, ~~*Geological and Nuclear Sciences*~~ *GNS Science* (2008)
- Planning for development of land on or close to active faults, *Ministry for the Environment* (2003).
- *Coastal Hazards and Climate Change: A Guidance Manual for Local Government in New Zealand, Ministry for the Environment* (2008).

This policy also recognises and supports the Civil Defence Emergency Management principles – risk reduction, readiness, response and recovery – in order to encourage more resilient communities that are better prepared for *natural hazards*, including climate change impacts. Policy 28 will act to reduce risk associated with *natural hazards*. The risks are to people and communities, including ~~their~~ businesses, utilities and civic infrastructure.

This policy and the Civil Defence Emergency Management framework recognise the need to involve communities in preparing for *natural hazards*. If people are prepared and able to cope, the impacts from a *natural hazard* event are effectively reduced.

2.103 Policy 29: Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 29 starts on page 71 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

East Harbour Environmental Association Incorporated, New Zealand Historic Places Trust, Coastland Shopping Limited, Department of Corrections, Wellington Police, Foodstuffs (Wellington) Co operative Society Ltd and Westfield New Zealand Ltd made submissions on policy 29 but did not attend the hearing.

Anders Crofoot and South Wairarapa District Council submitted on policy 29 and attended the hearing, but did not give oral submissions on policy 29.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Wellington City Council supported the amendments to policy 29 recommended in the Staff Report. This submitter considered the policy builds on the work of the Wellington Regional Strategy (WRS) and emphasises the importance of key centres in the Wellington region. Wellington City Council noted that the suggested change in the Staff Report differentiates between the roles and functions of these centres, but still makes it very clear that all of these centres are regionally significant. This support was noted by the Hearing Committee. Wellington City Council also strongly supported the Staff Report's recommendation to remove the last sentence of the policy explanation. The Hearing Committee noted this support. However, in regard to the recommendation in the Staff Report to remove the last sentence of the explanatory text, the Hearing Committee agreed with the submission by Kiwi Property Holdings Ltd, that the deletion is without jurisdiction as no submission sought such deletion. On this point, the Hearing Committee accepts the submission of Kiwi Property Holdings Ltd.

Upper Hutt City Council recorded their support with the recommended amendments in the Staff Report, which the Hearing Committee noted.

Porirua City Council submitted that the list of regionally significant centres should reflect that in the WRS, and supported the distinction between significant sub-regional centres and the suburban centres of Petone, Johnsonville, and Kilbirnie. Porirua City Council submitted that they would, alternatively, support the deletion of reference to the suburban centres from the policy. The Hearing Committee noted that the list of centres included in policy 29 is derived directly from the list of sub-regional centres listed in the WRS discussion document, 2005 (A sustainable economic growth framework for our region, August 2005). That list identified 8 sub-regional centres, including Johnsonville, Kilbirnie, and Petone which have the potential to play a more significant role, especially in economic growth.

The Hearing Committee considered the full list of centres (Wellington CBD and 8 sub-regional centres) should be retained to be consistent with the WRS, but accepted that a distinction be drawn between the sub-regional civic and commercial centres and the suburban centres of Johnsonville, Kilbirnie and Petone. In all other respects the Hearing Committee adopted the discussion on PCC in the Staff Report.

Kiwi Property Holdings Ltd (KPHL) clarified their view that retail activity is the anchor which ensures centres retain their viability and vibrancy. This submitter continued to seek that emphasis be given to control retail activity to encourage and protect the vitality and vibrancy of the regionally significant centres. Additionally Kiwi Property Holdings Ltd did not consider the policy identifies the Wellington CBD as being at the top of the hierarchy and sought additional changes to the policy to reinforce the CBD as the preeminent centre, and to ensure development in other centres do not reduce the viability and vitality of the Wellington CBD.

The Hearing Committee noted that the policy is intended to maintain and enhance the viability and vibrancy of those centres that are significant and contribute to the region's form because of their economic, transport, civic (or government) or community investment. The policy is not about retail hierarchy or directing control of retail development but promoting growth in the right places and setting out the future aspirations for those centres. Discretion is with each city and district council to determine the range and extent of activities (and whether this includes retail activities) that need to be provided for to support the viability and vibrancy of the regional form. It is not the intention of this policy to address the economic aspects of retail activities.

The Hearing Committee considers the changes to the policy clearly identify the Wellington CBD as the top of the hierarchy and that no additional changes are required in regard to this submission point.

The Hearing Committee considered the concerns of the submitter about protecting the ‘golden mile’ of the Wellington CBD, and noted that WCC has developed a *Draft Centres Policy* to provide a framework to guide the development and management of Wellington City’s centres, including the ‘golden mile’.

Kiwi Property Holdings Ltd supported the Staff Report’s recommendation to split the list of centres into sub-regional and suburban, and went on to submit that Kilbirnie is not a justifiable centre to be included in the list at all. As discussed above, with respect to Porirua City Council’s submission, the Hearing Committee determined that the full list of centres be included in the policy to reflect the intent of the WRS.

Kiwi Property Holdings Ltd opposed the deletion of the last paragraph of the policy explanation and considered the proposed deletion is without jurisdiction as no submission sought such deletion. The Hearing Committee accepted this submission point and as such determined that the sentence should not be deleted. In all other respects the Hearing Committee adopted the discussion on Kiwi Property Holdings Ltd in the Staff Report.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastland Shopping Limited	24/3	Accept
Anders Crofoot	25/18	Reject
Department of Corrections	32/5	Accept in part
East Harbour Environmental Association Incorporated	33/15	Accept
Foodstuffs (Wellington) Co operative Society Ltd	37/1	Reject
Kiwi Property Holding Ltd	62/6	Accept in part
New Zealand Historic Places Trust	87/23	Accept
Porirua City Council	100/28	Accept
South Wairarapa District Council	112/27	Reject
Wellington City Council	131/28	Accept in part

Submitter	Submission	Decision
Wellington Police	135/3	Accept in part
Westfield New Zealand Ltd	138/8	Reject

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend provision 29, on page 97, as follows:

Policy 29: Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans

District plans shall include policies, rules and/or methods that encourage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the ~~following of regional significance~~:

(a) Sub-regional centres of:

- (i) Upper Hutt city centre;
- (ii) Lower Hutt city centre;
- (iii) Porirua city centre;
- (iv) Paraparaumu town centre;
- (v) Masterton town centre; and the

(b) Suburban centres in:

- (i) Petone;
- (ii) Kilbirnie; and
- (iii) Johnsonville.

Explanation

~~The region's central business district in Wellington city and the centres of regional significance identified in policy 29 were identified in the Wellington Regional Strategy as regionally significant centres for economic development, transport movement, civic and community investment.~~

The centres listed in policy 29 were identified during the development of the Wellington Regional Strategy as centres of significance to the region's form for economic development, transport movement, civic or community investment. The Wellington central business district is the regional central business district, with 73,000 people working there each day. The

~~regionally significant sub-regional centres of regional significance~~ are the civic centres of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Paraparaumu town centre, and Masterton town centre. ~~and other major centres of~~ The suburban centres of regional significance are in Petone, Kilbirnie and Johnsonville. Maintaining and enhancing the viability and vibrancy of these centres is important in order to encourage investment and development that supports an increased range and diversity of activities. It is also important for their prosperity and resilience in the face of social and economic change.

The range of appropriate land uses to be encouraged through this policy will vary depending on the character and context of each centre. For this reason, policy 29 requires the region's district and city councils to determine the range of land uses, supported by appropriate social infrastructure to be encouraged in order to maintain and enhance the viability and vibrancy of the relevant centre managed through its *district plan*. However, when maintaining and enhancing *regionally significant centres* within a district, councils also need to consider the viability and vibrancy of the *regionally significant centres* outside their district.

2.104 Policy 30: Identifying and promoting higher density and mixed use development – district plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on policy 30 starts on page 80 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

A large number of submissions were received in relation to policy 30, the full list is shown below in the table summarising the Hearing Committee's decision. Those submitters shown in italics in the table made submissions on policy 30 but did not attend the hearing.

Kapiti Coast District Council submitted on policy 30 and attended the hearing, but did not give oral submissions on the policy.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Wellington City Council and **Upper Hutt City Council** supported the recommended wording amendment in the explanation to policy 30 and the related changes to the definition of ‘key centres’ in Appendix 3 in the Staff Report. This support was noted by the Hearing Committee. In all other respects the Hearing Committee adopted the discussion on these submitters in the Staff Report.

Agenda Development Planning did not present evidence at the hearing, but tabled evidence to be considered. The intent of the original submission was reiterated, requesting insertion of a new clause to policy 30 to require councils to identify locations where (with necessary investment) good access to the public transport network could be provided. The evidence also sought that inefficient forms of land use in those locations (where they would be incompatible with the creation of future high density and/or mixed use development) be prevented. The Hearing Committee noted that policy 56 and 57 will need to be considered when implementing policy 30 and that the proposed changes are therefore unnecessary. Agenda Development Planning also submitted that the matters in policy 30 should be considered in District Plans as further reasoning for the additional clause. The Hearing Committee noted that policy 30 explicitly requires District Plans to give effect to it, and additionally policies 56 and 57 must be given Particular regard in any District Plan. As such the Hearing Committee determined the suggested new clause is not necessary. In all other respects the Hearing Committee adopted the discussion on Agenda Development Planning in the Staff Report.

Department of Conservation’s submission was neutral in regard to policy 30, which was noted by the Hearing Committee.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
<i>Lucy Adams</i>	1/1	Reject
<i>Agenda Development Planning</i>	2/6	Reject
<i>John and Margaret Ankcorn</i>	5/1	Reject
<i>Dana Arcus</i>	6/1	Reject
<i>Peter Laurence Arcus</i>	7/1	Reject
<i>Maree Atkinson</i>	8/1	Reject
<i>Maggie Bannatyne</i>	9/1	Reject

Submitter	Submission	Decision
<i>Catherine Barron</i>	10/1	Reject
<i>Regan Bentley</i>	11/1	Reject
<i>David Charles Billmore</i>	12/1	Reject
<i>James Alexander Blair</i>	13/1	Reject
<i>Colleena June Blair</i>	14/1	Reject
<i>Helen Blundell</i>	16/1	Reject
<i>Rozalie Anita Brown</i>	18/1	Reject
<i>Edward Francis Butters</i>	19/1	Reject
<i>George Butters</i>	20/1	Reject
<i>Angela Calkin Goeres</i>	21/1	Reject
<i>Coastland Shopping Limited</i>	24/4	Accept
<i>Reginald Allan Davies</i>	28/1	Reject
<i>Liam Davies</i>	29/1	Reject
<i>Patricia Kathleen Davies</i>	30/1	Reject
Department of Conservation	31/26	Accept
<i>Department of Corrections</i>	32/6	Reject
<i>East Harbour Environmental Association Incorporated</i>	33/9	Accept
<i>Foodstuffs (Wellington) Co operative Society Ltd</i>	37/2	Accept
<i>Liz Gibbs</i>	41/1	Reject
<i>Steffen Goeres</i>	43/1	Reject
<i>Kristina Anne Hefford</i>	47/1	Reject
<i>Walter Jack Hutchings</i>	52/1	Reject
<i>Joan Elizabeth Hutson</i>	53/1	Reject
<i>Michele Karen Johnston</i>	54/1	Reject
Kapiti Coast District Council	56/29	Accept in part
<i>Neville William Kean</i>	57/1	Reject
<i>Marilyn Sally Kean</i>	58/1	Reject
<i>Kevin Kirk</i>	59/1	Reject
<i>Beryl Kirk</i>	60/1	Reject
<i>Sean Knight</i>	63/1	Reject
<i>Sara Knight</i>	64/1	Reject
<i>Michael John Marfell-Jones</i>	70/1	Reject

Submitter	Submission	Decision
<i>Adrienne Marfell-Jones</i>	71/1	Reject
<i>Sam McLean</i>	76/1	Reject
<i>Isaac Hamiora McLean</i>	77/1	Reject
<i>Ranea McLean</i>	78/1	Reject
<i>Robert John McLellan</i>	79/1	Reject
<i>Lynne McLellan</i>	80/1	Reject
<i>Richard John Moore</i>	84/1	Reject
<i>David Murray</i>	85/1	Reject
<i>New Zealand Historic Places Trust</i>	87/24	Accept
<i>Kevin Nicol</i>	90/1	Reject
<i>Robert Orriss</i>	93/1	Reject
<i>Joan Margaret Perry</i>	96/1	Reject
<i>Robert Edward</i>	97/1	Reject
<i>Keith James Pittams</i>	99/1	Reject
<i>June Ralston</i>	102/1	Reject
<i>Sarah Ratana</i>	103/1	Reject
<i>Mary Teresa Roberts</i>	106/1	Reject
<i>Scott Rose</i>	107/1	Reject
<i>Jacqui Roy</i>	108/1	Reject
<i>Mary Helen Sheppard</i>	110/1	Reject
<i>Robyn Smith</i>	111/1	Reject
<i>Robert Wilfred Teal</i>	115/1	Reject
<i>Theresa Tetteroo</i>	116/1	Reject
<i>Keith Martyn Thompson</i>	120/1	Reject
<i>Carolina Thompson</i>	121/1	Reject
<i>Thompson Family Trust</i>	122/1	Reject
Upper Hutt City Council	125/7	Accept
Wellington City Council	131/29	Accept
<i>Wellington Police</i>	135/4	Reject
<i>Westfield New Zealand Ltd</i>	138/9	Reject
<i>Ian Peter and Anne Marie Wood</i>	139/1	Reject
<i>Xia Zhang</i>	140/1	Reject

Submitter	Submission	Decision
<i>Julie Martin</i>	143/1	Reject

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend the definition of 'key centres' in Appendix 3 and in the last paragraph in the explanation to policy 30, on page 98, as follows:

Key centres include the *regionally significant centres* identified in policy 29, as well as other significant local centres that a city or district council consider are integral to the functioning of the region's or a district's form. This includes centres identified for higher density and/or mixed use development in any Council growth and/or development framework or strategy. Examples of growth and/or development framework or strategies in the region are:

- the Upper Hutt Urban Growth Strategy
- Wellington City Northern Growth Management Framework
- Porirua Development Framework
- Kapiti Coast: Choosing Futures Development Management Strategy and local outcomes statements contained in the Kapiti Coast Long-term Council Community Plan.

Amend the last paragraph in the explanation to Policy 30

'Locations with good access to the *strategic public transport network*' may include those:

- within reasonable walk times to stops or stations on the *strategic public transport network* (research indicates a walk time of up to 10 minutes is 'reasonable')
- with frequent and reliable public transport services
- with accessibility, by public transport, to key destinations in the region, and
- without physical barriers to public transport (for example, busy roads, lack of footpaths or crossing facilities, steep hills).

2.105 Policy 31: Identifying and protecting key industrial-based employment locations – district plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on policy 31 starts on page 99 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping Limited and Foodstuffs (Wellington) Co operative Society Ltd made submissions on policy 31 but did not attend the hearing.

Anders Crofoot and Wellington City Council submitted on policy 31 and attended the hearing, but did not give oral submissions on the policy.

The Hearing Committee considered these submissions and adopted the discussion on their submissions in the Staff Report.

There were no oral submissions given at the hearing in relation to policy 31.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastland Shopping Limited	24/5	Accept
Anders Crofoot	25/19	Reject
Foodstuffs (Wellington) Co operative Society Ltd	37/3	Reject
Wellington City Council	131/30	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No change is made to policy 31.

2.106 Policy 32: Supporting a compact, well designed and sustainable regional form – Regional Land Transport Strategy

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on policy 32 starts on page 101 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping Limited made a submission on policy 32 but did not attend the hearing.

Wellington City Council submitted on policy 32 and attended the hearing, but did not give oral submissions on the policy.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee also noted the oral submission in support of policy 32 by **Department of Conservation** at the hearing.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastland Shopping Limited	24/6	Accept
Department of Conservation	31/27	Accept
Wellington City Council	131/31	Accept

The further submissions from Westfield New Zealand Ltd are accepted or rejected accordingly.

(d) Changes to proposed Regional Policy Statement

No change is made to policy 32.

2.107 Policy 33: Avoiding activities on contaminated land – district plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 33 is on page 102 of Volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Defence Force made a submission on policy 33 but did not attend the hearing.

CentrePort Wellington, Porirua City Council, TrustPower Limited, and Wellington City Council, submitted on policy 33, and attended the hearing, but did not give oral submissions on policy 33. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Horticulture New Zealand sought an amendment to the definition of contaminated land. The recent changes to the Resource Management Act included a change to the definition of contaminated land to ensure if a National Environmental Standard for contaminated land is gazetted, so the application of the standard would not be limited by the previous definition in the Resource Management Act. The Hearing Committee agreed that the definition should be changed to the new definition in the Resource Management Amendment Act 2009. Refer to the later section of the Decisions Report, on Appendix 3 – Definitions, for the amended wording for the definition of contaminated land.

Horticulture New Zealand sought that section 30 functions should be reflected in policy 33 as this would provide a more holistic and integrated view for contaminated land in the region. The Hearing Committee did not agree that the proposed Regional Policy Statement needed to provide a holistic view for this issue. The proposed Regional Policy Statement is concerned with resolving environmental issues through policies and methods. It is not required to provide a total view of a Particular issue, only a means for resolution. The requirements of the Resource Management Act on the Wellington Regional Council are not reduced in any way by this approach. Horticulture New Zealand did not support the Hazardous Activities and Industries List (HAIL) as it includes all properties used for

horticulture, regardless of the likelihood of contamination. The Hearing Committee noted that policy 33 takes a precautionary approach with regards to new activities on contaminated land. The Hearing Committee considered that this approach is the most appropriate for the issue of contaminated land and the HAIL assists council in this policy. To disregard the HAIL would be counter to Government policy on this matter, and make management of the Wellington Regional Council’s database of contaminated land very difficult to administer. The Hearing Committee decided the best method to manage contaminated land in this region is through the precautionary approach, with policy 33 and the HAIL.

Oil Companies submitted that the title to policy 33 is misleading and sought that it be replaced with the word “managing”. The submitter contended the policy gives an impression that it could be interpreted as a “zero tolerance” policy towards future activities on contaminated land. The Hearing Committee did not agree with this summation of the title. The current wording is appropriate for the policy’s intent, that is, one of taking a precautionary approach to future activities on contaminated land. The word ‘avoiding’ is not intended to mean ‘avoid’ all activities as the policy explains. Oil Companies further requested changes to policy 33 to add the phrase “to manage new activities on contaminated land to ensure...” and to delete the final phrase in the explanation to read “adverse effects arising from that contamination need to be remedied or mitigated”. The Hearing Committee considered the policy 33 is at an appropriate level to manage contaminated land in the region, and that a precautionary approach is justified given the risks involved. Therefore, replacement with the words “manage new activities...” assumes a reduced level of control and is not acceptable. For the explanation to policy 33, the Hearing Committee considered the wording appropriate, in requiring any actual level of contamination to be determined, rather than the submitter’s request of “adverse effects arising from that contamination will need to be remedied or mitigated”.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
CentrePort Wellington	23/9	Reject
Horticulture New Zealand	50/27	Accept in part
New Zealand Defence Force	86/9	Accept

Submitter	Submission	Decision
Oil Companies	92/13	Reject
Porirua City Council	100/29	Reject
TrustPower Limited	124/31	Reject
Wellington City Council	131/94	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 33

2.108 Section 4.2 Regulatory policies – matters to be considered

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on section 4.2 starts on page 106 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Meridian Energy Limited, Porirua City Council, Wellington City Council and Transpower New Zealand Limited submitted on section 4.2 and attended the hearing, but did not give oral submissions on this section. The Hearing Committee considered the submissions of these submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Meridian Energy Limited	82/30	Accept in part
Porirua City Council	100/30	Accept in part

Submitter	Submission	Decision
Transpower New Zealand Limited	123/24	Accept in part
Wellington City Council	131/21	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to proposed Regional Policy Statement**

Amend section 4.2, at the start of all policies where it refers to 'replacement' [of district or regional plans], so that instead it refers to 'review', as a result of the submission of Wellington City Council as outlined in the discussion on section 4.1.

Amend the introduction to section 4.2 as follows:

4.2 Regulatory policies – matters to be considered

This section contains the policies that need to be given particular regard, where relevant, when assessing and deciding on resource consents, notices of requirement, or when changing, varying or reviewing city, district or regional plans. Within this section, policies are presented in numeric order, although the summary table below lists the policy titles by topic headings.

2.109 Policy 34: Preserving the natural character of the coastal environment – consideration

(a) **Staff Report**

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 34 is on page 113 of volume 2.

(b) **Submitters, evidence heard and Hearing Committee Deliberations**

Lower Hutt Forest and Bird Protection Society made a submission on Policy 34 but did not attend the hearing. Anders Crofoot, Federated Farmers, Meridian Energy Ltd, Porirua City Council and Wellington City Council submitted on policy 34 and attended the hearing, but did not make oral submissions on policy 34. The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Mighty River Power further submitted in support of Meridian's request to amend clauses (b)) protecting the special values of associated with estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them, so that healthy ecosystems are maintained and (g) protecting scientific and geological features to include 'from inappropriate subdivision, use and development'. The Staff Report had rejected this request stating that the duty to preserve natural character under policy 34 is subordinate to the purpose of the Act and the balancing with other matters of national importance in sections 6 and 7. Mighty River Power believed that this does not justify rejection of Meridian's submission and Mighty River Power's further submission, as clauses (b) and (g) seek unqualified protection of specific values while the Act does not. The Act does not protect the coast from all subdivision, use and development or protect it absolutely. Therefore Mighty River Power sought that policy 34 be amended as per the Meridian submission.

The Hearing Committee was of the opinion that the protection of ecosystems is provided for in section 5 of the Act and in that section is unqualified. Therefore, it is not appropriate to add the words 'from inappropriate subdivision, use and development' to clause (b). More generally and with regard to clause (g) it was considered by the Hearing Committee that policy 34 is a consideration policy only, and none of the other clauses are qualified in any way. Therefore it is not necessary to qualify clause (g).

Department of Conservation submitted that they support the recommended changes to the Regional Policy Statement as suggested in the Staff Report. The Hearing Committee noted this support.

Horticulture New Zealand further submitted in support of Federated Farmers submission that policy 34 is one of many policies that seek to protect the coastal environment but fails to recognise that rural production activities are undertaken in that environment and must be provided for. They sought that it be made clear in the Regional Policy Statement that rural production activities are an integral component of the coastal environment.

The Hearing Committee considered that the recommended changes to the introduction section have assisted in clarifying that there is a continuum of natural character in the coastal environment and that this allows for rural production activities to occur and that no further amendments are required.

Trustpower Limited's submission sought a number of amendments to the sub-clauses in this policy which were not accepted in the Staff Report's recommendations. Trustpower Limited argued in their

evidence that their amendments were sought to recognise activities that have a functional need to be located in the coastal environment and where in some cases, avoidance is not practicable and, therefore, the natural character will be affected. They suggested that policy 34 could be improved by their suggested modifications to policy 6, to enable some tolerances of minor effects associated with infrastructure or amendments to ensure that any adverse effects on the coastal environment with recognised natural character values are adequately remedied or mitigated. The Hearing Committee determined that clarification in the introduction section recognising a continuum of natural character in the coastal environment, acknowledges that there will be a range of activities associated with the coastal area. The assessment of the extent of the effects of a particular activity occurs on a case-by-case basis. Other consideration policies will be relevant as well as the need for a balanced assessment under Part 2 of the Act.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/20	Reject
Department of Conservation	31/28	Accept in part
Federated Farmers of New Zealand	35/48	Reject
Lower Hutt Forest and Bird Protection Society	66/8	Accept in part
Meridian Energy Limited	82/31	Reject
Porirua City Council	100/31	Accept in part
TrustPower Limited	124/32	Reject
Wellington City Council	131/95	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to proposed Regional Policy Statement**

Amend policy 34, on page 102, including the amendment as a result of Wellington City Council as discussed under section 4.1, as follows:

Policy 34: Preserving the natural character of the coastal environment – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review ~~replacement~~ to of a district or regional plan, particular regard shall be given to preserving the natural character of the coastal environment, by:

- (a) minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded;
- (b) protecting the ~~special~~ values of associated with estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them, so that healthy ecosystems are maintained;
- (c) maintaining or enhancing amenity – such as, open space and scenic values – and opportunities for recreation and the enjoyment of the coast by the public;
- (d) minimising any significant adverse effects from use and enjoyment of the coast by the public;
- (e) safeguarding the life supporting capacity of coastal and marine ecosystems;
- (f) maintaining or enhancing biodiversity and the functioning of ecosystems; and
- (g) protecting scientific and geological features.

