

GREATER WELLINGTON REGIONAL COUNCIL Draft PROPOSED REGIONAL POLICY STATEMENT

SUBMISSION FROM WELLINGTON CITY COUNCIL

1. Introduction

Wellington City Council (the Council) welcomes the opportunity to provide feedback on the draft Proposed Regional Policy Statement (PRPS). This is an important document in that it sets out the overall framework for sustainable management for the Wellington Region.

The Council appreciates the effort that Greater Wellington Regional Council has put in to date to ensure regional coverage and debate of the issues. Being a draft Proposed Regional Policy Statement provides a further opportunity to refine what is already a much improved document compared to the first Regional Policy Statement prepared under the RMA 1991.

The Council also supports the overall directions and content of the draft PRPS. In particular, Council acknowledges and supports the way the draft PRPS takes account of the directions and initiatives developed via the Wellington Regional Strategy - which was developed after more than two years of research and region wide collaboration. The proposed provisions on regional form (with one exception) provide excellent guidance on issues related to good regional form – a completely new section of the draft PRPS.

Specific comments are set out below. The first section (2.) provides a specific comment on the District Plan implications, which in their current wording are quite onerous. The remaining sections (3. to 16.) provide comments on content issues associated to each section of the draft PRPS.

The Council also considers the public understanding of the draft RPS could be significantly enhanced by providing an overview of how the region would look in say 10 years time when the draft RPS has been put into effect. This would also help to bring together the various policies and objectives into a more coherent overall approach and explain how the future growth and development of the region would change.

2. District Plan Implications

2.1.1. Capacity to comply with the implementation requirements

For most of the life of the current Operative Regional Policy Statement, the Resource Management Act (RMA) required that district plans **not be inconsistent with** the Regional Policy Statement. The fact that Greater Wellington did not pursue any significant challenges to the Wellington City District Plan prior to its approval in 2000 is an acknowledgement of the consistency between to documents.

The 2003 amendment to the RMA now requires that a district plan must **give effect to** any Regional Policy Statement. This is a significant strengthening of the requirement and one that could have major implications for the City, particularly with regard to the review of the Operative District Plan that is to be initiated in 2010.

Most of the chapters in the draft RPS include under the methods for implementation the following statement:

District Plans shall implement policies xxx before, or at the time of the next plan review.

The intention is therefore clear that Greater Wellington will expect the Council to give effect to a wide range of policy initiatives through objectives, policies or rules in the District Plan.

An examination of all of the policy proposals in the draft PRPS reveals that most are already being addressed to one extent or another, either through the District Plan or other Council actions. A question does arise as to whether Greater Wellington will accept that the current District Plan provisions are sufficient in terms of giving effect to the RPS (if adopted in its present form). If not there is the potential for considerable litigation at the time of the next District Plan review. This is a matter that will have to be discussed between the authorities before the review date.

Perhaps of greater concern in the draft PRPS is the amount of new work that the Council might be expected to undertake to give effect to the draft PRPS policies through the District Plan. The following tasks have been identified that are not currently subject to specific provisions in the District Plan:

Draft Provisions	Implementation Task
Landscape	<p>Identify outstanding natural features and landscapes and significant amenity landscapes using specified criteria</p> <p>Include objectives, policies and rules to protect identified landscapes from inappropriate subdivision , use and development</p>
Coastal Environment	<p>Include objectives, policies and rules to protect the indicated values of sites and areas around Wellington's coastline</p> <p>Include Objectives, policies and rules to define what subdivision, use or development would be appropriate in the coastal environment</p> <p>Include policies and rules to identify the landward extent of the coastal environment in accordance with specified considerations</p> <p>Include objectives, policies and rules to safeguard</p>

	<p>the life supporting capacity and Mauri of coastal and marine ecosystems</p> <p>Include objectives, policies and rules to identify areas of high hazard risk in the coastal environment</p> <p>Include policies and rules to identify areas subject to erosion or inundation as a consequence of sea level rise and identify natural systems which are a natural defence to erosion and/or inundation</p> <p>Include objectives, policies and rules to control new development likely to cause coastal erosion or are likely to be subject to erosion or inundation</p>
Indigenous Ecosystems	<p>The District Plan already identifies significant indigenous ecosystems, habitats and areas through the Conservation Site provisions. These will need to be revised to bring them into line with the specific criteria of the policy statement (and WCC's new Biodiversity Action Plan)</p> <p>Revise objectives, policies and rules to protect ecosystems</p>
Soils	<p>Include provisions to control erosion and sedimentation from plantation forestry</p>
Air	<p>Include objectives, policies and rules to control the siting of new sensitive activities away from uses causing odour, smoke or dust</p> <p>Include objectives, policies and rules to control the siting of land uses that produce odour, smoke and dust that lowers the amenity values away from residential areas and other sensitive uses</p>
Fresh Water	<p>Include policies and rules for vegetation clearance</p> <p>Include policies and rules to promote low impact urban design</p>
Natural Hazards and Climate Change Effects	<p>Include objectives, policies and rules to avoid subdivision, use and development on landslip prone slopes.</p>
Historic Heritage	<p>Identify historic heritage places and areas to be included in historic heritage schedules, in accordance with the criteria specified in the draft PRPS</p>
Energy	<p>Include objectives, policies and rules that manage activities that adversely affect the production and transmission of renewable energy, including reverse sensitivity effects</p>

	<p>Include objectives, policies and rules or other methods that encourage the implementation of travel demand management mechanisms to off-set any increased vehicle kilometres travelled and emissions of CO₂ from subdivision, use and development</p> <p>Include policies and rules that provide for energy efficient alterations to existing buildings and developments and the use of small scale renewable energy facilities to improve the efficiency of energy use and to maximise the use of renewable energy resources in the region</p>
Urban Form	<p>Include policies and rules that</p> <ul style="list-style-type: none"> - describe what constitutes a major development proposal <p>Include objectives, policies and rules that identify key industrial based employment locations in that district and protect these areas from reverse sensitivity effects arising from non-industrial activities</p>

Given the extent of this work, most of which would be in addition to established District Plan review programme, it is considered that the requirements for completing all of the tasks before or at the time of the next review are too onerous. Many of the above topics would require extensive research and analysis, and to achieve these deadlines in as set out in the draft PRPS would require a significant injection of Council funds, both in terms of staff resources and specialist external advice.

Action sought:

There needs to be some flexibility in the draft PRPS particularly regarding the work task requirements and the capacity of the Council to comply. It is suggested that this could be achieved by including a statement in the draft PRPS to the effect that the prioritisation of review tasks will be the subject of consultation between Greater Wellington and the Wellington City Council as part of the full District Plan review process.

2.1.2. Clarification of the work task requirements

Further to the above it would be desirable to clarify what the phrase *District Plans shall implement policies xxx before, or at the time of the next plan review* actually means. The word *implement* means to “carry into effect” and this would not happen until a review is completed and the new plan is approved.

Action sought:

To avoid any misunderstanding or confusion it is considered that the phrase be reworded along the following lines:

Policies xxx shall be included in the district plan either by way of a separate plan change before the commencement of a full review or considered for inclusion as part of a full review under section 79 of the Act.

The latter part of the above proposal relating to the consideration of policies for inclusion as part of a full review would be consistent with the suggestion above that Greater Wellington and the Council consult on the prioritisation of work tasks.

2.1.3. Clarification of the reference to plan changes as method to implement RPS policies

The methods section of the draft PRPS includes reference to plan changes together with resource consents and notices of requirement as a means of implementing draft PRPS policies. These methods relate to policies other than those required to be implemented by way of plan reviews.

