

Submitter ID:

File No:

Further Submission

on Proposed Natural Resources Plan for the Wellington Region



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Clause 8 of Schedule 1, Resource Management Act 1991.

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

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

For information on making a further submission see the Ministry for the Environment website:
www.mfe.govt.nz/publications/rma/everyday-guide-rma-making-submission-about-proposed-plan-or-plan-change

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

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

Regionalplan@gw.govt.nz

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FreePost Authority Number 3156



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

FORM 6: FURTHER SUBMISSION FORM

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

A. DETAILS OF FURTHER SUBMITTER

FULL NAME

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

ADDRESS FOR SERVICE (INCLUDING POSTCODE)

PHONE

FAX

EMAIL

Only certain people may make further submissions

Please tick the option that applies to you:

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

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

Service of your further submission

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

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

Signature:

Date:

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

Please note

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

B. APPEARANCE AT HEARING

Please select from the following:

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

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

C. FURTHER SUBMISSION POINTS

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

Details of the submission you are commenting on Name of person/ group making original submission and postal address.	Original submission number The original submission number can be found on the submitter address list.	Position Whether you support or oppose the submission.	Part(s) of the submission you support or oppose Indicate which parts of the original submission (which submission points) you support or oppose, together with any relevant PNRP provisions.	Reasons Why you support or oppose each submission point.	Relief sought The part or whole of each submission point you wish to be allowed or disallowed.
<i>e.g.</i> Joanne Bloggs 12 Pine Tree Avenue Redwood	<i>e.g.</i> submitter S102	<i>e.g.</i> Oppose	<i>e.g.</i> Oppose all of submission point S102/41	<i>e.g.</i> The submission point does not recognise...	<i>e.g.</i> Disallow the parts of S102/41 relating to...

Section 2: Interpretation

Wellington City Council	S286/044	Support	<p><u>Beach recontouring definition:</u></p> <p>Include a definition of 'flood debris' (that includes the wide range of materials that can build up and cause blockage during a flood).</p> <p>Include a definition of 'river beach' (that includes material build up around bridge piers).</p> <p>Amend the definition of 'beach recontouring' to include all river bed materials.</p>	"Flood debris" and "river beach" are not defined, making interpretation of the rule difficult.	Amend definition.
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Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Porirua City Council	S163/025	Support	Support the exclusion of repair, maintenance and sealing of roads and tracks from the definition of earthworks .	The earthworks rules (i.e. Rule R99-R101) limit earthworks per property per year. Roads may come within the definition of property, so as drafted the PNRP places onerous restrictions on earthworks which are important for the functioning of the roading network.	Amend definition.
New Zealand Defence Force	S81/002	Support	Amend the definition for erosion prone land to clarify how this is determined and provide guidance on its application to sites.	More clarity is needed on how erosion prone land is determined, such as where on land the calculation of slope is made. This is relevant for earthworks rules as well as vegetation clearance and plantation forestry.	Amend definition.
CentrePort Limited	S121/008	Support	Clarify why the Coastal Marine Area is defined as a high hazard area and its implications for effects based decision making	HCC, UHCC and WCC recommend hazard- or effects-based categorisation of high hazard areas, and considers further justification is needed of classifying the Coastal Marine Area as a high hazard area.	Amend definition.
New Zealand Defence Force	S81/041	Support	Amend the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard, rather than	The blanket assessment of areas as high hazard areas will restrict important council activities from being carried out. For example, the coastal marine area is all	Amend definition.

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			inappropriately capturing all river beds and margins.	classified as 'high hazard area', and should instead be classified based on an assessment of hazard.	
Wellington City Council	S286/039	Support	<u>Definition of property:</u> Clarify how the air quality rules apply to areas that are not land, such as rivers.	Refer to UHCC and HCC's original submission 5, requesting more clarify on the definition of property.	Clarify definition
Wellington Water Limited	S135/035	Support	Provide a reasonable mixing zone definition for discharges into the coastal marine area.	The current approach, to determine the zone of reasonable mixing on a case by case basis in accordance with Policy P71, does not provide enough certainty to councils and operators.	Amend definition.
Wellington Water Limited	S135/025	Support	Amend the definition of reclamation to clarify its meaning in relation to the bed of a lake or a river.	UHCC and HCC's activities, particularly roading, parks and gardens, may from time to time include works in the beds of lakes and rivers.	Amend definition.
Wellington City Council	S286/039	Support	Amend the definition of regionally significant infrastructure to include all roads; OR Ensure that the objectives and policies recognise and provide for the local roading network, in a	Many of the roads administered by HCC and UHCC form a strategic and significant part of the regional transport network. Activities to maintain, repair, upgrade and protect these roads are important, yet they are not acknowledged as being regionally significant roads (with limited exceptions).	Amend definition.