2.110 Policy 35: Discouraging development in areas of high natural character – Consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 35 is on page 118 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Tararua Tramping Club made a submission on policy 35 but did not attend the hearing. Anders Crofoot, Federated Farmers, TrustPower Limited and Wellington City Council submitted on policy 35 and attended the hearing, but did not make oral submissions on policy 35. The Hearing Committee considered the matters raised by submitters

who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Kapiti Coast District Council submitted that its main concerns related to 'high natural character' and the 'coastal environment', particularly policies 3 and 35. They highlighted that these policies had been significantly amended as a result of submissions and that policy 35 no longer contained criteria to identify natural character. Kapiti Coast District Council commended these changes surrounding assessing the appropriateness of developments in the coastal environment. However, they would have liked to have seen policy 35 explicitly linked to policy 3. Kapiti Coast District Council submitted that further guidance would be desirable, if policy 35 referred to the natural character criteria that are now in policy 3.

The Hearing committee noted that amendments to policy 35 shown in the Staff Report, on page 128 in volume 2, and in the explanation of policy 3, would provide adequate linkages between policies 3 and 35. They believe that adequate guidance is given by use of the two policies and that in terms of further guidance, there is joint responsibility to implement policy 35.

Genesis Energy further submitted in support of Mighty River Power's submission that the revised wording of policies 3 and 35 as proposed in the Staff Report addresses Genesis Energy's further submissions. The Hearing Committee noted this.

Meridian Energy Limited submitted that they support the Staff Report's recommendation to provide factors to define natural character in policy 3 and determine inappropriateness in policy 35. This submitter also stated that although there is an acknowledgement of the functional need to have a coastal location in this policy, there is no consideration of the potential benefits to be derived from a coastal location. Meridian Energy Limited suggested that when appropriateness is being determined for activities other than regionally significant infrastructure in a coastal environment, that consideration should be given to their positive benefits such as social, economic, cultural and environmental benefits.

The Hearing Committee considered that assessment will ultimately be made under Part 2 of the Act, which requires a balancing of both the positive and negative effects of natural resources, and a determination as to whether this constitutes sustainable management. It is not the purpose of the proposed Regional Policy Statement to provide an exhaustive list of evaluation criteria and constraints. Therefore the submission point was rejected. The support for the policy and approach in general was noted.

Mighty River Power submitted that in their original submission they opposed both policies 35 and 3, as they considered them to be inconsistent with section 6 of the Act. However, as a result of the substantial changes recommended in the Staff Report, Mighty River Power now considered that these policies are both useful and appropriate. They specifically supported clause (a) which considers the functional need to locate in the coastal environment. The Hearing Committee noted this support.

Mighty River Power also sought that clause (d) be amended to recognise that environmental compensation should be considered when determining the appropriateness of activities. The Hearing Committee considered the matter of environmental compensation when considering the submission of Mighty River Power on policy 11 and the decision of the Hearing Committee is contained in the discussion on that policy. Mighty River Power noted comments from Mr Coombs (landscape architect for Mighty River Power) relating to the inclusion of clause (c) social values under policy 35. Mr Coombs requested clause (c) be deleted from policy 35, and Mighty River Power requested that council adopt Mr Coombs recommendation. The Hearing Committee noted that clause (c) referred to by Mr Coombs has been deleted.

The **Department of Conservation** stated that they support the recommended changes to policy 35 which will give effect to s6(a) of the Act. The Hearing Committee noted this support.

Horticulture New Zealand further submitted in support of Federated Farmers submission and provided evidence that policy 35 is one of many policies that seek to protect the coastal environment but fails to recognise that rural production activities are undertaken in that environment and must be provided for. They sought that it be made clear in the Regional Policy Statement that rural production activities are an integral component of the coastal environment.

The Hearing Committee considered that policy 35 includes a list of matters to have particular regard to when determining inappropriateness in the coastal environment, and that the recommended changes to the introduction section have clarified that there is a continuum of natural character in the coastal environment, and that this allows for rural production activities to occur.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/21	Reject
Department of Conservation	31/29	Accept in part
Federated Farmers of New Zealand	35/49	Accept in part
Kapiti Coast District Council	56/30	Accept in part
Meridian Energy Limited	82/32	Accept
Mighty River Power	83/32	Accept in part
Tararua Tramping Club	114/15	Reject
TrustPower Limited	124/33	Accept in part
Wellington City Council	131/22	Accept in part see changes to Policy 3

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend Policy 35, including the amendment as a result of the submission by Wellington City Council as discussed under section 4.1 on page 103, as follows:

Policy 35: Discouraging development in areas of high Managing effects on natural character in the coastal environment – consideration

When considering an application for a resource consent, notice of requirement or a change, variation or review replacement to of a district or regional plan, particular regard shall be given to discouraging new subdivision and development, and inappropriate use, on land in the coastal environment with high natural character. All of the following factors shall be used in determining the degree of natural character: a determination shall be made as to whether an activity may affect natural character in the coastal environment, and in determining whether an activity is inappropriate particular regard shall be given to:

(a) The extent to which natural elements, patterns and processes occur, including:

(i) natural elements: the products of natural processes such as landforms, water forms, vegetation and land cover;

(ii) natural processes: the ecological, climatic and geophysical processes that underlie the expression and character of the place, site or area;

(iii) natural patterns: the visual expression or spatial distribution of natural elements which are, or which appear to be, a product of natural processes; and/or

(iv) surroundings: the setting or context, such that the place, site or area contributes to an understanding of the natural history of the wider area.

(b) The nature and extent of modifications to the place, site or area, including, but not limited to:

(i) physical alterations by people to the landscape, its landforms, waterforms, vegetation, land cover and to the natural patterns associated with these elements;

(ii) the presence, location, scale and density of buildings and structures, including infrastructure, whether appearing to be interconnected or isolated, and the degree of intrusiveness of these structures on the natural character of the place;

(iii) the temporal character of the modification — such as, whether it is fleeting or temporary, transitory, transitional or a permanent alteration to the character of the place, site or area; and/or

(iv) any existing influences or pressures on the dynamic ecological and geophysical processes contributing to the presence and patterns of natural elements, such that these may change and the natural elements and/or patterns may become threatened over time.

(c) Social values: the place, site or area has meaning for a particular community or communities, including:

(i) sentimental: the natural character of a place, site or area has a strong or special association with a particular community; and/or

(ii) recognition: the place, site or area is held in high public esteem for its natural character value, or its contribution to the sense of identity of a particular community.

(a) the nature and intensity of the proposed activity including:

(i) the functional need or operational requirement to locate within the coastal environment

(ii) the opportunity to mitigate anticipated adverse effects of the activity

(b) the degree to which the natural character will be modified, damaged or destroyed including:

(i) the duration and frequency of any effect, and/or

(ii) the magnitude or scale of any effect;

(iii) the irreversibility of adverse effects on natural character values;

(iv) whether the activity will lead to cumulative adverse effects on the natural character of the site/area.

(c) the resilience of the site or area to change;

(d) the opportunities to remedy or mitigate previous damage to the natural character.

Explanation

Policy 35 gives effect to a requirement, under the Resource Management Act and the *New Zealand Coastal Policy Statement*, to preserve the natural character of the *coastal environment*, which is a matter of national importance.

~~Discouraging new subdivision and development, and inappropriate use in places, sites or areas with high natural character in the coastal environment is also a matter of regional importance.~~

This policy will ensure that subdivision, use and development is appropriate for the characteristics of the area or site and will not adversely affect the natural character of the *coastal environment* which is also a matter of regional importance.

Case law¹ has established that natural character does not necessarily mean pristine or completely unmodified character. Natural character occurs on a continuum, from pristine to being highly modified. Most of the *coastal environment* has some element of unmodified natural character and, conversely, some degree or element of modification.

The appropriateness or otherwise of any subdivision, use or development will depend both on the character of the particular coastal environment and on the nature of the activity proposed. In order to manage effects on natural character, an assessment is required as to where the particular site/area lies on that continuum from pristine to highly modified. The factors in policy 3 can be used for that assessment. Integral to this assessment is an

¹ Harrison v Tasman District Council 1994 W42/93

appreciation of the robustness of the environment to retain the integrity of the natural processes and forms.

The determination as to whether a proposed activity is appropriate, given that context, is then assessed using the factors in this policy. These address the nature and characteristics of the proposal and the potential effects which could arise from the proposal.

~~Policy 35 (a) contains factors which contribute ‘natural’ attributes to an area, while the factors within clause (b) are about people’s influence in or upon the area, which can compromise, modify or otherwise diminish the natural character of the area. Clause (c) encourages consideration of how people value a particular place. In determining the degree of natural character, the factors within clauses (a) and (b) must be contrasted against each other, and considered alongside the matters contained in clause (c).~~

~~Generally, an area of high natural character is likely to be dominated by natural elements rather than by the influence of human activities, and/or the natural elements will be out of the ordinary or otherwise regarded as important in terms of one or more of the factors outlined within policy 35(a) and (c). Alternatively, an area of high natural character may be regarded as having qualities which are relatively uncompromised by human activities and influence, as specified within 35(b).~~

Policy 35 applies to subdivision, use and development in the *coastal environment*, the landward extent of which is required to be defined or given particular regard by policies 5 and 37.

Policy 35 is not intended to prevent change, but rather to ensure that change is carefully considered and appropriate in relation to the natural character values in the coastal environment, identified in policy 35, as assessed using the matters in policy 3.

Policies 45, 46, 47, 48, 49, 50, 52, 53, 54, 55 and 57 will need to be considered alongside policy 35, when managing effects on natural character, changing, varying or ~~replacing~~ reviewing a district or regional plan, as these also assist with assessments of what might be considered ‘appropriate’ use and development or conversely, ‘inappropriate’ use and development.

2.111 Policy 36: Safeguarding life-supporting capacity of coastal ecosystems – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It

includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 36 is on page 129 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Trustpower Limited and Wellington City Council submitted on policy 36 and attended the hearing, but did not make oral submissions on policy 36. The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

The **Department of Conservation** considered that the Staff Report recommendation on the submission should be ‘accept in part’ but they accepted the reasons given in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/30	Reject
Trustpower Limited	124/34	Reject
Wellington City Council	131/96	Accept

(d) Changes to the proposed Regional Policy Statement

Amend policy 36, on page 104, as a result of the submission of Wellington City Council as discussed under section 4.1, as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or review ~~replacement to~~ of a district or regional plan, particular regard shall be given to safeguarding the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing:

...

2.112 Policy 37: Identifying the landward extent of the coastal environment – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 37 is on page 131 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anders Crofoot, Federated Farmers, Horticulture New Zealand and Wellington City Council submitted on policy 37 and attended the hearing, but did not make oral submissions on policy 37. The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the oral submissions given at the hearing.

The **Department of Conservation** stated their support for the Staff Report's recommendation to accept their submission point. The Hearing Committee noted this support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/22	Reject
Department of Conservation	31/31	Accept
Federated Farmers of New Zealand	35/50	Reject
Horticulture New Zealand	50/28	Reject
Wellington City Council	131/97	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 37, on page 105, as a result of the submission of Wellington City Council as discussed under section 4.1, as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or review ~~replacement~~ to of a district or regional plan, particular regard shall be given to safeguarding the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing:

...

2.113 Policy 38: Recognising the benefits from regionally significant infrastructure and renewable energy – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 38 is on page 133 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Linda Hoyle and Makara Ohariu Community Board made submissions on policy 38 but did not attend the hearing. Airways Corporation of New Zealand Ltd, Paraparaumu Airport Limited, CentrePort Wellington, TrustPower Limited, Masterton District Council, and Wellington International Airport Limited submitted on policy 38 and attended the hearing, but did not give oral submissions on policy 38. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Department of Conservation** made a neutral submission concerning competing considerations where protection would be required. An additional paragraph was added regarding balancing competing considerations.

Genesis Energy supported the recommended changes in the Staff Report. This support was noted. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Makara Guardians Incorporated requested deletion of all references to renewable energy generation, specifically removing

reference to renewable energy generation from clause (a), retaining (b) as recommended in the Staff Report, and deletion of clauses (c) and (d) [Staff Report recommended version]. The submitter also requested deletion of all of the explanation except for the sunset clauses. The Hearing Committee considered the benefits to be derived from the use and development of renewable energy is a matter to have particular regard to under section 7(j) of the Resource Management Act and the policy is appropriate to include in the proposed Regional Policy Statement because it addresses a significant issue for the region (issue 1 – energy, infrastructure, and waste). While the Hearing Committee recognised that renewable energy generation facilities locating where the resource exists is an obvious requirement due to the nature of the generation, the fact that this is something that cannot be avoided needs to be recognised for when it comes to weighing competing considerations and options for mitigating or remedying. The Hearing Committee acknowledged that there are adverse effects of renewable energy generation infrastructure and projects, and the need for the competing considerations to be weighed should be recognised in the explanation. Accordingly, an additional paragraph is added to the explanation. The Hearing Committee also noted that the request for deletion of the explanation and references to renewable energy generation is beyond the scope of Makara Guardians Incorporated's submission.

Makara Guardians Incorporated and Makara Ohariu Community Board made a written submission concerning the limitation of 38(b) [as proposed] to nationally significant wind and marine resources. The intention of this was to relate to the reports listed in the explanation. The Hearing Committee considered it would be clearer to make a general statement and this would also give councils the flexibility to incorporate findings from future reports. An amendment to the policy and explanation was made.

Meridian Energy Limited supported the addition of the new (b) and the splitting of the original (b) into (c) and (d). The support is noted. The submitter requested that the explanation include a statement that the policy is not intended to define or limit the locations for appropriate regionally significant infrastructure. The Hearing Committee noted this request may be outside the scope of the submission, but considered the change unnecessary as there is no mention of limiting locations. Evaluation of sites and projects would be done on an individual basis; there is no policy direction for zoning for future energy infrastructure. No further change was made. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Mighty River Power requested reference to nationally significant infrastructure. The Hearing Committee concurred with the discussion in the Staff Report and no change was made. The submitter also suggested a consequential reordering of (a) in line with the changes

recommended for policy 6 and the heading of policy 38. The Hearing Committee agreed this change would be made.

New Zealand Defence Force supported the recommended change to include New Zealand Defence Force infrastructure in the definition of regionally significant infrastructure. The Hearing Committee considered that the definition of regionally significant infrastructure should be limited to those in the Resource Management Act. New Zealand Defence Force infrastructure was, accordingly, not included as regionally significant infrastructure.

NZ Transport Agency requested reference to moving around the region safely. The Hearing Committee noted this was an inadvertent omission from the Staff Report, and the explanation is amended accordingly. The submitter also requested that the sunset clauses be removed as they were concerned that integration will be compromised, and were also concerned with the different treatment of 38(a) and (b) [(b) is now (c) and (d)]. The implementation of 38(a) will ensure that regional and district plans are integrated when they are developed. 38(b) [now (c) and (d)] has no sunset clause because the matters are not addressed by another specific policy as 38(a) is. No change is made. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Preserve Pauatahanui Incorporated requested all references to renewable energy be removed from the policy. The benefits to be derived from the use and development of renewable energy is a matter to have particular regard to under section 7(j) of the Resource Management Act and the policy is appropriate to include in the proposed Regional Policy Statement because it addresses a significant issue for the region (issue 1 – energy, infrastructure, and waste). The Hearing Committee acknowledged that there are adverse effects of renewable energy generation infrastructure and projects, and the need for the competing considerations to be weighed should be recognised in the explanation. Accordingly, an additional paragraph was added to the explanation.

The Energy Efficiency and Conservation Authority reiterated their request for nationally significant infrastructure to be included. The Hearing Committee concurred with the discussion in the Staff Report and no change was made. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Oil Companies, Transpower New Zealand Limited, and PowerCo Limited requested recognition of the adverse effects of infrastructure through recognition of operation within an accepted envelope of effects. A paragraph has been added to the explanation to recognise that competing considerations will exist, and that these need to be balanced according to what is appropriate in the individual circumstances. It is inappropriate to give a general preference for one aspect or consideration over another without any regard to individual

cases. If resource consent is gained, the adverse effects allowed under that resource consent are deemed acceptable.

Oil Companies, Transpower New Zealand Limited, and PowerCo Limited requested the sunset clauses be deleted as they were concerned that plan changes and variations will not be covered. Policy 38 remains in place until such time as other policies have been given effect to, so policy 38 would still be relevant for variations and until such time as an adequate plan or plan change becomes operative policy 38 continues to have effect, as policies 6 and 7 would not have been given effect to until that time. The Hearing Committee therefore considered the concerns raised would not occur and no change was made. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Transpower New Zealand Limited and PowerCo Limited requested that the policy include mitigation of adverse effects through the selection of sites, routes, and methods and the explanation to state the benefits of regionally significant infrastructure must be taken into account when considering effects. They also wanted clause (c) to include transmission connections from the generation facilities, however, there was no submission made on this matter so no changes can be made. The Hearing Committee considered that, while assessment of alternative sites is part of the consideration for resource consent applications, it is not appropriate to provide that consideration of alternative sites generally as an acceptable form of mitigation. This needs to be left to individual cases. The policy is to recognise the benefits of regionally significant infrastructure when considering resource consent applications. It is, therefore, redundant to add this statement to the explanation.

Wellington City Council supported the policy. The support is noted.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Airways Corporation of New Zealand Ltd	4/6	Accept in part
CentrePort Wellington	23/10	Reject
Department of Conservation	31/32	Noted
Genesis Energy	40/11	Accept in part
Linda Hoyle	51/3	Reject
Makara Guardians Incorporated	68/2	Accept in part
Makara Ohariu Community Board	69/3	Accept in part
Masterton District Council	74/15	Accept
Meridian Energy Limited	82/33	Accept in part
Mighty River Power	83/33	Accept in part
New Zealand Defence Force	86/10	Reject
NZ Transport Agency	91/14	Accept in part
NZ Transport Agency	91/15	Reject
Oil Companies	92/14	Accept in part
Oil Companies	92/15	Reject
Oil Companies	92/16	Accept
Preserve Pauatahanui Incorporated	101/4	Reject
The Energy Efficiency and Conservation Authority	117/16	Accept in part
Transpower New Zealand Limited	123/18	Accept
Transpower New Zealand Limited	123/25	Accept in part
TrustPower Limited	124/35	Accept in part
Wellington City Council	131/98	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 38, on page 105, as a result of the above submissions as a result of the submission of Wellington City Council's on 4.1, and the submission of oil companies, Transpower New Zealand Limited and PowerCo on section 3.3, as follows:

Policy 38: Recognising the benefits from regionally significant infrastructure and renewable energy and regionally significant infrastructure – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement to~~ review of a district or regional plan, particular regard shall be given to:

- (a) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources and/or regionally significant infrastructure ~~and/or energy generated from renewable energy resources~~; and
- (b) protecting regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and
- (c) ~~the nationally significant wind and marine renewable energy resources within the region~~ and the need for renewable electricity generation facilities to locate where these renewable energy resources exist; and
- (d) significant wind and marine renewable energy resources within the region.

Explanation

The benefits of energy generated from *renewable energy* resources include:

- security of and the diversification of our energy sources
- reducing our dependency in imported energy resources – such as oil, natural gas, and coal
- reducing greenhouse gas emissions
- contribution to the national renewable energy target.

The benefits are not only generated by large scale renewable energy projects but also smaller scale, distributed generation projects.

The benefits of regionally significant infrastructure include:

- people and goods can efficiently and safely move around the region, and to and from
- public health and safety is maintained through the provision of essential services – such as potable water and the collection and transfer of sewage or stormwater
- people have access to energy to meet their needs
- people have access to telecommunication services

Energy generation from renewable energy and *regionally significant infrastructure* (as defined in Appendix 3) can provide benefits both within and outside the region.

Regionally significant infrastructure includes:

- ~~Pipelines for the distribution or transmission of natural or manufactured gas or petroleum~~
- ~~strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001~~
- ~~strategic radio communications facilities, as defined in section 2(1) of the Radio Communications Act 1989~~
- ~~the national electricity grid, as defined by the Electricity Governance Rules 2003~~
- ~~facilities for the generation and transmission of electricity where it is supplied to the national electricity grid~~
- ~~the local authority water supply network and water treatment plants~~
- ~~the local authority wastewater and stormwater networks, systems and wastewater treatment plants~~
- ~~the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2007-2016~~
- ~~Wellington city bus terminal and Wellington Railway Station terminus~~
- ~~Wellington International Airport~~
- ~~Commercial Port Areas within Wellington Harbour (including Miramar, Burnham and Seaview wharves) and adjoining land and storage tanks for bulk liquids.~~

Renewable energy generation and regionally significant infrastructure can also have adverse effects on the surrounding environment and community. These competing considerations need to be weighed on a case by case basis to determine what is appropriate in the circumstances.

...

~~The national significance of the~~ Potential significant sites for development of Wellington region's marine and wind resources is have been identified in two reports.—These reports are such as 'Marine Energy – Development of Marine Energy in New Zealand with particular reference to the Wellington Regional Council Region Case Study by Power Projects Ltd, June 2008' and 'Wind Energy – Estimation of Wind Speed in the Wellington Regional Council Region, NIWA, January 2008'.

Add as the final paragraph to the explanation for policy 38, on page 106, after the paragraph starting Policy 38(a)..., the following:

Policy 38(b) shall cease to have effect once policy 7 is given effect in a relevant district or regional plan.

2.114 Policy 39: Maintaining and enhancing aquatic ecosystem health – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 39 is on page 150 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Horticulture New Zealand, Lower Hutt Forest and Bird Protection Society and Meridian Energy Limited submitted on policy 39 and attended the hearing, but did not make oral submissions on policy 39. The Hearing Committee considered their submissions and adopted the discussions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report, but considered the recommendation should be “accept in part”. The Hearing Committee agreed and has made this change.

Mighty River Power sought similar relief for policy 39 as they had sought for policy 11. The Hearing Committee noted that the two policies were similar in content with the main difference being that policy 11 directs regional plans and policy 39 provides for matters in policy 11 to be considered in resource consent applications and district plans. The Hearing Committee responded to the submission on policy 39 in the same way as reported in the decision on policy 11. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Wellington City Council sought that standards for stormwater be included in the Stormwater Action Plan. The Hearing Committee agreed with the Staff Report, that setting limits on discharges is primarily a matter for the regional plan. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/33	Accept in part
Horticulture New Zealand	50/29	Reject
Lower Hutt Forest and Bird Protection Society	66/9	Accept
Meridian Energy Limited	82/34	Reject
Mighty River Power	83/34	Reject
Wellington City Council	131/23	Accept in part

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to the proposed Regional Policy Statement**

Amend policy 39, on page 106, and its explanation, as a result of submissions on policy 5 and 11 and as a result of the submission by Mighty River Power on policy 23, and the submission by Wellington City Council on section 4.1 as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement to~~review of a regional or district plan, particular regard shall be given to:

- (a) requiring, as a minimum, that water quality, flows and water levels of surface water bodies are managed for the purpose of maintaining or enhancing aquatic ecosystem health;
- (b) requiring, as a minimum, ~~that~~ water quality in the coastal marine area to be managed for the purpose of is maintaininged or enhancinged so that it sustains healthy aquatic ecosystems health; and
- (c) managing water bodies and the water quality of coastal water for other purposes identified in regional plans.

Amend the explanation to policy 39 as follows:

Clause (a) identifies *ecosystem health* as a water management purpose for surface *water bodies* and clause (b) identifies water quality in the *coastal marine area* is to be managed for the purpose of aquatic *ecosystem health*. Other ~~W~~water management purposes for *water bodies* and *coastal waters* in clause (c) are to be established in *regional plans* as required by policies 5 and 11.

Application for a resource consent refers to all types of resource consent. Policy 39 shall cease to be considered for resource consents processed by the Wellington Regional Council once policy 5 and 11 are given effect to in a regional plan. Policy 39 shall continue to be considered by city and district councils when processing resource consents, notices of requirement and making changes, variations or reviews of district plans.

...

2.115 Policy 40: Minimising the effects of earthworks and vegetation disturbance – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 40 is on page 154 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

East Harbour Environmental Association Incorporated made a submission on policy 40 but did not attend the hearing. Anders

Crofoot, Federated Farmers of New Zealand and Wellington City Council submitted on policy 40 and attended the hearing, but did not make oral submissions on policy 40. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussions on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report.

Horticulture New Zealand and **Mighty River Power** sought the same relief for policy 40 as they had sought for policy 14. **Genesis Energy** made a further submission on policy 40, which was the same as their further submission on policy 14. The Hearing Committee noted that the two policies are similar in content, with the main difference being that policy 14 directs regional and district plans and policy 40 provides for the matters in policy 14 to be considered in resource consent applications and plan changes. The Hearing Committee responded to the submissions on policy 40 in the same way as reported in the decision on policy 14. In all other respects the Hearing Committee adopted the discussions in the Staff Report.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/23	Reject
Department of Conservation	31/34	Accept
East Harbour Environmental Association Incorporated	33/16	Accept
Federated Farmers of New Zealand	35/51	Reject
Horticulture New Zealand	50/30	Reject
Mighty River Power	83/35	Reject
Wellington City Council	131/99	Accept in part

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 40, on page 107, and the second paragraph of its explanation as a result of the submission by Wellington City Council on section 4.1 as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~or replacement~~ review of a regional or district plan, particular regard shall be given to controlling earthworks and vegetation disturbance to minimise:
...

