



greater WELLINGTON
REGIONAL COUNCIL

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

Volume I

Includes decisions on submissions on the proposed Regional Policy Statement from Chapter 1 through to policy 19

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1. Introduction

1.1 The proposed Regional Policy Statement

The proposed Regional Policy Statement for the Wellington Region 2009 follows a comprehensive review of the operative Wellington Regional Policy Statement (1995). It represents significant work in collaboration with the local authorities and other agencies in the Wellington region. It also follows the release in March 2008 of a draft proposed Regional Policy Statement (2008) for public comment. That pre-notification (or informal) consultation also called for submissions, and people and organisations took that opportunity to comment. In doing so, they contributed to the review process to develop the proposed Regional Policy Statement (2009).

1.2 Submissions

The Wellington Regional Council's proposed Regional Policy Statement for the Wellington region 2009 was publicly notified on 21 March 2009. The 9 week period for submissions closed on 25 May 2009, with a summary of submissions notified on 11 July 2009. The date for receiving further submissions closed on 7 August 2009.

A total of 144 submissions and 29 further submissions were received.

1.3 The Staff Report

Following submissions, the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1 & 2 2009* (the Staff Report) was prepared. For each chapter, section or provision submitted on, the Staff Report included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. The Staff Report was sent to submitters prior to the hearing of submissions. It is referred to extensively in this Decisions Report and should be read in conjunction with this report. A copy of the Staff Report is available on request or online (at <http://www.gw.govt.nz/hearing-of-the-proposed-regional-policy-statement-200/>).

1.4 Consideration of submissions and decisions

Submissions were heard and considered by a Hearing Committee appointed for this purpose. The Hearing Committee comprised Cr Fran Wilde (Chair), Cr Ian Buchanan, Cr Sally Baber, Cr Rex Kirton and Mr Te Waari Carkeek (chair of Ara Tahi).

Hearing of submissions occurred between 3rd and 16th November 2009. The submitters listed in the table in section 1.9 appeared at the hearing and presented additional written and oral submissions and statements of evidence.

The Hearing Committee considered all submissions made by submitters whether or not they attended the hearing. Following deliberations on 25 November 2009, 9 and 16 December 2009, and 16 February 2010, the

Hearing Committee made decisions on submissions which are recorded in this Decisions Report. These decisions are recommended to the Wellington Regional Council as the decisions on provisions and submissions on the proposed Regional Policy Statement. Hereafter, the decisions recommended in this report are referred to as “decisions”.

1.5 Provisions not considered further

The Hearing Committee has considered all provisions, consequential alterations and any other matters arising from submissions. The following provisions are not reported further in this Decisions Report because they are not affected by submissions. The hearing Committee decided that the following provisions should remain unchanged from that in the proposed Regional Policy Statement (2009): Historic heritage, issue 1; Indigenous ecosystems, issue 1; Natural hazards, issue 1, issue 2; Soils and minerals, issue 1; Objective 6; Methods 5, 8, 9, 12, 14, 16, 17, 19, 21, 22, 23, 26, 27, 28, 37, 38, 39, 43, 46, 48, 52, 53, 54; and Anticipated environmental results for objectives 2, 5, 7, 11, 19, 20, 22, 23, 24, 26, 27, 28, 29.

1.6 Structure and content of the Decisions Report

The Decisions Report should be read together with the Staff Report. The Decisions Report follows the same order as the Staff Report, which in turn, reflects the structure of the proposed Regional Policy Statement. That is, each Chapter, section and provision is discussed in the order it appears in the proposed Regional Policy Statement, as are the contents within each Chapter.

In the Decisions Report, for each chapter, section or provision reported on:

- clause (a) identifies the relevant page of the Staff Report that should be referred to
- clause (b) sets out the relevant submissions, evidence heard and the Hearing Committee deliberations
- clause (c) summarises the decisions on each submission and any relevant further submission; and
- clause (d) sets out any relevant changes to the proposed Regional Policy Statement.

1.7 Table with submitter number, name, and section(s) in this report to which their submission points have been responded to

The table, below, contains the submission number allocated to a submitter, the submitter’s name and the section(s) in this report that responds to their submission point(s).

Further submitters are not listed in the table below, and are not necessarily identified in the Decisions Report. All further submissions are accepted or rejected consistent with the Hearing Committee’s decisions on the original submission. Section 1.4 of the Staff Report includes a table with each further

submission number allocated to a further submission, their name, and the sections in the Staff Report where their further submission can be found.

Submission No	Submitter's Name	Section(s) in this report
1	Lucy Adams	2.104, 2.147
2	Agenda Development Planning	2.80, 2.81, 2.83, 2.84, 2.102, 2.104, 2.129, 2.131, 2.134, 2.202,
3	Aggregate and Quarry Association of New Zealand	2.66, 2.69, 2.72, 2.74, 2.75, 2.97, 2.99, 2.129, 2.135, 2.177
4	Airways Corporation of New Zealand Ltd	2.15, 2.32, 2.76, 2.80, 2.81, 2.113
5	John and Margaret Ankcorn	2.104, 2.147
6	Dana Arcus	2.104, 2.147
7	Peter Laurence Arcus	2.104, 2.147
8	Maree Atkinson	2.104, 2.147
9	Maggie Bannatyne	2.104, 2.147
10	Catherine Barron	2.104, 2.147
11	Regan Bentley	2.104, 2.147
12	David Charles Billmore	2.104, 2.147
13	James Alexander Blair	2.104, 2.147
14	Colleena June Blair	2.104, 2.147
15	Winstone Aggregates	2.1, 2.12, 2.17, 2.27, 2.29, 2.30, 2.32, 2.33, 2.34, 2.42, 2.43, 2.45, 2.46, 2.49, 2.58, 2.66, 2.69, 2.72, 2.73, 2.75, 2.76, 2.80, 2.81, 2.96, 2.97, 2.120, 2.121, 2.129, 2.130, 2.135, 2.136, 2.146, 2.196, 2.197, 2.198, 2.202
16	Helen Blundell	2.104, 2.147
17	Craig Brown	2.92, 2.119, 2.141, 2.154, 2.167, 2.178
18	Rozalie Anita Brown	2.104, 2.147
19	Edward Francis Butters	2.104, 2.147
20	George Butters	2.104, 2.147
21	Angela Calkin Goeres	2.104, 2.147
22	Cardno TCB	2.147
23	CentrePort Wellington	2.17, 2.21, 2.26, 2.34, 2.80, 2.82, 2.83, 2.107, 2.113, 2.197, 2.202
24	Coastland Shopping Limited	2.38, 2.48, 2.49, 2.103, 2.104, 2.105,