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			similar way as they provide for Regionally Significant Infrastructure		
GBC Winstone	S66/004	Support	Add either a generic bullet-point to the definition of regionally significant infrastructure which refers to landfills and cleanfills which serve regional or sub-regional areas, or specifically list these facilities.	Landfills are considered to be regionally significant infrastructure, given the key role they play in waste management and minimising environmental effects of waste.	Amend definition.
Wellington City Council	S286/019	Support	Amend the definition of 'soft engineering' to include a broader range of engineering and non-engineered options that have lesser environmental impacts.	The definition of soft engineering as it stands, restricted to non-structural materials, does not anticipate the range of engineered and non-engineered options which can have lesser environmental impacts.	Amend definition.

Section 3: Objectives

Rangitane o Wairarapa Inc	S279/063	Oppose in part	Add new objective which sets out outcomes associated with taking, using, damming and diversion of water, including: The taking, use,	HCC and UHCC acknowledge the submitter's aim to ensure the PNRP adequately provides for Maori cultural and environmental effects. However as in other areas of the PNRP, HCC and UHCC suggest alternative wording to the word 'avoid' in paragraph (d) as it	Retain current objectives.
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			<p>damming and diversion of fresh water is managed to:</p> <ul style="list-style-type: none"> a) avoid the transfer of water between water bodies that are not within the same catchment or between catchments; b) Protect the Mauri of rivers, lakes, wetlands, groundwater and other natural resources; c) Recognise and provide for the relationship of Maori, and their culture and traditions, with land, water, waahi tapu, sites of significance and other taonga; d) Avoid adverse effects on Nga Taonga Nui a Kiwa and Outstanding natural landscapes and features (including Outstanding water bodies); e) Safeguard ecosystem health and mahinga kai. 	<p>creates a bottom line which can be difficult to meet.</p>	
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Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
NZ Transport Agency	S146/041	Support	Amend Objective O13 : The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.	HCC and UHCC administer infrastructure (considered to be regionally significant) which can be affected by other use and development occurring adjacent to the infrastructure or activity. This infrastructure can be located in the coastal marine area, but may also be in areas such as the margins of lakes and rivers. HCC and UHCC consider Objective O13 should be extended to provide for this infrastructure.	Amend objective.
Fish and Game	S308/018	Oppose	Amend section 3.4 and objectives O17, O19, and O22 to: <u>Avoid effects of land use activities and activities on the margins of freshwater bodies and their beds at times which will affect the breeding, spawning, and dispersal or migration of aquatic species avoid activities and the placement of structures in the bed of freshwater environments which would create barriers to the</u>	The proposed amendment to Objective O17 is overly restrictive and may limit HCC and UHCC's ability to carry out important works on the margins and beds of rivers. In particular, the use of 'avoid' is very restrictive and should be qualified with avoiding 'significant effects'.	Amend section and objectives.

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			<p><u>migration or movement of indigenous aquatic species restore natural character including the connections between fragmented aquatic habitats where degraded.</u></p> <p>Specifically require that flood protection and river management activities are undertaken in a manner which recognises and protects the natural character of freshwater and enhances natural character where degraded such that the provisions listed above are achieved and the natural character narrative and index in Table 3.4 Appendix 3 to this submission is met.</p>		
Chorus New Zealand Limited	S144/007	Support	Amend Objective O21 as follows: Inappropriate use and development in high hazard areas is avoided, <u>other than</u>	As the use of the word 'avoid' creates a difficult bottom line to meet, this provision should be qualified.	Amend objective.