Explanation

...

This policy provides for consideration of earthworks and vegetation disturbance to minimise erosion and *sediment* runoff prior to plan controls being adopted by regional and district plans in accordance with policy 14. This policy shall cease to have effect once method 30 is implemented and policy 14 is implemented ~~implemented~~ given effect to in regional and district plans.

2.116 Policy 41: Minimising contamination in stormwater from development – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 41 is on page 159 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

East Harbour Environmental Association Incorporated made a submission on policy 41 but did not attend the hearing. Horticulture New Zealand, Kapiti Coast District Council, Lower Hutt Forest and Bird Protection Society and Wellington City Council submitted on policy 41 and attended the hearing, but did not make oral submissions on policy 41. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Department of Conservation** considered it feasible to include information or educational signs as part of a resource consent requirement. The Hearing Committee recognised that there will be situations where signage is not appropriate to include as a condition of resource consent. However, where the benefits suggested by the submitter are apparent and signage can be included as a resource consent condition, it will be appropriate to do so. An additional clause was included in policy 41.

Friends of Owhiro Stream supported policy 41. This support was noted.

Porirua City Council sought a change to policy 41 (e) recognising that topography also determines the success of soak pits. The Hearing Committee noted that in response to the submission from Kapiti Coast District Council, the Staff Report recommended amending the policy to delete the part of policy 41(e) that this submission relates to. The Hearing Committee agreed with this deletion and adopted it. Therefore, the new wording suggested by the submitter is not needed. In all other respects the Hearing Committee adopted the Staff Report.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/35	Accept in part
East Harbour Environmental Association Incorporated	33/17	Accept
Friends of Owhiro Stream	38/4	Accept in part
Horticulture New Zealand	50/31	Reject
Kapiti Coast District Council	56/31	Accept
Lower Hutt Forest and Bird Protection Society	66/10	Accept

Submitter	Submission	Decision
Porirua City Council	100/32	Reject
Wellington City Council	131/100	Accept in part

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 41, as a result of these submissions and the submission from Wellington City Council discussed under section 4.1, as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement~~ review of a district plan, the adverse effects of stormwater run-off from subdivision and development shall be reduced by having particular regard to:

...

- (e) using soakpits for the disposal of stormwater, ~~where the soil type is suitable for this purpose, and groundwater will not be adversely affected;~~

...

- (j) using educational signs, as conditions on resource consents, that promote the values of water bodies and methods to protect them from the effects of stormwater discharges.

2.117 Policy 42: Protecting aquatic ecological function of water bodies – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 42 is on page 163 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Anders Crofoot, Lower Hutt Forest and Bird Protection Society, Meridian Energy Limited, Mighty River Power and Wellington City Council submitted on policy 42 and attended the hearing, but did not make oral submissions on policy 42. The Hearing Committee

considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Department of Conservation** accepted the Staff Report and considered the staff recommendation should be “accept in part”. The Hearing Committee made this change.

Friends of Owhiro Stream supported policy 42.

Horticulture New Zealand sought the deletion of Appendix 1. The Hearing Committee’s response to that request along with its reasons were given in relation to Horticulture New Zealand’s submissions on policy 17, Appendix 1, Table 15 and Horticulture New Zealand’s further submission on Table 16. In all other respects the Hearing Committee adopted the Staff Report.

The Hutt Valley Angling Club reiterated their concern about vehicle access to rivers. The Hearing Committee agreed with the Staff Report and considered that control of vehicle access within rivers and lakes is a matter to be decided when the regional plan is reviewed. It is a specific activity that the Resource Management Act requires the rules of regional plans to address. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/24	Accept
Department of Conservation	31/36	See report on Table 16
Horticulture New Zealand	50/32	See reports on policy 17 and Appendix 1
Lower Hutt Forest and Bird Protection Society	66/11	Accept
Meridian Energy Limited	82/35	Accept in part
Mighty River Power	83/36	Reject

Submitter	Submission	Decision
The Hutt Valley Angling Club	118/2	See report on policy 16
Wellington City Council	131/101	Accept in part

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 42, as a result of the submission from Wellington City Council discussed under section 4.1, as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement~~ review of a district or regional plan, particular regard shall be given to:

...

- (d) ~~protecting maintaining or enhancing the significant~~ amenity and recreational values of rivers and lakes, including ~~those~~ significant amenity and recreational values of rivers and lakes listed in Table 15 of Appendix 1;
- (e) protecting the significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those rivers and lakes listed in Table 16 of Appendix 1;
- (i) ~~preventing discouraging~~ stock access to rivers, lakes and wetlands;

Amend the third paragraph of the explanation for policy 42, as a result of the submission by Wellington City Council on section 4.1, as follows:

Application for a resource consent refers to all types of resource consent. Policy 42 shall cease to be considered for resource consents processed by the Wellington Regional Council once policies 16 and 17 are given effect to in a regional plan. Policy 42 shall continue to be considered by city and district councils when processing resource consents, notices of requirement and making changes, variations or reviewing district plans. Policy 42 provides for consideration of ecosystem functions prior to regional plan policies, rules and/or methods being adopted in accordance with policies 16 and 17. Policy 42 shall cease to have effect once the regional plan is operative in accordance with policies 16 and 17. However, it will continue to be relevant to

~~matters controlled by district and city councils as policy 16 only applies to regional plans.~~

2.118 Policy 43: Managing water takes to ensure efficient use – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 43 is on page 167 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Fonterra Co-operative Group Ltd made a submission on policy 43 but did not attend the hearing. TrustPower Limited, Wairarapa Regional Irrigation Trust and Wellington City Council submitted on policy 43 and attended the hearing, but did not make oral submissions on policy 43. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Department of Conservation** accepted the Staff Report and considered the staff recommendation should be “accept in part”. The Hearing Committee made this change.

Horticulture New Zealand raised matters with the Hearing Committee in relating to efficient use of water that are addressed in the report on section 3.4. No further matters were raised relating to the specific submission on policy 43 and the Hearing Committee adopted the discussion in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/37	Accept in part
Fonterra Co-operative Group Ltd	36/7	Note
Horticulture New Zealand	50/33	Reject
TrustPower Limited	124/36	Accept
Wairarapa Regional Irrigation Trust	127/8	Note
Wellington City Council	131/102	Accept

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 43.

2.119 Policy 44: Using water efficiently – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 44 is on page 170 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Craig Brown made a submission on policy 44 but did not attend the hearing. Kapiti Coast District Council, Porirua City Council, TrustPower Limited and Wellington City Council submitted on policy 44 and attended the hearing, but did not make oral submissions on policy 44. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Department of Conservation** accepted the Staff Report.

Horticulture New Zealand raised matters in relation to efficient use of water that are addressed in the Staff Report and this Decisions Report in relation to section 3.4. No further matters were raised relating to the specific submission on policy 44 and the Hearing Committee adopted the discussion in the Staff Report.

WaterCare Services commented in relation to policy 44, that references to greywater irrigation should be made in the proposed Regional Policy Statement, although the submitter did not refer to policy 44 in their original submission. The Hearing Committee identified in relation to policy 18, that such a reference was appropriate to include in the context of policy 65.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Craig Brown	17/2	Reject
Department of Conservation	31/38	Accept
Horticulture New Zealand	50/34	Reject See also the report on policy 18
Kapiti Coast District Council	56/32	Accept
Porirua City Council	100/33	Reject
TrustPower Limited	124/37	Accept
Wellington City Council	131/103	Accept

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 44, as a result of the submission from Wellington City Council discussed under section 4.1, as follows:

When considering an application for a resource consent, or a change, variation or ~~replacement~~ review of a district plan, particular regard shall be given to requiring water collection,

water demand management options, and water reuse and/or water recycling measures, so that water is used efficiently.

2.120 Policy 45: Managing effects on historic heritage values – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 45 is on page 173 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Defence Force and New Zealand Historic Places Trust made submissions on policy 45 but did not attend the hearing. Winstone Aggregates submitted on policy 45, and attended the hearing, but did not give oral submissions on policy 45. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

The Department of Conservation, Porirua City Council and Wellington City Council expressed support in their oral evidence for the recommendations contained in the Staff Report. The Hearing Committee acknowledged their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/28	Reject
Department of Conservation	31/39	Accept
New Zealand Defence Force	86/11	Accept

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/25	Accept in part
Porirua City Council	100/34	Accept
Wellington City Council	131/104	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 45, as a result of the submission from Wellington City Council discussed under section 4.1, as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement to~~ review of a district or regional plan, a determination shall be made as to whether an activity may affect a place, site or area with historic heritage value, and in determining whether an activity is inappropriate particular regard shall be given to:

2.121 Policy 46: Managing effects on indigenous ecosystems and habitats with significant biodiversity values – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 46 is on page 176 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Kapiti Coast District Council, Lower Hutt Forest and Bird Protection Society, Meridian Energy, Trustpower Limited, Wellington City Council, Wellington Botanical Society and Porirua City Council submitted on Policy 46, attended the hearing but did not give oral submissions on Policy 46. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Winstone Aggregates and **Mighty River Power** sought that Policy 46 be amended to provide for environmental compensation or offsetting. The Hearing Committee considered this matter when considering the submission of Mighty River Power on Policy 11 and the decision of the Hearing Committee is contained in the discussion relating that policy. In all other respects the hearing Committee adopted the discussions in the Staff Report on their submissions.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/29	Reject
Department of Conservation	31/40	Accept in part
Kapiti Coast District Council	56/11	Accept
Lower Hutt Forest and Bird Protection Society	66/12	Accept
Meridian Energy Limited	82/36	Reject
Mighty River Power	83/37	Reject
Porirua City Council	100/36	Accept in part
Trustpower Limited	124/38	Accept in part
Wellington Botanical Society	130/7	Reject
Wellington City Council	131/105	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to proposed Regional Policy Statement**

Amend policy 46 and its explanation, as a result of the submissions above and as a result of the submission of Wellington City Council discussed under section 4.1, as follows:

Policy 46: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement to~~ review of a district or regional plan, a determination shall be made as to whether an activity may affect indigenous ecosystems; and habitats ~~or areas~~ with significant indigenous biodiversity values, and in determining whether the proposed activity is inappropriate particular regard shall be given to:

- (a) maintaining connections within, or corridors between, habitats of indigenous flora and fauna, and/or enhancing the connectivity between fragmented indigenous habitats;
- (b) providing adequate buffering around areas of significant indigenous ecosystems and habitats from other land uses;
- ~~(c) maintaining water bodies in their natural state~~ managing wetlands for the purpose of aquatic ecosystem health;
- (d) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats;
- (e) providing seasonal or core habitat for ~~specific~~ indigenous species;
- ~~(f) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats;~~
- ~~(g)~~ (f) protecting the life supporting capacity of indigenous ecosystems and habitats
- ~~(h)~~ (g) remedying or mitigating adverse effects on the indigenous biodiversity values where avoiding adverse effects is not practicably achievable; and
- ~~(i)~~ (h) the need for a precautionary approach when assessing the potential for adverse effects on indigenous ecosystems and habitats.

Explanation

Policy 46 provides an interim assessment framework for councils, resource consent applicants and other interested parties, prior to the identification of *ecosystems* and *habitats* ~~and areas~~ with significant *indigenous biodiversity* values in accordance with policy 22, and the adoption of plan provisions for protection in accordance with policy 23.

In determining whether an activity may affect significant indigenous biodiversity values, the criteria in policy 22 should be used.

This policy shall cease to have an effect once policies 22 and 23 are in place in an operative district or regional plan.

2.122 Policy 47: Principles of the Treaty of Waitangi – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 47 is on page 185 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on policy 47 but did not attend the hearing. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report pertaining to resource management with tangata whenua. The **Department of Conservation** accepts the staff recommendation for policy 47. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/41	Accept
New Zealand Historic Places Trust	87/26	Accept
Wellington City	131/106	Accept

Submitter	Submission	Decision
Council		

(d) Changes to the proposed Regional Policy Statement

Amend policy 47, as a result of the submission from Wellington City Council discussed under section 4.1, as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement to~~ review of a district or regional plan, particular regard shall be given to:

...

2.123 Policy 48: Avoiding adverse effects on matters of significance to tangata whenua – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 48 is on page 186 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

Federated Farmers of New Zealand and Meridian Energy submitted on policy 48, and attended the hearing, but did not give oral submissions on policy 48. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report in relation to resource management with tangata whenua. The **Department of Conservation** accepts the staff recommendation for policy 48. The Hearing Committee noted their support.

Mighty River Power sought that the phrase, “avoid, remedy or mitigate” be included in policy 48 due to their concern that it is too focussed on avoiding adverse effects. The Hearing Committee notes the comments made in the Staff Report, volume 2, page 188, that giving particular regard to avoiding adverse effects will need to be considered alongside other relevant policies. Therefore, the Hearing

Committee considered it appropriate to retain reference to avoiding adverse effects.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/42	Accept in part
Federated Farmers of New Zealand	35/52	Accept in part
Meridian Energy Limited	82/37	Reject
Mighty River Power	83/38	Reject
Wellington City Council	131/107	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 48, as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1, as follows:

When considering ~~an application for a resource consent, notice of requirement, or a change, variation or replacement to~~ review of a district or regional plan, particular regard shall be given to avoiding adverse effects on:

...

2.124 Policy 49: Managing effects on outstanding natural features and landscapes, and significant amenity landscapes – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended

decisions and recommended changes to the proposed Regional Policy Statement. Policy 49 is on page 189 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Wellington Fish and Game Council, Winstone Aggregates and Wellington City Council submitted on policy 49 and attended the hearing, but did not give oral submissions on policy 49. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Federated Farmers of New Zealand, Anders Crofoot, Masterton District Council and Horticulture New Zealand stated that ‘significant amenity landscape’ is a new term and not a term used in the Resource Management Act. They requested that it be deleted from the Regional Policy Statement. In terms of significant amenity landscape being a new term, the Hearing Committee considered that it is not a new term and that it is appropriate for the term significant amenity landscape to remain. The reasons for this decision are discussed in this Decisions Report in the section on Chapter 3.7 Landscape – issue 1.

Mighty River Power stated that the focus of this policy on the adverse effects of activities is not consistent with the purpose of the Resource Management Act. They requested the following to be included in the matters to be considered:

‘the nature and intensity of the proposed activity including:

- the functional or operational requirement to locate within the particular landscape’

Meridian Energy Limited stated that the Staff Report recommended the inclusion of functional need and operational requirements in the list of matters to be considered in determining inappropriateness of proposals in the context of natural character in the coastal environment (policy 35). They further stated that as the context for outstanding natural features and landscapes is very similar, there is a case for including the same scope of matters for both contexts. They requested the inclusion of the following additional matter:

‘the functional or operational constraints that determine the need to locate on a particular site’

Genesis Power Limited reiterated their support for the amendment requested by Meridian Energy Limited to include the functional or

operational constraints that determine the need to locate on a particular site.

The Hearing Committee considered these statements but concluded that the policy provides matters to which particular regard should be given which relate to effects on the landscape, whereas what the energy companies have suggested does not. It is one of the constraints in finding a site or locating an activity. The policy is not intended to be a list of all matters which contribute to a resource management decision. The Hearing Committee considered that the proposed list of matters to be given particular regard would be retained without the suggested addition.

Additionally, the Hearing Committee did not agree with the submitter that this policy can be compared with policy 35 (the coastal environment). Policy 35 is in regard to 'natural character', which is present to some degree within the entire coastal environment and hence an assessment of natural character will always be required. The appropriateness is then considered in relation to the value which is determined. In comparison, outstanding natural features and landscapes and significant amenity landscapes are discrete areas which have already been determined to have significant values for the community. These landscapes do not cover the entire region.

As they are discrete areas there is more flexibility to locate away from these landscapes. When choosing to locate within one of these landscapes, this policy will assess the effects that relate directly to their values. There are other policies that would need to be considered, such as policy 38, which require particular regard to be given to nationally significant wind energy resources within the region and the need for electricity generation facilities to locate where these resources exist. All of these policies need to be considered and not any one policy in isolation. The Hearing Committee therefore concluded that no change be made to policy 49 as a result of these submissions.

Meridian Energy Limited also stated that the first determination should focus on the adverse effects of an activity as this is the concern of the Resource Management Act and is usually the nature of effects under scrutiny. This submitter requested that the word 'adversely' be inserted into the policy to read:

'..... a determination shall be made as to firstly, whether an activity may adversely affect an

The first determination to be made in this policy is to establish whether an activity is located wholly or partially within or adjacent to an outstanding natural feature or landscape or significant amenity landscape and, therefore, may have an effect on it. The factors in policies 24 and 26 need to be used to make this determination, by identifying if in fact such a natural feature or landscape exists. It is, therefore, not appropriate to insert the word 'adverse' in this context,

as the adverse effect component of this policy is embodied within the second determination when assessing against the matters to be given regard to. The Hearing Committee concluded that it was not appropriate to insert the word ‘adverse’ as requested by the submitter.

Transpower New Zealand Limited stated that the term ‘significant amenity landscape’ needs to be amended to ‘regionally significant amenity landscape’. The Hearing Committee considered it was not appropriate to make this amendment. The reasons for that conclusion are discussed in relation to policy 26.

The Department of Conservation supported the amendments made to this policy in the Staff Report. The Hearing Committee noted their support.

Anders Crofoot submitted that it needs to be explicitly recognised and acknowledged that the term ‘natural’ includes farmland, so that regulation developed from this policy can ensure that farmland does not get treated as a public park. The Hearing Committee decided that it was prudent to add to the explanation of policy 27 to explain that primary production activities have in most cases moulded these landscapes and also explain that these landscapes need to continue to evolve with ever changing productive activities.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/25	Accept in part
Department of Conservation	31/43	Accept in part
Federated Farmers of New Zealand	35/53	Reject
Masterton District Council	75/19	Reject
Meridian Energy Limited	82/38	Accept in part
Mighty River Power	83/39	Reject
Transpower New Zealand Limited	123/26	Reject
Wellington City Council	131/24	Accept in part Also see recommended

Submitter	Submission	Decision
		changes to policy 3

All further submissions in support of or in opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee’s decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 49 as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a resource consent, notice of requirement or a change, variation or ~~replacement to~~ review of a district or regional plan, a determination shall be made as to firstly, whether an activity may affect an outstanding natural feature and/or landscape, or significant amenity landscape, and/or secondly, ~~determining~~ whether or not an activity is inappropriate, having particular regard shall be given to the following:

...

Amend the first two paragraphs of the explanation as follows:

Policy 49 provides an interim assessment framework for councils and resource consent applicants prior to the identification of outstanding *natural features* and *landscapes*, and *significant amenity landscapes*, in accordance with policies 24 and 26, and the adoption of plan provisions for protection in accordance with policies 25 and 27. This policy is to be used where an outstanding natural feature or landscape or a significant amenity landscape has already been identified in a district or regional plan prior to policies 24 and 26 being given effect to, or where an assessment has not yet been undertaken, but such a landscape or natural feature is present. Policy 49 shall cease to have effect once policies 24, 25, 26 and 27 are in place in the relevant district or regional plans.

In determining whether an activity may affect an outstanding natural feature or landscape, the ~~criteria~~ factors in policy 24 should be used. In determining whether an activity may affect a significant amenity landscape, the ~~criteria~~ factors in policy 26 should be used.

2.125 Policy 50: Minimising the risks and consequences of natural hazards – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 50 is on page 195 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

GNS Science and the Korokoro Environment Group made submissions on policy 50 but did not attend the hearing. Kapiti Coast District Council, Lower Hutt Forest and Bird Protection Society and the Wellington City Council submitted on policy 50 and attended the hearing, but did not give oral submissions on the policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Department of Conservation** expressed support in their oral evidence for the Staff Report's recommendations on policy 50. The Hearing Committee noted their support.

GNS Science, sought the term 'ground displacement' be included in the list of earthquake hazards in the explanation to policy 50. The Hearing Committee adopted the discussion in the Staff Report and made this change. The word 'genuine' was replaced with 'credible' to clarify the definition of high hazard areas.

The Hearing Committee has added the word "inappropriate" in clause (g) as a consequence of changes made to policy 28.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/44	Accept

Submitter	Submission	Decision
GNS Science	42/3	Accept
GNS Science	42/4	Reject
Kapiti Coast District Council	56/33	Accept
Korokoro Environment Group	65/6	Accept
Lower Hutt Forest and Bird Protection Society	66/13	Accept
Wellington City Council	131/25	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 50 as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement~~ review to a district or regional plan, the risk and consequences of natural hazards on people, communities, their property and infrastructure shall be minimised, and/or in determining whether an activity is inappropriate having particular regard shall be given to:

(a) the frequency and magnitude of the range of natural hazards that may adversely affect the proposal or development, including residual risk;

...

(g) avoiding inappropriate development in areas at high risk from natural hazards;

....

Amend the explanation to policy 50 as follows:

...

Typical *natural hazards* in the region include, but are not limited to:

- flooding and inundation (river, stormwater, coastal)
- earthquake (groundshaking, amplification, liquefaction, ground displacement)
- *coastal hazards* (erosion, *storm surge*, *tsunami*)
- mass movement (landslip, rockfall).

...

The term areas at *high risk* refers to those areas potentially affected by natural hazard events that are likely to cause moderate to high levels of damage to the subdivision or development, including the land on which it is situated. It applies to areas that face a ~~genuine~~ credible probability of experiencing significant adverse impacts in a hazard event – such as such as *fault rupture* zones, beaches that experience cyclical or long term erosion, failure prone hill slopes, or areas that are subject to repeated flooding.

Policy 50(i) requires that particular regard to be given, in identified flood hazard areas, to the need to locate floor levels above the expected level of a *1 in 100 year flood* or 1% ~~per cent~~ annual exceedance probability (AEP), to minimise damages. It also recognises that access routes should be located above this level, to allow evacuation or emergency services access to and from a site. The clause uses the 1% ~~per cent~~ annual exceedance probability as a minimum standard, allowing for the possibility that it may need to be higher in certain areas, depending on the level of risk.

...

2.126 Policy 51: Minimising adverse effects of hazard mitigation measures – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 51 is on page 198 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

The Lower Hutt Forest and Bird Protection Society and Wellington City Council submitted on policy 51 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered the submission of the Lower Hutt Forest and Bird Protection Society, Wellington City Council and Department of

Conservation and adopted the discussion on their submission in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Winstone Aggregates did not submit on Policy 51, but made an oral submission to the Hearing Committee. Winstone Aggregates requested that the policy specifically mention gravel extraction activities in the beds of rivers and to recognise the important role that gravel and sand extraction plays in mitigating flood hazard risks. The Hearing Committee did not believe this change was warranted because Policy 51 already allows for gravel extraction from the beds of rivers as a flood mitigation measure. Whilst it is not mentioned specifically, it is an activity that could be allowed where appropriate. Gravel extraction is one amongst a number of flood control methods and the policy is intended to be applied across a wide range of mitigation measures, rather than naming specific activities. The Hearing Committee agreed that, whilst flooding is certainly a region wide issue that needs to be addressed in the Regional Policy Statement; gravel extraction in itself is a local issue. The Hearing Committee concluded that the level of detail that Winstone Aggregates wanted included in the Regional Policy Statement is best dealt with in regional plans and/or floodplain management plans.

The **Department of Conservation** expressed support in their oral evidence for the recommendations on policy 51 contained in the Staff Report. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/45	Accept in part
Lower Hutt Forest and Bird Protection Society	66/14	Accept
Winstone Aggregates	15/16	Reject
Wellington City Council	131/108	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 51 as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement~~ review to a district or regional plan, for hazard mitigation measures, particular regard shall be given to:

...

Amend the explanation to policy 51 as follows:

Objective 18 seeks to reduce the *risks* and *consequences* from *natural hazards*, while Objective 19 aims to ensure activities, including hazard mitigation measures, do not increase the risk and consequences from natural hazards. Policy 51 promotes these objectives.

Having established there is a need for protection works, non-structural and *soft engineering* methods should be the first option for hazard mitigation. Soft engineering methods may include, for example; hazard avoidance or controlled activity zones; setback or buffer distances; managed retreat or land retirement; a 'do nothing' policy; restoration projects for wetlands, dunes or hillslopes prone to flooding, slipping or erosion.

Structural measures or *hard engineering* methods can have significant environmental effects and should be considered as the least desirable option for *natural hazard* control. Where there is an unacceptable risk to development or property, there may be a place for structural measures or *hard engineering* methods, if they are part of a long-term hazard management strategy that includes other measures. Policy 50 will need to be considered alongside policy 51(c) when deciding whether a development faces an unacceptable risk or not.

...

2.127 Policy 52: Public access to and along the coastal marine area, lakes and rivers – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes

summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 52 is on page 200 of volume 2.