This could create confusion and difficulties where plan changes are in effect full reviews (i.e. District Plan Change 48 – Central Area Review). Under the rolling review programme initiated by the Wellington City Council, complete chapter reviews are undertaken as separate plan changes.

If an appropriate clarification is not made it may be interpreted that plan changes involving the review of whole chapters are required to address a far wider range of draft PRPS policy issues than was intended.

Action sought:

Amend the wording referring to plan changes as methods to implement the RPS to ensure that the requirements are not wider than intended.

2.1.4. Clarification of the requirement to implement RPS policies through objectives, policies and rules in the District Plan

An additional concern is that where regulation is identified as a means for implementing the various RPS Policies it is required in all cases that the District Plan include objectives, policies and rules to deal with the particular topic.

It is not clear whether the intent of this requirement is to have specific objectives, policies or rules for each topic or if objectives, policies or rules can be introduced as appropriate having regard to any existing provisions in the Plan.

If it is the former then it is considered that the requirement is too onerous and will necessitate considerable additions, amendments and alterations to the District Plan. The Council should have the flexibility to give effect to the RPS Policies through whatever combination of objectives, policies and rules are deemed appropriate to fit the format and structure of the Plan.

Action sought:

It is therefore suggested that for each Policy in the draft RPS where it reads *District Plans shall include objectives, policies and rules...* the words *as appropriate...* be added.

3. Regional Form

As stated in the introduction to the section on Regional Form, the content and policy direction is largely based on the *Good Regional Form* focus area in the Wellington Regional Strategy, which was developed after more than two years of research and region wide collaboration.

Region wide officer input has also been included in the development of this section of the draft PRPS, resulting in a well written and well thought-out section that in Wellington City Council's opinion will do a lot to enhance the sustainability and economic viability of the region over the coming years. Greater Wellington Regional Council should be congratulated on the extent to which this section on regional form has encapsulated the key initiatives of the Wellington Regional Strategy. With a couple of exceptions, the comments in this section generally request minor amendments to improve clarity or rationale for the direction statements.

One generic issue that does need to be further considered and emphasised in the document is the relationship between the RPS and other statutory documents such as the Regional Land Transport Strategy (RTLS) as well as the actions and funding decisions of the Regional Council itself. There is potential for different documents, plans and actions to work against each other – this clearly needs to be avoided and instead a consistent and mutually supportive approach taken in all areas. The best mechanism to achieve this is to explicitly cross-reference between these various documents. The current draft of the RPS is deficient in this regard, particularly in relation to transport issues.

3.1.1. Issues

- **Issue 1: Sporadic and uncoordinated development**

The wording in the first sentence is unclear and implies that new and upgraded infrastructure adversely affects compact form. If done correctly, new and upgraded infrastructure can promote compact urban form.

Action sought:

Reword to clarify the point that if done poorly, new and upgraded infrastructure can adversely affect compact urban form.

- **Issue 2: Quality urban design**

A key benefit or reason for encouraging better urban design is that it helps to promote our 'sense of place' and build on the unique features (eg topography, landscape, cultural heritage) that gives the region its identity.

Action sought:

Include a comment promoting councils to deliver on sense of place through good urban design.

• **Issue 3: Quality urban design**

Each TA's wastewater network and treatment plants could also be considered as regionally significant infrastructure as public health and the environment are protected by collecting, transporting treating and disposing of wastewater.

Action sought:

Consider including wastewater network and treatment plants in the definition of nationally and regionally significant infrastructure.

3.1.2. Policies

• **Need for policy guidance specific to the integration of land use and transport**

While the issue statements (2.1 and 2.3) and objectives (3.2, 3.4, 3.8 & 3.9) do refer to the need for better integration of land use and infrastructure, and by default makes reference to transport infrastructure, there seems to be insufficient recognition of, or policy guidance on, transport related issues (Note: this may be a result of the Wellington Regional Strategy not including Transport as a focus area, but relying on integration via the Regional Land Transport Strategy process). This is important as transport infrastructure decisions have the greatest ability to influence settlement patterns and breakdown the Region's compact urban form.

Policy guidance is particularly vague on the integration of transport and land use, relying on a general urban design principle in section 8.1 and reference in Policy 8 to *...an east-west road link between State Highway 2 and State Highway 1 from Grenada to Gracefield.*

Action sought:

Include a new policy or policies specifically promoting integrated transport and land use planning.

As a starting point, the policy or policies should ensure that:

- land use patterns facilitate economic growth and provide communities with improved access to a range of services and activities
- new urban areas and subdivision provides for improved connectivity for all transport modes including safe and attractive environments for walking and cycling
- the transport network is not compromised by inappropriate land use and subdivision
- high traffic generating activities can be assessed in relation to the capacity of networks and corridors and the ability of a particular development to be serviced by a range of modes

- the funding and prioritisation processes of the RLTS giving effect to the strategic direction set out in the Wellington Regional Strategy and the draft PRPS
- future urban areas, in particular higher density centres and corridors can be effectively served by public transport and are not compromised by inappropriate transport infrastructure
- higher density centres and corridors are planned in a way that supports planned transport infrastructure and service improvements
- the aim to enhance a compact regional form is not compromised by inappropriate transport infrastructure investments – ie transport investment that encourages uncoordinated growth beyond the urban edge or allows poorly located ‘out of centre’ employment nodes
- mitigation measures are included to improve urban design outcomes for large transport projects, particularly where these relate to established urban areas.

- **Policy 1: Urban design principles – district and regional plans**

The wording of the first paragraph is unclear – particularly as it relates to new and upgraded infrastructure.

Action sought:

Reword to clarify what the intent of the policy.

- **Policy 6: Key centres and public transport nodes**

The wording of the first paragraph is ambiguous and unclear. The explanation should clarify that higher density development should be encourage ‘in and around’ centres and public transport nodes.

Action sought:

Reword the first paragraph to read similar to:

District plans shall include objectives, policies and rules that identify areas for, and encourage development of, higher density housing in and around key centres and public transport nodes.

In the second paragraph in the Explanation section, replace the words ‘at’ with ‘in and around’.

- **Policy 7: Industrial based employment locations**

A key issue for the region is ensuring we have not only sufficient industrial employment locations but also that we future proof the economic base by retaining a diverse range of sites (eg large and small). This is particularly relevant in Wellington City as most of our industrial based employment locations are small, but well located and therefore under pressure from higher order uses such as retail and residential.

Action sought:

The explanation section (and Objective 5) should be amended to reflect the need to retain diversity. For example, the first sentence in the second paragraph could be amended to read:

Policy 7 seeks tolocations and ensure the region retains a diverse range of sites to meet future needs.

Include a statement about the complete loss that occurs through residential encroachment.

- **Policy 8: Regional Focus Areas**

Point (d) should also refer to residential growth and public transport.

Action sought:

Amend (d) to read:

Encouraging residential and economic growth and supporting public transport along the Wellington City growth spine....

3.1.3. Methods

- **6.1: Regulatory implementation** – see earlier comments above on District Plan implications

- **6.2: Non-regulatory implementation**

Wellington City Council supports the range of actions in 6.2.

In relation to developing a regional action plan to implement the urban design protocol, Council suggests there may be benefit in considering the creation of a regional urban design group or panel to support a consistent approach to urban design policy across the region. This could assist local authorities in large resource consent applications and in significant policy development processes or when there are cross-boundary issues..

4. Energy

4.1.1. General Comment

Comments and actions sought:

The Council has major reservations about the draft PRPS provisions for Energy. The aims of this Chapter fall well below Council's own policy on Greenhouse gas emissions and energy use and there is a considerable lack of specificity on issues, targets and policy guidance. Additionally, the provisions fail to sufficiently recognise the role of (and issues associated to energy use) commercial, industrial and infrastructural sectors.

