

**Submission on:**  
**Proposed Change 1 to the Regional Policy Statement for the Wellington Region (August 2022)**

**To: Greater Wellington Regional Council**

[regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

**Date October 2022**

#### **Submitters Name and Contact Details**

| <b>Name</b>  | <b>Contact Details</b>   |
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Thank you for the opportunity to provide feedback on the following:

- Proposed Change 1 to the Regional Policy Statement for the Wellington Region (August 2022)

**We wish to be heard with respect to this submission.**

#### **Neo Leaf Global Ltd**

Neo Leaf Global Ltd is a private consultancy with considerable private sector and government sector experience primarily across the built environment, but also land-use and development.

Parties worked for include the Ministry of Works (1980's), Downer Construction, Electricity Corporation of New Zealand, Ministry of Economic Development, Meridian Energy, Contact Energy, Ministry for the Environment, The Treasury, Department of Prime Minister and Cabinet, Ministry of Business Innovation and Employment,

Ministry of Transport, BRANZ (Building Research Association), University of Auckland, University of Canterbury and GNS Science.

More specific engagements for Roger Fairclough include; Chair of the New Zealand Lifelines (Utilities) Council, Chair Landslides National Advisory Group, membership of various advisory groups to Waka Kotahi and EQC, research team member for the programme "Transitioning Taranaki to a Volcanic Future", membership of the Expert Panel for The National Climate Change Risk Assessment Framework, membership of the Deep South National Science Challenge Reference User Group, and Participants Group Chair to the Climate Adaptation Platform.

This background enables an experienced and pragmatic critiquing of this Proposed Change.

Neo Leaf Global is particularly conscious of the environmental, social and community interfaces, consistent with the broader objectives of developing more resilient communities, the National Disaster Resilience Strategy and The Treasury Living Standards Framework.

## **This Submission**

### **1. Why is Neo Leaf Global making this submission?**

The contingent liability in New Zealand associated with natural hazard risk (including freshwater and biodiversity), exacerbated by climate change, is very high and carried by current and future generations of New Zealanders.

Neo Leaf Global (NLG), to the benefit of New Zealanders, therefore, has a strong interest in reducing risk from, and building resilience to, natural hazards in Aotearoa New Zealand.

NLG supports and encourages positive environmental outcomes that are adaptable and sustainable.

### **2. Proposed Change 1 to the Regional Policy Statement for the Wellington Region (August 2022)**

Neo Leaf Global has considerable concerns that despite the intent being appropriate, the implementation is draconian and very pre-emptive of central government policy decision-making. Of great concern is that freshwater provisions have been extended beyond what they should be and carry with them, as we understand it, lack of appeal rights.

Overall, the document is complicated, unworkable, and adds yet further burden on landowners and those looking to provide the community with services, such as infrastructure, effectively and efficiently.

There appears to be considerable potential for unintended negative consequences with such sweeping blanket protections. These perverse outcomes have not been sufficiently examined.

### **3. Specific Feedback**

#### **Pre-emptive of central government policy decision-making**

- The Proposed Change 1 is implementing the National Policy Statement on Indigenous Biodiversity (NPS-IB) before it has been finalised. As those who have followed the evolution of this document it has been subject to considerable re-editing over time and remains subject to many uncertainties. One of many concerns in the NPS-IB that has been carried through into this Proposed Change 1 relates to the concept of "buffer zones", a topic certainly not landed at this time.

- The Proposed Change 1 is implementing “Te tātai utu o ngā tukunga ahuhenua Pricing Agricultural Emissions” before it has been finalised (only released for consultation this past week)

### **Freshwater Provisions**

- As we understand it, any provision linked to Freshwater in the RPS automatically is subject to the Freshwater conditions lacking any rights of appeal.
- We have major concerns both about the extent of provisions linked to Freshwater and, additionally, lack of appeal rights as a consequence. Particularly with infrastructure service provision including capital works, operation, maintenance and renewal, many activities intersect with freshwater.

**Recommendation:** The complete document be reviewed via expert solicitation as to justification for the Freshwater linkages and the practical implications.