(b) **Submissions, evidence heard, and Hearing Committee deliberations**

East Harbour Environmental Association Incorporated, Korokoro Environment Group, New Zealand Historic Places Trust and Tararua Tramping Club made submissions on policy 52 but did not attend the hearing. Anders Crofoot, Federated Farmers of New Zealand, Lower Hutt Forest and Bird Protection Society, John and Julie Martin, Mighty River Power, Porirua City Council, the Energy Efficiency and Conservation Authority and Wellington City Council submitted on policy 52 and attended the hearing, but did not make oral submissions on policy 52. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Department of Conservation** accepted the Staff Report, but suggested the Staff Report's recommendation should be "accept in part". The Hearing Committee made this change.

Great Harbour Way Coalition sought the addition of "the coastal access along the Great Harbour Way" in policy 52. The Hearing Committee considered it was not appropriate for the proposed Regional Policy Statement to include a specific access way project in a policy for the whole region. The Hearing Committee noted that the Regional Land Transport Strategy and the identification of strategic transport networks within it would be a more appropriate forum to address this specific submission. However, the Hearing Committee recognised the importance of access to and along Wellington Harbour. It also recognised the significance of Porirua Harbour in response to a submission from Porirua City Council on section 3.2 and a new policy (5a) was included.

The Hearing Committee considered that in response to the submitter's request Wellington Harbour should be included in policy 52 and Porirua Harbour should also be included as a consequence of new policy (5a).

Wellington Fish and Game Council requested that policy 52(f) be amended to remove the reference to table 15, Appendix 1. This submitter wanted policy 52(f) reworded to read "rivers, lakes and wetlands with recreational value". The Hearing Committee was satisfied that the identification of specific rivers and lakes with significant amenity and recreational values is a helpful approach for the proposed Regional Policy Statement to take. It will ensure that an

integrated approach on access is being taken by regional, city and district councils to the rivers listed.

The submitter also opposed the words, “Particular regard shall be given” because the maintenance and enhancement of public access to and along lakes and rivers is of national importance under section 6 of the Resource Management Act. The Hearing Committee noted that section 6 of the Resource Management Act must apply in all relevant circumstances and policy 52 should not detract from that requirement. The Hearing Committee decided to retain the wording, as a pragmatic response to issue 4 in sections 3.2 and 3.4. The Hearing Committee was satisfied that this response will lead to more effective decisions on access to and along the coastal marine area and rivers and lakes by local authorities in the region.

The Hearing Committee also noted that Wellington Fish and Game Council supported policy 52 in their original submission and, in a further submission, supported the Department of Conservation’s submission about strategic planning for public access. The Hearing Committee considered that the submission at the hearing could be considered outside the scope of what the Hearing Committee could respond to, but having decided not to accept the submitter’s request, the Hearing Committee did not need to examine further whether the request was within the scope of their submissions.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/26	Accept in part
Department of Conservation	31/46	Accept in part
East Harbour Environmental Association Incorporated	33/18	Reject
Federated Farmers of New Zealand	35/54	Accept in part
Great Harbour Way Coalition	45/2	Accept in part
Korokoro Environment Group	65/7	Accept in part
Lower Hutt Forest and	66/15	Accept

Submitter	Submission	Decision
Bird Protection Society		
John and Julie Martin	73/4	Note
Mighty River Power	83/40	Accept in part
New Zealand Historic Places Trust	87/27	Accept
New Zealand Historic Places Trust	87/28	Accept in part
Porirua City Council	100/37	Reject
Tararua Tramping Club	114/16	Reject
The Energy Efficiency and Conservation Authority	117/17	Accept in part
Wellington City Council	131/109	Accept in part

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend policy 52 as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a ~~resource~~subdivision consent, or a coastal or land use consent on public land, ~~notice of requirement~~, or a change, variation or ~~replacement to~~ review of a district plan to address subdivision or rezoning, particular regard shall be given to enhancing public access to, and along:

(a) areas of the coastal marine area, and lakes and rivers with:

- ~~(a)~~(i) places, sites and areas with significant historic heritage values identified in accordance with policy 20;
- ~~(b)~~(ii) areas of indigenous ecosystems and habitats, and areas with significant indigenous biodiversity values identified in accordance with policy 22;
- ~~(c)~~(iii) outstanding natural features and landscapes identified in accordance with policy 24;
- ~~(d)~~(iv) significant amenity landscapes identified in accordance with policy 26;

~~(e)~~(v) places, sites and areas with high natural character identified in accordance with policy 35; and

~~(f)~~(vi) the rivers and lakes identified in table 15 of Appendix 1;

(b) Wellington Harbour and Porirua (Onepoto Arm and Pauatahanui Inlet) Harbour;

except where there is a need to protect:

~~(g)~~(c) sensitive indigenous habitats of species;

~~(h)~~(d) the health or safety of people;

~~(i)~~(e) sensitive cultural and historic heritage values; and/or

~~(j)~~(f) the integrity and security of regionally significant infrastructure.

Amend the last paragraph of the explanation of policy 52 as follows:

Policy 52 outlines that when implementing the policy, there may be circumstances where public access to the *coastal marine area*, lakes and rivers is not desirable – such as to provide security for *regionally significant infrastructure* or to prevent harm to the public. It is recognised that public access to private land that does not contain an *esplanade strip* or *reserve* is at the discretion and with the permission of the landowner.

2.128 Policy 53: Achieving the region's urban design principles – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on policy 53 starts on page 208 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Foodstuffs (Wellington) Co operative Society Ltd and New Zealand Historic Places Trust made submissions on policy 53 but did not attend the hearing. Porirua City Council submitted on policy 53 and attended the hearing, but did not give oral submissions on this policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Wellington City Council (WCC) supported the removal of the words ‘resource consent’ from policy 53. The Hearing Committee agreed with this submission on this matter and deleted the wording.

New Zealand Transport Agency (NZTA) noted that it would be useful to cross reference policy 7 alongside policy 53. The Hearing Committee adopted the discussion on NZTA’s submission in the Staff Report, that the cross referencing is not necessary. The Hearing Committee considered, however, that it would be useful to note in the introduction to Chapter 4 that the cross referencing identifies the most relevant objective, methods and related policies and is not a complete and exhaustive list.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Foodstuffs (Wellington) Co operative Society Ltd	37/4	Accept in part
New Zealand Historic Places Trust	87/29	Accept in part
New Zealand Transport Agency	91/16	Reject
Porirua City Council	100/38	Accept
Porirua City Council	100/39	Accept
Wellington City Council	131/32	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee’s decisions on the original submissions.

(d) **Changes to proposed Regional Policy Statement**

Amend policy 53, on page 118, as a result of the submissions above and the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a ~~resource consent~~, notice of requirement, or a change, variation or ~~replacement to~~ review of a

district or regional plan, for development, particular regard shall be given to achieving the region's urban design principles in Appendix 2.

2.129 Policy 54: Maintaining a compact, well designed and sustainable regional form – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on policy 54 starts on page 211 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping Limited, New Zealand Historic Places Trust, Department of Corrections, Wellington Police and Westfield New Zealand Ltd made submissions on provision policy 54 but did not attend the hearing. Mighty River Power, Aggregate and Quarry Association of New Zealand, Winstone Aggregates, Wellington City Council, Pamela Joy Meekings-Stewart and Porirua City Council submitted on policy 54 and attended the hearing, but did not give oral submissions on the policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Upper Hutt City Council was not opposed to the changes proposed to policy 54 and reiterated its request to correct the title of the Upper Hutt Urban Growth Strategy. The Hearing Committee noted the submission and accepted that the title of the strategy required correction.

New Zealand Transport Agency (NZTA) noted that it would be useful to cross reference policy 7 alongside policy 54. The Hearing Committee adopted the discussion on NZTA's submission in the Staff Report, that the cross referencing is not necessary. In all other respects the Hearing Committee adopted the discussion on NZTA in the Staff Report.

Department of Conservation supported the changes to policy 54 recommended in the Staff Report. The Hearing Committee noted this support.

Agenda Development Planning accepted the Staff Report’s recommendation not to unnecessarily duplicate policy 56 in policy 54. However, they did not accept the recommendation not to amend clause (c) to require a structure plan to be up-to-date with the proposed Regional Policy Statement. The Hearing Committee considered that the change requested to the last clause, to ensure that a structure plan is consistent with the Regional Policy Statement, is not required. The intent of the policy is that clause (a) needs to be met when implementing the policy. This clause ensures that development is assessed against the regional form, design and function objective (objective 21). However, the Hearing Committee did consider that by amending the policy to include ‘and’ at the end of clause (a) will make the intent of the policy clearer. In all other respects the Hearing Committee adopted the discussion on the submissions of the Agenda Development Planning in the Staff Report.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Agenda Development Planning	2/7	Accept in part
Aggregate and Quarry Association of New Zealand	3/8	Accept
Winstone Aggregates	15/30	Accept
Coastland Shopping Limited	24/8	Accept
Department of Conservation	31/47	Accept
Department of Corrections	32/7	Accept in part
Pamela Joy Meekings-Stewart	81/4	Reject
Mighty River Power	83/41	Accept
New Zealand Historic Places Trust	87/30	Accept
New Zealand Transport Agency	91/17	Accept
New Zealand Transport	91/18	Reject

Submitter	Submission	Decision
Agency		
Porirua City Council	100/40	Accept
Porirua City Council	100/41	Accept
Wellington City Council	131/33	Accept
Wellington Police	135/5	Accept in part
Westfield New Zealand Ltd	138/10	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 54, on page 118, as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a resource consent, or a change, variation or ~~replacement to~~ review of a district plan for urban development beyond the region's urban areas (as at March 2009), particular regard shall be given to whether:

- (a) the proposed development is the most appropriate option to achieve Objective 21; and
- (b) the proposed development is consistent with the Council's growth and/or development framework or strategy that describes where and how future urban development should occur in that district; and/or
- (c) a structure plan has been prepared.

Amend paragraphs 4, 5 and 7 in the explanation of policy 54 as follows:

Examples of growth and/or development frameworks or strategies in the region are:

- the Upper Hutt City Council Urban Growth Strategy
- Wellington City Northern Growth Management Framework
- Porirua City Development Framework

- Kapiti Coast: Choosing Futures Development Management Strategy and local outcome statements contained in the Kapiti Coast Long Term Council Community Plan.

Policies 53 and 55 also need to be considered in conjunction with policy 54. In addition, there are also a range of ‘related policies’ in the Regional Policy Statement that set out matters to be considered in order to manage effects on natural and physical resources.

The content and detail of structure plans will vary depending on the scale of development. Notwithstanding this, structure plans, as a minimum, should address:

- provision of an appropriate mix of land uses and land use densities
- how environmental constraints (for example, areas at high risk from *natural hazards*) and areas of value (for example, *indigenous ecosystems, rivers, streams and ephemeral streams, wetlands, areas or places with historic heritage, outstanding landscapes, or significant amenity landscapes*) are to be managed
- integration with existing and proposed infrastructure services, such as, connections to existing and proposed transportation systems and provision of public and active transport linkages by undertaking an integrated transport assessment
- the integration of the development with adjoining land use activities including measures to avoid, remedy or mitigate reverse sensitivity effects
- integration of social infrastructure and essential social services as necessary
- development staging or sequencing
- how the region’s urban design principles² will be implemented.

2.130 Policy 55: Managing development in rural areas – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends

² As described in Appendix 2

decisions and recommends changes. Discussion on policy 55 starts on page 219 of volume 2.

(b) **Submitters, evidence heard and Hearing Committee deliberations**

Department of Corrections and Wellington Police made submissions on policy 55 but did not attend the hearing. Winstone Aggregates, Federated Farmers of New Zealand, Kapiti Coast District Council, Wellington City Council, Meridian Energy Limited and The Energy Efficiency and Conservation Authority submitted on policy 55 and attended the hearing, but did not give oral submissions on the policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Pamela Meekings-Stewart asked for a provision in policy 55 encouraging the development of ‘eco-communities’. The Hearing Committee determined that although the policy does not make specific reference to ‘eco-communities’ the application of policy 55 will include consideration of the benefits such developments would provide. Other provisions which would be considered alongside policy 55 include; policy 10 (small scale renewable energy), policy 40 (minimising effects of earthworks), policy 41 (minimising contamination in stormwater) and policy 44 (minimising water efficiently). With respect to methods such as rates relief for encouraging these types of developments, it would be up to the individual city and district councils to determine how best to implement such incentives. In all other respects the Hearing Committee adopted the discussion on Pamela Meekings-Stewart’s submissions in the Staff Report.

Upper Hutt City Council as a further submission sought clarification that the ‘locations’ referred to in policy 55 are not relevant to those to be identified through policy 30. The Hearing Committee accepts this submission on this matter, and considers that the amendments made to policy 30 provide the clarification sought.

Makara Guardians Inc and **Makara Ohariu Community Board** opposed the recommended changes in the Staff Report in regard to the inclusion of reverse sensitivity issues. The Hearing Committee noted that the provision relates to existing primary production activities only. The submitters also sought the removal of the interpretation of settlements, seeking that individual dwellings be captured by the provision. The Hearing Committee considered that it is not appropriate to include ‘individual dwellings’ in the policy as this is seeking to address an individual and localised issue. The proposed Regional Policy Statement contains policies to respond to issues of

regional significance only. In all other respects the Hearing Committee adopted the discussion on Makara Guardians Inc and Makara Ohariu Community Board in the Staff Report.

New Zealand Transport Agency (NZTA) noted that it would be useful to cross reference policy 7 alongside policy 55. The Hearing Committee adopted the discussion on NZTA’s submission in the Staff Report, that the cross referencing is not necessary. In all other respects the Hearing Committee adopted the discussion on NZTA’s submission in the Staff Report.

New Zealand Wine Growers supported the inclusion of reverse sensitivity considerations as recommended in the Staff Report. The **Department of Conservation** also supported the changes recommended in the Staff Report. This support was noted by the Hearing Committee.

Horticulture New Zealand sought an additional criterion stating ‘the extent that all necessary factors for a rural production system exist’. The Hearing Committee concurred with the Staff Report’s recommendation that this submission be rejected. The clause is unclear and would be difficult to apply to a resource consent application, designation or change, variation or replacement to a plan. It is not appropriate for the proposed Regional Policy Statement to require that all production factors be assessed. These could be wide ranging from natural and physical resources (e.g., soils, and water) to other factors such as labour supply, capital expenditure, maintenance costs, and any other factors that would be required for an ongoing primary production concern.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/31	Reject
Department of Conservation	31/48	Reject
Department of Corrections	32/8	Reject
Federated Farmers of New Zealand	35/55	Reject
Horticulture New Zealand	50/35	Reject
Kapiti Coast District	56/34	Accept

Submitter	Submission	Decision
Council		
Makara Guardians Incorporated	68/3	Reject
Makara Ohariu Community Board	69/4	Reject
Pamela Joy Meekings-Stewart	81/5	Reject
Meridian Energy Limited	82/39	Reject
New Zealand Transport Agency	91/19	Reject
New Zealand Transport Agency	91/20	Reject
The Energy Efficiency and Conservation Authority	117/18	Accept
Wellington City Council	131/34	Accept
Wellington Police	135/6	Reject

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 55 as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for resource consent or a change, variation or ~~replacement to~~ review of a district plan, in rural areas (as at March 2009), particular regard shall be given to whether:

- (a) the proposal will result in a loss of productivity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities;
- (b) ...

2.131 Policy 56: Integrating land use and transportation – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on policy 56 starts on page 226 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping, Department of Corrections and Westfield New Zealand Ltd made submissions on policy 56 but did not attend the hearing. Wellington City Council submitted on policy 56 and attended the hearing, but did not give oral submissions on the policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

New Zealand Transport Agency (NZTA) noted that it would be useful to cross reference policy 7 alongside policy 56. The Hearing Committee adopted the discussion on NZTA's submission in the Staff Report, that the cross referencing is not necessary. In all other respects the Hearing Committee adopted the discussion on NZTA's submissions in the Staff Report.

Genesis and Department of Conservation supported the recommended changes in the Staff Report. The Hearing Committee noted this support. In all other respects the Hearing Committee adopted the discussion on these submissions in the Staff Report.

Agenda Development Planning requested that clause (e) be amended to read '...except where provision has been made through identified and confirmed sources of funding, including developer contributions, to pay for such increases in demand and/or upgrades'. The Hearing Committee determined the changes recommended in the Staff Report are sufficient to provide for an assessment to be made whether demand has been appropriately recognised and provided for. If provision has been made then such an assessment will identify this. In all other respects the Hearing Committee adopted the discussion on Agenda Development Planning's submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section

above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Agenda Development Planning	2/8	Accept in part
Coastland Shopping Limited	24/9	Reject
Department of Conservation	31/49	Accept in part
Department of Corrections	32/9	Accept in part
Genesis Energy	40/12	Accept
New Zealand Transport Agency	91/21	Reject
Wellington City Council	131/35	Accept in part
Westfield New Zealand Ltd	138/11	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 56 as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement to~~ review of a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy:

- (a) whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network;
- (b) connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas;

- (c) whether there is good access to the strategic public transport network;
- (d) provision of safe and attractive environments for walking and cycling; and
- (e) minimising the demands for new, or upgrades to existing, transport network infrastructure whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.

2.132 Policy 57: Co-ordinating land use with development and operation of infrastructure – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on policy 57 starts on page 230 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping Limited, The Department of Corrections and Westfield New Zealand Ltd made submissions on policy 57 but did not attend the hearing. Wellington City Council submitted on policy 57 and attended the hearing, but did not give oral submissions on the policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

New Zealand Transport Agency (NZTA) noted that it would be useful to cross reference policy 7 alongside policy 57 and supported the changes recommended in the Staff Report. The Hearing Committee adopted the discussion on NZTA's submission in the Staff Report, that the cross referencing is not necessary. In all other respects the Hearing Committee adopted the discussion on NZTA's submissions in the Staff Report.

Department of Conservation supported the changes recommended in the Staff Report. The Hearing Committee noted this support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section

above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastland Shopping Limited	24/10	Accept
Department of Conservation	31/50	Accept in part
Department of Corrections	32/10	Accept in part
New Zealand Transport Agency	91/22	Accept in part
New Zealand Transport Agency	91/23	Reject
Wellington City Council	131/36	Accept
Westfield New Zealand Ltd	138/12	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 57 as a result of the submissions above and as a result of the submission from Wellington City Council discussed under section 4.1 and also the submission by Transpower New Zealand Limited on section 4.2, as follows:

When considering an application for a resource consent, notice of requirement, or a plan change, variation or ~~replacement to review~~ of a district plan for subdivision, use or development, particular regard shall be given to whether the proposed subdivision, use or development is located and sequenced to:

- (a) make efficient and safe use of existing infrastructure capacity; and/or
- (b) coordinate with the development and operation of new infrastructure.

Amend the explanation to policy 57 as follows:

Subdivision, use and development, (including infrastructure) decisions have a direct bearing upon or relationship to the sequencing and development of new infrastructure, including new infrastructure for the electricity transmission network and the

region's strategic transport network. The region's strategic transport network is described in the Wellington Regional Land Transport Strategy 2007-2016.

2.133 Policy 58: Managing the Regional Focus Areas – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion policy 58 starts on page 233 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping Limited, Foodstuffs (Wellington) Co operative Society Ltd and Westfield New Zealand Ltd made submissions on policy 58 but did not attend the hearing. Porirua City Council and Department of Conservation submitted on policy 58 and attended the hearing, but did not give oral submissions on the policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Wellington City Council supported the deletion of policy 58 as recommended in the Staff Report. The Hearing Committee noted this support and determined to delete policy 58.

New Zealand Transport Agency noted that it would be useful to cross reference policy 7 alongside policy 58. As the Hearing Committee determined to delete the policy, such cross referencing is no longer required.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastland Shopping Limited	24/11	Accept
Department of Conservation	31/51	Accept
Foodstuffs (Wellington) Co operative Society Ltd	37/5	Accept
New Zealand Transport Agency	91/24	Reject
Porirua City Council	100/42	Accept in part
Wellington City Council	131/37	Accept in part
Westfield New Zealand Ltd	138/13	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Delete policy 58.

2.134 Policy 59: Retaining highly productive agricultural land (Class I and II land) – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 59 is on page 236 of Volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

East Harbour Environmental Association Incorporated, Fonterra Co-operative Group Ltd, made a submission on policy 59 but did not attend the hearing.

Federated Farmers of New Zealand, Kapiti Coast District Council, and Wellington City Council, submitted on policy 59, and attended the hearing, but did not give oral submissions on policy 59. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their

submissions in the Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Agenda Development Planning (Alistair de Joux) sought a change to policy 59 to prohibit subdivisions on class 1 and 2 soils except where such subdivisions relate to essential linear infrastructure and no other possible routes exist. The submitter suggests that subdivisions for the purposes of agricultural production would not be affected by such a change. The Hearing Committee does not consider that prohibiting further subdivision for urban development purposes is appropriate for the proposed Regional Policy Statement. Policy 59 is set at a level for district plans to consider, if district councils wish to set the test higher and prohibit urbanisation from high quality soils then it would be a matter for that council to consider.

New Zealand Wine Growers had concerns over policy 59, suggesting the policy was playing favourites with certain types of agricultural industry. The submitter would like the policy to protect productive soil without limitation to any specific land use suitability. The Hearing Committee notes the submitters concerns, however the policy is limited by the available information on hand – the *New Zealand Land Resource Inventory (NZLRI)*. This is an independent source of information for land suitability which is underpinned by soil type amongst other things. These land use areas and their soils have all been mapped and publicly available since the 1970's. The Hearing Committee notes that it may appear the policy is hinting at certain types of agriculture but this is a consequence of using the NZLRI database. The Hearing Committee has decided that better quality soils should be given consideration by district plans if that land is going to be changed irreversibly from an agricultural base.

Horticulture New Zealand made an extensive submission on policy 59 listing a series of major concerns with the policy. The submitter points to inconsistencies with the policy and objective 29, and the Resource Management Act, and the fact that production factors are quite extensive to make-up agricultural production. The submitter had issue with having a provision for soil quality when all other factors for production are not taken into account. The Hearing Committee considered this submission in relation to what other submitters have said on policy 59. The Hearing Committee also noted that there is support for this policy from Kapiti Coast District Council – a district where a large part of high quality soils are situated. The Hearing Committee decided that policy 59 is to remain in its current form, as it provides a degree of balance that can be applied by district plans when deciding upon changes to land uses for high quality soils.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee*

deliberations), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Recommendation
Agenda Development Planning	2/9	Reject
East Harbour Environmental Association Incorporated	33/19	Accept
Federated Farmers of New Zealand	35/56	Reject
Fonterra Co-operative Group Ltd	36/8	Accept
Horticulture New Zealand	50/36	Reject
Kapiti Coast District Council	56/35	Accept
New Zealand Winegrowers	89/2	Reject
Wellington City Council	131/110	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to the proposed Regional Policy Statement**

Amend policy 59 as follows to address the submission from Wellington City Council discussed under section 4.2.

Policy 59: Retaining highly productive agricultural land (Class I and II land) – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement~~ to review of a district plan, particular regard shall be given to retaining the productive capability for agriculture of Class I and II land.

Explanation

Class I land is the most versatile multiple-use land with virtually no limitations to arable use; it is deep, well drained, fine textured, naturally fertile and flood free. Class II land is very good land with slight limitations to arable use. Slight limitations include texture, structure, potential erosion and potential flooding. The *New Zealand Land Resource Inventory (NZLRI)*, (Landcare

Research New Zealand Ltd, 1975, electronic database), is the reference used to identify the locations of Class I and II land around New Zealand, including within the Wellington region. According to that classification, Class I and II land is located in Kapiti Coast, Masterton, Carterton and South Wairarapa districts, within the Wellington region. Resource management decision-making needs to consider the irreversible effects of losing Class I and II land, which is highly productive agricultural land, suitable for multiple uses such as for growing a wide range of crops, pasture and forest, and for supporting grazing animals. It is important to retain the productive capability of this land for future generations. The use of high quality soils for some activities – such as residential development and roading projects – will result in what is effectively permanent loss of these soils from productive use.

2.135 Policy 60: Utilising the region's mineral resources – consideration

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 60 is on page 240 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

Crown Minerals (Ministry for Economic Development) and Ravensdown Fertiliser Co-operative Limited, made a submission on policy 60 but did not attend the hearing. Wellington City Council, submitted on policy 60, and attended the hearing, but did not give oral submissions on policy 60. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Aggregate and Quarry Association of New Zealand provided evidence on the benefit of aggregates and quarrying to the overall economy of the region. The submitter suggested quarries need to be close to end users, they need to be protected from neighbours, and councils need to be planning for future resource areas from competing land uses. The Hearing Committee noted the evidence provided by the submitter on the aggregate and quarry industry in New Zealand and more specifically for the Wellington region. The submitter did not provide any specific evidence on policy 60 however. The Hearing

Committee took the view that the policy is well balanced with provisions for the benefits of quarrying to be given particular regard along with the competing demands from reverse sensitivity. The Hearing Committee decided to make no change to policy 60.