4.1.2. Introduction section

Comments and actions sought:

The introduction section outlines the current energy situation in New Zealand and forecasts the 'business as usual' outcomes for energy demands and resulting emissions. It also draws attention to efforts made by Central

Government to improve efficient energy use and generation as outlined in the 2006 draft forms of the New Zealand Energy Strategy (NZES) and the National Energy Efficiency and Conservation Strategy (NZECS). While these documents are widely recognised as a good first step, submissions from Council on the NZES and NZECS noted several shortcomings in both the NZES and NZECS.

Additionally, changes to the Resource Management Act 1991 were noted in the draft PPRPS and again outlined the shift towards prioritising energy efficiency, climate change and the use of renewable energy.

The introduction refers to four key areas of energy policy that the draft PRPS could influence:

- Renewable energy production and use in the region.
- Energy demands and greenhouse gas emissions associated with the region's transport system.
- Travel demand management.
- Energy efficient subdivision and development.

Council agrees with all four key areas of influence but would like to see included energy demands and greenhouse gas emissions associated with other sectors in addition to transport. The fourth area refers to subdivision and development which is assumed to be within the residential sector. It would seem that commercial and industrial development is also within the GWRC sphere of influence and would deserve some attention.

4.1.3. Issues

Comments and actions sought:

- **Issue 1: Increasing demands for energy**

It is outlined that 31% of New Zealand's energy is from renewable sources. This is a confusing and misleading statement. Over 70% of New Zealand's electricity is from renewable sources. Other forms of energy such as Natural Gas, Petrol and Diesel would be 100% non-renewable. The section then goes on to discuss the regions dependency in general – it might be more appropriate to define the sectors that are dependent on the various forms of energy. Specifically, the transport industry is heavily reliant upon non-renewable forms of energy.

- **Issue 2: Energy efficiency**

The draft PRPS outlines the inefficiency of the current users of energy but falls short of defining targets for improvement and breaking down areas of critical concern within the region. Housing and vehicle transport are mentioned as a specifically poor energy consuming sector but no measures are mentioned for improvement. Additionally, there are several other sectors within the region that require guidance on energy efficiency, including the commercial, industrial and infrastructural sectors.

Local government efforts to improve the energy efficiency of buildings should be consistent with the principles and provisions of the Building Act.

- **Issue 3: Greenhouse gas emissions**

The target set in the first paragraph falls well short of what this Council would expect from the region. It is stated that the “region can only realistically expect to reduce the rate of growth” in greenhouse gas emissions. The section does not provide detail regarding the overall rate of growth and fails to set targets for reduction. This Council is committed to reversing the growth trend and thinks that the regional authority would also be committed to reducing the overall emissions not just the rate of growth. It does however mention the rate of growth in the transport sector but does not mention the proposed plan to improve public transport, reduce individual vehicle trips and stimulate alternative forms of transport.

- **Issue 4: Renewable energy resources**

The statement makes mention of the “potentially significant adverse effects associated with renewable energy production” but does not outline them. It does however comment on the need for regional policy and clear direction in this area. Timelines for this investigatory work should be provided and targets for renewable energy generation for the region communicated. Additionally, studies to better identify suitable areas for wind farm development should be commissioned. It is this Council’s view that initiative investigatory work in first instance will help stimulate growth in the sector and provide clear direction for developers. Further, distributive generation (small scale renewable electricity generation) is not mentioned in this section.

4.1.4. Objective and Anticipated Environmental Results

Comments and actions sought:

- **Objective**

The subsections (a) to (d) are generally supported. Council strongly opposes Subsection (e). Specifically, the region should aim to do more than just reduce the growth of greenhouse gas emissions. Council policy is to stabilise by 2010, reduce emissions (20% Council, 10% Community) by 2020, and further reduce by 2050. As a minimum, the words “the growth of” should be removed from subsection (e) though this Council would advocate for the setting of reduction targets and establishing monitoring and reporting protocols to meets those targets.

- **Anticipated environmental results**

The draft PRPS suggests that these results would be achieved prior to the next RPS review (10 years) but does not provide a methodology for reporting and monitoring progress up to this review.

In general, the anticipated results need to include interim goals, quantify the improvements expected and clearly state the baseline with which the region is moving forward from.

Of specific concern are the anticipated results from energy efficiency. The section states that “energy efficient design [be employed] in subdivisions and development with the Wellington region” and goes on to state that the

implementation is “...substantially greater than in 2007.” Benchmarks are not outlined nor monitoring and reporting mechanisms to ensure this policy statement has traction throughout the region. Without quantifying the desired outcomes, the draft PRPS is at risk of being ignored.

4.1.5. Policies and Methods

Comments and actions sought:

- **Policies**

In general this Council would agree with the policy direction laid out in the draft PRPS but would echo the concerns noted earlier in this section. Those being that there is a strong need for clear and concise monitored measures and targets within the policy documents.

Also of specific concern is within Policy 7: Energy efficient design – district plans. This policy only speaks to residential growth and development. The commercial and industrial sectors within the region warrant attention within the RPS.

- **Methods**

Again, the methods outlined in the draft PRPS should be congratulated but fall short of specifying tangible and measurable outcomes. It would be this Council’s desire that the methods include goals for when methods would be acted upon.

5. Landscape

Wellington City Council recognises the challenge in drafting landscape provisions for the Regional Policy Statement. Mechanisms to protect landscape values have proved particularly difficult to incorporate into regional and district plans.

The regional policy statement proposes assessment criteria for identifying valued landscapes and criteria for writing provisions to protect those landscapes. It is based firstly on the Purposes and Principles of the RMA and secondly on methodology that is consistent with Environment Court decisions.

The policy statement is well thought out. However, it needs to be clearer in some areas as there is a potential for different interpretations of the text.

Wellington City Council particularly supports the non-regulatory implementation proposal in section 6.2 under which Greater Wellington will take a leadership role in working with other councils to describe landscapes and prepare a user guide.

The major issue for the Council is the amount of new work, and the timing of the work that will be required. Given the complexities of landscape analysis

and the consultation that will be required, this exercise will take considerable resources. Further to this, the District Plan is due for review in 2010. It is quite possible that the Council will be doing its work before Greater Wellington is ready to take a leadership role to implement the regional policy.

Overall, Wellington City Council supports the draft landscape provisions for the Regional Policy Statement subject to both the general and specific comments in this section.

5.1.1. Policies

• 5.1 – Policy 1

The introduction, objective and the policies use the concept of ‘significant amenity landscapes’. Reference is made to section 7(c)

It is not particularly clear what Greater Wellington considers to be an amenity landscape. The term amenity means different things to different people and it can cover a range of qualities from attractive to functional. It would be useful to refer to the definition of ‘amenity values’ in section 2 of the Act to clarify the matter.

Action sought:

Amend the explanation to Policy 1 to quote or paraphrase the definition of ‘amenity values’ i.e.