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			<p><u>(a) where it has a functional need and/or operational requirement to be located there, and/or</u></p> <p><u>(b) where it is necessary to enable the efficient operation of regionally significant infrastructure.</u></p>		
Wellington Water Limited	S135/042	Support	Objective O22: Clarify that hard engineering may be required to protect regionally significant infrastructure when it is the most cost effective measure.	Hard engineering methods may be appropriate to protect or maintain infrastructure. The Objective as worded could prevent critical works from being carried out when they are needed.	Amend objective.
Wellington Water Limited	S135/044	Support	Objective O29: Qualify by allowing an exception for regionally significant infrastructure or if required by the functional need of infrastructure.	Some regionally significant works may lead to temporary minor disturbances in the passages of fish and koura. Doing so could be contrary to the Objective as currently drafted.	Amend objective.
Kiwi Rail Holdings Limited	S140/021	Support	Amend Objective O31: Outstanding water bodies and their significant values are protected <u>from inappropriate use and development.</u>	The currently proposed wording has a 'protected' bottom line which is difficult to meet, particularly in terms of the 'significant values' which have to be protected.	Amend objective.

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Masterton District Council	S367/059	Support	<p>Objective O46: Amend as follows: Discharges to land are managed to reduce the <u>adverse effects of</u> runoff or leaching of contaminants to water.</p>	The RMA is effects-focused, and that should be reflected in the wording of the PNRP. The proposed amendment provides for mitigation of effects of runoff or leaching, rather than restricting these activities themselves.	Amend objective.
Rangitane o Wairarapa Inc	S279/084	Oppose	<p>Objective O47: Provide a clear time-bound outcome statement within the objective, such as to avoid sediment-laden runoff to water where it will cause the freshwater objectives and limits in this Plan to be exceeded, and reduce existing sediment discharges to a level that will cause the freshwater objectives and limits to be met by no later than 2030.</p>	HCC and UHCC are aware of the need to provide clear objectives in relation to sediment-laden runoff, to ensure effects on cultural values and the mauri of water are appropriately avoided, remedied or mitigated. However as submitted earlier, HCC and UHCC oppose the use of 'avoid' as it creates a bottom line which can be very difficult to meet, effectively allowing <u>no</u> sediment-laden runoff to occur where limits are exceeded.	Retain current wording.
Royal Forest and Bird Protection Society	S353/045	Oppose	Replace reference to coastal marine area with coastal environment. Add the following at the end of the objective: and avoids adverse effects on significant indigenous vegetation and significant	<p>Adding in a requirement to 'avoid adverse effects' on the listed areas and features, creates a bottom line which could be difficult to meet.</p> <p>HCC and UHCC strongly oppose the addition of this requirement to Objective O53;</p>	Retain current wording or qualify as suggested.

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			habitat of indigenous fauna and outstanding landscapes and features in the coastal environment	<p>BUT</p> <p>If this requirement is added in, HCC and UHCC consider it should be qualified with “<i>avoids significant adverse effects</i>”.</p>	
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Chapter 4: Policies