Submission No	Submitter's Name	Section(s) in this report
		2.106, 2.129, 2.131, 2.132, 2.133, 2.143, 2.170, 2.171, 2.173
25	Anders Crofoot	2.1, 2.9, 2.17, 2.18, 2.20, 2.21, 2.77, 2.78, 2.88, 2.90, 2.94, 2.97, 2.98, 2.100, 2.101, 2.103, 2.105, 2.109, 2.110, 2.112, 2.115, 2.117, 2.124, 2.127, 2.140, 2.144, 2.145, 2.162, 2.163, 2.175, 2.176, 2.181, 2.182, 2.184, 2.188, 2.198, 2.200, 2.202
26	Crown Minerals (Ministry of Economic Development)	2.1, 2.66, 2.135, 2.150, 2.177, 2.202
27	Michael James Curtis	2.12, 2.43, 2.46, 2.49, 2.66
28	Reginald Allan Davies	2.104, 2.147
29	Liam Davies	2.104, 2.147
30	Patricia Kathleen Davies	2.104, 2.147
31	Department of Conservation	2.75, 2.76, 2.77, 2.78, 2.79, 2.80, 2.84, 2.85, 2.86, 2.87, 2.88, 2.89, 2.90, 2.91, 2.92, 2.93, 2.94, 2.95, 2.96, 2.97, 2.98, 2.99, 2.100, 2.101, 2.102, 2.104, 2.106, 2.109, 2.110, 2.111, 2.112, 2.113, 2.114, 2.115, 2.116, 2.117, 2.118, 2.119, 2.120, 2.121, 2.122, 2.123, 2.124, 2.125, 2.126, 2.127, 2.129, 2.130, 2.131, 2.132, 2.133, 2.136, 2.137, 2.140, 2.141, 2.142, 2.181, 2.182, 2.183, 2.184, 2.187, 2.188, 2.190, 2.191, 2.199, 2.200
32	Department of Corrections	2.15, 2.27, 2.58, 2.75, 2.103, 2.104, 2.129, 2.130, 2.131, 2.132
33	East Harbour Environmental Association Incorporated	2.1, 2.12, 2.17, 2.31, 2.49, 2.53, 2.58, 2.104, 2.75, 2.98, 2.100, 2.102, 2.103, 2.115, 2.116, 2.127, 2.134, 2.161, 2.197, 2.198
34	Anthony Roy Edwards	2.22, 2.94, 2.96, 2.98, 2.100, 2.102, 2.199
35	Federated Farmers of New Zealand	2.9, 2.12, 2.13, 2.15, 2.17, 2.18, 2.21, 2.22, 2.24, 2.25, 2.34, 2.35, 2.42, 2.43, 2.44, 2.45, 2.47, 2.48, 2.50, 2.56, 2.66, 2.67, 2.68, 2.70, 2.71, 2.75, 2.76, 2.77, 2.78, 2.79, 2.85, 2.86, 2.88, 2.89, 2.90, 2.91, 2.92, 2.93, 2.94, 2.95, 2.96, 2.98, 2.99, 2.100, 2.101, 2.102, 2.109, 2.110, 2.112, 2.115, 2.123, 2.124, 2.127, 2.130, 2.134, 2.144, 2.145, 2.146, 2.161, 2.162,

Submission No	Submitter's Name	Section(s) in this report
		2.163, 2.175, 2.176, 2.198, 2.202
36	Fonterra Co-operative Group Ltd	2.66, 2.86, 2.89, 2.90, 2.92, 2.93, 2.118, 2.134, 2.139, 2.165, 2.167
37	Foodstuffs (Wellington) Co operative Society Ltd	2.103, 2.104, 2.105, 2.128, 2.133, 2.170, 2.173
38	Friends of Owhiro Stream	2.87, 2.88, 2.91, 2.116, 2.140, 2.198
39	Noeline Gannaway	2.1, 2.7
40	Genesis Energy	2.31, 2.32, 2.58, 2.80, 2.81, 2.84, 2.94, 2.96, 2.98, 2.100, 2.113, 2.131, 2.199, 2.200
41	Liz Gibbs	2.104, 2.147
42	GNS Science	2.102, 2.125
43	Steffen Goeres	2.104, 2.147
44	Austin Grace	2.1
45	Great Harbour Way Coalition	2.1, 2.127, 2.160, 2.176
46	Greater Wellington Regional Council	2.102, 2.183, 2.187, 2.200
47	Kristina Anne Hefford	2.104, 2.147
48	Higgins Group Holdings Ltd	2.15, 2.27, 2.34, 2.69, 2.72, 2.75, 2.76, 2.135, 2.162, 2.177
49	John Christopher Horne	2.12, 2.13, 2.14, 2.19, 2.21, 2.27, 2.28, 2.34
50	Horticulture New Zealand	2.1, 2.2, 2.12, 2.15, 2.24, 2.27, 2.33, 2.34, 2.35, 2.38, 2.39, 2.40, 2.67, 2.68, 2.75, 2.76, 2.77, 2.78, 2.85, 2.86, 2.87, 2.88, 2.89, 2.90, 2.91, 2.92, 2.93, 2.102, 2.107, 2.112, 2.114, 2.115, 2.116, 2.117, 2.118, 2.119, 2.130, 2.134, 2.138, 2.141, 2.143, 2.145, 2.146, 2.147, 2.151, 2.154, 2.156, 2.159, 2.162, 2.165, 2.167, 2.172, 2.174, 2.198, 2.202
51	Linda Hoyle	2.27, 2.80, 2.113, 2.164
52	Walter Jack Hutchings	2.104, 2.147
53	Joan Elizabeth Hutson	2.104, 2.147
54	Michele Karen Johnston	2.104, 2.147
55	Kahungunu ki Wairarapa	2.1
56	Kapiti Coast District Council	2.1, 2.12, 2.17, 2.27, 2.34, 2.38, 2.41, 2.43, 2.46, 2.51, 2.54, 2.59, 2.66, 2.77, 2.78, 2.80, 2.86, 2.87, 2.88, 2.90, 2.92,

Submission No	Submitter's Name	Section(s) in this report
		2.93, 2.96, 2.97, 2.102, 2.104, 2.110, 2.116, 2.119, 2.121, 2.125, 2.130, 2.134, 2.140, 2.141, 2.163, 2.165
57	Neville William Kean	2.104, 2.147
58	Marilyn Sally Kean	2.104, 2.147
59	Kevin Kirk	2.104, 2.147
60	Beryl Kirk	2.104, 2.147
61	Kirkcaldie and Stains Ltd	2.54
62	Kiwi Property Holdings Ltd	2.55, 2.56, 2.57, 2.58, 2.103, 2.171, 2.194
63	Sean Knight	2.104, 2.147
64	Sara Knight	2.104, 2.147
65	Korokoro Environment Group	2.26, 2.33, 2.38, 2.82, 2.84, 2.125, 2.127, 2.140, 2.143, 2.153, 2.178
66	Lower Hutt Forest and Bird Protection Society	2.1, 2.45, 2.85, 2.90, 2.96, 2.97, 2.98, 2.109, 2.114, 2.116, 2.117, 2.121, 2.125, 2.126, 2.127
67	Shona McCahon	2.98, 2.100
68	Makara Guardians Incorporated	2.31, 2.113, 2.130
69	Makara Ohariu Community Board	2.15, 2.31, 2.113, 2.130
70	Michael John Marfell-Jones	2.104, 2.147
71	Adrienne Marfell-Jones	2.104, 2.147
72	Marlborough District Council	2.10
73	John and Julie Martin	2.77, 2.78, 2.98, 2.127
74	Masterton District Council	2.12, 2.24, 2.26, 2.34, 2.45, 2.48, 2.49, 2.76, 2.80, 2.84, 2.85, 2.89, 2.90, 2.92, 2.100, 2.101, 2.113, 2.124, 2.162, 2.172, 2.173
75	John Charles and Mary McGuinness	2.89
76	Sam McLean	2.104, 2.147
77	Isaac Hamiora McLean	2.104, 2.147
78	Ranea McLean	2.104, 2.147
79	Robert John McLellan	2.104, 2.147
80	Lynne McLellan	2.104, 2.147
81	Pamela Joy Meekings-Stewart	2.99, 2.129, 2.130, 2.143