Higgins Group Holdings Limited provided evidence on the key elements of aggregate planning and the roles of regional policy statements in planning for aggregates. The submitter suggested that policy 60 as a consideration policy will create ad-hoc decision making from councils and the industry requires a more comprehensive planning framework. The Hearing Committee noted the submitters concerns over a comprehensive approach to planning, however, the Hearing Committee considered the current approach in policy 60 provides for the benefits of minerals in the region and balances the benefits with the issue of reverse sensitivity in part (b) of the policy. The Hearing Committee noted that given the nature of suitable rock sources, and access to and from sites that a case-by-case approach through policy 60 is the most appropriate method. The proposed Regional Policy Statement through the issue identification, objective 30 and method 51 provides the suitable planning platform for district plans if required. The Hearing Committee considered that policy 60 should remain in its current form.

Winstone Aggregates sought a major change to policy 60 by adding an additional policy 60A that would recognise and provide for mineral resources through district plans, and policy 60B to consider the access routes to mineral sites, and promotion of sites that can provide significant mineral resources. The Hearing Committee decided that proposed policy 60A by the submitter is not acceptable. The Hearing Committee considered that the policy 60 has the correct balance for the industry, protecting the benefits of significant mineral resources as well as protecting the industry from the issue of reverse sensitivity. Policy 60B by the submitter is also not appropriate for the proposed Regional Policy Statement. Access routes to and from quarry sites can be problematic when looked at from not only access to the deposit but the larger question of access through urban areas. The Hearing Committee considered these questions require detailed examination on a case-by-case basis and policy 60 is the most appropriate policy to achieve these outcomes for the region and the industry.

The Hearing Committee noted that the definition of ‘significant mineral resources’ in the explanation to policy 60 is also in Appendix 3 – Definitions. The Hearing Committee decided that the definition should be in one place in the proposed Regional Policy Statement for the sake of consistency and clarity. The definition in the explanation to policy 60 has been removed and a full definition made available in Appendix 3.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/9	Accept in part
Winstone Aggregates	15/32	Reject
Crown Minerals (Ministry of Economic Development)	26/3	Accept in part
Higgins Group Holdings Ltd	48/8	Reject
Ravensdown Fertiliser Co-operative Limited	104/6	Accept in part
Wellington City Council	131/111	Accept in part

(d) Changes to the proposed Regional Policy Statement

Amend policy 60 as a result of the submission from Wellington City Council discussed under section 4.1 as follows:

When considering an application for a resource consent, notice of requirement, or a change, variation or ~~replacement to review of~~ a district or regional plan, particular regard shall be given to:

....

Amend the explanation to policy 60 as follows:

Policy 60 directs that particular regard be given to the social, economic, and environmental benefits of utilising *mineral resources* within the region. It also requires that particular regard be given to protecting *significant mineral resources* from incompatible and inappropriate land use alongside. Examples of methods to protect *significant mineral resources* include the use of buffer areas in which *sensitive activities* may be restricted, and the use of noise reduction measures and visual screening.

~~Significant mineral resources are deposits of minerals, the extraction of which is of importance in order to meet the current and or future mineral needs of the region or nation.~~

Method 51, when implemented, will identify the locations of *significant mineral resources* within the region.

2.136 Policy 61: Allocation of responsibilities for land use controls for indigenous biodiversity

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 61 is on page 244 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Winstone Aggregates, Mighty River Power and Wellington City Council submitted on policy 61 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered their submissions and adopted the discussions on their submissions in the Staff Report.

The Hearing Committee then considered the submission of the Department of Conservation who gave oral submissions at the hearing. The **Department of Conservation** expressed support for the recommendations on policy 61 contained in the Staff Report. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/53	Accept
Wellington City Council	131/113	Accept
Winstone Aggregates	15/33	Reject
Mighty River Power	83/42	Accept

(d) Changes to proposed Regional Policy Statement

No change is made to policy 61.

2.137 Policy 62: Allocation of responsibilities for land use controls for natural hazards

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 62 is on page 245 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Wellington City Council submitted on policy 62 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered the submission of Wellington City Council and adopted the discussion on their submission in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation expressed support in their oral evidence for the recommendations on policy 62 contained in the Staff Report. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/53	Accept
Wellington City Council	131/113	Accept

(d) Changes to proposed Regional Policy Statement

No change is made to policy 62.

2.138 Policy 63: Allocation of responsibilities for land use controls for hazardous substances

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 63 is on page 245 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

New Zealand Defence Force submitted on policy 63 and did not attend the hearing. Horticulture New Zealand and Wellington City Council submitted on policy 61 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered the submissions of all three submitters and adopted the discussions on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Horticulture New Zealand	50/37	Reject
Wellington City Council	131/114	Accept
New Zealand Defence Force	86/12	Accept

(d) Changes to proposed Regional Policy Statement

No change is made to policy 63.

2.139 Section 4.4 Non-regulatory policies

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on the introduction to chapter 4.4 starts on page 246 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Fonterra Co-operative Group Ltd submitted in support of the non-regulatory approaches to achieving policies, but did not attend the hearing. The Hearing Committee adopted the discussion on Fonterra's submission in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Fonterra Co-operative Group Ltd	36/9	Accept

There were no further submissions in respect of Fonterra's submission.

(d) Changes to proposed Regional Policy Statement

No change is made to the introduction of section 4.4.

2.140 Policy 64: Supporting environmental enhancement initiatives – non-regulatory

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 64 is on page 247 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Korokoro Environment Group made submissions on policy 64 but did not attend the hearing. Anders Crofoot, Friends of Owhiro Stream, Kapiti Coast District Council, Porirua City Council and Wellington City Council submitted on policy 64 and attended the hearing, but did not make oral submissions on policy 64. The Hearing Committee considered the matters raised by submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the oral submissions given at the hearing. **The Department of Conservation** stated that they support policy 64. The Hearing Committee noted this support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/27	Accept in part
Department of Conservation	31/54	Accept
Friends of Owhiro Stream	38/5	Accept
Kapiti Coast District Council	56/12	Accept
Korokoro Environment Group	65/8	Accept
Porirua City Council	100/43	Accept
Porirua City Council	100/44	Accept
Wellington City Council	131/114	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Add policy 64 to the provisions in table 2, objective 3

As a consequence of the submission of Lower Hutt Forest and Bird Protection Society on policy 16, amend the second paragraph of the explanation to policy 64 as follows:

A regulatory approach cannot restore aquatic ecosystems from the effects of many existing and historical activities. Resource consent holders cannot be obliged to remedy existing effects unless they are caused by their particular activity. Where historical activities have affected an aquatic *ecosystem*, restoration measures such as mitigating the effects of existing fish pass impediments, *riparian* planting or the removal of concrete linings or contaminated material can help restore the habitat.

Change the third paragraph of the explanation to policy 64 as follows:

Setting right the effects of historical activities that have reduced the extent and quality of *indigenous* ecosystems and habitats in the region

can be facilitated by providing information about the importance of these ecosystems and habitats, and by providing financial incentives to promote their maintenance, enhancement and restoration. Wellington Regional Council and district and city councils can, through their operations, play a role in the restoration and enhancement of *indigenous* ecosystems and habitats – such as, in reserve management plans, pest control, stormwater management, and roadside vegetation management. Providing assistance to community groups and promoting initiatives involving community participation are key elements that will help implement policy 64.

2.141 Policy 65: Promoting efficient use and conservation of resources – non-regulatory

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 65 is on page 251 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Craig Brown made a submission on policy 65 but did not attend the hearing. Horticulture New Zealand, Kapiti Coast District Council, Energy Efficiency and Conservation Authority, Wairarapa Regional Irrigation Trust, Wellington City Council and Wellington Fish and Game Council submitted on policy 65 and attended the hearing, but did not make oral submissions on policy 65. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation sought that the policy be retained as proposed.

WaterSmart Ltd did not specifically submit on policy 65 in their original submission and the matters they raised were discussed in response to policy 18. The submitter commented that greywater irrigation should be promoted in the proposed Regional Policy Statement. The Hearing Committee agreed that greywater irrigation is an important water conservation measure and included reference to it in the explanation to policy 65.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Craig Brown	17/3	Accept
Department of Conservation	31/55	Accept
Horticulture New Zealand	50/38	Accept
Kapiti Coast District Council	56/36	Accept
The Energy Efficiency and Conservation Authority	117/19	Accept
Wairarapa Regional Irrigation Trust	127/9	Accept
Wellington City Council	131/115	Accept in part
Wellington Fish and Game Council	133/29	Reject

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend the second to last paragraph of the explanation to policy 65, as a result of the submission by WaterSmart about policy 18, as follows:

Water efficient household appliances and garden watering tied to garden needs, along with fixing dripping taps and planting locally appropriate plants, are some of the ways that people could make the water delivered to their house go further. Greywater irrigation and recycling, and the use of rainwater tanks, are ways that households can make more efficient use of water.

2.142 Policy 66: Enhancing involvement of tangata whenua in resource management decision-making – non-regulatory

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 66 is on page 253 of Volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on policy 66 but did not attend the hearing. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Wellington City Council indicated support for the Staff Report's recommendations on resource management with tangata whenua.

Department of Conservation accepted the Staff Report's recommendation for policy 66. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/56	Accept
New Zealand Historic Places Trust	87/31	Accept
Wellington City Council	131/116	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 66.

2.143 Policy 67: Maintaining and enhancing a compact, well designed and sustainable regional form – non-regulatory

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on policy 67 starts on page 254 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping Limited, Korokoro Environment Group and New Zealand Historic Places Trust made submissions on policy 67 but did not attend the hearing. Wellington City Council and Pamela Joy Meekings-Stewart submitted on policy 67 and attended the hearing, but did not give oral submissions on this policy. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Horticulture New Zealand sought greater recognition of rural production activities in the policy. The Hearing Committee noted that clause (b) outlines the need to promote best practice in the location and design of rural residential development and that this clause will be implemented through method 44. The development of these principles is proposed so that the needs and effects on rural production activities are appropriately considered. Furthermore, the Hearing Committee considered that policy 55 gives due consideration to such matters and determined that further recognition of rural production activities is not necessary in policy 67. In all other respects the Hearing Committee adopted the discussion on Horticulture New Zealand's submission in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastland Shopping Limited	24/12	Accept
Horticulture New Zealand	50/39	Reject
Korokoro Environment Group	65/9	Accept in part
Pamela Joy Meekings-Stewart	81/6	Reject
New Zealand Historic Places Trust	87/32	Accept in part
Wellington City Council	131/38	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend policy 67, on page 131, as a result of the submissions above and as a consequence of the submissions by Wellington City Council and Westfield New Zealand Ltd on policy 58, as follows:

Insert a new clause (e) in policy 67, as follows:

To maintain and enhance a compact, well designed and sustainable regional form by:

- (a) implementing the New Zealand Urban Design Protocol;
- (b) promoting best practice on the location and design of rural residential development;
- (c) recognising and enhancing the role of the region's open space network; ~~and~~
- (d) encouraging a range of housing types and developments to meet the community's social and economic needs, including affordable housing and improve the health, safety and well-being of the community; and
- (e) implementing the actions in the Wellington Regional Strategy for the Regional Focus Areas.

Amend the cross reference for policy 67 to include method 45.

Add a new paragraph in the explanation to policy 67 as follows:

...

The region's open space network has helped define the region's existing urban form and is a fundamental element of quality of life for residents. The region's open space is managed by a number of organisations, including Wellington Regional Council, the region's district and city councils and the Department of Conservation. Policy 67 seeks to enhance the role of the region's open space network in supporting the region's compact form. This will require authorities to work together and identify gaps and opportunities.

The location of the *Regional Focus Areas* is shown in Figure 3 below. These are areas predicted to either come under significant development pressure (for example, the northern Waikanae edge and Pauatahanui Inlet) or provide significant development opportunities for a range of land use activities (for example, Porirua, Aotea and Linden, and Upper Hutt). They are areas of critical importance to the achievement of a compact and well designed *regional form*. Developing growth and/or development frameworks or strategies, as identified in the *Wellington Regional Strategy*, for each of the *Regional Focus Areas* is therefore an important action to be carried out by the relevant district and city councils.

[Insert Figure 3]

2.144 Policy 68: Minimising soil erosion – non-regulatory

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 68 is on page 258 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Anders Crofoot, Federated Farmers of New Zealand, and Wellington City Council, submitted on policy 68, and attended the hearing, but did not give oral submissions on policy 68. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee*

deliberations), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/28	Accept
Federated Farmers of New Zealand	35/57	Accept
Wellington City Council	131/117	Accept

The further submission by Anders Crofoot is accepted accordingly.

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 68.

2.145 Policy 69: Preventing long-term soil deterioration – non-regulatory

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 69 is on page 259 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Anders Crofoot, Federated Farmers of New Zealand, and Wellington City Council, submitted on policy 69, and attended the hearing, but did not give oral submissions on policy 69. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Horticulture New Zealand referenced policy 69 in their evidence on soils but did not request any changes to policy 69. The Hearing Committee adopted the discussion on their submission in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee*

deliberations), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/29	Accept
Federated Farmers of New Zealand	35/58	Reject
Horticulture New Zealand	50/40	Accept
Wellington City Council	131/118	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 69.

2.146 Chapter 4.5 Methods to implement policies

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on chapter 4.5 starts on page 260 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Winstone Aggregates, Federated Farmers of New Zealand, Horticulture New Zealand, Wellington Conservation Board, Upper Hutt City Council and Transpower New Zealand Limited submitted on chapter 4.5 and attended the hearing, but did not give oral submissions on the chapter. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee*

deliberations), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/34	Reject
Federated Farmers of New Zealand	35/59	Accept
Horticulture New Zealand	50/41	Accept
Horticulture New Zealand	50/42	Accept
Transpower New Zealand Limited	123/27	Reject
Upper Hutt City Council	125/8	Accept
Wellington Conservation Board	132/6	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend the introduction of section 4.5, on page 133, as follows:

...

The non-regulatory methods are subdivided into four types:

- information and/or guidance
- integrating management
- identification and investigation
- providing support.

Under each non-regulatory method the key organisations who may implement the methods are indicated. An asterisk * indicates the lead authority responsible for implementation, if this is designated. Stakeholders will also be involved as methods are developed and implemented.

The delivery and timing of methods is subject to long term council community planning and annual plan schedules. Prioritisation and implementation of methods, over the ten year period of the Regional Policy Statement, will be outlined in an

Implementation Plan. The Plan will be prepared by Wellington Regional Council Regional Council, with the region's city and district councils, and in consultation with stakeholders. The Implementation Plan will be reviewed after the preparation of each State of the Environment Report (see Chapter 5).

Within section 4.5 the methods are presented in numerical order, although in the summary table below, methods are listed under key topics.

2.147 Method 1: District plan implementation

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on method 1 starts on page 254 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

A large number of submissions were received in relation to method 1, the full list is shown below in the table summarising the Hearing Committee's decision. Those submitters shown in italics in the table made submissions on method 1 but did not attend the hearing. Horticulture New Zealand, Preserve Pauatahanui Incorporated, Hutt Valley Angling Club and Transpower New Zealand Limited submitted on method 1 and attended the hearing, but did not give oral submissions on the provision.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submission of Upper Hutt City Council who gave oral submissions at the hearing.

Upper Hutt City Council supported the approach of the proposed Regional Policy Statement relating to implementation. This was noted by the Hearing Committee.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
<i>Lucy Adams</i>	<i>1/2</i>	<i>Reject</i>
<i>John and Margaret Ankcorn</i>	<i>5/2</i>	<i>Reject</i>
<i>Dana Arcus</i>	<i>6/2</i>	<i>Reject</i>
<i>Peter Laurence Arcus</i>	<i>7/2</i>	<i>Reject</i>
<i>Maree Atkinson</i>	<i>8/2</i>	<i>Reject</i>
<i>Maggie Bannatyne</i>	<i>9/2</i>	<i>Reject</i>
<i>Catherine Barron</i>	<i>10/2</i>	<i>Reject</i>
<i>Regan Bentley</i>	<i>11/2</i>	<i>Reject</i>
<i>David Charles Billmore</i>	<i>12/2</i>	<i>Reject</i>
<i>James Alexander Blair</i>	<i>13/2</i>	<i>Reject</i>
<i>Colleena June Blair</i>	<i>14/2</i>	<i>Reject</i>
<i>Helen Blundell</i>	<i>16/2</i>	<i>Reject</i>
<i>Rozalie Anita Brown</i>	<i>18/2</i>	<i>Reject</i>
<i>Edward Francis Butters</i>	<i>19/2</i>	<i>Reject</i>
<i>George Butters</i>	<i>20/2</i>	<i>Reject</i>
<i>Angela Calkin Goeres</i>	<i>21/2</i>	<i>Reject</i>
<i>Cardno TCB</i>	<i>22/1</i>	<i>Accept</i>
<i>Reginald Allan Davies</i>	<i>28/2</i>	<i>Reject</i>
<i>Liam Davies</i>	<i>29/2</i>	<i>Reject</i>
<i>Patricia Kathleen Davies</i>	<i>30/2</i>	<i>Reject</i>
<i>Liz Gibbs</i>	<i>41/2</i>	<i>Reject</i>
<i>Steffen Goeres</i>	<i>43/2</i>	<i>Reject</i>
<i>Kristina Anne Hefford</i>	<i>47/2</i>	<i>Reject</i>
Horticulture New Zealand	50/43	Accept in part
<i>Walter Jack Hutchings</i>	<i>52/2</i>	<i>Reject</i>
<i>Joan Elizabeth Hutson</i>	<i>53/2</i>	<i>Reject</i>
<i>Michele Karen Johnston</i>	<i>54/2</i>	<i>Reject</i>
<i>Neville William Kean</i>	<i>57/2</i>	<i>Reject</i>
<i>Marilyn Sally Kean</i>	<i>58/2</i>	<i>Reject</i>
<i>Kevin Kirk</i>	<i>59/2</i>	<i>Reject</i>

Submitter	Submission	Decision
<i>Beryl Kirk</i>	<i>60/2</i>	<i>Reject</i>
<i>Sean Knight</i>	<i>63/2</i>	<i>Reject</i>
<i>Sara Knight</i>	<i>64/2</i>	<i>Reject</i>
<i>Michael John Marfell-Jones</i>	<i>70/2</i>	<i>Reject</i>
<i>Adrienne Marfell-Jones</i>	<i>71/2</i>	<i>Reject</i>
<i>Sam McLean</i>	<i>76/2</i>	<i>Reject</i>
<i>Isaac Hamiora McLean</i>	<i>77/2</i>	<i>Reject</i>
<i>Ranea McLean</i>	<i>78/2</i>	<i>Reject</i>
<i>Robert John McLellan</i>	<i>79/2</i>	<i>Reject</i>
<i>Lynne McLellan</i>	<i>80/2</i>	<i>Reject</i>
<i>Richard John Moore</i>	<i>84/2</i>	<i>Reject</i>
<i>David Murray</i>	<i>85/2</i>	<i>Reject</i>
<i>New Zealand Historic Places Trust</i>	<i>87/33</i>	<i>Accept</i>
<i>Kevin Nicol</i>	<i>90/2</i>	<i>Reject</i>
<i>Robert Orriss</i>	<i>93/2</i>	<i>Reject</i>
<i>Joan Margaret Perry</i>	<i>96/2</i>	<i>Reject</i>
<i>Robert Edward</i>	<i>97/2</i>	<i>Reject</i>
<i>Keith James Pittams</i>	<i>99/2</i>	<i>Reject</i>
<i>Preserve Pauatahanui Incorporated</i>	<i>101/2</i>	<i>Reject</i>
<i>June Ralston</i>	<i>102/2</i>	<i>Reject</i>
<i>Sarah Ratana</i>	<i>103/2</i>	<i>Reject</i>
<i>Mary Teresa Roberts</i>	<i>106/2</i>	<i>Reject</i>
<i>Scott Rose</i>	<i>107/2</i>	<i>Reject</i>
<i>Jacqui Roy</i>	<i>108/2</i>	<i>Reject</i>
<i>Mary Helen Sheppard</i>	<i>110/2</i>	<i>Reject</i>
<i>Robyn Smith</i>	<i>111/2</i>	<i>Reject</i>
<i>Robert Wilfred Teal</i>	<i>115/2</i>	<i>Reject</i>
<i>Theresa Tetteroo</i>	<i>116/2</i>	<i>Reject</i>
<i>The Hutt Valley Angling Club Inc</i>	<i>119/2</i>	<i>Reject</i>
<i>Keith Martyn Thompson</i>	<i>120/2</i>	<i>Reject</i>

Submitter	Submission	Decision
<i>Carolina Thompson</i>	<i>121/2</i>	<i>Reject</i>
<i>Thompson Family Trust</i>	<i>122/2</i>	<i>Reject</i>
Transpower New Zealand Limited	123/28	Accept
<i>Ian Peter and Anne Marie Wood</i>	<i>139/2</i>	<i>Reject</i>
<i>Xia Zhangji</i>	<i>140/2</i>	<i>Reject</i>
<i>Julie Martin</i>	<i>143/2</i>	<i>Reject</i>

All further submissions from Lucy Adams are rejected accordingly.

(d) Changes to proposed Regional Policy Statement

Amend method 1, on page 137, as a result of the submissions above and as a result of the submission from Wellington City Council on section 4.1 and 4.2, as follows:

The process to amend district plans to implement policies 1, 3, 4, 6, 7, 10, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 33 will commence on, or before, the date on which the relevant council commences the ten year review of its district plan, or a provision in a district plan, pursuant to section 79 of the Resource Management Act 1991.

~~District and city councils may implement these policies earlier by plan change, and in the case of a ‘rolling review’ the policies must be implemented at the time of commencing the review of the relevant part(s) of the plan.~~

- District and city councils that will implement method 1 are:
- Wellington City Council
- Porirua City Council
- Kapiti Coast District Council
- Hutt City Council
- Upper Hutt City Council
- South Wairarapa District Council
- Carterton District Council

- Masterton District Council
- Tararua District Council for land within the Wellington region.

Policies 3 and 4 with respect to the coastal environment do not apply to Upper Hutt City Council.

Only a small portion of rural land in the Tararua District is within the Wellington region. The rest of the district is within the Manawatu-Wanganui region. Policies 1, 3, 4, 6, 7, 10, 14, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31 and 33 do not apply to Tararua District Council so as not to create conflict with the policy direction in the One Plan for the Manawatu-Wanganui region.

2.148 Method 2: Regional plan implementation

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on method 2 starts on page 281 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust was the only submitter in regard to method 2 and sought retention of method 2. The Hearing Committee accepted this submission but noted that the method has however been modified as a result of changes to section 79 of the Resource Management Act.

(c) Hearing Committee decisions

The Hearing Committee decided to accept the submission of New Zealand Historic Places Trust in respect of method 2.

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/34	Accept

There were no further submissions in respect of method 2.

(d) Changes to proposed Regional Policy Statement

Amend method 2 as a result of the submissions from Wellington City Council on section 4.1 as follows:

The process to amend regional plans to implement policies 2, 3, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 will commence on, or before, the date on which Wellington Regional Council commences the ten year review of its regional plans, or provisions in a regional plan, pursuant to section 79 of the Resource Management Act 1991.

2.149 Method 3: Wellington Regional Land Transport Strategy implementation

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement Discussion on method 3 is on page 282 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

New Zealand Transport Agency was the only submitter in regard to method 3. New Zealand Transport Agency sought amendments to correctly reference the relevant legislation – that is section 74 of the Land Transport Act 2003. The Hearing Committee accepted the submission by New Zealand Transport Agency and corrected the reference accordingly.

(c) Hearing Committee decisions

The Hearing Committee decided to accept New Zealand Transport Agency’s submission in respect of method 3.

Submitter	Submission	Decision
New Zealand Transport Agency	91/25	Accept

There were no further submissions in respect of method 3.

(d) Changes to proposed Regional Policy Statement

Amend method 3, on page 137, as follows:

The process to amend the Wellington Regional Land Transport Strategy to implement policies 8, 9 and 32 will commence on, or before, the date on which Wellington Regional Council commences the review pursuant to section ~~176 of the Land Transport Act 1998~~ 74 of the Land Transport Management Act 2003.

2.150 Method 4: Resource consents, notices of requirement and when changing, varying or replacing plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Discussion on method 4 starts on page 282 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Crown Minerals and The Historic Places Trust of New Zealand made submissions on method 4 but did not attend the hearing. The Hearing Committee adopted the discussion on their submissions in the Staff Report.

(c) Hearing Committee decisions

Submitter	Submission	Decision
Crown Minerals (Ministry of Economic Development)	26/4	Reject
New Zealand Historic Places Trust	87/35	Accept

The further submission from Winstone Aggregates is rejected accordingly.

(d) Changes to proposed Regional Policy Statement

Amend method 4 as a result of the submissions from Porirua City Council and Wellington City Council on section 4.1 and 4.2, as follows:

Method 4: Resource consents, notices of requirement and when changing, varying or replacing reviewing plans

Policies 34 to 60 will be implemented, where relevant, when considering a resource consent, notice of requirement, or when changing, varying or reviewing ~~replacing~~ a district or regional plan.