Fish and Game	S308/043	Oppose	<p>Policy P4: Delete and replace with a new policy that ensures that:</p> <ul style="list-style-type: none"> • Avoid adverse effects on outstanding habitats; • Avoid adverse effects on natural wetlands; • Avoid adverse effects on riparian vegetation; • Avoid adverse effects on natural character; • Avoid adverse effects on ecosystems and habitats with significant biodiversity values; and 	<p>As noted earlier, the unqualified use of ‘avoid’ places an overly onerous restriction on activities. This is particularly the case in this proposed wording, which is not limited to significant natural vegetation but <u>all</u> adverse effects on riparian vegetation, natural character and ‘natural wetlands’ which is very broadly defined in the PNRP.</p>	<p>Retain current wording or amend as set out in Masterton City Council’s submission S367/067.</p>
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Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
			<ul style="list-style-type: none"> Avoid adverse effects on fish spawning and juvenile rearing habitats and fish migration. 		
Masterton District Council	S367/067	Support	<p>Policy P4: Insert the following as a new criteria (b), and renumbering as appropriate:</p> <p><u>(b) consideration of the effects of the functional or operational needs of Regionally Significant Infrastructure, and the means by which any identified adverse effects can be practicably avoided, remedied, or mitigated; and</u></p>	Masterton District Council's submission emphasises the importance of balancing the mitigation of environmental effects with the need for regionally significant infrastructure.	Amend policy.
Wellington Water Limited	S124/034	Support	<p>Policy P6: Clarify whether the Whaitua catchments include the coastal marine area.</p>	The Wellington Harbour (and potentially other parts of the coastal marine area) is currently included as part of a Whaitua catchment.	Clarify provisions.
Holcim (New Zealand) Limited	S276/011	Support	<p>Policy P7: Retain (g) but add a reference to other mineral /aggregate materials, cleanfills and</p>	UHCC and HCC administer landfills and cleanfills which should be provided for in Policy P7.	Amend policy.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
			landfills or provide for this within policies P12 to P14.		
Chorus New Zealand Limited	S144/010	Support	Amend Policy P9 as Follows: Reduction in the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers shall be avoided except where it is necessary to: <u>(d) protect Regionally Significant Infrastructure</u>	UHCC and HCC acknowledge the importance of public access to and along the coastal marine area. The amended wording provides for activities related to the protection of regionally significant infrastructure.	Amend policy.
Rangitane o Wairarapa Inc	S279/079	Oppose	Policy P12: Add in a new policy to ensure that new, or increases in scale or extent of existing, regionally significant infrastructure and renewable energy generation facilities shall avoid causing adverse effects on sites in Schedules A to F, H and J.	Requiring new, or increases in scale or extent of existing, regionally significant infrastructure, to avoid causing adverse effects on these Scheduled sites, given how widespread the sites are, is overly restrictive on activities HCC and UHCC are required to carry out to ensure this infrastructure is appropriately maintained and upgraded where necessary.	Retain current wording.
Rangitane o Wairarapa Inc	S279/079	Oppose	Policy P22: Amend the policy to state that where estuaries are outstanding water bodies, or areas of outstanding natural	As the use of the word 'avoid' creates a difficult bottom line to meet, this provision should be qualified.	Retain current wording.

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			character, adverse effects must be avoided.		
CentrePort Limited	S121/052	Support	Policy P27: Clarify why all the CMA is defined as a High Hazard Area and its implications for effects based decision making.	See notes regarding the definition of 'high hazard area' above.	Amend policy.
New Zealand Defence Force	S81/032	Support	Policy P27: Amend the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard, rather than inappropriately capturing all river beds and margins. AND Modify the policy framework to be less absolute in terms of restrictions (e.g. replace the term avoid, and/or refer to 'inappropriate development').	As the use of the word 'avoid' creates a difficult bottom line to meet, this provision should be qualified.	Amend policy.
Wellington Water Limited	S135/064	Support	Policy P28: Include "and regionally significant infrastructure" after "to	UHCC and HCC consider that adding the reference to regionally significant infrastructure lends appropriate weight to activities	Amend policy.

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			<p>protect existing development".</p> <p>Do not require a hazard management strategy for regionally significant infrastructure. The wording should be widened to exempt hard engineering measures that contribute to protection of the environment or public assets, and mitigation of adverse effects.</p> <p>Clarify in what circumstances a risk assessment is required with a consent application, and what that should comprise, ensuring the assessment is only required in appropriate situations and is commensurate to the scale of the activity</p>	<p>necessary to maintain and develop this infrastructure. More clarity is also required in relation to the circumstances in which a risk assessment is required, to improve certainty for applicants.</p>	
Masterton District Council	S367/077	Support	<p>Amend Policy P28 to read:</p> <p>Hard engineering mitigation and protection methods shall be avoided except where it is</p>	<p>It is important that both existing and planned development can be provided for when carry out engineering works. HCC and UHCC also consider it important to</p>	Amend policy.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
			<p>necessary to protect existing <u>and planned for</u> development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy ; or</p> <p><u>the works are required to protect the safe and efficient operation of Regionally Significant Infrastructure; or the environmental effects are considered to be acceptable, taking into account the assessment of risk no more than minor.</u></p>	<p>emphasise that certain works may be required to protect the operation of regionally significant infrastructure.</p>	
Wellington City Council	S286/010, S286/004	Support	<p>Policy P29: Clarify how the policy approach to seawalls and heritage structures will be considered when the primary purpose of undertaking an activity is to improve WCC's resilience to the effects of climate change. For example in some cases removing</p>	<p>The councils in the Wellington region may have to carry out works which will improve the resilience of their infrastructure to climate change. Circumstances may require the need to protect infrastructure and adjacent property, to be balanced against the policies on heritage and seawalls. UHCC and HCC are</p>	Clarify policy.