• 5.1 – Policy 1

The difference between ‘natural features and landscapes’ and ‘significant amenity landscapes’ is not well explained. The key paragraphs in the explanation to Policy 1 states:

*To qualify as outstanding, a landscape or natural feature would need to be assessed as clearly exceptional and out of the ordinary in terms of one or more of the criteria, and **natural components would need to dominate 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.*

*A significant amenity landscape would apply where a natural feature or landscape is assessed under the criteria as **having important landscape value** but is **not clearly exceptional** and/or **where the influence or human activity on landscape character is clearly evident**. Rural farm landscapes and urban landscapes could be considered significant amenity landscapes.*

The explanation appears to mean:

1. Exceptional and out of the ordinary for at least one criterion,
And natural component dominant
= Outstanding natural feature or landscape
2. Important landscape value but not clearly exceptional for at least one criterion (but may be out of the ordinary for at least one criterion),

And natural component not dominant / human influence is clearly evident
= Significant amenity landscape

The key is the criteria under Policy 1. If the criteria are based around naturalness it would exclude landscapes that have high amenity values but little or no natural values. Is this the intention? If it was the criteria would exclude landscapes with exceptional qualities derived from their aesthetic, expressiveness, shared and recognised, tangata whenua values or historical associations; but lacking the qualities of naturalness. An example could be the grazed areas of Queen Elizabeth II Park, with its World War II American Army camp association.

Action sought:

Clarify in the explanation to Policy 1, whether significant amenity landscapes must have natural components or whether they can be derived from other criteria (see the next section).

• **5.1 – Policy 1**

A significant part of the possible confusion in the text is in the use of the phrase ‘natural features and landscape’, which can be understood in two ways. In the primary policy statement:

*District and regional plans shall identify outstanding **natural features and landscapes** and significant amenity landscapes, using the following landscape assessment criteria:*

The phrase is clearly taken from section 6(c) with the emphasis on the natural component. However, the criteria ‘natural features and landscapes’ could mean either:

1. natural features and (natural) landscapes
2. natural features and (natural) landscapes and (amenity) landscapes.

Action sought:

Clarify the intent of the words ‘natural feature and landscape’ in the criteria to Policy 1 (this is important to the selection for significant amenity landscapes, which was discussed in the previous section).

• **Throughout**

Policy 2 uses the phrase ‘outstanding natural features and landscapes and **other** significant amenity landscapes’. This is supported as outstanding natural features and landscapes may have significant amenity values in addition to their other qualities. In Policy 1 and elsewhere in the policy statement the word ‘other’ is emitted.

Action sought:

Insert the word ‘other’ into the phrase ‘outstanding natural features and landscapes and **other** significant amenity landscapes’, throughout the policy statement.

- **5.2 – Policy 2**

Policy 2 provides criteria for including objectives, policies and rules in regional and district plans. The criteria are formal and their meaning is not readily understandable. They are presumably derived from an Environment Court decision.

Action sought:

Rewrite the criteria in Policy 2 in simpler and more easily understood English.

6. Indigenous Ecosystems

The indigenous ecosystems provisions for the Regional Policy Statement are well written and are the result of excellent consultation and thoughtful consideration. Wellington City Council supports the overall intent and most of the content. Unfortunately this document, by its nature, doesn't give examples of the many positive features of the draft policy statement.

The Council has particular concerns on the place of general ecosystem functioning and the significant identification sites. These are discussed below:

6.1.1. Issues

- **2.1 – Issue 1**

Estuaries could be added to the list of ecosystems that have significantly reduced in extent. In Wellington City sizable estuarine areas have been lost from Te Aro and Evans Bay. Another area of loss is the shoreline of the Porirua Harbour (the Porirua Arm).

- **2.2 – Issue 2**

Another human impact on the diversity of ecosystems and biodiversity is the over-harvesting of fish and shellfish in the coastal marine environment.

- **2.3 – Issue 3**

This issue identifies the need to conserve the functioning of ecosystems, both for their own sake (their intrinsic value) and for products and services they provide to people. It is observed that the first line refers to indigenous ecosystems and from this it is assumed that the issue is confined to indigenous ecosystems rather than highly modified systems for farming, horticulture, forestry or urban living. Is this because the functioning and health of these ecosystems is covered by other provisions, such as those for freshwater and soils?

Action Sought:

Clarify whether Issue 3 applies to only indigenous ecosystems or all ecosystems.

- **2.3 – Issue 3 & 3.2 Objective 2 & policies**

The link between the issue, the threat to ecosystem functioning, and Objective 2, the maintenance of ecosystem processes, is clear. However, the objective doesn't qualify that it applies to only indigenous ecosystems and it could be read as applying to all ecosystems.

The issue of conserving ecosystem function doesn't seem to follow through strongly into the policies. The explanations to each policy does indicate where Objective 2 applies but it is not otherwise clear what the regional council will do, or expects city or district councils to do, to achieve the objective (particularly if it is intended to apply to only indigenous ecosystems).

It may be useful in the issue, objectives and policies, to discuss the specific products and services that indigenous ecosystem functions provide in the Wellington region, for example:

- honey
- fish, shell fish, crayfish and seaweed
- whitebait, eels and trout
- ducks and waterfowl
- products of cultural harvest
- coastal protection
- soil protection
- flood protection
- water supply
- permanent carbon sinks, to counter the effects of climate change

This would make the issue of ecosystem functioning less abstract and easier for people to understand and support.

Action Sought:

Inset the word 'indigenous' into Objective 2, if it is what was intended.

Use concrete rather than general examples of products and services provided by indigenous ecosystems.

Reinforce text in the explanation to the policies, to explain how the policies will achieve Objective 2.

6.1.2. Policies

• 5.1 – Policy 1

The Policy indicates regional and district plans shall identify various types of *ecosystem, habitat and areas* with significant indigenous biodiversity values. It is unclear what the word 'areas' adds. It may be to express the idea that indigenous ecosystems and habitats are generally concentrated and confined to discrete areas of land (by contrast, the habitat of an indigenous species may include significant areas outside indigenous ecosystems: kereru commonly feed in gardens and rural landscapes).

Action Sought:

Clarify the meaning of 'areas' or remove it, if it does add to meaning of the policy.

- **5.1 – Policy 1**

The criteria are based on reasonably well used principles that have been endorsed by the Environment Court. The distillation down to 5 criteria with some expansion in then explanation is somewhat confusing. The style used in the recent change to the Bay of Plenty Regional Policy Statement is easier to follow. There would be less scope for city and district councils to interpret the criteria in a way that does not deliver the anticipated environmental result.

If Greater Wellington is reluctant to provide detailed criteria for identifying ecosystems it could use the system proposed for the landscape provisions, of preparing a set of guidelines, in consultation with local authorities, for the use of the regional and district councils.

The recent MfE /DoC guidelines 'National Priorities for Protecting Rare and Threatened Native Biodiversity, on Private Land' identifies four types of ecosystem that need to be protected. They should be included in the policy statement and integrated with the other identification criteria. Priorities 2, 3 and 4 are clear cut and easy to understand (sand dunes and wetlands, originally rare terrestrial ecosystems, habitats of acutely and chronically threatened species).

Priority 1, to protect indigenous vegetation associated with land environments that have 20 percent or less remaining in indigenous cover, is definitely more challenging. It is based on LENZ mapping and is less easy for the average person to understand. However, it parallels the criteria of 'representativeness' and a criteria could be developed linking the two.

Action Sought:

Work with city and district councils to agree on more specific criteria for the identification of indigenous ecosystems with significant biodiversity values.

Include and integrate the guidelines for 'National Priorities for Protecting Rare and Threatened Native Biodiversity, on Private Land' with the identification criteria in the policy.

7. Natural Hazards and Climate Change Effects

Council supports the general direction of this chapter subject to comments on the following points.

7.1.1. Issues

Comment and actions sought:

Issue 3 bulleted list needs to include increased frequency and magnitude of wind speeds (as per IPCC fourth report). This will influence regional climate,

especially precipitation, wave height and storm surges and have implications for current buildings and future coastal development.

7.1.2. Objectives & Policies

Comment and actions sought:

The wording around objective 3 (Preparation for climate change) needs to be strengthened to include words like adaptation and mitigation. Clarity is also required around who is to prepare? (GWRC, TA's, communities?)