Submission No	Submitter's Name	Section(s) in this report
82	Meridian Energy Limited	2.22, 2.23, 2.25, 2.27, 2.28, 2.31, 2.32, 2.34, 2.38, 2.40, 2.46, 2.48, 2.65, 2.77, 2.80, 2.81, 2.84, 2.85, 2.86, 2.90, 2.91, 2.93, 2.93, 2.96, 2.96, 2.98, 2.100, 2.102, 2.108, 2.109, 2.110, 2.113, 2.114, 2.117, 2.121, 2.123, 2.124, 2.130, 2.182, 2.186, 2.188, 2.191, 2.192, 2.195, 2.202
83	Mighty River Power	2.1, 2.3, 2.17, 2.23, 2.27, 2.31, 2.32, 2.34, 2.34, 2.36, 2.38, 2.43, 2.45, 2.46, 2.48, 2.54, 2.77, 2.78, 2.80, 2.81, 2.85, 2.86, 2.88, 2.91, 2.93, 2.96, 2.97, 2.98, 2.99, 2.101, 2.110, 2.113, 2.114, 2.115, 2.117, 2.121, 2.123, 2.124, 2.127, 2.129, 2.136, 2.157, 2.162, 2.164, 2.175, 2.200
84	Richard John Moore	2.104, 2.147
85	David Murray	2.104, 2.147
86	New Zealand Defence Force	2.12, 2.13, 2.29, 2.32, 2.75, 2.80, 2.81, 2.95, 2.107, 2.113, 2.120, 2.138, 2.202
87	New Zealand Historic Places Trust	2.17, 2.22, 2.23, 2.24, 2.26, 2.42, 2.48, 2.58, 2.60, 2.61, 2.62, 2.63, 2.64, 2.78, 2.90, 2.94, 2.95, 2.96, 2.98, 2.99, 2.100, 2.103, 2.104, 2.120, 2.122, 2.127, 2.128, 2.129, 2.142, 2.143, 2.147, 2.148, 2.150, 2.155, 2.158, 2.163, 2.168
88	New Zealand Pork Industry Board	2.11, 2.12
89	New Zealand Winegrowers	2.1, 2.134
90	Kevin Nicol	2.104, 2.147
91	NZ Transport Agency	2.2, 2.17, 2.27, 2.29, 2.54, 2.57, 2.74, 2.80, 2.81, 2.82, 2.113, 2.128, 2.129, 2.130, 2.131, 2.132, 2.133, 2.149
92	Oil Companies	2.17, 2.22, 2.23, 2.51, 2.52, 2.80, 2.81, 2.102, 2.107, 2.113, 2.167, 2.193, 2.202, 2.159
93	Robert Orriss	2.104, 2.147
94	Paraparaumu Airport Ltd	2.27
95	Pauatahanui Inlet Community Trust	2.22, 2.197, 2.200
96	Joan Margaret Perry	2.104, 2.147
97	Robert Edward Perry	2.104, 2.147
98	Chris Peterson	2.1

Submission No	Submitter's Name	Section(s) in this report
99	Keith James Pittams	2.104, 2.147
100	Porirua City Council	2.1, 2.17, 2.31, 2.34, 2.41, 2.43, 2.46, 2.48, 2.54, 2.58, 2.59, 2.66, 2.75, 2.77, 2.78, 2.80, 2.84, 2.89, 2.90, 2.93, 2.94, 2.95, 2.96, 2.97, 2.98, 2.99, 2.100, 2.101, 2.102, 2.103, 2.107, 2.108, 2.109, 2.116, 2.119, 2.120, 2.121, 2.127, 2.128, 2.129, 2.133, 2.140, 2.152, 2.154, 2.162, 2.165, 2.167, 2.169, 2.173, 2.175, 2.176, 2.195, 2.201, 2.202
101	Preserve Pauatahanui Incorporated	2.27, 2.28, 2.80, 2.113, 2.147, 2.164
102	June Ralston	2.104, 2.147
103	Sarah Ratana	2.104, 2.147
104	Ravensdown Fertiliser Co-operative Limited	2.48, 2.58, 2.72, 2.75, 2.135, 2.167, 2.175, 2.177
105	Regional Public Health	2.75, 2.85, 2.180, 2.202
106	Mary Teresa Roberts	2.104, 2.147
107	Scott Rose	2.104, 2.147
108	Jacqui Roy	2.104, 2.147
109	David Scott	2.34
110	Mary Helen Sheppard	2.104, 2.147
111	Robyn Smith	2.104, 2.147
112	South Wairarapa District Council	2.1, 2.5, 2.15, 2.16, 2.17, 2.23, 2.24, 2.27, 2.31, 2.34, 2.38, 2.41, 2.54, 2.59, 2.74, 2.80, 2.82, 2.87, 2.89, 2.94, 2.96, 2.98, 2.100, 2.103, 2.199, 2.202
113	Diane and Mike Strugnell	2.27, 2.46
114	Tararua Tramping Club	2.4, 2.5, 2.7, 2.11, 2.17, 2.21, 2.34, 2.43, 2.45, 2.46, 2.76, 2.77, 2.99, 2.101, 2.110, 2.127, 2.187
115	Robert Wilfred Teal	2.104, 2.147
116	Theresa Tetteroo	2.104, 2.147
117	The Energy Efficiency and Conservation Authority	2.4, 2.5, 2.9, 2.12, 2.17, 2.27, 2.28, 2.31, 2.32, 2.74, 2.76, 2.80, 2.81, 2.84, 2.93, 2.113, 2.127, 2.130, 2.141, 2.151, 2.153, 2.164, 2.178, 2.185, 2.186, 2.202
118	The Hutt Valley Angling Club Inc	2.90, 2.117, 2.199
119	The Hutt Valley Angling Club Inc	2.93, 2.147

Submission No	Submitter's Name	Section(s) in this report
120	Keith Martyn Thompson	2.104, 2.147
121	Carolina Thompson	2.104, 2.147
122	Thompson Family Trust	2.104, 2.147
123	Transpower New Zealand Limited	2.1, 2.2, 2.10, 2.17, 2.22, 2.23, 2.27, 2.42, 2.48, 2.51, 2.52, 2.54, 2.58, 2.80, 2.81, 2.100, 2.101, 2.102, 2.108, 2.113, 2.113, 2.124, 2.146, 2.147, 2.157, 2.167, 2.178, 2.186, 2.193, 2.193, 2.202
124	TrustPower Limited	2.5, 2.8, 2.17, 2.22, 2.27, 2.28, 2.29, 2.31, 2.32, 2.33, 2.37, 2.46, 2.77, 2.78, 2.80, 2.81, 2.84, 2.85, 2.88, 2.90, 2.92, 2.93, 2.96, 2.97, 2.99, 2.100, 2.102, 2.107, 2.109, 2.110, 2.111, 2.113, 2.118, 2.119, 2.121, 2.175, 2.202
125	Upper Hutt City Council	2.1, 2.51, 2.52, 2.53, 2.89, 2.102, 2.104, 2.146
126	Vector	2.1, 2.81
127	Wairarapa Regional Irrigation Trust	2.6, 2.34, 2.49, 2.66, 2.85, 2.86, 2.92, 2.118, 2.141
128	Paula Warren	2.17, 2.82, 2.83
129	Watersmart Ltd	2.89, 2.92
130	Wellington Botanical Society	2.7, 2.9, 2.43, 2.43, 2.45, 2.96, 2.121, 2.179, 2.191, 2.202
131	Wellington City Council	2.12, 2.15, 2.16, 2.17, 2.22, 2.23, 2.24, 2.25, 2.26, 2.27, 2.31, 2.32, 2.33, 2.34, 2.38, 2.39, 2.40, 2.41, 2.42, 2.43, 2.45, 2.46, 2.48, 2.49, 2.51, 2.52, 2.53, 2.54, 2.55, 2.58, 2.59, 2.60, 2.61, 2.62, 2.63, 2.64, 2.65, 2.66, 2.70, 2.71, 2.72, 2.74 - 2.138, 2.140 - 2.145, 2.151 - 2.178
132	Wellington Conservation Board	2.1, 2.2, 2.6, 2.7, 2.8, 2.146, 2.179, 2.187, 2.191
133	Wellington Fish and Game Council	2.1, 2.11, 2.12, 2.18, 2.21, 2.26, 2.27, 2.34, 2.35, 2.36, 2.37, 2.38, 2.39, 2.40, 2.41, 2.43, 2.46, 2.49, 2.54, 2.59, 2.66, 2.85, 2.91, 2.187, 2.188, 2.189, 2.199, 2.200
134	Wellington International Airport Limited	2.12, 2.17, 2.32, 2.54, 2.59, 2.80, 2.81
135	Wellington Police	2.1, 2.58, 2.103, 2.104, 2.129, 2.130