### **Restore and Restoration**

- **Restore:** Referring to the clause “Take adaptation action to increase the resilience of our communities, the natural and built environment to prepare for the changes that are already occurring and those that are coming down the line. Critical to this is the need to protect **and restore** natural ecosystems so they can continue to provide the important services that ensure clean water and air, support indigenous biodiversity and ultimately, people.”

This clause sees the introduction of the concept of “restore”, which is inadequately defined at the conclusion of the RPS. In addition, it is also a blanket statement subject to considerable uncertainty as to what state, personal interpretations and timing would be applicable. It appears ignorant of the fact that our natural environment is naturally dynamic.

This would offer open ended powers with little means of redress.

**Recommendation:** It is a necessity that the words “.. and restore ...” be removed.

- **Restoration** is defined as “The active intervention and management of modified or degraded habitats, ecosystems, landforms and landscapes in order to reinstate indigenous natural character, ecological and physical processes, and cultural and visual qualities. The aim of restoration actions is

to return the environment, either wholly or in part, to a desired former state, including reinstating the supporting ecological processes.”

The process of restoration as outlined in this definition is wide sweeping and open ended. Whose desired former state is it? The assessment of what is needed to restore a habitat etc should not come down to the subjective opinion of a council official. Balancing perspectives are needed from expert advisors including community interests.

**Recommendation:** That throughout the document the characterisation of “restore” and “restoration” be changed to one of enhancement and improvement.

## Buffering

- Referring to page 145:

“Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values”,

And:

“(b) providing **adequate buffering** around areas of significant indigenous ecosystems and habitats from other land uses”

The entire concept of buffering has not been adequately defined and there has been no consultation with communities including infrastructure service providers that would be impacted. There has been no definition as to the dimensions of any buffer zone, no definition as to what constitutes ‘adequate’ nor has there been any clear direction as to what activities within the buffer would be constrained. Not only will there need to be effective consultation with relevant landowners, occupiers and infrastructure service providers where the “significant indigenous ecosystems and habitats” exist, but there would also need to be another layer of consultation for those landowners, occupiers and infrastructure service providers within the buffer zone. This concept has not been thoroughly thought through by GWRC and central government.

**Recommend:** that Clause (b) above, and related clauses with this concept, be removed.

## Nature-based solutions

- Referring to:

“Policy CC.7: Protecting, restoring, and enhancing ecosystems and habitats that provide nature-based solutions to climate change – district and regional plans.

District and regional plans shall include objectives, policies, rules and/or methods that provide for nature-based solutions to climate change to be part of development and infrastructure planning and design.”

This is wholeheartedly supported. However, it goes on to say:

“Explanation

Development and infrastructure planning and design should include nature-based solutions as standard practice, including green infrastructure, green spaces, and environmentally friendly design elements to manage issues such as improving water quality and natural hazard protection. Nature-based solutions can perform the roles of traditional infrastructure, while also building resilience to the impacts of climate change and providing benefits to indigenous biodiversity and community well-being.”

At issue here is the presumption and lack of appreciation that nature-based solutions are not necessarily fit-for-purpose in all circumstances and may not offer pragmatic durable, safe or cost-effective solutions, and can not necessarily perform the roles and standards that infrastructure is required to meet.

**Recommendation:** The text be modified along the lines of “... should include consideration of nature-based components, ...”, and “... nature-based opportunities can contribute strongly to provision of infrastructure services, while also ....”.

**Recommendation:** The complete document be reviewed for other references and presumptions along these lines eg. Policy 52.

## Summary

Neo Leaf Global operates in a unique position across the built environment, the natural environment, research and resilience, with active interactions with central and local government, infrastructure service providers, natural environment interests, insurers, science institutions, and communities. This includes considerable experience both in New Zealand and internationally.

Neo Leaf Global supports the intent of this RPS, but has significant concerns over the draconian approach, workability and yet further cost escalation implications. This submission has a focus on ensuring the RPS is workable and effective.

Please don't hesitate to contact us if you would like to discuss this further.

Yours sincerely,



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