The objective of the Natural Hazards chapter is to establish a policy framework for managing natural hazards and the effects of climate change in the region. The aim of this objective is to reduce community vulnerability and increase the resiliency of communities to natural hazards and climate change. A policy/programme is needed where by GWRC and the TA's and work closely with their respective community's to communicate the regions vulnerability (not just infrastructural vulnerability, but economic, social etc) and resilience. It is suggested this includes keeping abreast and reviewing all relevant climate change related predictions and passing this information to the TA's. Council would support a policy direction that affirms that this work will be initiated by GWRC.

This chapter is particularly focused on new developments. For example AER 4 (Development does not increase hazard impacts). Should resiliency of existing communities to natural hazard events be included in this or as an extra AER?

Policy 1 (Avoiding high hazard risk areas) is also focused on new development. How will this policy (and other objectives & policies in this chapter) affect existing structures requiring any future replacement or upgrade works that may result from levels of service changes? Similarly, landowners of hazard prone land in existing built environments have rights in law (existing use rights) allowing them to carry out additions and alterations to properties within the scope of the current use. These rights include being able to rebuild in the event that a building is destroyed (whether as a result of a hazard prone event or some other event). How will the Policy as currently drafted allow the Council to balance the rights and expectations of existing landowners and still achieve the intent of the Policy?

The policy (and at the very least the explanation to Policy 1) needs to recognise the differences in approach that will be required for managing high hazard prone areas where land uses are already well established (eg the suburb of Thorndon in relation to the Wellington Fault) and other green-field areas where little or no development currently exists. It is likely that the phrase 'avoid' is incompatible with the landowner rights alluded to above for existing built environments. 'Mitigation' may be a more appropriate word for these situations.

Council has strong concerns with Policy 1 (Avoiding highly hazard prone areas) and (Policy 3: Consideration of hazard mitigation measures). Policy 1

requires high hazard areas to be identified in district plans. The term “high” refers to events that will likely happen within the next 10-100 years.

The Resource Management Act 2001 requires TA’s to control potential development effects including mitigation of natural hazards. This requires the Authority to have records of natural hazards i.e. floodplain management plans. The Building Act also required buildings to be protected up to a 50 year ARI event.

Wellington City Council has, for the last 10 years, prepared Flood Hazard Maps as part of their Catchment Management Planning process. To date 10 flood hazard assessments have been produced (totalling 7,419ha). These maps are based on 50 year storm event and include a freeboard of 300mm added to peak water levels. Each flood risk area has an associated level for the minimum floor level that includes this freeboard.

Hazard Maps deter the construction of new buildings in flood prone areas. The hazard map information is being continually improved. The continuous improvement would make the inclusion of the flood hazard maps into the District Plan problematic due to the time and effort required for Plan changes.

There are also no clear linkages as to how current flood management plans could link into satisfy this policy. To recreate the hazard maps for these catchments for 100 year storm events would require significant resources and capacity. Therefore, we would like to see a policy direction that affirms this 50 year storm event mapping is sufficient.

Policy 3 requires when considering resource consent applications or notices of requirement, and changes to regional and district plans, regard shall be given to the following relevant matters, with the aim of minimising the adverse environmental impacts: (e) The need to locate habitable floor areas and access routes above the 1:100 year flood level where development proceeds in identified flood hazard areas.

Further clarity on GWRC’s role is required in regard to investigation, data collection, research and option selection to identify the 100 year flood levels that affect this region.

8. Air

The section air is supported subject to the comments earlier in this report on District Plan implications.

9. Soils

Overall, Wellington City Council supports the draft soils provisions for the Regional Policy Statement subject to the following comments.

9.1.1. Issues

Comments and actions sought:

The provisions on soils in the draft PRPS are clear in their intent. The introduction is particularly useful and provides a good description of the four key issues the region is facing:

- Accelerated soil erosion
- Reducing soil health
- Limited high quality soils
- Soil contamination with hazardous substances

9.1.2. Policies

Comments and actions sought:

The policy indicates that regional and district councils will have objectives, policies and rules in their plans to:

- Policy 1 - control erosion and sediment from earthworks
- Policy 1 - control erosion and sediment from plantation forestry
- Policy 2 – that recognise that subdivision or changes in land use may be unsuitable where land has been contaminated in the past

The District Plan and the Code of Practice for Land Development, which applies to subdivision consents, already address erosion and sediment issues to some extent. There are no specific provisions to manage the effects of harvesting plantation forests. The current review of the earthworks provisions proposes more effective rules, particularly for the control of sediment from large and small scale, projects and subdivisions.

The District Plan also has comprehensive provisions for contaminated sites that examine whether the land is suitable for the proposed development. The provisions recognise that some sites are unsuitable for the proposed land use, while in other situations the effects of contamination can be remedied or mitigated. It is not anticipated that the District Plan provisions will require changes to 'give effect to' the Regional Policy Statement.

9.1.3. Methods

Comments and actions sought:

Method 6 of the policy statements is to maintain a database of sites at risk of being contaminated. Wellington City welcomes this proposal. It particularly encourages Greater Wellington to refine the database information on larger sites, to define the areas that are contaminated, from those that are not.

For Policy 1 and Policy 2, the methods section of the policy statement does not provide any guidance on how the roles of regional and district councils will be coordinated or on the division of labour will be shared between the councils (guidance is provided for some of the other provisions e.g. Landscape). This matter needs to be addressed.

10. Mineral Resources

Council supports the provisions for Mineral Resources, subject to further clarification on who is to identify the location and significance of the regions mineral resources (method 3). Is this to be initiated by GWRC?

11. Freshwater

11.1.1. General

Comments and actions sought:

Council supports this chapter and its objectives of protecting and restoring water based ecosystems, sustaining their natural processes and fresh water resource. The proposed policies and methods compliment the strategic direction and outcomes Council are currently working towards.

While Council is generally support the objectives, some aspects have been inadequately covered or require wider consideration.

The focus of the chapter appears to be on discharges from urban areas. There is little focus on policies & methods controlling non-point discharges from rural areas. Achieving compliance with the six water quality indicators within urban areas may be difficult in some circumstances if non-point discharges are not controlled or their effects considered.

11.1.2. Anticipated environmental results for Objective 1

Comments and actions sought:

The Council has proactively worked to understand, improve and monitor stormwater quality and its effect on receiving environments for 15 years. Twelve consents were gained for major outfalls and a programme of works, investigations and monitoring tied into the consent requirements. As these consents come up for renewal, Council needs to look at the “bigger picture” of what we are trying to achieve and how. To this effect, more clarity and guidance from GWRC on the standards to be attained for water quality and receiving environments would be appreciated.

The sites monitored by GWRC as part of their State of the Environment reporting in Wellington City (Porirua Stream at Glenside, Kaiwharawhara Stream, Karori Stream, Makara Stream) are compared against a range of water quality guidelines, including the ANZECC (2000) guidelines which trigger values for lowland aquatic ecosystems. These guidelines are not ideal for urban streams and there is a need for more appropriate guidelines to be devised.

Council would like to see GWRC to provide guidance and more clarity on the standards to be attained for water quality and receiving environments.

Quantative and more rigorous quality requirements attached to the anticipated environmental results for Objective 1 should be presented.

11.1.3. Flooding and flood protection works

Comments and actions sought:

There is little focus on flooding or flood protection works. Flooding is dealt with in the Natural Hazards chapter however should also be adequately covered in this section. The Natural Hazards chapter focuses more on major river flooding- i.e. the Hutt River as opposed to local streams and stormwater networks.