Submission No	Submitter's Name	Section(s) in this report
136	Wellington Residents Coalition	2.34
137	Wellington Surf Riders Club Inc	2.17
138	Westfield New Zealand Ltd	2.1, 2.8, 2.10, 2.28, 2.29, 2.30, 2.32, 2.54, 2.55, 2.56, 2.57, 2.58, 2.80, 2.81, 2.103, 2.104, 2.129, 2.131, 2.132, 2.133, 2.170, 2.171
139	Ian Peter and Anne Marie Wood	2.104, 2.147
140	Xia Zhang	2.104, 2.147
141	Shear Hard Work	2.27, 2.98, 2.101, 2.202
142	Pritchard Group Ltd	2.102
143	Julie Martin Teanor	2.104, 2.147
144	Martin & Anne Meacham	2.1

1.8 Process from here

Any person who made a submission on the proposed Regional Policy Statement may appeal to the Environment Court. The appeal can only relate to matters covered in the submitter's original submission. Any appeal to the Environment Court must be in the prescribed form and lodged with the Environment Court within 30 days of receiving notice of the Council's decisions.

1.9 Hearing attendances

Date	Speaker Name	Organisation
Tuesday 3 November 2009	Paul Blaschke	Friends of Owhiro Stream
	Martin Payne	Friends of Owhiro Stream
	Steven Roberts	Watersmart
	Geoff Cops	Wairarapa Regional Irrigation Trust
	Neville Hyde	CentrePort Ltd
	Shona McCahon	
	Chris Horne	
	Stephen Palmer	Regional Public Health
	Michael Curtis	
Wednesday 4 November 2009	Steve Bootten	Paraparaumu Airport Ltd
	Mike Lord	Aggregate & Quarry Association of New Zealand

Date	Speaker Name	Organisation
	Luke Troy	Wellington City Council
	Cllr Andy Foster	Wellington City Council
	Sarah Nelson	Wellington City Council
	Alan Happy	Winstone Aggregates
	Sylvia Allan	Winstone Aggregates
	John McGuinness	
	Mary McGuinness	
	Jenny Rowan	Kapiti Coast District Council
	Emily Thomson	Kapiti Coast District Council
	Anders Crofoot	
	Ron Parkins	Kiwi Property Holdings Ltd
	Ian Drysdale	Wellington Residents Coalition
	Maria Van de Meel	Wellington Residents Coalition
	Bernard O'Shaughnessy	Wellington Residents Coalition
	Ronald M Oliver	Wellington Residents Coalition
	Karen Blair	Transpower & Powerco
	Nicola Laurence	Transpower & Powerco
	Mike Brown	Wellington International Airport Ltd
	Karen Blair	Oil Companies
Tuesday 10 November 2009	Wayne Guppy	Upper Hutt City Council
	Richard Harbord	Upper Hutt City Council
	Mitch Lewandowski	Upper Hutt City Council
	Grey Norton	Higgins Group Holdings
	Laura Cameron (Opus)	Airways Corporation of New Zealand
	Jenny Brash	Porirua City Council
	Sam Price	Porirua City Council
	Tama Hood	Energy Efficiency and Conservation Authority
	John Easter	Makara Guardians Incorporated
	Russell Bell	Lower Hutt Forest & Bird

Date	Speaker Name	Organisation
	Preserve Pauatahanui Inc	Ron Segal
Wednesday 11 November 2009	Brigid Buckley	Federated Famers of New Zealand
	Pamela Meekings-Stewart	
	Celia Wade-Brown	
Thursday 12 November 2009	Sue Southey	Masterton District Council
	Kristy Newland	New Zealand Wine
	Richard Peterson	Mighty River Power
	Darryl McMillan	Vector Gas Ltd
	Dan Waechter	Wellington Fish & Game/Hutt Valley Angling Club
	Corina Jordan	Wellington Fish & Game/Hutt Valley Angling Club
	Glen Evans	Hutt Valley Angling Club
	Christine Foster	Meridian Energy Ltd
Friday 13 November 2009	Kris Eriksen	Department of Conservation
	Rob McColl	Wellington Conservation Board
	Bev Abbott	Wellington Botanical Society
	Robert Schofield	TrustPower Ltd
	Chris Keenan	Horticulture NZ
Monday 16 November 2009	John Martin	
	Julie Martin	
	Sally Baguley	Genesis Energy
	Selwyn Blackmore	NZTA
	A submission from Alistair de Joux was Tabled	

2. Decisions by topic in the proposed Regional Policy Statement

2.1 Overall

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. The overall section is on page 16 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

East Harbour Environmental Association Incorporated, Noeline Gannaway, Austin Grace, Chris Peterson, Kahungunu ki Wairarapa, South Wairarapa District Council, Wellington Police, Westfield New Zealand, and Martin and Anne Meacham made overall submissions but did not attend the hearing.

Masterton District Council, Winstone Aggregates, Crown Minerals (Ministry of Economic Development), Lower Hutt Forest and Bird Protection Society, Mighty River Power, New Zealand Wine Growers, Porirua City Council, Meridian Energy Limited, Upper Hutt City Council, Vector, Wellington Conservation Board, and Wellington Fish and Game Council submitted overall and attended the hearing, but did not give oral submissions on overall matters.

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

Anders Crofoot was pleased with the amount of changes recommended in the Staff Report and overall was pleased with what has been achieved but still considered there was little reference to farming in many sections. The Hearing Committee noted the support. Significant changes have been made to the coastal and landscape sections in particular and additional discussion in section 2.3 of the proposed Regional Policy Statement. The discussion and decisions regarding these are in the appropriate sections of this report. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Great Harbour Way Coalition reiterated their desire to have the proposed Regional Policy Statement support the Great Harbour Way. The Hearing Committee has made decisions on specific submission points in the appropriate sections of this Decisions Report.

Horticulture New Zealand reiterated their request that the document be organised by issues and objectives, and that substantial cross referencing be included. The Hearing Committee acknowledged Horticulture New Zealand's concerns regarding lay people using the document, but concurred with the comments in the Staff Report and considered the current cross-referencing adequate. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Kapiti Coast District Council supported the general intent of the proposed Regional Policy Statement and is interested in working co-operatively with the Wellington Regional Council. The submitter noted that the recommendations in the Staff Report addressed many of their concerns. The submitter also requested policies providing support, guidance, and underpinning protection from the Wellington Regional Council, and that the Wellington Regional Council substantially back the submitter in their discussions with communities. The Hearing Committee noted the comments regarding the Staff Report and noted the support. The Hearing Committee considered the proposed Regional Policy Statement will adequately provide support and guidance for the local territorial authorities. Discussion and decisions regarding specific policies are in the appropriate sections of this report. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd generally supported the proposed Regional Policy Statement overall, subject to specific submissions made. The Hearing Committee noted the support. Discussion and decisions on specific submissions are in the relevant sections of this report.