2.151 Method 6: Information about reducing air pollution

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 6 is on page 284 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

The Energy Efficiency and Conservation Authority and Wellington City Council submitted on method 6, and attended the hearing, but did not give oral evidence on method 6. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Horticulture New Zealand sought subsequent changes to method 6 to be consistent with the submitters request on agrichemicals. The Hearing Committee decided that agrichemicals are not a matter for the proposed Regional Policy Statement to consider, as discussed in section 3.1 of this Decisions Report. In all other respects the Hearing Committee adopted the discussion on Horticulture New Zealand in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Horticulture New Zealand	50/44	Reject
The Energy Efficiency and Conservation Authority	117/20	Reject
Wellington City Council	131/119	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 6.

2.152 Method 7: Information about high natural character in the coastal environment

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Method 7 is on page 285 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Porirua City Council and Wellington City Council submitted on method 7 and attended the hearing but did not make an oral submission on method 7. The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Porirua City Council	100/45	Accept
Wellington City Council	131/120	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 7.

2.153 Method 10: Information about energy efficient subdivision, design and building development

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Method 10 is on page 286 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Korokoro Environment Group submitted on method 10 but did not attend the hearing. The Energy Efficiency and Conservation Authority and Wellington City Council submitted on method 10 and attended the hearing but did not make any oral submission on method 10. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Korokoro Environment Group	65/10	Reject
The Energy Efficiency and Conservation Authority	117/21	Accept
Wellington City Council	131/121	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No change is made to method 10.

2.154 Method 11: Information about water conservation and efficient use

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Method 11 is on page 287 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Craig Brown made a submission on method 11 but did not attend the hearing. Horticulture New Zealand, Porirua City Council and Wellington City Council submitted on method 11 and attended the hearing, but did not make oral submissions on method 11. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Craig Brown	17/4	Reject
Horticulture New Zealand	50/45	Accept in part
Porirua City Council	100/58	Accept
Wellington City Council	131/122	Accept

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 11.

2.155 Method 13: Information about best practice for earthworks to protect Māori archaeological sites, other significant sites and kōiwi

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 13 is on page 288 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on method 13 but did not attend the hearing. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Wellington City Council reiterated support in their oral evidence for the recommendations contained in the Staff Report about resource management with tangata whenua. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/36	Accept
Wellington City Council	131/123	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to method 13.

2.156 Method 15: Information about sustainable land management practices

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 15 is on page 289 of Volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Horticulture New Zealand, and Wellington City Council, submitted on method 15, and attended the hearing, but did not give oral submissions on method 15. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Horticulture New Zealand	50/46	Accept in part
Wellington City Council	131/124	Accept

The further submission by Anders Crofoot is accepted in part accordingly.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 15.

2.157 Method 18: Regional structure planning guide

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended

decisions and recommended changes to the proposed Regional Policy Statement. Discussion on method 18 starts on page 290 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Transpower New Zealand Limited and Wellington City Council submitted on method 18 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submission of **Mighty River Power** who gave an oral submission at the hearing.

Mighty River Power accepted the discussion in the Staff Report on method 18. The Hearing Committee noted this support and in all other respects adopted the discussion on Mighty River Power in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Mighty River Power	83/43	Reject
Transpower New Zealand Limited	123/29	Accept
Wellington City Council	131/39	Accept

The further submission from Winstone Aggregates is rejected accordingly.

(d) Changes to proposed Regional Policy Statement

No change is made to method 18.

2.158 Method 20: Information to assist with the identification of places, sites and areas with significant historic heritage values

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included

summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 20 is on page 291 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made submissions on method 20 but did not attend the hearing. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submission from **Wellington City Council** who gave oral submissions at the hearing.

Wellington City Council expressed support in their oral evidence for the recommendations contained in the Staff Report pertaining to historic heritage. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/37	Accept
New Zealand Historic Places Trust	87/38	Reject
Wellington City Council	131/125	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to method 20.

2.159 Method 24: Database of sites at risk of contamination

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended

decisions and recommended changes to the proposed Regional Policy Statement. Method 24 is on page 292 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Oil Companies, and Wellington City Council, submitted on method 24, and attended the hearing, but did not give oral submissions on method 24. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submission of **Horticulture New Zealand** who gave an oral submission at the hearing.

Horticulture New Zealand referenced method 24 in their evidence on contaminated sites but did not request any changes to method 24. The Hearing Committee adopted the discussion on their submission in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Horticulture New Zealand	50/54	Reject
Oil Companies	92/18	Accept
Oil Companies	92/21	Accept
Wellington City Council	131/126	Accept

The further submission by Anders Crofoot is rejected accordingly.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 24.

2.160 Method 25: Information about the provision of walking, cycling and public transport for development

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Method 25 is on page 293 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Wellington City Council submitted on method 25 and attended the hearing, but did not give oral submissions on method 25. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Great Harbour Way Coalition supported method 25. The support is noted. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Great Harbour Way Coalition	45/3	Accept in part
Wellington City Council	131/127	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No change is made to method 25.

2.161 Method 29: Take a whole of catchment approach to works, operations and services

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 29 is on page 294 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

East Harbour Environmental Association, submitted on method 29, but did not attend the hearing. Federated Farmers of New Zealand and Wellington City Council, submitted on method 29, and attended the hearing, but did not give oral submissions on method 29. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee noted that method 29 relates to integrating management. In the report on section 3.2 Coastal environment, in response to the submission from **Porirua City Council**, we noted support for a new method recommended in pages 80 and 81 of volume 1 of the staff report. The Hearing Committee has decided to include the new method after method 29.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
East Harbour Environmental Association Incorporated	33/20	Accept
Federated Farmers of New Zealand	35/60	Accept
Wellington City Council	131/128	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 29.

Insert new method 29a in response to the submission by Porirua City Council on section 3.2 Coastal environment..

Method 29a: Prepare a harbour and catchment management strategy for Porirua Harbour

Prepare a harbour and catchment management strategy for Porirua Harbour to address the restoration of Porirua Harbour and reduce the discharge of sediment, nutrients and contaminants into the harbour. Implementation: Wellington Regional Council, Porirua City Council and Wellington City Council.

Consequential amendments:

Add a reference to method 29a for objectives 3,5,6,7 in table 2 and other tables as required.

2.162 Method 30: Protocol for management of earthworks and air quality between local authorities

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 30 is on page 295 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Anders Crofoot, Federated Farmers of New Zealand, Masterton District Council, Higgins Group Holdings Ltd, Mighty River Power, Porirua City Council, and Wellington City Council submitted on method 30, and attended the hearing, but did not give oral evidence on method 30. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Horticulture New Zealand had listed method 30 along with changes sought in relation to policies 14 and 40. The Hearing Committee

adopted the discussion on their submission in those sections of the Staff Report. The Hearing Committee decided not to change the definitions of vegetation clearance and earthworks as the submitter sought for policies 14 and 40 and, therefore, no subsequent changes were made to method 30.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/30	Reject
Federated Farmers of New Zealand	35/61	Accept in part
Higgins Group Holdings Ltd	48/9	Accept
Horticulture New Zealand	50/47	Accept in part
Masterton District Council	75/22	Accept in part
Mighty River Power	83/44	Accept
Porirua City Council	100/46	Accept
Wellington City Council	131/129	Accept

Further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 30.

2.163 Method 31: Engagement with tangata whenua and the community in identifying and protecting significant values

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended

decisions and recommended changes to the proposed Regional Policy Statement. Method 31 is on page 297 of volume 2.

(b) **Submissions, evidence heard and Hearing Committee deliberations**

New Zealand Historic Places Trust made a submission on method 31 but did not attend the hearing. Anders Crofoot, Federated Farmers of New Zealand and Kapiti Coast District Council submitted on method 31, and attended the hearing, but did not give oral submissions on method 31. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Wellington City Council expressed support in their oral evidence for the recommendations contained in the Staff Report relating to historic heritage, indigenous ecosystems and resource management with tangata whenua. The Hearing Committee noted their support.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/31	Accept in part
Federated Farmers of New Zealand	35/62	Accept in part
Kapiti Coast District Council	56/37	Reject
New Zealand Historic Places Trust	87/39	Accept
Wellington City Council	131/130	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to the proposed Regional Policy Statement**

No change is made to method 31.

2.164 Method 32: Identify sustainable energy programmes

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Method 32 is on page 299 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Linda Hoyle made submissions on method 32 but did not attend the hearing. Mighty River Power, the Energy Efficiency and Conservation Authority, Wellington City Council, and Meridian Energy Limited submitted on method 32 and attended the hearing, but did not give oral submissions on method 32. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Preserve Pauatahanui Incorporated requested that all references to renewable energy be deleted. The Hearing Committee considered renewable energy to be a regionally significant issue and appropriate to include in the proposed Regional Policy Statement. Therefore, no change is made as a result of this submission. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Linda Hoyle	51/4	Reject
Mighty River Power	83/45	Accept
Preserve Pauatahanui Incorporated	101/5	Reject
The Energy Efficiency and Conservation Authority	117/22	Reject

Submitter	Submission	Decision
Wellington City Council	131/131	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No change is made to method 32.

2.165 Method 33: Prepare a regional water strategy

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Method 33 is on page 301 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Craig Brown and Fonterra Co-operative Group Ltd made submissions on method 33 but did not attend the hearing. Horticulture New Zealand, Kapiti Coast District Council, Porirua City Council and Wellington City Council submitted on method 33 and attended the hearing, but did not make oral submissions on method 33. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Craig Brown	17/5	Reject
Fonterra Co-operative Group Ltd	36/10	Accept in part
Horticulture New Zealand	50/48	Accept in part
Kapiti Coast District Council	56/38	Accept

Submitter	Submission	Decision
Porirua City Council	100/47	Accept
Wellington City Council	131/132	Accept

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 33.

2.166 Method 34: Prepare a regional stormwater action plan

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy Method 34 is on page 304 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Wellington City Council submitted on method 34 and attended the hearing, but did not make oral submissions on method 34. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Wellington City Council	131/26	Reject

(d) Changes to the proposed Regional Policy Statement

No change is made to method 34.

2.167 Method 35: Support industry-led environmental accords and codes of practice

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 35 is on page 304 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Ravensdown Fertiliser Co-operative Limited made a submission on method 35 but did not attend the hearing. Fonterra Co-operative Group Ltd, Horticulture New Zealand, Porirua City Council, Transpower New Zealand Limited, and Wellington City Council, submitted on method 35, and attended the hearing, but did not give oral submissions on method 35. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered oral submissions given at the hearing.

Oil Companies questioned the text of method 35 where it singles out two codes of practice and does not consider other codes from other industries. The submitter noted that the Staff Report recommended cross referencing. The Hearing Committee considered that to mention just two codes is inconsistent, even though they are provided by way of example. The Hearing Committee decided to remove all reference to specific codes and industries and have the method read as one sentence.

The submitter also requested the method refer to policies as well as objectives, as the method is cross referenced to some policies. The Hearing Committee considered that by referring to objectives all policies are referenced. The cross-referencing to specific policies is to assist readers on specific issues. The Hearing Committee decided to have method 35 refer only to objectives.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Fonterra Co-operative Group Ltd	36/11	Accept
Horticulture New Zealand	50/49	Accept in part
Oil Companies	92/17	Accept in part
Porirua City Council	100/48	Accept
Ravensdown Fertiliser Co-operative Limited	104/7	Accept
Transpower New Zealand Limited	123/30	Accept in part
Wellington City Council	131/133	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to the proposed Regional Policy Statement**

Add method 35 to Table 4 and cross reference to current policies 18 and 44.

Add method 35 to Table 11 and cross reference to current policy 33.

Amend method 35, on page 142, as follows:

Support industry-led environmental accords and codes of practice —~~such as the Dairying and Clean Streams Accord and the New Zealand Environmental Code of Practice for Plantation Forestry~~— where these will lead to the achievement of objectives of this Regional Policy Statement.

2.168 Method 36: Involve tangata whenua in resource management decision making

(a) **Staff Report**

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 36 is on page 307 of volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on method 36 but did not attend the hearing. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Wellington City Council reiterated support in their oral evidence for the recommendations contained in the Staff Report relating to resource management with tangata whenua. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/40	Accept
Wellington City Council	131/134	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to method 36.

2.169 Method 40: Integrate public open space

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on method 40 starts on page 308 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Porirua City Council and Wellington City Council supported method 40. The Hearing Committee noted the submitters support and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Porirua City Council	100/49	Accept
Wellington City Council	131/40	Accept

The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted accordingly.

(d) Changes to proposed Regional Policy Statement

Amend method 40, on page 143, as follows:

Identify gaps and opportunities to improve integration and use of public open space and develop a regionally agreed action plan.

2.170 Method 41: Develop visions for the regionally significant centres

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on method 41 starts on page 309 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastlands Shopping Limited, Foodstuffs (Wellington) Co operative Society Ltd and Westfield New Zealand Limited made submissions on method 41 but did not attend the hearing. Wellington City Council submitted on method 41 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered

these submissions and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastlands Shopping Limited	24/13	Accept
Foodstuffs (Wellington) Co operative Society Ltd	37/6	Accept
Wellington City Council	131/41	Accept
Westfield New Zealand Limited	138/22	Accept

There were no further submissions in respect of method 41.

(d) Changes to proposed Regional Policy Statement

No change is made to method 41.

2.171 Method 42: Develop principles for retail activities

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on method 42 starts on page 310 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastlands Shopping Limited and Westfield New Zealand Limited made submissions on method 42 but did not attend the hearing. Wellington City Council submitted on method 42 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Kiwi Property Holdings Ltd sought that the retail principles be located in the Regional Policy Statement rather than a non-statutory document (WRS). The Hearing Committee noted that the principles have yet to be developed and therefore are unable to be included in the proposed Regional Policy Statement. Once the principles are prepared, the Wellington Regional Council can then consider whether they should be included in the proposed Regional Policy Statement and a plan change initiated at that point. The Hearing Committee consider that the WRS is the best forum for developing principles for retail activities and refer to the action area on page 40 of the WRS which states “*develop regionally consistent principles for managing big box retail activities to minimise their potential to erode consolidation and centre development strategies*”.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastland Shopping Limited	24/14	Accept
Kiwi Property Holdings Ltd	62/7	Accept in part
Wellington City Council	131/42	Accept
Westfield New Zealand Limited	138/22	Accept

The further submission from Westfield NZ Ltd is accepted in part accordingly.

(d) Changes to proposed Regional Policy Statement

No change is made to method 42.

2.172 Method 44: Develop principles for rural-residential use and development

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions,

recommends decisions and recommends changes. Discussion on method 44 starts on page 311 of volume 2.

(b) **Submitters, evidence heard and Hearing Committee deliberations**

Horticulture New Zealand and Wellington City Council submitted on method 44 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered these submissions and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of **Masterton District Council** who gave oral submissions at the hearing.

Masterton District Council (MDC) reiterated its concern over the lack of facilitation of involvement of Wairarapa local authorities in the Senior Officer's Resource Team (SORT) meetings. The Hearing Committee relayed these comments to the organisers of the SORT meetings to ensure they would be addressed. This submitter also considered it had already given effect to method 44 through the Proposed Combined Wairarapa District Plan process. This point was noted by the Hearing Committee. In all other respects the Hearing Committee adopted the discussion on MDC in the Staff Report.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Horticulture New Zealand	50/50	Accept in part
Masterton District Council	75/23	Accept in part
Wellington City Council	131/43	Accept

The further submission from Anders Crofoot is accepted in part accordingly.

(d) **Changes to proposed Regional Policy Statement**

No change is made to method 44.

2.173 Method 45: Develop planning for each Regional Focus Area

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on method 45 starts on page 313 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastlands Shopping Limited Foodstuffs (Wellington) Co operative Society Ltd made submissions on method 45 but did not attend the hearing. Porirua City Council and Wellington City Council submitted on method 45 and attended the hearing, but did not give oral submissions on the provision. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of **Masterton District Council** who gave oral submissions at the hearing.

Masterton District Council (MDC) reiterated its concern over the lack of facilitation of involvement of Wairarapa local authorities in the Senior Officer's Resource Team (SORT) meetings. The Hearing Committee relayed these comments to the organisers of the SORT meetings to ensure they would be addressed. This submitter also considered it had already given effect to method 45 through the Proposed Combined Wairarapa District Plan process. This point was noted by the Hearing Committee. In all other respects the Hearing Committee adopted the discussion on submitter MDC in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Coastlands Shopping Limited	24/15	Accept in part
Foodstuffs (Wellington) Co	37/7	Accept

Submitter	Submission	Decision
operative Society Ltd		
Masterton District Council	75/24	Accept in part
Porirua City Council	100/50	Accept in part
Wellington City Council	131/44	Accept in part

The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted in part accordingly.

(d) Changes to proposed Regional Policy Statement

Amend method 45, on page 143, as follows:

Method 45: Develop strategies or development frameworks planning for each Regional Focus Area

Develop growth and/or development frameworks or strategies for each Regional Focus Area.

2.174 Method 47: Investigate the use of transferable water permits

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Method 47 is on page 315 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Horticulture New Zealand and Wellington City Council submitted on method 47 and attended the hearing, but did not make oral submissions on method 47. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Horticulture New Zealand	50/51	Accept in part
Wellington City Council	131/135	Accept

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 47.

2.175 Method 49: Prepare a regional landscape character description

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 49 is on page 316 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Ravensdown Fertiliser Co-operative Limited made a submission on method 49 but did not attend the hearing. Anders Crofoot, Wellington City Council, Federated Farmers of New Zealand, Mighty River Power and TrustPower Limited submitted on method 49 and attended the hearing, but did not give oral submissions on method 49. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Porirua City Council requested that method 49 be amended by adding the words 'and describes how landscape classification must take account of visual catchments, not jurisdictional boundaries' or words to similar effect. The Hearing Committee agreed with the Staff Report that this was adequately addressed in section 2.5, which specifically addresses cross boundary issues and the landscape policies and method providing consistency in identifying, protecting and managing the effects on landscape values across the region. The Hearing Committee considered it not appropriate to insert the additional wording requested by the submitter.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/32	Accept in part
Federated Farmers of New Zealand	35/63	Accept in part
Mighty River Power	83/46	Accept
Porirua City Council	100/54	Accept in part
Ravensdown Fertiliser Co-operative Limited	104/8	Accept
TrustPower Limited	124/39	Reject
Wellington City Council	131/136	Accept

All further submissions in support of or in opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No change is made to method 49.

2.176 Method 50: Identify areas for improved public access

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Method 50 is on page 318 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Anders Crofoot, Federated Farmers of New Zealand, Porirua City Council and Wellington City Council submitted on method 50 and attended the hearing, but did not make oral submissions on method 50. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Great Harbour Way Coalition reiterated their submission that the proposed Regional Policy Statement should protect access included in the Great Harbour Way. The Hearing Committee noted that changes made to policy 52 highlighted that regional and district plans should provide protection for access around Wellington Harbour, and no change is needed to the method.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/33	Accept
Federated Farmers of New Zealand	35/64	Reject
Great Harbour Way Coalition	45/4	Reject
Porirua City Council	100/51	Reject
Wellington City Council	131/137	Accept

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to method 50.

2.177 Method 51: Identify the region's significant mineral resources

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Method 51 is on page 320 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Crown Minerals (Ministry of Economic Development) and Ravensdown Fertiliser Co-operative Limited submitted on method 51 but did not attend the hearing. Aggregate and Quarry Association of New Zealand, Higgins Group Holding Ltd and Wellington City Council, submitted on method 51, and attended the hearing, but did not give oral submissions on method 51. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/10	Noted
Crown Minerals (Ministry of Economic Development)	26/5	Reject
Higgins Group Holdings Ltd	48/10	Accept in part
Ravensdown Fertiliser Co-operative Limited	104/9	Accept in part
Wellington City Council	131/138	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to method 51.

2.178 Method 55: Assist the community to reduce waste, and use water and energy efficiently

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions,

recommends decisions and recommends changes to the proposed Regional Policy Statement. Method 55 is on page 322 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Craig Brown and Korokoro Environment Group submitted on method 55 but did not attend the hearing. The Energy Efficiency and Conservation Authority and Wellington City Council submitted on method 55 and attended the hearing, but did not give oral submissions on method 55. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Craig Brown	17/6	Reject
Korokoro Environmental Group	65/11	Accept in part
The Energy Efficiency and Conservation Authority	117/23	Accept
Wellington City Council	131/139	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to method 55.

2.179 Chapter 5 Monitoring the Regional Policy Statement and the anticipated environmental results (AER)

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on Chapter 5 starts on page 323 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Transpower New Zealand Limited, the Wellington Botanical Society and the Wellington Conservation Board submitted on Chapter 5 and attended the hearing, but did not give oral submissions on Chapter 5.

The Hearing Committee considered the submissions of these submitters and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Transpower New Zealand Limited	123/31	Reject
Wellington Botanical Society	130/8	Accept in part
Wellington Conservation Board	132/7	Reject

The further submission from PowerCo Limited is rejected accordingly.

(d) Changes to proposed Regional Policy Statement

No change is made to the introduction to Chapter 5.

2.180 Objective 1 AERs 1 to 3

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 1 AERs 1 to 3 is on page 325 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Regional Public Health made a submission on objective 1 AER 1 to 3 but did not provide any further evidence at the hearing. The Hearing

Committee has adopted the discussion on this submission in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Regional Public Health	105/3	Reject

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 1 AERs 1 to 3.

2.181 Objective 3 AER 1 and 2

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 3 AER 1 and 2 is on page 326 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anders Crofoot and the Department of Conservation submitted on objective 3 AER 1 and 2 and attended the hearing but did not make oral submissions on objective 3 AER 1 and 2. There was no evidence presented at the hearing regarding objective 3 AER 1 and 2.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee*

deliberations), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/34	Reject
Department of Conservation	31/57	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend Objective 3 AER 1, page 147, as follows:

There is no reduction in the condition (or quality) and extent of the area of wetlands, estuaries, salt marshes and active sand dunes in the coastal environment, as a result of human activities.

2.182 Objective 4 AER 1 and 2

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 4 AER 1 and 2 is on page 328 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anders Crofoot, the Department of Conservation and Meridian Energy Limited submitted on objective 4 AER 1 and 2 and attended the hearing but did not make oral submissions on objective 4 AER 1 and 2. There was no evidence presented at the hearing regarding objective 4 AER 1 and 2.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee*

deliberations), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/35	Reject
Department of Conservation	31/58	Reject
Meridian Energy Limited	82/40	Reject

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee’s decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 4 AER 1 and 2.

2.183 Objective 6 AERs 1 to 5

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 6 AERs 1 to 5 is on page 329 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Wellington Regional Council submitted on objective 6 AERs 1 to 5 but did not attend the hearing. The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the oral submissions given at the hearing.

Department of Conservation submitted that there should be an additional Anticipated Environmental Result; “Eighty percent of residents value the need to protect the quality of coastal waters” as well as the use of “or” in the recommended changes should be replaced with “and”. The Hearing Committee agreed with the recommendation in the Staff Report to reject this submission point.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section

above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/59	Reject
Wellington Regional Council	46/2	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend objective 6 AER 4, page 147, as follows:

Water quality in the coastal marine area is supporting healthy functioning aquatic ecosystems or any other management purposes identified in regional plans.

2.184 Objective 8 AER 1 and 2

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 8 anticipated environmental results (AER) are on page 331 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Anders Crofoot submitted on objective 8 AERs and attended the hearing, but did not make oral submissions on the AER. The Hearing Committee considered Anders Crofoot's submission and adopted the discussion in the Staff Report.

Department of Conservation accepted the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/36	Note
Department of Conservation	31/60	Accept

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend objective 8 AER 1, on page 148, as follows:

Delete "significant" so that the AER reads, "Areas with values, where public access..."

2.185 Objective 9 AERs 1 to 8

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 9 AERs 1 to 8 is on page 332 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

The Energy Efficiency and Conservation Authority submitted on objective 9 AERs 1 to 8 and attended the hearing, but did not give oral submissions on objective 9 AERs 1 to 8. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Transpower New Zealand Limited and **PowerCo Limited** requested an addition to objective 9 and the AER relating to the adverse effects of infrastructure being avoided, remedied, or mitigated to the extent practicable. This is not contained in the objective so does not need to be included in the AER. Discussion on the balancing of adverse effects and benefits is included in the explanation to relevant policies and the introduction to section 3.3. No change is made.

Wellington City Council requested monitored measures and targets for non-transport energy included in the AER. The Hearing Committee considered that including targets for non-transport energy, other than targets related to plan contents, is inappropriate due to the need to weigh competing considerations on a case by case basis, rather than pre-empt consent proceedings by setting energy generation targets. The Hearing Committee also noted that this request is beyond the scope of Wellington City Council’s written submission.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
The Energy Efficiency and Conservation Authority	117/24	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee’s decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No changes are made to objective 9 AERs 1 to 8.

2.186 Objective 10 AER 1

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 10 AER 1 is on page 333 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Meridian Energy Limited, Wellington International Airport Limited, and the Energy Efficiency and Conservation Authority submitted on objective 10 AER 1 and attended the hearing, but did not give oral submissions on objective 10 AER 1.