The anticipated results for objective 2 (c) - *There are no new impediments to fish passage or loss of existing habitat, and fish diversity is not reduced*, in an urban environment are difficult to ensure. The wording of Policy 7 (e) - *Discourage the reclamation, piping, straightening, or concrete lining of streams, unless the work cannot be avoided*, is preferred. This work is encompassed in Council's draft Biodiversity Action Plan where the "daylighting" of piped streams and/or construction of fish passes is considered and prioritised on a cost benefit basis.

Policy 2, 4 and 5 are supported, but it should be noted that low impact urban drainage design (including the use of soakpits, roadside swales, filter strips and rain gardens instead of kerb and channelling) in Wellington City is not always possible due to lack of permeability offered by the steep topography and thin clay soils. Council's Code of Practice for Land Development has been revised and requires the consideration of sustainable stormwater management where conditions allow.

11.1.4. Water conservation

Comments and actions sought:

Council strongly supports conserving water and the direction in the draft PRPS to require water to be used efficiently, and not wasted. Conserving water will help protect the natural environment, reduce water demand and treatment costs by deferring the need to expand and build new pipes, dams, reservoirs and treatment plants, and help reduce contamination.

The draft PRPS is an ideal opportunity to promote water conservation and active demand management and for options to be incorporated into District Plans. GWRC should take this opportunity to provide more policy direction (i.e. demand management) and support than just simply encouraging water "is used efficiently and is not wasted".

It is unclear how the anticipated results for objective 3 (f) - *The amount of water leaking from water reticulation systems is reduced*, is to be guaranteed. This would best achieved through GWRC working closely with the TA's in order to set targets levels for leakage appropriate for each TA, with cost benefit taken in to account.

11.1.5. Management of earthworks

Comments and actions sought:

A protocol between GWRC and Council about the management of earthworks is supported.

12. Public Access to and along the coast, lakes and rivers

The principles of public access to and along the coast, lakes and rivers are explained well, and resonate with our policies on public access in Capital Spaces (1998) and the South Coast Management Plan (2002). Therefore we support the draft provisions for public access to and along the coast, lakes and rivers subject to the following comments and amendments.

12.1.1. Objectives and Anticipated Environmental Results

Comments and actions sought:

3. Objective: public access to and along lakes, rivers and the coast is maintained and enhanced.

Currently this objective is only partially addressed by the proposed policy. Policy 1 (the only policy) covers only the enabling of access. The objective could better fit with the policy if it read: “Improve public access to and along lakes, river and the coast”.

We note that if a policy is developed to specifically address maintenance and enhancement then such a policy could have a high operational expense for the City and would need to be a point of discussion between authorities.

4. Anticipated environmental result: Increased and improved formal public access to and along the coast, lakes and rivers.

Whilst Policy 1 addresses increasing public access, improved public access may not necessarily be an outcome of this.

12.1.2. Policies

Comments and actions sought:

5. Policy 1. Public access to and along lakes, rivers and the coast with significant values.

We support the need for consideration of the significant values listed as well as for the balance between use and protection of natural and human environments. The second part of this policy suggests that a city or district council may include a rule in its district plan that an esplanade strip is set aside when land is subdivided. This part of the policy can be easily ignored and could be better worded to encourage territorial local authorities to include this rule if that is the intention.

5. Policy 2.

A second policy is referred to in the last paragraph of page 4. We assume that this is a typographical error as the provisions have only one policy.

12.1.3. Methods

Comments and actions sought:

6.2.1 Non-regulatory implementation: Identification and improvement of public access.

It is not clear as to how this method will be implemented and how it will improve public access. Is this to be new research or are existing records sufficient? If new research is required, the methodology needs to state who would lead this project and resource expectations. In addition, if areas are identified, then who is responsible for their improvement and how will this be implemented?

13. Coastal Environment

The importance of the coastal environment and the issues affecting the coastal environment are well described. Open space is a key part of the city and the coastal environment is a defining feature of Wellington City. The protection of the coast is an important principle of our Open Space Strategy (Capital Spaces, 1998), and interweaving the natural with the built environment is fundamental to managing the city's urban form. Educating landowners and the public to be aware of open space values and how to manage them is also an important part of ensuring the effective protection of open space values.

Council also recognises the importance of ensuring coastal water quality is maintained and coastal ecosystems are protected from inappropriate land use activities.

Therefore, we support the issues and objectives of the draft policy, subject to the following comments on policies and implementation. These comments are in addition to comments on District Plan implications (refer Section 2.1 of this submission).

13.1.1. Environmental Results Anticipated

Comments and actions sought:

4.4 Anticipated environmental results for objective 4

Council supports the direction of the AER4 subject to wider consideration of environmental conditions prior to sampling- a heavy rain event or high tides and strong winds can push rotting leaves, seaweed or other debris against the beach. The Ministry for the Environment/Ministry of Health guidelines provide an indication of the general condition of the water column at the time of sampling. Follow up monitoring is required to identify the permanence of an identified guideline exceedance. This AER should be revised as follows to take account of environmental conditions:

During the summer bathing season (1 November to 31 March inclusive) follow up samples taken in response to an “action level” (280 enterococci/100mL) of the Ministry for the Environment/Ministry of Health (2003) microbiological water quality guidelines for marine recreational areas shall comply with routine surveillance guidelines indicating no further management action is required.

13.1.2. Policies and methods

Comments and actions sought:

5.1 Policy 1: Protection of nationally and regionally significant areas.

Whilst some areas listed are already protected with Open Space or Conservation Site classifications, there are also new areas for which we look forward to seeing the Statements of Significance. It is unclear whether this policy and its implementation implies to the development of *new* objectives, policies and rules, or whether existing district plan objectives, policies and rules are adequate. Council suggest that so long as the values identified in the statements of significance are protected, existing objectives, policies and rules will suffice. This policy and its implementation has significant resource implications for the City Council – refer to District Plan implications (refer Section 3.1 of this submission).

5.2 Policy 2: Considerations for coastal areas, features or landscapes.

We request clarification of 5.2 (b) ‘the avoidance of sprawling or sporadic new subdivision, use and development’. This needs to be consistent with Policy 3 where, as long as natural character is protected, there is provision for new subdivision, use and development in the coastal environment. The issue is also covered in a general sense in the draft urban form policies. Council suggests that this is left out as it is better covered by Policy 3.

5.3 Policy 3: New subdivision, use and development in the coastal environment.

This policy provides for new subdivision, use and development in the coastal environment. We suggest that this policy is rephrased so that the emphasis is on the protection of the coastal natural environment, rather than on the provision of subdivision. Council supports the three conditions which are consistent with policies of the South Coast Management Plan (2002) (this management plan covers the land under Wellington City Council’s jurisdiction from Point Dorset in the east, to Karori Stream in the west). We have assumed that where existing District Plan objectives, policies and rules implement this policy, then new ones will not be required. Therefore we suggest in order to ensure the conditions are given particular regard to, the Regional Council includes a policy where the conditions are taken into consideration for any proposed new subdivision, use and development in the coastal environment.

5.4 Policy 4: Landward extent of the coastal environment in district plans.

There is an inconsistency between this policy and its implementation. The policy states that district plans *should* include policies and rules to identify the landward extent, whilst the implementation (method 1) states that district plans *shall* implement Policy 4. It is Council's opinion that the coastal environment will need to be defined if Policy 3 is implemented through objectives and policies in the District Plan. However, the current features and areas listed for consideration in identifying the coastal environment are broad and open to interpretation. As they currently stand, they could potentially cover a large part of Wellington City.