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			<p>existing seawalls and relying on developing a dune system may be the best defence approach, where in others repairing or constructing new seawalls may be appropriate. The policy should be flexible and support the ability of territorial authorities to make optimal decisions based on their merits.</p> <p>Amend the Plan to provide better policy integration across issues such as heritage, seawalls, infrastructure provision, and the effects of climate change.</p>	<p>seeking further clarity on the integration of these policies where issues such as climate change, heritage and infrastructure provision coexist.</p>	
Spark New Zealand Trading Limited	S98/018		<p>Amend Policy P49: Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan</p>	<p>The amended wording in subclause (b) better qualifies the Policy given the difficulty in meeting the 'avoid' bottom line for cumulative effects on 'values', which can be difficult to determine.</p>	Amend policy.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
			<p>shall be managed by <u>seeking to:</u></p> <p>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</p> <p>(b) avoiding adverse cumulative effects <u>from inappropriate use and development</u> on the values of an outstanding natural feature or landscape.</p>		
New Zealand Defence Force	S91/019	Support	Amend Policy P97 and/or definitions to address [issues with how the definition of "source control" relates to sediment generation]. For example, removing the reference to source control approaches from this policy.	See submission point 22 of original submission.	Reconsider policy and amend.
Waa Rata Estate	S152/030	Support	<p>Policy P102: Insert new subclause (h) to read:</p> <p><u>“(h) to maintain existing drains, or to repair or</u></p>	There may be key roads and infrastructure not considered ‘regionally significant infrastructure’ which require maintenance including by draining	Insert new subclause

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
			<u>maintain existing roads, tracks or infrastructure”</u>	or reclaiming the beds of lakes and rivers.	
Fish and Game	S308/069	Oppose	Policy P102: Delete. Reclamation or drainage of the beds of rivers and lakes should be prohibited.	Placing a blanket provision on reclamation of the beds of rivers and lakes would be highly restrictive on HCC and UHCC’s activities which are necessary to maintain or protect its infrastructure.	Retain wording with new subclause as noted in Waa Rata Estate submission S152/030
Wellington City Council	S286/019	Support	Amend Policy P139 to: <ul style="list-style-type: none"> • recognise that seawalls might be the only practical option to protect important community assets; and • explicitly reference roads. Include a policy that recognises the benefits of existing seawalls and provides for their alteration, addition, replacement (and any associated occupation of the seabed).	In certain circumstances, seawalls are necessary to protect coastal infrastructure.	Amend policy.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Wellington International Airport Limited	S282/051	Support	Amend Policy P139 as follows: The construction of a new seawall is inappropriate except where the seawall is required to protect: ...b) <u>new or additional development of, regionally significant infrastructure...</u>	Policy P139 in the PNRP only provides for 'new' regionally significant infrastructure. Seawall developments to maintain or upgrade existing infrastructure may be necessary for its ongoing safe and efficient operation.	Amend policy.
Section 5: Rules					
New Zealand Defence Force	S81/010	Support	Rephrase the rules to clarify how the air quality rules would apply to 'noncontiguous' areas that are bisected by rivers or roads. For example, by inserting the statement "beyond the boundary of the premises where the activity takes place".	As noted in relation to the definition of 'property'.	Amend rules.
Wellington City Council	S286/042	Support	Rule R26: Amend the rules to permit the blasting of lead based paint when the activity is managed to prevent the discharge of lead into the environment.	Blasting of lead paint (with measures to manage discharges) may be necessary for UHCC and HCC's activities.	Amend the rules.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Wellington City Council	S286/037	Support	Rule R37: Agrichemical use that is not permitted should be a restricted discretionary activity.	The Draft NRP rules were for a restricted discretionary activity, but this was changed in the PNRP.	Amend Rule.
Rangitane o Wairarapa Inc	S279/165	Oppose	Rule R42: Amend "zone of reasonable mixing" throughout the plan to ensure that the zone does not extent into sites of significance as identified in Schedules C and H.	The zone of reasonable mixing provides for appropriate dispersal in relation to discharges. By removing large areas within the sites of significance from the 'zone of reasonable mixing', there would be onerous requirements on operators to discharge elsewhere.	Retain rules, subject to the points raised in UHCC and HCC's original submission.
Wellington City Council	S286/043	Support	5.2.3: Stormwater: Clarify how Rules 48-53 relate to stormwater runoff from the roading network and ensure that a resource consent for stormwater run-off is not required.	The rules are not clear on stormwater when it is generated from the roading network.	Clarify the rules.
Woodridge Homes Limited	S105/003	Oppose	The workability of these rules (R48, R50 and R51) and their implications for developers and District Councils needs to be further considered and explained.	Again, the workability of the rules on stormwater from large sites should be considered, in terms of the implications to owners and operators such as HCC and UHCC (in relation to the roading network).	Consider workability of rules.