New Zealand Defence Force submitted on objective 10 AER 1 and submitted further written evidence at the hearing, but did not submit any further evidence on objective 10 AER 1.

The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Transpower New Zealand Limited and **PowerCo Limited** requested that the anticipated environmental result refer to the policy and regulatory framework. Objective 10 was amended to include regulatory methods, so the AER was changed accordingly.

The Energy Efficiency and Conservation Authority requested in their written submission the objective’s AER be retained. A minor amendment was made in response to Transpower New Zealand Limited and PowerCo Limited’s oral submission. A minor change was also made as a result of NZ Transport Agency’s submission on policy 7, to amend the term ‘alongside’.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Meridian Energy Limited	82/41	Reject
The Energy Efficiency and Conservation Authority	117/25	Accept in part
Transpower New Zealand Limited	123/32	Accept in part

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee’s decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

Amend objective 10 AER 1, on page 148, as follows:

Regional and district plans contain:

- (a) policies and/or methods that recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure; and
- (b) policies and/or methods that protect regionally significant infrastructure from incompatible land uses under, over, or ~~alongside~~ adjacent.

2.187 Objective 12 AERs 1 to 11

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 12 anticipated environmental results (AER) are on page 334 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Wellington Regional Council and Tararua Tramping Club made submissions on objective 12 AERs but did not attend the hearing. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

Department of Conservation accepted parts of the Staff Report but sought rewording of AER 6 to read: “Eighty per cent of residents value the need to protect the quality and quantity of water bodies.” The Hearing Committee noted that the wording is based on existing public perception surveys carried out in the Wellington region, which are not controlled by Wellington Regional Council. It considered that rather than initiate a new survey it is better to use the existing survey and retain the ability to make comparisons with existing data.

Wellington Conservation Board sought measurable water quality results and replacing soft measures with hard measures. They considered soft measures will be difficult to quantify and hard to interpret. The Hearing Committee noted that the proposed Regional Policy Statement does allow for reporting on numerical standards and, as occurs at present and will continue in the future, numerical data will be used to measure AER. However, it is not necessary to list what these will be in the proposed Regional Policy Statement. Numerical standards can be included in the regional plans and the standards already used regularly in state of the environment reporting can be specified in the Regional Monitoring Strategy, which will be developed in consultation with stakeholders.

Wellington Fish and Game Council opposed the AER and asked that the Staff Report be rejected. Their concerns would be addressed by reducing the assessment period to 5 yearly, and either deleting Appendix 1, reviewing Appendix 1 to account for the values of Wellington Fish and Game, or removing reference to Appendix 1 in the AER. This submitter also wanted the identification, maintenance or enhancement of natural character in the AER. The Hearing Committee noted that the six year assessment period is intended to align with the long term community consultation planning cycle which local authorities must comply with and implement under the Local Government Act 2004. The Hearing Committee did not think it would be helpful for resource management monitoring and reporting to operate under a different timeframe than that provided by the Council’s key instrument for financial management.

Matters relating to Appendix 1 are addressed in responses to policy 17, Appendix 1, Table 15 and Table 16, including the submissions of Wellington Fish and Game Council. The Hearing Committee noted that the decisions made on these provisions preclude granting the relief asked for by the submitter. Similarly, the decisions made on natural character in relation to section 3.4, issue 2 and objective 13 mean that provisions in the proposed Regional Policy Statement target ecosystem management in rivers rather than natural character. Hence, AER on natural character are not appropriate.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/61	Reject
Wellington Regional Council	46/3	Accept
Tararua Tramping Club	114/17	Reject
Wellington Conservation Board	132/8	Reject
Wellington Fish and Game Council	133/24	Reject

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee’s decisions on the original submissions.

(d) **Changes to the proposed Regional Policy Statement**

Amend objective 12 AER 1, on page 149, as follows:

“Water quality in lakes, rivers and aquifers is supporting healthy functioning aquatic ecosystems or any other management purposes identified in regional plans”.

Amend objective 12 AER 2, on page 149, as follows:

“River flows and lake levels support healthy functioning aquatic ecosystems or any other management purposes identified in regional plans”.

Amend objective 12 AER 3, on page 149, as follows:

Groundwater is managed to levels—support healthy functioning aquatic ecosystems or any other purpose for managing water bodies identified in regional plans.

2.188 Objective 13 AERs 1 to 8

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 13 anticipated environmental results (AER) are on page 338 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Anders Crofoot and Meridian Energy Limited submitted on objective 13 AER and attended the hearing, but did not make oral submissions on objective 13 AERs. The Hearing Committee considered their submissions and adopted the discussion on their submissions in the Staff Report.

Department of Conservation accepted the Staff Report.

Wellington Fish and Game Council opposed the AER for objective 13 for the same reasons given in their submission on the AER for objective 12. The response of the Hearing Committee is the same as for objective 12 AERs.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/37	Reject
Department of Conservation	31/62	Accept in part
Meridian Energy Limited	82/42	Reject
Wellington Fish and Game Council	133/25	Reject

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend the objective 13 AER, on page 149, as follows:

Flow regimes in, and discharges to, rivers and lakes are not resulting in algal cover and/or biomass that is adversely affecting aquatic ecosystems.

2.189 Objective 14 AERs 1 to 4

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 14 anticipated environmental results (AER) are on page 340 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Wellington Fish and Game Council opposed the AER for objective 14 for the same reasons given in their submission on the AER for objective 12. The response of the Hearing Committee is the same as for objective 12 AER.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Wellington Fish and Game Council	133/26	Reject

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 14 AERs 1 to 4.

2.190 Objective 15 AERs 1 to 3

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 15 anticipated environmental results (AER) 1 to 3 are on page 341 of Volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

The Hearing Committee considered the following submission from submitters who gave oral submissions at the hearing.

Department of Conservation accepted the reasoning in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/63	Reject

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

- (d) Changes to the proposed Regional Policy Statement

No change is made to objective 15 AERs 1 to 3.

2.191 Objective 16 AERs 1 to 4

- (a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 16 anticipated environmental results (AER) 1 to 4 are on page 342 of volume 2.

- (b) Submitters, evidence heard and Hearing Committee deliberations

Meridian Energy submitted on Objective 16 AERs 1 to 4, attended the hearing but did not give oral submissions on Objective 16 AERs 1 to 4. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the following submissions from submitters who gave oral submissions at the hearing.

Department of Conservation supported amendments to AER 4 contained within the Staff Report. The Hearing Committee noted this support.

Wellington Botanical Society accepted that AER 3 reflected a pragmatic approach suitable for the proposed Regional Policy Statement although they promoted alternative wording. The Hearing Committee noted this support.

The Wellington Conservation Board sought that objective 16 AER 1 and 3 be amended as follows:
(i) ...have identified indigenous ecosystems with significant biodiversity and *ecosystem services* values;
(iii) no loss of indigenous ecosystems and habitats with significant biodiversity and *ecosystem services* values.....

The Hearing Committee considered the request of the Wellington Conservation Board. To be meaningful AER need to be readily measurable. While policy 22 provides criteria for assessing significance this assessment not include the measurement of ecosystem services. The science describing ecosystem services is still emerging, and robust criteria for identifying and/or quantifying in any meaningful way the values provided by ecosystem services does not exist at present. Including provisions that require the identification and

protection of indigenous ecosystems and habitats with significant biodiversity values, the ecosystem services within these will be protected. In all other respects the Hearing Committee adopted the recommendations in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/64	Accept
Meridian Energy Limited	82/43	Reject
Wellington Botanical Society	130/9	Reject
Wellington Conservation Board	132/9	Reject

(d) Changes to proposed Regional Policy Statement

Amend objective 16 AER 4, on page 150, as follow:

There is at least a 20 per cent increase in the area of indigenous ecosystems and habitats that are legally protected.

2.192 Objective 17 AERs 1 to 6

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1 & 2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 17 anticipated environmental results (AER) 1 to 6 are on page 345 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Meridian Energy Limited submitted on objective 17 AERs 1 to 6 and attended the hearing, but did not give oral submissions on objective 17 AERs 1 to 6. There was no evidence presented at the hearing regarding objective 17 AERs 1 to 6. The Hearing Committee adopted the discussion on their submission in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Meridian Energy Limited	82/44	Reject

All further submissions in support of or in opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to proposed Regional Policy Statement

No change is made to objective 17 AERs 1 to 6.

2.193 Objective 18 AER 1 and 2

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. The anticipated environmental results (AER) for objective 18 are on page 345 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Oil Companies and Transpower NZ Limited submitted on the anticipated environmental results (AER) 1 and 2 and attended the hearing, but did not give oral submissions on the provisions. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The AER were amended to reflect the wording changes in policy 28.

(c) Hearing Committee decisions

The decision on the submission is summarised in the table below. The reasons for accepting or rejecting the submission are given in the section above, (headed *Submission, evidence heard and Hearing Committee deliberations*) and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Oil Companies	92/12	Accept in part
Transpower NZ Limited	123/34	Accept in part

(d) Changes to proposed Regional Policy Statement

Amend objective 18 AER 1, on page 151, as follows:

Regional and District plans:

- (a) identify areas at high risk from natural hazards; and
- (b) contain policies and rules to avoid subdivision and inappropriate development in those areas.

Amend objective 18 AER 2, on page 151, as follows:

There is no new subdivision and inappropriate development in areas at high risk from natural hazards.

2.194 Objective 21 AERs 1 to 7

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on the anticipated environmental results (AER) for objective 21 starts on page 346 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

Kiwi Property Holdings Ltd (KPHL) was the only submitter on the AER for objective 21. This submitter sought that goals be included in the AERs, such that the desired results themselves are specified. The Hearing Committee noted that the AER are targets towards achieving the objectives in the proposed Regional Policy Statement. Some of these are written as an environmental state and some as the course of action expected to be undertaken. Both types of targets or results are considered to be appropriate. The Hearing Committee did not consider it appropriate to write the result as proposed by the submitter as these would be difficult to measure and go beyond the proposed actions (policies) in the proposed Regional Policy Statement. The Hearing Committee considered there is sufficient detail in the AERs as proposed. In all other respects the Hearing Committee adopted the discussion on Kiwi Property Holdings Ltd in the Staff Report.

(c) Hearing Committee decisions

The decision on the submission is summarised in the table below. The reasons for rejecting the submission are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Kiwi Property Holdings Ltd	62/8	Reject

There were no further submissions in respect of these provisions.

(d) Changes to proposed Regional Policy Statement

No change is made to objective 21 AERs.

2.195 Objective 25 AER

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. The anticipated environmental result (AER) for objective 25 is on page 348 of Volume 2.

(b) Submissions, evidence heard and Hearing Committee deliberations

Meridian Energy Limited and Porirua City Council submitted on the AER for objective 25, and attended the hearing, but did not give oral submissions on the AER for objective 25.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Meridian Energy Limited	82/45	Accept
Porirua City Council	100/52	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend objective 25 AER 1, on page 152, as follows:

Iwi authorities consider that ~~no further degradation of mauri has occurred, particularly in relation to~~ of coastal and fresh waters is being sustained.

Add the following additional objective 25 AER 2:

Iwi authorities consider that Porirua Harbour's mauri is being restored.

2.196 Objective 30 AER 1

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 30 anticipated environmental result (AER) is on page 349 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Winstone Aggregates sought several changes to objective 30 AER 1. These changes are identical to those sought in their submission on the proposed Regional Policy Statement and have been addressed in the Staff Report. The Hearing Committee adopted the discussion on their submission in the Staff Report.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/35	Reject

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 30 AER.

2.197 Appendices

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *Proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the Proposed Regional Policy Statement. The report on Appendices is on page 350 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

East Harbour Environmental Association Incorporated and Pauatahanui Inlet Community Trust the Appendices and did not attend the hearing. Winstone Aggregates and CentrePort Wellington attended the hearing, but did not give oral submissions. The Hearing Committee considered the submissions of all four submitters and adopted the discussions on their submissions in the Staff Report.

(c) Hearing Committee decisions

The decisions on the submissions are summarised in the table below. The reasons for accepting or rejecting the submission are given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/36	Reject
CentrePort Wellington	23/11	Accept
East Harbour Environmental Association Incorporated	33/21	Reject
Pauatahanui Inlet Community Trust	95/2	Reject

(d) Changes to Proposed Regional Policy Statement

No changes are made to the Appendices arising from the submissions above.

2.198 Appendix 1 Rivers and lakes with values requiring protection

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009*

volumes 1&2 2009 (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Appendix 1 is on page 352 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

East Harbour Environmental Association made submissions on Appendix 1 but did not attend the hearing. Winstone Aggregates, Anders Crofoot, Friends of Owhiro Stream and Federated Farmers of New Zealand submitted on Appendix 1 and attended the hearing, but did not make oral submissions on Appendix 1. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussions on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Horticulture New Zealand sought the deletion of Appendix 1 at the hearing. They commented the list is extensive and includes many small tributaries which are now identified for protection. The Hearing Committee noted that policy 17 protects specific values of rivers identified in Table 16 but does not protect the rivers themselves. The Hearing Committee was in no doubt that the values identified in Table 16 warrant protection but protection of the values will only occur where they are present.

The submitter was also concerned that Table 15 was developed from a survey of recreational groups without consultation with the wider community. The Hearing Committee noted that Table 15 had built on existing lists of rivers with significant amenity and recreational values in the operative Regional Policy Statement and the Regional Freshwater Plan. A few rivers were deleted and a few added following consultation with people with particular interests in the amenity and recreational values of rivers. Consultation with the wider community also occurred when Wellington Regional Council made draft proposed Regional Policy Statement provisions available for public comment. Additional consultation also occurred through the statutory process resulting in what is contained in the proposed Regional Policy Statement.

The submitter expressed concern about costs associated with protection. The Hearing Committee considered that the values identified in Appendix 1 warrant protection, and that the costs are outweighed by the benefits. The Hearing Committee also noted that the benefits are to the wider community, whereas any costs would be borne by consent applicants, not the wider community. Costs (and benefits) associated with Table 15 are unlikely to change much because almost all the rivers identified are already protected in the

same way through operative statutory policies. A few rivers have been added to the rivers protected through statutory policy for their amenity and recreational values and a few have been deleted but, on balance the numbers are similar. Costs associated with Table 16 will be determined when the Regional Freshwater Plan is reviewed and provisions for protection in regional plans will need to be assessed at the time.

Horticulture New Zealand considered that the proposed Regional Policy Statement should provide criteria but the identification of water bodies should be made in the regional plan. The Hearing Committee noted that criteria are included in Appendix 1. These criteria are sufficiently firm that they can and are applied directly in the proposed Regional Policy Statement. The Hearing Committee considered listing the rivers in the regional plan means they would have little status during the preparation of district plans. The Hearing Committee was satisfied that application of the criteria and listing rivers is appropriate so that effect can be given to relevant policies in district plans as well as the regional plan. In all other respects the Hearing Committee adopts the Staff Report in response to Horticulture New Zealand's submission.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/37	Reject
Anders Crofoot	25/38	See report on Table 16
East Harbour Environmental Association Incorporated	33/22	Reject
Federated Farmers of New Zealand	35/65	Reject
Friends of Owhiro Stream	38/6	Accept
Horticulture New Zealand	50/52	Reject

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

- (d) Changes to the proposed Regional Policy Statement

No change is made to Appendix 1 as a result of these submissions.

2.199 Appendix 1: Table 15 Rivers and lakes with significant amenity and recreational values

- (a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Appendix 1: Table 15 is on page 355 of volume 2.

- (b) Submissions, evidence heard, and Hearing Committee deliberations

Anthony Roy Edwards and South Wairarapa District Council made submissions on Appendix 1 but did not attend the hearing. Hutt Valley Angling Club submitted on Table 15 and attended the hearing, but did not make oral submissions on Table 15. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report

Genesis Energy sought removal of Kourarau Dam, Gladstone from Table 15 because the primary purpose of the dam is energy generation and this should take precedence. The Hearing Committee accepted that energy generation is the primary purpose for managing the lake. The Hearing Committee noted it is also the reason the lake exists. Electricity generation is a purpose for managing the lake that could be identified in the regional plan through giving effect to policy 11 of the proposed Regional Policy Statement. However, the Hearing Committee did not think the reason for the lake's existence should be over-ridden by a value for the water body that is identified in the proposed Regional Policy Statement. The Kourarau Dam is deleted from Table 15.

Wellington Fish and Game Council submitted that not all significant (>100 days) recreational angling water bodies were identified, and gave the Ruamahanga River as an example. Staff advised that the omission of fishing in the Ruamahanga River from Table 15 was an error that should be corrected.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Department of Conservation	31/65	Accept
Anthony Roy Edwards	34/7	Reject
Genesis Energy	40/13	Accept
South Wairarapa District Council	112/28	Accept
The Hutt Valley Angling Club	118/3	Reject
Wellington Fish and Game Council	133/27	Accept in part

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) Changes to the proposed Regional Policy Statement

Amend Appendix 1, Table 15, as a result of the submissions from Department of Conservation, Genesis Energy, Friends of the Owhiro Stream and Wellington Fish and Game as follows:

Table 15: Rivers and lakes with significant amenity and recreational values

Table 15 relates to policies 17, 42 and 52.

River or lake	Recreational uses
Lake Waitawa (Forest Lakes)	kayaking, windsurfing, sailing
Otaki River	fishing, swimming, kayaking, canoeing, tubing, rafting, picnicking, camping
Waikanae River	fishing, swimming, camping
Kaiwharawhara Stream	picnicking, walking, running
Korokoro Stream	walking, running, mountain biking
Hutt River	fishing, swimming, kayaking, canoeing, tubing, rafting, power boating, radio controlled boats, jet skis, picnicking, walking, running, mountain biking

River or lake	Recreational uses
Pakuratahi River	fishing, swimming, picnicking
Akatarawa River	fishing, swimming, kayaking, bird watching, picnicking, walking, running, mountain biking, trail biking, horse riding, 4-wheel driving
Upper Gollan's Stream (including Butterfly Creek)	picnicking, tramping walking, running, bird watching
Wainuiomata River	fishing, swimming, canoeing, kayaking, walking, horse riding
Orongorongo River	fishing, tramping
Kohangapiripiri and Kohangatera Lakes	bird watching, picnicking, walking, mountain biking
Ruamahanga River	fishing, swimming, kayaking, canoeing, tubing, rafting, power boating, jet skiing, picnicking, walking, duck shooting
<u>Tauherenikau River</u>	<u>fishing, swimming, walking, picnicking, rafting</u>
Waingawa River	fishing, swimming, kayaking, tubing, rafting, walking
Waiohine River	fishing, swimming, kayaking, canoeing, tubing, rafting, camping
Kopuaranga River	fishing
Waipoua River	fishing, swimming, running, trail biking
Kouraura Dam, Gladstone	fishing, swimming, kayaking, canoeing, rafting, picnicking, bird watching
Henley Lake, Masterton	kayaking, dragon boating, radio controlled boats, picnicking, running, biking
Lake Wairarapa	fishing, kayaking, canoeing, boating, duck shooting, bird watching, walking, photography

Notes to Table 15

Rivers and lakes in the table are listed in the order of the location of their outflows to the coast going anti clock wise around the region from Lake Waitawa in the north west of the region.

The rivers and lakes included in Table 15 were identified in the Regional Freshwater Plan, and from a survey of recreational groups in the Wellington region carried out in November 2007.

The following threshold applies to rivers and lakes that are significant for their recreational use:

- is regarded as especially valuable by two or more recreational groups because of the quality of the opportunity and experience it affords;

- is used for two or more recreational activities by people from throughout the region or beyond; or
- is used by anglers on 100 or more days per year.

2.200 Appendix 1: Table 16 Rivers and lakes with significant indigenous ecosystems

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Appendix 1: Table 16 is on page 358 of volume 2.

(b) Submissions, evidence heard, and Hearing Committee deliberations

Pauatahanui Inlet Community Trust made submissions on Appendix 1 but did not attend the hearing. Genesis Energy and Wellington Regional Council submitted on Table 16 and attended the hearing, but did not make oral submissions on Table 16. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Anders Crofoot expressed concern that he could not be sure about the accuracy of what is in the table. The Hearing Committee noted that Table 16 has been checked for accuracy, which has resulted in some changes. The Hearing Committee was satisfied that Table 16 is now accurate.

Department of Conservation accepted the Staff Report.

Mighty River Power reiterated concerns in their original submission that inclusion of the full extent of rivers means that the significance status applies across the entire catchment. The Hearing Committee noted that Appendix 1 identifies values of rivers and lakes to be protected rather than the rivers and lakes themselves. The significance status does not necessarily apply across whole catchments but to the freshwater habitats that support the values identified. The Hearing Committee was in no doubt that these values warrant protection and it will be up to the regional plan to determine how this is given effect to.

The submitter was also concerned that private changes cannot be sought to Table 16. The Hearing Committee recognised there is no ability for proposed Regional Policy Statement change requests to be

made. The Hearing Committee considered that Tables 15 and 16 warrant inclusion in the proposed Regional Policy Statement because amenity and river ecosystems are two key elements of river and lake management that require integration of land and water use. Integrated management of these rivers can be achieved by giving effect to policies 17 and 42 in both regional and district plans. The Hearing Committee noted that no submitters had opposed the criteria used in Table 16. These criteria are firm and rely on applying data that is publicly available. It is very transparent whether rivers either meet the criteria or don't. If any error were discovered in applying the criteria in the future, the Wellington Regional Council would be obliged to make appropriate changes to Appendix 1. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

The Wellington Fish and Game Council opposed table 16 because trout spawning values were not identified, and the list did not identify wetlands worthy of conservation, nor biodiversity values. The Hearing Committee noted that trout habitat and trout spawning areas are currently included in the Regional Freshwater Plan. Policy 11 of the proposed Regional Policy Statement provides for the identification and management of trout spawning areas when the plan is reviewed. The Hearing Committee also noted that the identification and protection of wetlands is not included in Table 16 but is intended to be included in regional and district plans as a result of implementing policy 22. The Hearing Committee supported this approach. In all respects the Hearing Committee adopted the Staff Report in response to the submission of Wellington Fish and Game Council.

Horticulture New Zealand opposed the submission of **Wellington Regional Council** which amended the rivers in Table 16. The submitter was concerned about the substantial changes made to Table 16 during the submission process. The Hearing Committee noted 10 rivers were added to Table 16 that meet the criteria for macro-invertebrate health, five were added because they meet the criteria for nationally threatened native fish species, and two were added because they meet the criteria for six or more migratory indigenous fish species. There were 86 rivers listed in the table in the proposed Regional Policy Statement. A number of rivers were also deleted from the table and 85 now remain. Staff advised that additions and deletions occurred as a result of checking rivers against data. The Hearing Committee considered that the proposed Regional Policy Statement should ensure the criteria used are implemented as accurately as possible and it was satisfied that this is now the case. In all other respects the Hearing Committee adopted the Staff Report on Wellington Regional Council's submission.