Transpower New Zealand Limited requested changes detailed in their submission related to the management and protection of the national electricity grid. Discussion and decisions on the specific submission points are in the appropriate sections of this report. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Wellington Police made a written submission requesting social infrastructure and essential social services be included in the proposed Regional Policy Statement. The Staff Report recommended including particular social infrastructure in the definition of regionally significant infrastructure. The Hearing Committee considered it more appropriate to limit the definition of regionally significant infrastructure to the definition of infrastructure in the Resource

Management Act. The Committee have made changes to policy 6 to recognise the provision of emergency services as an essential service that benefits people's health and safety, however. See the report on policy 6 for wording.

(c) Decisions

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

Submitter	Submission	Decision
Winstone Aggregates	15/1	Reject
Winstone Aggregates	15/2	Reject
Winstone Aggregates	15/3	Accept in part
Anders Crofoot	25/1	Accept
Anders Crofoot	25/2	Accept in part
Anders Crofoot	25/3	Reject
Crown Minerals (Ministry of Economic Development)	26/1	Noted
East Harbour Environmental Association Incorporated	33/1	Accept
East Harbour Environmental Association Incorporated	33/2	Reject
Noeline Gannaway	39/2	Reject
Noeline Gannaway	39/3	Reject
Austin Grace	44/1	Accept in part
Great Harbour Way Coalition	45/1	Noted
Horticulture New Zealand	50/1	Reject
Horticulture New Zealand	50/2	Accept in part
Kahungunu ki Wairarapa	55/1	Accept in part

Submitter	Submission	Decision
Kapiti Coast District Council	56/1	Accept in part
Lower Hutt Forest and Bird Protection Society	66/1	Accept in part
Mighty River Power	83/1	Noted
Mighty River Power	83/2	Noted
New Zealand Winegrowers	89/1	Accept in part
Chris Peterson	98/1	Accept
Porirua City Council	100/1	Accept
South Wairarapa District Council	112/1	Accept
Transpower New Zealand Limited	123/1	Noted
Transpower New Zealand Limited	123/2	Noted
Upper Hutt City Council	125/1	Accept
Vector	126/1	Noted
Wellington Conservation Board	132/1	Reject
Wellington Fish and Game Council	133/1	Accept
Wellington Police	135/1	Accept in part
Westfield New Zealand Limited	138/1	Accept
Martin & Anne Meacham	144/1	Reject

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

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

Refer to reports on section 2.3 Community outcomes for the Wellington region, section 3.2 Coastal environment and policy 55.

2.2 Chapter 1 Introduction

(a) Staff Report

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

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

Horticulture New Zealand reiterated at the hearing their desire for the proposed Regional Policy Statement to give greater focus to rural production activities and their importance to the Wellington region. Page 30 of the Staff Report contains the additions which were recommended by staff based on the Horticulture New Zealand's submissions, to be added to section 2.3 of the proposed Regional Policy Statement. Horticulture New Zealand expressed concern that the recommended wording is insufficient to capture the importance of rural production activities. The Hearing Committee considered the recommended additions in the Staff Report adequately highlight the importance of rural production activities and adopted its addition to section 2.3.

NZ Transport Agency sought the inclusion of the Land Transport Management Act in the list of Resource Management Act companion statutes on page 5 of the proposed Regional Policy Statement. The Staff Report accepted this submission point and made the addition. NZ Transport Agency supported this recommendation at the hearing.

Transpower New Zealand Limited's written submission sought retention without modification recognising the National Policy Statement on Electricity Transmission in section 1.3, along with the reference to the National Environmental Standard on Electricity Transmission in section 1.3. The Staff Report accepted this retention and Transpower New Zealand Limited supported this recommendation, in turn, at the hearing.

Wellington Conservation Board requested specific mention of a joint approach with the Department of Conservation on biodiversity, pest and ecosystem management and a stated intention to explore this. The Staff Report rejected this, citing the reference to the Conservation Act as a companion statute to the Resource Management Act as sufficient recognition. At the hearing, the submitter requested that mention of a joint approach with Department of Conservation would still fit well in chapter 2 where integrated management and jurisdictional boundaries are discussed. The Hearing Committee did not support the highlighting of Wellington Regional Council's

relationship with any specific organisation, but did request the elucidation seen in (d) below.

(c) Decisions

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

Submitter	Submission	Decision
Horticulture New Zealand	50/3	Reject
NZ Transport Agency	91/1	Accept
Transpower New Zealand Limited	123/3	Accept
Wellington Conservation Board	132/2	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend page 5, paragraph 1 of section 1.3 as follows:

There are also a number of statutes that can be thought of as companions of the Resource Management Act, in that their purpose can be interpreted as further supporting the sustainable management of natural and physical resources (e.g. the Conservation Act, the Reserves Act, the Local Government Act, and the Land Transport Management Act), or have some other relationship with resource management functions (e.g. the Civil Defence Emergency Management Act, the Hazardous Substances and New Organisms Act and the Biosecurity Act).

Add a new paragraph on page 10 as second to last paragraph above the heading “2.4 Integrating management of natural and physical resources” as follows:

While a large proportion of our community is in the city areas of Wellington, Porirua, Hutt, and Upper Hutt, a significant proportion is also in small townships and rural areas which largely rely on rural production activities. The rural production activities that occur in and around the rural and small township areas provide economic, social, cultural, and environmental benefits for the region as a whole, and contribute to the achievement of the community outcomes.

Amend page 11, paragraph of section 2.4 as follows:

Many agencies, including government Departments, regulatory authorities, and non-governmental organisations, share responsibility for providing direction to ensure resources are sustainably managed. To ensure that their objectives and policies are coherent and mutually supportive, it is essential that a common understanding of resource issues and sustainable management is shared. The processes adopted in dealing with day-to-day issues need to be closely aligned.

2.3 Section 1.1 Setting the scene

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 1.1 starts on page 31 of volume 1.

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

Mighty River Power submitted on provision 1.1 and attended the hearing, but did not give oral submissions on provision 1.1. The Hearing Committee adopted the discussion and recommendations on Mighty River Power's submission in the Staff Report.

(c) Decisions

The decision on Mighty River Power's submission is summarised in the table below. The reasons for accepting or rejecting a submission is given in the section above (headed *Submissions, evidence heard and Hearing Committee deliberations*), and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Mighty River Power	83/3	Accept in part

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

(d) Changes to proposed Regional Policy Statement

Amend page 1, paragraph 3 of section 1.1 as follows:

This Regional Policy Statement is not simply a collection of discrete policies. The policies are intended to complement each other and provide a robust, integrated approach to promoting the sustainable management of natural and physical resources. It is not appropriate to consider only those provisions addressing the adverse effects of activities, without considering those provisions which address the benefits of activities, and vice versa.

2.4 Section 1.2 The purpose and content of the Regional Policy Statement

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 1.2 starts on page 32 of volume 1.

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

Tararua Tramping Club made a submission on section 1.2 but did not attend the hearing. The Hearing Committee considered the Club's submission and adopted the discussion on their submission in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The Energy Efficiency and Conservation Authority submitted on section 1.2 and attended the hearing, but did not speak to this submission point. The Hearing Committee adopted the discussion on The Energy Efficiency and Conservation Authority's submission in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
Tararua Tramping Club	114/1	Accept in part
The Energy Efficiency and Conservation Authority	117/1	Reject

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

(d) Recommended changes

Amend page 1, paragraph 2 of section 1.2 as follows:

The Resource Management Act requires every regional council to prepare re a regional policy statement which is designed to achieve the purpose by providing an overview of the resource management issues for the region, and ~~outlining~~ stating the policies and methods required to achieve the integrated management of the region's natural and physical resources.

2.5 Section 1.3 The resource management policy and planning framework

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 1.3 starts on page 33 of volume 1.

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

Tararua Tramping Club and South Wairarapa District Council made submissions on section 1.3 but did not attend the hearing.