Council would like clarification around whether our current rules that define our 'built urban coast' will be sufficient, or whether the intention is to create new rules. This also applies to the identification of natural coastal hazards (policy 13). If the intention is to create new rules, then this would be a significant undertaking and there needs to be flexibility in the RPS regarding the work task requirements, as outlined in Section 2 of this submission.

In defining these areas, it is also important that the identification of landward coastal environment has the potential to recognise our open space concept areas of:

- *'the bays'* (an accessible urban coastline which is rich in recreation opportunities and culture meaning; and emphasizes the natural character and beauty of the coast through the protection of prominent landforms and indigenous vegetation)
- *'wild coast'* (a wild coastline with a rugged natural character which is accessible to the public and provides opportunities for remote informal recreation), and
- *'harbour and coast'* (an accessible harbour and coast where the waters are sparkling and clear, and the air is fresh and clean. Fish and other marine life are abundant and healthy).

5.5 Policy 5: Considerations for the landward extent of the coastal environment.

If as suggested, policy 3 is amended to 'considerations for', then policy 4 would not be required and could be replaced with policy 5.

5.6 Policy 6. Restoration of degraded areas.

Council supports this policy, and hope that there is scope to work with Regional Council in this. However, the implementation (method 3) of this policy needs clarification. **Method 3 (6.2.1)** refers to the *identification* of degraded areas and the preparation and dissemination of information, but does not include the active restoration and rehabilitation implied by the policy. Council suggests that Method 3 could read: *Identify, prepare and disseminate information on degraded areas in the coastal environment that warrant enhancement. Prioritise and implement these areas into a programme of restoration and rehabilitation.*

There is also a typographical error on the top of p15, where it should be policy 6 rather than 3.

5.9 Policy 9: Maintenance or enhancement of coastal water quality

Council has committed considerable resources to ensuring appropriate wastewater and stormwater controls are in place to avoid adverse effect on the coastal marine area.

Council supports this policy however would like to see a more consistent regional response to wastewater treatment standards. Policy 9 and the Regional Coastal Plan must include a consistent regional approach to wastewater treatment which will support GWRC's aims and objectives.

5.10 Policy 10: Life-supporting capacity of coastal ecosystems.

The implementation of this policy needs clarification. Currently **method 1** (district plan implementation) and **method 2** (Regional Council led research and investigation) are referred to. It is logical that research and investigation is the first step. If so, then this could impact on the ability of the District Plan to implement the policy before or at the time of the next review. This is also an issue for **policy 14** (identify areas subject to sea level rise).

14. Waste Management and Hazardous Substances

14.1.1. General comments

The provisions in the draft PRPS align with some key aspects of the Council's Solid Waste Management Plan and related Council waste policy. Specifically, the Council supports the overall objective of reducing the waste generated by society of the draft provisions and also supports making decisions based on the waste hierarchy as mentioned in section 2 of the draft provisions. The Council agrees with some of the methods outlined in the draft provisions that should be enhanced throughout the Wellington Region, including:

- measuring waste
- promoting composting
- on-site pollution prevention programmes
- working with business.

Notwithstanding the above comments, Council is of the view that this section of the draft PRPS could be significantly improved. In particular, Council has concerns regarding the level of detail and accuracy of information of the draft provisions, the priority and level of confidence given to certain initiatives and the allocation of responsibility in the draft provisions.

While the Council supports cooperation and partnerships with Greater Wellington on waste reduction initiatives and waste information gathering, the Council would like to see more emphasis in the draft provisions placed on Greater Wellington's statutory responsibilities relating to waste management. Specifically, the Council feels there should be more emphasis on Greater

Wellington's monitoring role with cleanfills and the actions it plans to take to improve cleanfill monitoring.

- ***Detailing the Problems with Landfilling***

The introduction and issue sections of the draft provisions mentions problems such as illegal dumping of materials in the storm water drains and acceptance of municipal waste at cleanfills. However, there is little mention of the negative environmental effects of sending waste to landfill or the benefits of resource recovery. The draft provisions should clearly point out why landfills are a problem and the benefits of reducing waste to landfill. This is important because residents need to understand why it is important to reduce waste.

Some of the key messages that are missing include:

- **landfill space is finite** – the more waste society sends to landfills the faster the landfills will fill up. The landfill space in the region is finite and two landfills will be closing in the next 10 to 15 years (Spicer Landfill, Porirua and Wainuiomata Landfill, Lower Hutt), which will put extra pressure on the remaining landfills. Developing new landfills is an expensive and resource intensive process and it is becoming increasingly difficult for landfills to get resource consent. By reducing the amount of waste sent to landfill, landfill space is preserved for future generations.
- **landfills produce methane** – methane is a powerful greenhouse gas that is produced from organic materials breaking down in landfills. Around 3% of New Zealand's total greenhouse gas emissions come from landfills. Reducing the amount of organic material in landfills will reduce the amount of methane produced.
- **toxic discharges from landfills** – landfills produce a toxic substance called leachate that must be captured to prevent it discharging into soils or freshwater systems. Landfills also emit powerful odours that can be problematic and unpleasant for neighbouring residents. Reducing the amount of material (especially toxic materials) going to landfills reduces the amount and toxicity of leachate and reduces the size of the landfill odour problem.
- **waste is a resource commodity and natural resources are finite** – around 60% to 70% of the waste that goes to landfill can be recycled into raw materials for use in new products. Ensuring that waste materials are recycled, reused or recovered shows that resources have an economic value and acknowledges the environmental and social costs of landfilling. Given that the earth's natural resources are finite, society should maximise opportunities for converting waste products into reusable resources or raw materials where practical.

- **EnviroSmart and the Waste Exchange**

The Council supports both of these initiatives financially and is keen for these initiatives to work. These types of programmes help to change behaviour and facilitate waste reduction into businesses and residents day to day operations. Having said that, both of these initiatives are at trial stages in the Wellington Region and the overall success and sustainability of these programmes have not been determined (the EnviroSmart programme in particular is

experiencing serious financial problems on a national scale). It might be more prudent and conservative to point to the success of:

- kerbside recycling,
- existing composting infrastructure
- product stewardship schemes and sustainable procurement
- successful private recycling initiatives in the region (e.g. Seaview Transfer Station).

These larger scale programmes have much more impact on reducing waste compared to small-scale programmes like EnviroSmart and the Waste Exchange.

• **Zero Waste**

The Council notes that the draft PRPS “gives effect to the vision of zero waste where all resources are used efficiently and at a sustainable rate.” The Council thinks a more explicit and appropriate definition of zero waste is “a 100% resource efficient economy where all waste materials are re-used or recycled back into society or nature. Landfills and cleanfills would no longer be necessary because there would be no ‘waste’ to dispose.”

The Council is reviewing its aspirational goal of zero waste to ensure it is an appropriate long-term vision. The Council is beginning to question whether zero waste is achievable given existing Government legislation and the lack of cohesive and robust partnerships between local authorities in the Wellington Region. In addition, it is highly possible that there will always be some level of residual waste even if large-scale waste reduction infrastructure existed like waste to energy plants. Therefore, we advise that the Regional Council to emphasize more pragmatic goals for waste reduction such as those mentioned in Anticipated Environmental Results section.

• **Regional Landfill Amounts**

In section 2, it states that 400,000 tonnes are produced in the Wellington Region annually. It would be helpful if a breakdown of the landfill amounts was made for each city within the Region.

• **Percentage of Waste that can be Recycled**

In section 2, it states that “at least 20% of the Region’s solid waste...could be recycled or composted.” The Council’s data from the recent 2005 SWAP analysis suggests that between 60%-70% of municipal solid waste can be recycled or composted. We would be happy to discuss this figure further.