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New Zealand Transport Agency	S146/154	Support	<p>Amend Rule R67:</p> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water:</p> <p>(a) inside a site or habitat identified in; and</p> <p>(b) that is not permitted by Rules R42, R43, R44 or R45; <u>and</u></p> <p><u>(c) that is not a discharge associated with a regionally significant infrastructure</u></p> <p>OR</p> <p>Introduce a new discretionary rule specific to discharges of water or contaminants into water, or onto or into land where it may enter water from regionally significant infrastructure inside sites of significance.</p>	Acknowledge the importance of regionally significant infrastructure by providing for discharges.	Amend Rule.
Kiwi Rail Holdings Limited	S140/057	Support	<p>Amend Rule R70:</p> <p>(a) the cleanfill material is not located within 20m of a</p>	The rules on deposition of cleanfill are appropriate for smaller properties, but there may be situations on large sites and the	Amend Rule.

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			<p>surface water body, or bore used for water abstraction for potable supply <u>unless it is being utilised to maintain or upgrade Regionally Significant Infrastructure</u>;</p> <p>and</p> <p>(e) the volume of cleanfill material deposited at a property shall not exceed 100m³ <u>unless it is being utilised to maintain or upgrade Regionally Significant Infrastructure</u>,</p> <p>and</p>	<p>road reserve where these rules on volume and location of cleanfill are overly restrictive on the councils' activities.</p>	
Carterton District Council	S301/062	Support	<p>Rule R99: Insert new rule that provides permitted activity status for discharges associated with road construction and maintenance (equivalent to Rule 18 of the Regional Plan for Discharges to Land).</p>	<p>Discharges from road construction and maintenance should be permitted with reasonable conditions, to ensure important infrastructure development can be carried out by councils.</p>	Amend Rule.
New Zealand Transport Agency	S146/159	Support	<p>Amend Rule R99: The use of land, and the discharge of stormwater into water...</p>	<p>Amend the rule as the wording does not make sense.</p>	Amend Rule.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
Friends of the Paekakariki Streams	S112/096	Oppose	Rule R99: Change rule to discretionary	Changing the rule to make any earthworks a discretionary activity would, in HCC's and UHCC's view, be far too restrictive on the Councils' and residents' activities.	Amend as noted above.
Whaitua Chapters					
New Zealand Transport Agency	S146/003	Support	Address concerns that the whaitua committees may generate inconsistent provisions within the Proposed Natural Resources Plan (PNRP)	Hutt City Council (HCC) and Upper Hutt City Council (UHCC) are concerned that the Whaitua Committees could generate provisions which are inconsistent with existing PNRP rules, or are unworkable. E.g. current provisions on bore takes in Hutt Valley Whaitua are inconsistent with other bore rules.	Ensure rules developed in Whaitua committees are consistent with existing PNRP rules.
New Zealand Defence Force	S81/036	Support	Amend both section 2.1.5 and the individual chapters, to clarify how the Whaitua chapters integrate with the rest of the PNRP. Provide for small water takes with negligible effects to be provided for as a permitted activity.	See submission point 2 of UHCC and HCC's original submission.	Amend provisions.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
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Applicability

This further submission has been prepared for the exclusive use of our clients Hutt City Council and Upper Hutt City Council, with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

Tonkin & Taylor Ltd

Report prepared by:

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