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

TrustPower Limited submitted on section 1.3 and attended the hearing, but did not speak to this submission point. The Hearing Committee adopted the discussion on TrustPower Limited's submission in the Staff Report.

The Energy Efficiency and Conservation Authority's oral submission sought reference to the Proposed National Policy Statement on Renewable Electricity Generation when discussing companion statutes in section 1.3. The Staff Report recommended rejecting this submission point, noting that a proposed national policy statement is subject to change before it becomes a national policy statement. Section 62 (3) of the Resource Management Act makes the relationship between national policy statements and proposed Regional Policy Statements explicit. It does not include reference to proposed national policy statements. The Hearing Committee supported the Staff Report recommendation of rejecting this addition. At the hearing, the Energy Efficiency and Conservation Authority noted that the proposed Regional Policy Statement made recommendations, in regard to the definition of small-scale renewable energy generation facilities, to ensure consistency with the Proposed National Policy Statement on Renewable Electricity Generation. These recommendations are to be removed from the proposed Regional Policy Statement which will result in consistent treatment of this document within the proposed Regional Policy Statement.

The submitter also sought to delete reference to the fact that a number of documents that are not prepared under the Resource Management Act have no statutory bearing on the content of a proposed Regional Policy Statement. Staff noted that the sentence "There are a number of other national strategies promulgated by central government and its agencies that are not prepared under the Resource Management Act and have no statutory bearing on the content of a proposed Regional Policy Statement.", is correct and no deletion is recommended. The Hearing Committee supported the Staff Report's recommendation.

(c) **Decisions**

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

Submitter	Submission	Decision
South Wairarapa District Council	112/2	Reject
South Wairarapa District Council	112/3	Accept
South Wairarapa District Council	112/4	Accept
Tararua Tramping Club	114/2	Accept
The Energy Efficiency and Conservation Authority	117/2	Reject
TrustPower Limited	124/1	Reject

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

(d) Changes to the proposed Regional Policy Statement

No change is made to section 1.3.

2.6 Chapter 2 Promoting sustainable management in the Wellington region

(a) Staff Report

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

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

Wellington Regional Irrigation Trust submitted on Chapter 2 and attended the hearing, but did not speak to this submission point. The Hearing Committee adopted the discussion on Wellington Regional Irrigation Trust's submission in the Staff Report.

Wellington Conservation Board sought earlier reference in the proposed Regional Policy Statement to 'maintaining indigenous biodiversity and habitats'. The Hearing Committee considers the matters are dealt with aptly in section 3.6, Indigenous Ecosystems, and note the inclusion of 'healthy environment' as one of the key community outcomes listed in Chapter 2, section 2.3. Under this community outcome the aim is for 'well functioning and diverse ecosystems which make up an environment that can fulfil our needs'. The Hearing Committee supported the Staff Report's recommendation not to make any additions under this submission point.

(c) Decisions

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

Submitter	Submission	Decision
Wellington Regional Irrigation Trust	127/1	Accept

Submitter	Submission	Decision
Wellington Conservation Board	132/3	Reject

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

(d) Changes to the proposed Regional Policy Statement

No change is made to Chapter 2.

2.7 Section 2.1 A sustainable region

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 2.1 starts on page 40 of volume 1.

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

Noeline Gannaway and the Tararua Tramping Club made submissions on section 2.1 but did not attend the hearing.

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

Wellington Botanical Society supported the recommendation of the Staff Report to accept their written submission with respect to the wording change suggested. The Hearing Committee supported the Staff Report recommendations.

The **Wellington Conservation Board** submitted on section 2.1 and attended the hearing, but did not speak to this submission point. The Hearing Committee adopted the discussion on Wellington Conservation Board's submission in the Staff Report.

(c) Decisions

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

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

Submitter	Submission	Decision
Noeline Gannaway	39/1	Accept
Tararua Tramping Club	114/3	Accept
Wellington Botanical Society	130/1	Accept
Wellington Conservation Board	132/4	Accept in part

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

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

Amend paragraph 3, page 7, as follows:

In other words, natural and physical resources ~~can~~ may be used and developed by people and communities to provide for their economic, social and cultural wellbeing, and health and safety, but only in such a way that ensures the potential of these resources are sustained for future generations, and ~~ecological systems retain their~~ the life-supporting capacity ~~and are not overly degraded~~ of ecological systems is retained or restored.

2.8 Section 2.3 Community outcomes for the Wellington region

(a) **Staff Report**

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 2.3 starts on page 41 of volume 1.

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

Westfield New Zealand Ltd made a submission on section 2.3 but did not attend the hearing. The Hearing Committee considered the submission of Westfield New Zealand Ltd adopted the discussion on their submission in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

The **Wellington Conservation Board**, in their written submission, sought the addition of a community outcome regarding community involvement in ecosystem health. The Staff Report stated that community outcomes are identified through a process outside of the scope of a regional policy statement and that it was therefore not possible to add, alter or delete those outcomes provided. In their oral submission, the Wellington Conservation Board suggested recognising the emergence of community involvement in environmental protection projects in section 2.3, without referring to them as ‘community outcomes’. The Hearing Committee supported the Wellington Conservation Board’s suggestion and requested additional sentences be added to reflect this. The Hearing Committee suggested this addition be added into section 2.4 ‘Integrating management of natural and physical resources’.

TrustPower Limited sought reference to renewable energy generation in section 2.3 of the proposed Regional Policy Statement. The Staff Report recommended the submission be rejected, as the complex issue of the Wellington region’s renewable energy resources and future challenges is covered in section 3.3 Energy, infrastructure and waste. The community outcomes section is designed to highlight priorities generated by the people in the Wellington region. The Hearing Committee supported the Staff Report recommendations.

(c) **Decisions**

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

Submitter	Submission	Decision
Westfield New Zealand Ltd	124/2	Reject
Wellington Conservation Board	132/5	Accept in part
TrustPower Limited	138/2	Reject

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

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

Amend paragraph 3, page 11 as follows:

Just as it is essential to recognise and manage resources in an interconnected way, it is also vital to involve people in a meaningful way. Natural and physical resources are better managed when the

social, economic and cultural factors that surround and drive their use or protection is taken into account. Decisions made about the management of resources are more effective and lasting if they reflect choices made by the community in terms of what it is best or most able to do. If integrated management is to be successful, it must recognise differing community and customary values, interests, skills, capacity and aspirations. Recognising and supporting the growth in community involvement in environmental projects, such as beach care, biodiversity and/or habitat protection, and reducing environmental 'footprints' is key for increasing community participation in regional resource management issues.

2.9 Section 2.4 Integrating the management of our natural and physical resources

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 2.4 starts on page 44 of volume 1.

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

Anders Crofoot, Federated Farmers of New Zealand and The Energy and Efficiency Conservation Authority submitted on section 2.4 and attended the hearing, but did not give oral submissions on section 2.4. The Hearing Committee adopted the discussion on these submissions in the Staff Report.

Wellington Botanical Society supported the Staff Report recommendation of moving the discussion of ecosystems and ecosystem services to section 2.4 of the proposed Regional Policy Statement and also for the wording used in the Staff Report. The Hearing Committee supported the Staff Report recommendations.