(c) **Decisions**

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee*

deliberations), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Anders Crofoot	25/39	Accept in part
Department of Conservation	31/66	Reject
Genesis Energy	40/14	Reject
Wellington Regional Council	46/4	Accept in part
Wellington Regional Council	46/5	Accept in part
Wellington Regional Council	46/6	Accept in part
Wellington Regional Council	46/7	Accept in part
Wellington Regional Council	46/8	Reject
Mighty River Power	83/47	Reject
Pauatahanui Inlet Community Trust	95/3	Accept
Wellington Fish and Game Council	133/28	Reject

All further submissions in support of, or opposition to, the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to the proposed Regional Policy Statement**

Insert the replacement Table 16, as a result of the submissions above as follows:

Table 16: Rivers and lakes with significant indigenous ecosystems
(relates to policies 17 and 42)

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
All rivers on Kapiti Island	all rivers			
Waitohu Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Otaki River	River and all tributaries	River and all tributaries	River and all tributaries	Reach of tidal influence
Mangaone Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Waimeha Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Waikanae River	River and tributaries above, and including, the Reikorangi Stream	River and all tributaries	River and all tributaries	Reach of tidal influence
Wharemauku Stream		Stream and all tributaries	Stream and all tributaries	
Whareroa Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Wainui Stream		Stream and all tributaries	Stream and all tributaries	
Taupo Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Kakaho Stream			Stream and all tributaries	Reach of tidal influence
Horokiri Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Little Waitangi Stream		Stream and all tributaries	Stream and all tributaries	
Pauatahunui Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
Duck Creek		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Porirua Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Makara Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Oteranga Stream			Stream and all tributaries	
Karori Stream		Stream and all tributaries	Stream and all tributaries	
Owhiro Bay Stream		Stream and all tributaries	Stream and all tributaries	Reach of tidal influence
Kaiwharawhara Stream		Stream and all tributaries	Stream and all tributaries	
Korokoro Stream		Stream and all tributaries	Stream and all tributaries	
Hutt River	River and all tributaries above the Akatarawa River	Hutt River	Hutt River	Reach of tidal influence
	Speedy's Stream		Stream and all tributaries	Stream and all tributaries
	Moonshine Stream		Stream and all tributaries	
	Whakatikei River	River and all tributaries above the Wainui Stream		
	Akatarawa River	River and all tributaries	River and all tributaries	River and all tributaries
	Pakuratahi River	River and all tributaries	River and all tributaries	
	Stokes Valley Stream		Stream and all tributaries	
	Days Bay Stream		Stream and all tributaries	Stream and all tributaries

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
Lake Kohangapiripiri and Cameron Creek		Lake Kohangapiripiri and tributaries		
Lake Kohangatera and Gollans Stream		Lake Kohangatera, Gollans Stream and all tributaries	Lake Kohangatera, Gollans Stream and all tributaries	
Wainuiomata River	River and all tributaries excluding Black Creek	River and all tributaries excluding Black Creek	River and all tributaries excluding Black Creek	Reach of tidal influence
Orongorongo River	River and all tributaries	River and all tributaries	River and all tributaries	
Mukamukaiti Stream	Stream and all tributaries	Stream and all tributaries		
Wharepapa River	River and all tributaries	River and all tributaries		
Pounui Stream and Lake Pounui		Stream and all tributaries, including Lake Pounui	Stream and all tributaries, including Lake Pounui	
Battery Stream	Stream and all tributaries			
Lake Wairarapa		Lake Wairarapa	Lake Wairarapa	
Wairongomai River	River and all tributaries			
Burlings Stream	Stream and all tributaries		Stream and all tributaries	
unnamed tributaries of Lake Wairarapa between easting 2692884, northing 5996151 and easting 2694063, northing 5996975;	all rivers			
Brocketts Stream	Stream and all tributaries		Stream and all tributaries	

River or lake		Criteria that identify rivers and lakes with significant indigenous ecosystems			
		High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
	Cross Creek	Creek and all tributaries			
	Prince Stream	Stream and all tributaries			
	Abbots Creek	Creek and all tributaries	Creek and all tributaries		
	Tauherenikau River	River and all tributaries		River and all tributaries	
	Ruamahanga River	River and all tributaries above, but not including, the Kopuaranga River	Ruamahanga River	Ruamahanga River	Reach of tidal influence
	Waiohine River up to, and including, the Mangatarere Stream		River and all tributaries	River and all tributaries	
	Waiohine River above, but not including, the Mangatarere Stream	River and all tributaries	River and all tributaries		
	Waingawa River	River and tributaries above, and including, the Atiwhakatu Stream			
	Waipoua River		River and all tributaries		
	Ruakokopatuna River		River and all tributaries		
	Waihora Stream	Stream and all tributaries	Stream and all tributaries		
	unnamed river on the true left bank of the Ruamahanga River at easting 2704500 and northing 5988700.		River and all tributaries		
	Whangaehu River		River and all tributaries		

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems				
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat	
Tauanui Stream		Stream and all tributaries	Stream and all tributaries		
Turanganui River	River and all tributaries	River and all tributaries	River and all tributaries		
Putangirua Stream	Stream and all tributaries		Stream and all tributaries		
Makatukutuku Stream	Stream and all tributaries	Stream and all tributaries			
Pararaki Stream	Stream and all tributaries	Stream and all tributaries			
Otakaha Stream	Stream and all tributaries	Stream and all tributaries			
Mangatoetoe Stream	Stream and all tributaries				
Waitetuna Stream	Stream and all tributaries	Stream and all tributaries			
Whawanui River	River and all tributaries	River and all tributaries	River and all tributaries		
Opouawe River	River and all tributaries	River and all tributaries			
Awhea River	unnamed tributaries on true left bank between easting 2720541, northing 5974877, and easting 2720409, northing 5967840;		River and all tributaries		
Oterei River	River and all tributaries	River and all tributaries	River and all tributaries	Reach of tidal influence	
Rivers flowing to the coast between the Huariki Stream and the Rerewhakaaitu River	all rivers				
Unnamed river draining to the coast at easting 2736771, northing 5974877 (Devils creek)	all rivers				

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
Pahaoa River				Reach of tidal influence
	unnamed tributary on the true left bank at easting 2742200 and northing 5992169			
	unnamed tributary on the true left bank at northing 2739983 and easting 5991469			
	tributaries on the true left bank between easting 2732790 and northing 5984194 and the coast.			
	tributaries on the true right bank between easting 2733640 and northing 5981454 and the coast.			
Waiuru Stream	Stream and all tributaries			
Waihingaia Stream	Stream and all tributaries			
Huatokitoki Stream catchment	Stream and all tributaries			
Kaimokopuna Stream catchment	Stream and all tributaries			
Motuwaireka Stream catchment			Stream and all tributaries	Reach of tidal influence
Whareama River catchment		River and all tributaries		Reach of tidal influence
Castlepoint Stream catchment			Stream and all tributaries	

River or lake	Criteria that identify rivers and lakes with significant indigenous ecosystems			
	High macroinvertebrate community health	Habitat for threatened indigenous fish species	Habitat for six or more migratory indigenous fish species	Inanga spawning habitat
Whakatiki River catchment			River and all tributaries	Reach of tidal influence
Okau Stream catchment	Stream and all tributaries			
unnamed rivers draining to the coast between easting 2784666, northing 6038022 and easting 2784952, northing 6039543.	all rivers			
Mataikona River	rivers on the true left bank between the Pakowhai River and easting 2785345 and northing 6046718 rivers on the true right bank of the between easting 2784611 and northing 6046207 and the coast.		River and all tributaries	Reach of tidal influence

Add the following to the beginning of the Notes to Table 16, as a result of the submission from Friends of Owhiro Stream on Appendix 1, as follows:

Rivers and lakes in the table are listed in the order of the location of their outflows to the coast going anti clock wise around the region from the Waitohu Stream in the north west of the region. For streams that are not named on NZMS maps, grid references are given.

2.201 Appendix 2 Regional urban design principles

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed

Regional Policy Statement. The discussion on Appendix 2 starts on page 374 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

South Wairarapa District Council submitted on Appendix 2 but did not attend the hearing. Porirua City Council submitted on Appendix 2 and attended the hearing, but did not give oral submissions on Appendix 2. The Hearing Committee considered the submissions of South Wairarapa District Council and Porirua City Council and adopted the discussion on their submission in the Staff Report.

(c) Hearing Committee decisions

The decisions on Porirua City Council's submission is summarised in the table below. The reasons for accepting the submission is given in the section above (headed *Submission, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
South Wairarapa District Council	112/29	Accept in part
Porirua City Council	100/53	Accept

The further submission from Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd is accepted accordingly.

(d) Changes to proposed Regional Policy Statement

Add a definition of '**urban design**' to appendix 3 to address the submission by South Wairarapa District Council (see appendix 3 for the definition).

Move clause (e) from section 2 'Character' to section 6 'Custodianship', as follows:

2. Character

Quality urban design reflects and enhances the distinctive character and culture of our urban environment, and recognises that character is dynamic and evolving, not static.

In this regard quality urban design:

- (a) reflects the unique identity of each town, city and neighbourhood and strengthens the positive characteristics that make each place distinctive

- (b) protects and manages our heritage, including buildings, places and landscapes
- (c) protects public open space, and improves the quality, quantity and distribution of local open space over the long term
- (d) protects and enhances distinctive landforms, water bodies and indigenous plants and animals
- ~~(e) provides a positive contribution to the environmental health of urban streams, the harbours, beaches and their catchments~~
- (f) creates locally appropriate, and where relevant, inspiring, architecture, spaces and places
- (g) reflects and celebrates our unique New Zealand culture and identity and celebrates our multicultural society.

6. Custodianship

Quality urban design reduces the environmental impacts of our towns and cities through environmentally sustainable and responsive design solutions. Custodianship recognises the lifetime costs of buildings and infrastructure, and aims to hand on places to the next generation in as good or better condition. Stewardship of our towns includes the concept of kaitiakitanga. It creates enjoyable, safe public spaces, a quality environment that is cared for, and a sense of ownership and responsibility in all residents and visitors.

In this regard quality urban design:

- (a) protects landscapes, ecological systems and cultural heritage values
- (b) manages the use of resources carefully, through environmentally responsive and sustainable design solutions
- (c) manages land wisely
- (d) utilises 'green' technology in the design and construction of buildings and infrastructure
- (e) incorporates renewable energy sources and passive solar gain
- (f) creates buildings, spaces, places and transport networks that are safer, with less crime and fear of crime
- (g) avoids or mitigates the effects of natural and man-made hazards

- (h) considers the ongoing care and maintenance of buildings, spaces, places and networks
- (i) uses design to improve the environmental performance of infrastructure
- (j) considers the impact of design on people's health
- (k) provides a positive contribution to the environmental health of urban streams, the harbours, beaches and their catchments.

2.202 Appendix 3 – Definitions

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on Appendix 3 starts on page 376 of volume 2.

(b) Submitters, evidence heard and Hearing Committee deliberations

South Wairarapa District Council, Crown Minerals and Shear Hard Work made submissions on the definitions in Appendix 3 but did not attend the hearing. New Zealand Defence Force and Agenda Development Planning did not attend the hearing, but provided additional written material at the hearing. Anders Crofoot, Regional Public Health, and TrustPower Limited submitted on the definitions in Appendix 3 and attended the hearing, but did not give oral submissions on Appendix 3. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

South Wairarapa District Council submitted in respect of Appendix 2 in relation to regional urban design principles. As a result of this submission a definition for “Urban design” was added as given below.

Kiwi Property Holdings Ltd, Wellington City Council, Upper Hutt City Council, and Porirua City Council submitted on policy 29 in relation to the definition of ‘regionally significant centres’. As a result of these submissions the definition was changed as given below.

Kapiti Coast District Council, Wellington City Council and Upper Hutt City Council submitted on policy 30 in relation to the definition

of 'key centres'. As a result of these submissions the definition was changed accordingly.

Meridian Energy Limited stated that the definition of 'significant amenity landscape' does not contain any clear criterion distinguishing the genuinely significant landscapes from those that are not significant. They stated that there was the potential for policy 26 to be misinterpreted or misused to seek protection of areas or landscapes that are of importance only in a highly personal or localised sense and are not genuinely significant amenity landscapes for wider amenity reasons. The Hearing Committee agreed with the submitter, in so far as it considered that the definition as currently worded is a little confusing and difficult to interpret and needed to be amended. However, the Hearing Committee considered that any definition of 'significant amenity landscapes' needed to be rather broad as it is appropriate to determine what is significant at a local level by those local communities, landowners and stakeholders.

Transpower New Zealand Limited sought that the definition of significant amenity landscape be deleted from the proposed Regional Policy Statement as it is unhelpful and could well apply to many locations within the region, regionally significant or not. **Federated Farmers of New Zealand** also requested the definition be deleted as they suggested that this matter be referred to the Wairarapa Landscape Study Steering Group to consider. The Hearing Committee considered that it was appropriate to retain the definition of significant amenity landscape as it was a term used in the document that was not that well understood and required being defined. The Hearing Committee also noted that when giving effect to policy 26, local authorities need to identify locally significant amenity landscapes and not just regionally significant ones. The reason for which regionally significant amenity landscapes was not accepted is provided in the discussion for policy 26. The reasons for which 'significant amenity landscapes' provisions are retained within the proposed Regional Policy Statement generally were discussed in regard to landscape – issue 1.

Winstone Aggregates requested that quarries be included in the definition of regionally significant infrastructure. The meaning of infrastructure is given in section 2 of the Resource Management Act, and quarries, in particular gravel extraction sites, are not included, but in any case they are not considered regionally significant. The availability of mineral resources is a regionally significant issue which is addressed in section 3.11 of the proposed Regional Policy Statement. The Hearing Committee acknowledged the contribution of quarries to the regional economy through the multiplier effect, but did not consider this an appropriate trigger for being regionally significant. The Hearing Committee considered the inclusion of mineral resources in section 3.11 of the proposed Regional Policy Statement and the associated objectives and policies to be sufficient recognition of mineral resources and it is unnecessary and

inappropriate to double-count by further including quarries and gravel extraction sites as regionally significant infrastructure.

CentrePort Wellington was concerned that the wording in the definition of regionally significant infrastructure related to commercial port areas was inconsistent with their submission. The changes incorporate both CentrePort Wellington's and Oil Companies' requested changes, and is consistent with the wording suggested by CentrePort Wellington in their further submission. The Hearing Committee agreed with the changes recommended in the Staff Report.

New Zealand Defence Force supported the recommendation that Defence Force infrastructure be included in the definition of regionally significant infrastructure. The Hearing Committee considered the definition of regionally significant infrastructure should be limited to the infrastructure listed in the Resource Management definition, so Defence Force infrastructure is not included.

Oil Companies supported the recommended changes to the commercial port areas section of the definition of regionally significant infrastructure. The support is noted.

The Energy Efficiency and Conservation Authority requested nationally significant infrastructure be included in the definition of regionally significant infrastructure and also wanted the local distribution network explicitly included as the Electricity Governance Rules definitions are not well understood within or outside the industry. The Hearing Committee did not consider it necessary to include nationally significant infrastructure as this is not included in any policies. The Hearing Committee also considered the inclusion of the local distribution network in the definition of electricity transmission network to be sufficient. The Hearing Committee agreed with the recommended changes in the Staff Report. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Genesis Energy suggested a minor amendment to the definition of regionally significant infrastructure, to refer to the 'network' rather than the 'electricity transmission network' as this is the actual term defined in the Electricity Governance Rules. The Hearing Committee considered it clear from the context what network is being referred to, so agreed with the suggested change.

Paraparaumu Airport Limited requested that Paraparaumu Airport be included in the definition of regionally significant infrastructure. Evidence was provided that commercial domestic passenger flights currently operate out of the airport, which means the airport is considered significant as a 'gateway' for tourists to enter the region. The Hearing Committee therefore agreed that the definition of

regionally significant infrastructure should be amended to include Paraparaumu Airport.

NZ Transport Agency was satisfied with the discussion in the Staff Report on their submission on the definition of regionally significant infrastructure. No further change was made.

There were no submissions made on the definition of 'rohe' in Appendix 3, nor was there any discussion at the hearing. However, the Hearing Committee discussed whether or not the definition should include hapū in addition to iwi. The Hearing Committee considered that a minor error had been made and therefore, the definition of 'rohe' should be changed.

The Hearing Committee decided that having the definition of 'significant mineral resources' in the explanation of policy 60 and in Appendix 3 is not helpful. The Hearing Committee has decided to delete the reference in policy 60 and have only one definition in this section.

Horticulture New Zealand sought an amendment to the definition of contaminated land to be consistent with the recent changes to the Resource Management Act. The Hearing Committee agreed changed the definition accordingly.

Winstone Aggregates, and Horticulture New Zealand requested that the definition of reverse sensitivity in Appendix 3 of the proposed Regional Policy Statement is not quoted from case law. The Hearing Committee agreed with submitters and changed the definition accordingly.

Federated Farmers of New Zealand and Horticulture New Zealand both submitted on use of the term "intensive farming" in the proposed Regional Policy Statement. In their original submission Federated Farmers of New Zealand sought a definition and Horticulture New Zealand wanted the term deleted. The Hearing Committee decided to retain the term in sections 3.4 and 3.11, and the reasons for its decision are given in response to issue 1 in section 3.4.

Wellington Botanical Society submitted on the definitions of indigenous and ecosystem in Appendix 3. They supported the proposed amendment that was contained in the Staff Report in relation to the definition of indigenous. At the hearing they sought an amendment of the definition of ecosystem which was supported by the Hearing Committee and the definition was changed accordingly.

The **Department of Conservation** supported the amendments proposed in the Staff Report relating to the definition of indigenous, protected species and threatened species. The Hearing Committee noted their support.

(c) Decisions

Decisions on each submission are summarised in the table below. The reasons for accepting or rejecting submissions are given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Agenda Development Planning	2/10	Reject
Agenda Development Planning	2/11	Reject
Agenda Development Planning	2/12	Reject
Winstone Aggregates	15/38	Accept
Winstone Aggregates	15/39	Reject
Winstone Aggregates	15/40	Accept
Winstone Aggregates	15/41	Accept
Winstone Aggregates	15/42	Accept
Winstone Aggregates	15/43	Reject
CentrePort Wellington	23/12	Accept in part
Anders Crofoot	25/40	Reject
Anders Crofoot	25/41	Reject
Crown Minerals (Ministry of Economic Development)	26/6	Accept
Federated Farmers of New Zealand	35/66	Accept in part
Horticulture New Zealand	50/53	Accept in part
Meridian Energy Limited	82/46	Accept in part
New Zealand Defence Force	86/13	Reject
Oil Companies	92/19	Accept in part
Porirua City Council	100/60	Accept in part
Regional Public Health	105/4	Accept
South Wairarapa District Council	112/29	Accept in part
The Energy Efficiency and Conservation Authority	117/26	Accept in part
Transpower New Zealand Limited	123/35	Accept in part
TrustPower Limited	124/40	Accept in part
Wellington Botanical Society	130/10	Accept

Submitter	Submission	Decision
Shear Hard Work	141/1	Reject
Horticulture New Zealand	50/4	Accept
Winstone Aggregates	15/4	Accept
Horticulture New Zealand	50/4	Accept

All further submissions in support of or opposition to the original submissions are either accepted or rejected consistent with the Hearing Committee's decisions on the original submissions.

(d) **Changes to proposed Regional Policy Statement**

The Hearing Committee adopted the definitions as given in the proposed Regional Policy Statement, with the following exceptions:

Add a definition for **urban design** as a result of the submission by South Wairarapa District Council on Appendix 2, as follows:

Urban design: Urban design is concerned with the design of the buildings, places, spaces and networks that make up our towns and cities, and the ways people use them. It ranges in scale from a metropolitan region, city or town down to a street, public space or even a single building. Urban design is concerned not just with appearances and built form but with the environmental, economic, social and cultural consequences of design. It is an approach that draws together many different sectors and professions, and it includes both the process of decision-making as well as the outcomes of design. Please refer to Appendix 2 to read the urban design principles for the Wellington region.

Amend the definition of **key centres** as a result of the submissions by Kapiti Coast District Council, Wellington City Council and Upper Hutt City Council on policy 30, as follows:

Key centres include the regionally significant centres identified in policy 29, as well as other significant local centres that a city or district council consider are integral to the functioning of the region's or a district's form. This includes centres identified for higher density and/or mixed use development in a Council growth and/or development framework or strategy. Examples of growth and/or development framework or strategies in the region are:

- the Upper Hutt Urban Growth Strategy
- Wellington City Northern Growth Management Framework
- Porirua Development Framework

- Kapiti Coast: Choosing Futures Development Management Strategy and local outcomes statements contained in the Kapiti Coast Long-term Council Community Plan

Amend the definition for **regionally significant centres** as a result of the submissions by Kiwi Property Holdings Ltd, Wellington City Council, Upper Hutt City Council, and Porirua City Council on policy 29 as follows:

The regionally significant centres are the:

- Central business district in Wellington city; and
- The sub-regional centres of:
 - Upper Hutt city centre
 - Lower Hutt city centre
 - Porirua city centre
 - Paraparaumu town centre
 - Masterton town centre; and
- Suburban centres in:
 - Petone
 - Kilbirnie
 - Johnsonville

Add a definition for **review to a district or regional plan** as a result of the submission by Wellington City Council on section 4.1 as follows:

Review to a district or regional plan: The review of a district or regional plans as set out in accordance with section 79 of the Resource Management Act.

Amend the definition of **landscape** as follows:

~~Is an expression of the interaction between natural and cultural processes. Many factors are encompassed within our understanding of the word “landscape”: the geological structure of the land, its soils, animals and its vegetation; and the pattern of human activity—fields, forests, settlements and local industries—both past and present.~~

~~Landscapes are perceived primarily through our visual senses, and landscape values are rooted in aesthetic appreciation.~~

Landscape: Landscape is the cumulative expression of natural and cultural elements, patterns and processes in a geological area.

Amend the definition of **significant amenity landscapes** as follows:

significant amenity landscapes ~~are~~ have, when assessed under the factors listed in Policy 26:

- (a) important but not clearly exceptional landscape value ~~under one or more of the criteria~~ in an area where the natural components of landscape character dominate; or
- (b) important (including exceptional) landscape value ~~under one or more of the criteria~~ in an area where the modification of landscape by human activity is a dominant influence of ~~human activity~~ on landscape character ~~dominates natural components~~.

Amend the definition for **aggregate** as a result of the submission from Winstone Aggregates), as follows:

Aggregate: A broad category of coarse particulate material used in construction, which includes sand, gravel, crushed stone, slag and recycled concrete, as well as aggregates which have been modified by the addition of products such as cement or lime. Aggregates are a component of composite materials such as concrete and asphalt concrete.

Amend the definition of **significant mineral resources**, as a result of the submission from Winstone Aggregates, as follows:

Significant mineral resources: Are deposits of minerals, the extraction of which is of potential importance in order to meet the current ~~and~~ or future mineral needs of the region or nation.

Delete **nutrient budget** from Appendix 3, as a result of the submission from Horticulture New Zealand.

Amend the definition of **sensitive activities**, as a result of the submission from Regional Public health as follows:

Sensitive activities: Activities which suffer should they experience adverse effects typically associated with some lawful activities. For example, dust or noise from a quarry or port facility, noise in an entertainment precinct, smells from a sewage treatment facility. Activity considered sensitive includes, any residential activity, any early childhood education centre, and any hotel or other accommodation activity. It may also include hospitals, schools and respite care facilities.

Amend the definition of **regionally significant infrastructure**, including as a result of submissions by Genesis Energy, Wellington International Airport Limited, Paraparaumu Airport Limited, Masterton District Council, Meridian Energy Limited, and the Energy Efficiency and Conservation Authority on policies 6, 7, and 38, as follows:

Regionally significant infrastructure includes:

- pipelines for the distribution or transmission of natural or manufactured gas or petroleum
- strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001
- strategic radio communications facilities, as defined in section 2(1) of the Radio Communications Act 1989
- the national electricity grid, as defined by the Electricity Governance Rules 2003
- facilities for the generation and transmission of electricity where it is supplied to the ~~national electricity grid~~ network, as defined by the Electricity Governance Rules 2003
- the local authority water supply network and water treatment plants
- the local authority wastewater and stormwater networks, systems and wastewater treatment plants
- the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2007-2016
- Wellington city bus terminal and Wellington Railway Station terminus
- Wellington International Airport
- Masterton Hood Aerodrome
- Paraparaumu Airport
- Commercial Port Areas within Wellington Harbour (~~including Miramar, Burnham and Seaview wharves~~) and adjoining adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines

Add a new definition for **threatened species**, as a result of the submissions by Department of Conservation on policy 22, as follows:

Threatened species: All species determined to be classified by the New Zealand Threat Classification System 2008 (or subsequent revisions) as Nationally Critical, Nationally Vulnerable, Nationally Endangered in the 'Threatened' category and all species determined to be classified as Declining, Relict, and Recovering categories of the 'At Risk' category. For biotic groups that have not been revised to conform with the New

Zealand Threat Classification System 2008, all species determined to be classified by the New Zealand Threat Classification 2005 as Acutely Threatened and Chronically Threatened categories are included.

Add a new definition for **protected species**, as a result of the submission by Department of Conservation on policy 22, as follows:

Protected species: Species protected by the Wildlife Act 1953 and the Marine Mammals Protection Act 1978

Amend the definition of **ecosystem** as a result of the submission from Wellington Botanical Society on Section 2.4, as follows:

Ecosystem: any system of interacting terrestrial and/or aquatic organisms within their natural and physical environment

Amend the definition of **indigenous** as a result of the submission from Wellington Botanical Society on Section 2.4 as follows:

Indigenous: ~~Originating Produced by or~~ naturally belonging to a particular in a region or area

Amend the definition of **rohe** as follows:

Rohe: Tribal areas for iwi and hapū.

Replace the definition of **contaminated land**, as a result of the submission from Horticulture New Zealand on policy 33, as follows:

~~As defined in the Resource Management Act.~~

~~Land of one or more of the following kinds:~~

~~(a) if there is an applicable national environmental standard on contaminants in soil, the land is more contaminated than the standard allows; or~~

~~(b) if there is no applicable national environmental standard on contaminants in soil, the land has a hazardous substance in or on it that~~

~~(i) has significant adverse effects on the environment; or~~

~~is reasonably likely to have significant adverse effects on the environment.~~

Contaminated land means land that has a hazardous substance in or on it that —

(a) has significant adverse effects on the environment; or

(b) is reasonably likely to have significant adverse effects on the environment.

Replace the definition of **reverse sensitivity**, as a result of the submission from Winstone Aggregates and Horticulture New Zealand as follows:

~~Where a newly established activity may be adversely affected by an existing activity and may need to protect itself from the effects of the existing activity. For example, when a noise sensitive land use establishes next to an airport, the new land use may be required to protect itself with noise insulation, rather than requiring the existing lawful activity to reduce the noise it generates.~~

Reverse sensitivity: refers to the effects of the existence of sensitive activities on other activities in their vicinity, particularly by leading to restraints in the carrying on of those other activities.