Following on from the statistic used above, the draft provisions state that “not all materials that can be recycled or composted are recycled or composted often because there is no market for the final produce or no industry with the expertise to do the recycling.” While these statements about markets are true, there are other significant barriers for why recyclable/reusable materials still end up in landfills. These barriers include:

- **lack of waste reduction infrastructure:** for example, there are no city-wide residential organics collections in any of the local authorities in the Wellington Region.
- **behaviour of residents and businesses:** in some cases the infrastructure is there (e.g. kerbside and commercial recycling) but residents and businesses choose not to use it or do not use it properly. Sometimes this is a result of residents or businesses not being well informed.
- **cost of establishing waste reduction infrastructure:** many of the solutions to reduce the Region's waste exist but the high costs of implementing certain projects mean councils have to prioritise the funding they do have.

14.1.2. Anticipated Environmental Results

It appears from sections 4.1 and 4.2 that the goal of reducing waste to landfill by 20% is going to be met entirely by recycling and composting. The Council also sees a lot of value in reducing the amount of packaging in goods as well as producer responsibility schemes, where producers and consumers of waste take responsibility for their waste. While local and regional authorities do not have control over this type of legislation for the most part, the Council feels it is important to promote reduced packaging and producer responsibility schemes regardless.

14.1.3. Regional Council's Area of Influence: Cleanfills and Landfill Monitoring

Section 7 provides a good outline for residents and businesses regarding the various responsibilities of local and district councils as well as regional councils. It is probably prudent to include this section in the introduction to make it clear to readers that waste management is primarily the obligation of local and district councils.

Furthermore, there does not seem to be too much mention of Greater Wellington's responsibilities involving compliance monitoring for landfills and compost facilities as well as ensuring cleanfills are accepting appropriate materials. Greater Wellington's has a significant responsibility regarding this aspect of waste management activities but there is little mention of its importance in the draft provisions. There is very little monitoring of the cleanfills in Wellington City in particular, and it is the view of this Council that GWRC should allocate operational funding to this task. If cleanfills are accepting materials that belong in landfills, this will present significant environmental problems with high associated cleanup costs.

The Council believes Greater Wellington should put greater emphasis on the waste management areas where it *has* statutory responsibility rather than putting too much emphasis on the areas under the responsibility of city or district council. While the Council has enjoyed a solid working relationship with Greater Wellington on waste reduction initiatives, the Council would also like to see greater emphasis placed on compliance monitoring of cleanfills as well.

15. *Historic Heritage*

The historic heritage provisions for the Regional Policy Statement are well thought out and well written. The introduction is particularly useful and sets the tone as to what is expected from territorial authorities.

Overall Wellington City Council supports the draft historic heritage provisions for the Regional Policy Statement subject to the following comments and amendments:

2 - Issue

The last sentence of paragraph 2 of the Description states:

Simply being identified on a register or schedule is no assurance of protection for historic heritage as the policies and rules have not provided sufficient protection.

This sentence is confusing and requires further elaboration.

Action sought:

Amend the last sentence of paragraph 2 of the Description as follows:

Although identifying historic heritage on a register or schedule provides some level of recognition, this alone does not sufficiently safeguard its continued protection. It is paramount that district and regional plan registers or schedules are supported by sufficient policies and rules that provide adequate endorsement and protection of historic heritage.

4 – Anticipated environmental result

Point 4 discusses anticipated environmental results that are to be achieved before the next RPS review. Specifically (a) states:

Significant historic heritage is identified in district and regional plans

The interpretation of the word '*significant*' in point (a) is ambiguous. Its intent can be perceived as both prestigious and important as well as a considerable or sizable number of items.

Action sought:

Delete the word '*significant*' in point (a) and replace with the word '*valued*'.

5.1 – Policy 1: District and regional plan identification of historic heritage

The first sentence states:

Regional and district plans shall identify historic heritage places and areas to be included in historic heritage schedules, in accordance with the criteria listed below....

The intent of the sentence is unclear. As reflected in the comments made regarding the district plan implications in 2.1.4 of this document, it is not clear whether territorial authorities must adopt the criteria stipulated in the RPS or whether they have the ability to write criteria to suit their areas heritage needs.

Therefore, the wording in this sentence should to be made broader, allowing for some degree of flexibility for territorial authorities to cater their criteria to meet their individual requirements.

A typo is contained in the Explanation in the first line of paragraph 4.

Action sought:

Add the following text to the first sentence after the words '*in accordance with*':

'or on a similar basis to,'

Amend the word '*result*' in the first line of paragraph 4 to read '*results*'.

5.2 - Policy 2: District and regional plan protection for historic heritage

The second sentence of paragraph 3 of the Explanation states:

Generally places with low heritage values can tolerate much more change than places with very high heritage values.

This sentence inadvertently promotes the potential justification of inappropriate levels of change to heritage items considered to have 'low heritage value'. If an item has been identified as having heritage value, it does not need further hierarchical categorisation as its value has already been established.

Action Sought:

Delete the second sentence of paragraph 3 of the Explanation.

5.3 - Policy 3: Considerations – resource consents, notice of requirements and plan changes

This policy aims to provide an interim framework for assessment prior to Policies 1 and 2 being implemented.

For many of the same reasons discussed in section 2.1.4 of this document, this policy's intent is not apparent. It is not clear whether territorial authorities have the flexibility to use their own criteria. If a territorial authority's criteria is recognised and gives effect to Policy 1, then Policy 3 is redundant from the outset.

This policy would be better worded to actively encourage territorial authorities to cease with the use of Controlled Activities and promote heritage assistance to heritage owners.

Action Sought

Clarify the status of tailor made territorial authority heritage criteria and delete policy 5.3.

6.1.3

The subheading sentence should end with a question mark.

6.2.2

The subheading sentence should end with a question mark.

16. Resource Management issues of significance to Iwi

Council generally supports this section subject to the following points.

Under the most recent amendment to the Resource Management Act 1991 the WCC will be required to **give effect** to the Regional Policy Statement when it is approved so it is important that the requirements do not override or dictate courses of action that might to some extent be in conflict with the Council's relationship with Iwi.

The draft provisions require Council to implement policies 1 to 5 of the draft PRPS when assessing resource consents, notices of requirement (public works designations) and when changing the district plan (Method 1 at para 6.1.1). These draft policies raise issues of concern for Council. The first is that policies 1 to 5 of the draft PRPS largely repeat the provisions relating to Maori in Part 2 of the Resource Management Act 1991, which Council decisions must take into account in any event. The Council questions whether this duplication is necessary for achieving the objectives in the draft RPS.

Second, Council is concerned that under the current wording the consultation required to give effect to policies 1-5 as contemplated by method 1 may be unnecessarily onerous, not only for Council, but also for Iwi (refer the wording of each policy and method 6.1.1). Council takes its responsibility in this area seriously, and is unaware of any shortcomings in relation to its current process for consultation on resource management issues of significance to Iwi. Compared to current practice, the provisions would require considerably more consultation that we currently undertake (on resource consents in particular).

There is no recognition in either the policies or method 1 that the vast majority of resource consent applications received and processed by the Council are for more minor matters, such as additions and alterations to houses that Iwi are unlikely to be interested in.

As a minimum, Method 1 (at 6.1.1) should be amended to read as follows:

*Local authorities shall implement Policies 1-5 **as appropriate** when addressing resource consents, notices of requirement and when changing district or regional plans.*

Contact Officers:

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- *Dave Campbell, Senior Energy Advisor, Property Solutions*
- *Jonathan Anderson, Policy Advisor Planning Policy*
- *Gerald Blunt, Manager Urban Design Policy*
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