(c) Decisions

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

Submitter	Submission	Decision
Anders Crofoot	25/4	Accept
Federated Farmers of New Zealand	35/1	Reject
The Energy Efficiency and Conservation Authority	117/3	Reject
Wellington Botanical Society	130/2	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend paragraph2, page 11 as follows:

Taking a whole of catchment approach is promoted within this Regional Policy Statement. It means considering the full mix of purposes, uses and activities within a catchment in terms of how these interact and contribute to outcomes within the catchment and for receiving environments beyond – such as in relation to ~~indigenous ecosystems~~, soil productivity, water quality, erosion and stormwater control, or natural hazards. A whole of catchment approach is particularly useful for understanding and managing indigenous ecosystems and their complex interconnections. As well as having their own intrinsic values, healthy ecosystems provide us with ecosystem services that support our existence by providing clean air and water, productive soils and natural filtering processes. Providing for the community's needs while sustaining our ecosystems in a healthy state is one of our largest challenges. The whole of catchment ~~This~~ approach suggests a need to work with multiple parties to establish shared objectives for a catchment and to ensure uses and activities are working towards the same goals or at least are not working against their attainment.

2.10 Section 2.5 Application of the Regional Policy Statement across physical and jurisdictional boundaries

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 2.5 starts on page 47 of volume 1.

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

Marlborough District Council and Westfield New Zealand Ltd made submissions on section 2.5 but did not attend the hearing.

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

Transpower New Zealand Limited submitted on section 2.5 and attended the hearing, but did not give oral submissions on section 2.5. The Hearing Committee adopted the discussion on Transpower in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
Marlborough District Council	72/1	Reject
Transpower New Zealand Limited	123/4	Accept in part
Westfield New Zealand Ltd	138/3	Accept

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

(d) Changes to the proposed Regional Policy Statement

Amend the last paragraph on page 12 as follows:

Wellington Regional Council and the region's district and city councils will promote consistent and integrated application of the objectives, policies and methods contained in this Regional Policy Statement. To this end, they will:

- Promote an integrated approach to managing resource consent applications where the application site or effects arising from the proposed activity cross regional or district boundaries and/or have implications for adjoining local authorities.

- Promote a collaborative and consistent approach to managing regionally significant infrastructure that crosses territorial authority boundaries.

2.11 Chapter 3 Resource management issues, objectives and summary of policies and methods to achieve the objectives

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Discussion on the introduction section of Chapter 3 starts on page 50 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

New Zealand Pork Industry Board, Tararua Tramping Club, and Wellington Fish and Game Council submitted on the introduction section of Chapter 3 and attended the hearing, but did not give oral submissions on the introduction to Chapter 3.

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

(c) Decisions

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

Submitter	Submission	Decision
New Zealand Pork Industry Board	88/1	Reject
Tararua Tramping Club	114/4	Accept
Wellington Fish and Game Council	133/2	Accept

There were no further submissions in respect of the introduction to Chapter 3.

(d) Changes to proposed Regional Policy Statement

Amend the headers and the headers within Chapter 3, on page 19 and 33, as follows:

Remove all parentheses around "including public access" in the contents and at the top of section 3.2 and 3.4.

Amend the list of topics on page 13 as a result of the submissions above and the submission by Kapiti Coast District Council on section 3.10 'Resource management with tangata whenua', as follows.

3. Resource management issues, objectives and summary of policies and methods to achieve the objectives in the Regional Policy Statement

This chapter provides an overview of the ~~regionally significant resource management issues (including the issues of significance to iwi authorities)~~ addressed by the Regional Policy Statement, the objectives sought to be achieved and provides a summary of the policies and methods to achieve the objectives. Theyse are ~~addressed~~ presented under the following topic headings:

- air quality
- coastal environment, including public access
- energy, infrastructure and waste
- fresh water, including public access
- historic heritage
- indigenous ecosystems
- landscape
- natural hazards
- regional form, design and function
- resource management with tangata whenua
- soils and minerals.

Each section in this chapter addresses a topic then introduces the issues. All the issues are issues of regional significance or have been identified as issues of significance to the Wellington region's iwi authorities. Each ~~topic~~ section includes a summary table showing all the objectives that relate to that topic and the titles of the policies and methods that will achieve those objectives. The table also includes a reference to other policies that need to be considered alongside to gain a complete view of the issue across the full scope of the Regional Policy Statement.

2.12 Section 3.1 Air Quality

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.1 is on page 52 of volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

East Harbour Environmental Association Incorporated and New Zealand Pork Industry Board, made submissions on section 3.1 but did not attend the hearing.

Michael James Curtis, Kapiti Coast District Council, The Energy Efficiency and Conservation Authority, New Zealand Defence Force, Wellington City Council, and Wellington Fish and Game Council submitted on section 3.1, and attended the hearing (except, New Zealand Defence Force tabled evidence on other matters), but did not give oral submissions on section 3.1.

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

Winstone Aggregates, Horticulture New Zealand, and Federated Farmers of New Zealand submitted that a new issue be added to section 3.1 to recognise reverse sensitivity effects from sensitive activities locating in close proximity to activities that discharge odour, smoke and dust, can result in discharging activities having to shut down or curtail their operations. Winstone Aggregates and Horticulture New Zealand also requested a new definition for reverse sensitivity. The Hearing Committee agrees with submitters that the definition of ‘reverse sensitivity’ in the proposed Regional Policy Statement is not quoted from case law. The Hearing Committee considers the definition from *Auckland Regional Council v Auckland City Council (1997) 3 ELRNZ 54* should replace the definition of ‘reverse sensitivity’ in Appendix 3 of the proposed Regional Policy Statement. The submitters also requested that reverse sensitivity be elevated to a new issue in section 3.1 as they contend that reverse sensitivity needs to be addressed at the regional level to inform regional and district plans. The Hearing Committee acknowledges the submissions concerning reverse sensitivity but notes that the significant resource management issue relevant is odour, smoke and dust affecting people’s amenity values and wellbeing. Reverse

sensitivity is a planning construct and is prescribed as the planning response for district plans in policy 1(a). The Hearing Committee does not consider that the issue and the planning response are the same thing. The Hearing Committee notes that ‘reverse sensitivity’ is dealt with in various ways through other policies (7 and 60) in the proposed Regional Policy Statement, however, the Hearing Committee did not consider ‘reverse sensitivity’ should be elevated to an issue in section 3.1. In all other respects the Hearing Committee adopted the discussion on submitters Winstone Aggregates, Horticulture New Zealand, and Federated Farmers of New Zealand in the Staff Report.

Refer later in this Decisions Report, to the section on definitions (Appendix 3) for the recommended replacement definition of ‘reverse sensitivity’.

Horticulture New Zealand sought that agrichemicals be added to section 3.1 and the policies relating to air quality. The Hearing Committee noted the comments made in the Staff Report, Volume 1, page 57, that Wellington Regional Council only has isolated reported cases of agrichemical spray drift affecting properties, mostly about the wine growing district of Martinborough. The Hearing Committee noted that section 62 of the Resource Management Act requires the proposed Regional Policy Statement to state only those significant resource management issues affecting the Wellington region. On the basis of the evidence presented to the Hearing Committee to date, agrichemicals do not appear to be a regionally significant issue as required in section 62 of the Resource Management Act. The Hearing Committee concluded that agrichemical spray drift can be a problem from time to time in certain areas but it is not an issue to be addressed by the proposed Regional Policy Statement. Further, the Hearing Committee noted the comments in the Staff Report, page 57, that agrichemicals are currently controlled by rules in the *Regional Air Quality Management Plan for the Wellington Region*. In all other respects the Hearing Committee adopted the discussion on Horticulture New Zealand in the Staff Report.

John Christopher Horne submitted that the words ‘other emissions’ in section 3.1, page 15 of the proposed Regional Policy Statement include contaminants to air from transport, and section 3.1 has no mention of particulates from diesel exhaust. The Hearing Committee took the view that it was not necessary to list all the contaminants to air from motor vehicles as they are complicated and varied. The words on page 15 are of a very general nature and should remain so. There is reference to the effects of motor vehicles on the environment in section 3.9 Regional form, design and function, issue 3, page 57.

Masterton District Council sought that recognition be given to the fact that complying with airshed standards can have cost implications for the community. The Hearing Committee agreed that new policies can have cost implications for councils and local communities, however, the proposed Regional Policy Statement has been through

section 32 analysis, which qualifies the benefits of the provisions. The Hearing Committee concluded that any air shed action plan would be worked out in consultation with the Masterton District Council and its community and any cost implications would be taken into account for changeovers to improved insulation and cleaner forms of heating. In all other respects the Hearing Committee adopted the discussion on Masterton District Council in the Staff Report.

Wellington International Airport Limited sought protection of flight paths from particulate matter. The submitter contends that by referencing the matter in the proposed Regional Policy Statement further rules can be placed into lower planning documents. The Hearing Committee noted the submitter’s concerns. However, the proposed Regional Policy Statement, under section 62 of the Resource Management Act, can only address significant resource management issues for the Wellington region. The Hearing Committee does not consider that aircraft movements are currently affected by fine particulate matter and there is no indication such discharges will be evident in the future. Wellington International Airport has the highest number of aircraft movements and would be at greatest risk from such discharges. The Wellington City Council District Plan has provisions to protect aircraft movements to and from the airport and these provisions are not put in doubt by this process. In Wellington, approaches from the north with land almost totally zoned for residential development would not, in the Hearing Committee view, place aircraft movements in danger of fine particulate matter. The Hood Aerodrome in Masterton could be vulnerable to fine particulate discharges if a large industry were to locate in the vicinity. However, if this were the case the matter would be treated as a local issue and dealt with in the Combined Wairarapa District Plan. The Hearing Committee considers the issue, if it were to become one, is more appropriately a regional and district plan matter and outside the scope of the proposed Regional Policy Statement. In all other respects the Hearing Committee adopted the discussion on Wellington International Airport Limited in the Staff Report.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/4	Accept in part
Michael James Curtis	27/1	Reject
East Harbour Environmental Association Incorporated	33/3	Reject

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/2	Accept in part
John Christopher Horne	49/1	Reject
John Christopher Horne	49/2	Reject
Horticulture New Zealand	50/4	Accept in part
Kapiti Coast District Council	56/2	Reject
Masterton District Council	74/5	Reject
New Zealand Defence Force	86/1	Accept
New Zealand Pork Industry Board	88/2	Accept
The Energy Efficiency and Conservation Authority	117/4	Reject
Wellington City Council	131/1	Accept
Wellington Fish and Game Council	133/3	Accept
Wellington International Airport Limited	134/1	Reject

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

(d) Changes to the proposed Regional Policy Statement

Amend the fourth bullet on page 15 to:

- Industrial discharges from sources – such as abrasive blasting and wood processing ~~and factory farms~~ – can have localised adverse effects. Industries that discharge to air are largely concentrated around Seaview.

2.13 Section 3.1 Air quality - Issue 1: Impacts on amenity and wellbeing from odour, dust and smoke

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.1 Air quality – Issue 1: Impacts on amenity and wellbeing from odour, smoke and dust, is on page 59 of volume 1.

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

New Zealand Defence Force made a submission on issue 1, but did not attend the hearing, but tabled evidence on other matters. Federated Farmers of New Zealand and Christopher John Horne submitted on issue 1, and attended the hearing, but did not give oral evidence on issue 1. The Hearing Committee adopted the discussion on their submissions in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/3	Reject
John Christopher Horne	49/3	Reject
New Zealand Defence Force	86/2	Reject

(d) Changes to the proposed Regional Policy Statement

No change is made to issue 1.

2.14 Section 3.1 Air quality - Issue 2: Health effects from discharges of fine particulate matter

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.1 Air quality – Issue 2: Health effects from discharges of fine particulate matter, is on page 61 of volume 1.

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

John Christopher Horne submitted on issue 2, and attended the hearing, but did not give oral evidence on issue 2. The Hearing Committee adopted the discussion on this submission in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
John Christopher Horne	49/3	Reject

(d) Changes to the proposed Regional Policy Statement

No change is made to issue 2.

2.15 Objective 1: Discharges of odour, smoke and dust to air do not adversely affect amenity values and people’s wellbeing

(a) Staff Report

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

(b) Submissions, evidence heard, and Hearing deliberations

Department of Corrections and South Wairarapa District Council made submissions on objective 1 but did not attend the hearing.

Federated Farmers of New Zealand, Higgins Group Holdings Ltd., Horticulture New Zealand, Makara Ohariu Community Board, and Wellington City Council, submitted on objective 1, and attended the hearing, but did not give oral submissions on objective 1.

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

Airways Corporation of New Zealand sought that objective 1 be amended to include the words “and high velocity vertical discharges” and “or safety”. The Hearing Committee notes the submission from Airways Corporation of New Zealand. The Hearing Committee concluded in relation to section 3.1 of the proposed Regional Policy Statement, that the case for high velocity vertical discharges to air affecting aircraft movements is not a regionally significant issue under section 62 of the Resource Management Act. The submission,

therefore, cannot be addressed by the proposed Regional Policy Statement. The Hearing Committee decided that regional and district plans are the most appropriate place for including provisions to protect air space from high velocity vertical discharges to air. The Hearing Committee notes that objective 1 is about discharges of odour, smoke and dust affecting people’s amenity values and wellbeing. The change sought by the submitter to take into account a specific issue relating to aircraft movements is not within the scope of a regionally significant issue and should be dealt with elsewhere in regional and district plans. In all other respects the Hearing Committee adopted the discussion on Airways Corporation of New Zealand’s submission in the Staff Report.

(c) **Decisions**

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

Submitter	Submission	Decision
Airways Corporation of New Zealand Ltd	4/1	Reject
Department of Corrections	32/1	Accept
Federated Farmers of New Zealand	35/4	Reject
Higgins Group Holdings Ltd	48/1	Accept
Horticulture New Zealand	50/5	Reject
Makara Ohariu Community Board	69/1	Accept
South Wairarapa District Council	112/5	Accept
Wellington City Council	131/45	Accept

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

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

No change is made to objective 1.

2.16 Objective 2: Human health is protected from unacceptable levels of fine particulate matter

(a) Staff Report

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

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

South Wairarapa District Council made a submission on objective 2 but did not attend the hearing. Wellington City Council submitted on objective 2 and attended the hearing, but did not give an oral submission on objective 2. The Hearing Committee adopted the discussion on their submissions in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
South Wairarapa District Council	112/6	Accept
Wellington City Council	131/46	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 2.

2.17 Section 3.2: Coastal Environment

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 3.2 Coastal Environment is on page 65 of volume 1.

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

Wellington Surf Riders Incorporated, East Harbour Environmental Association Incorporated, New Zealand Historic Places Trust and Paula Warren made submissions on Section 3.2 Coastal Environment but did not attend the hearing.

CentrePort Wellington, Anders Crofoot, Federated Farmers, Kapiti Coast District Council, Mighty River Power, TrustPower Limited, Oil companies, South Wairarapa District Council, Tararua Tramping Club, The Energy Efficiency and Conservation Authority and Transpower New Zealand Limited submitted on Section 3.2 Coastal Environment and attended the hearing, but did not make oral submissions on Section 3.2 Coastal Environment.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the oral submissions given at the hearing.

Winstone Aggregates asked for a sentence in issue 3 describing that in some circumstances, interference with natural processes may be appropriate. They requested that a sentence be added: *“in some circumstances, some interference may be appropriate - for example extraction of sand or gravel to reduce flood risk, or planting of coastal vegetation as part of dune building programmes”*.

Winstone Aggregates also submitted that it is necessary to recognise that due to the complexity of the coastal environment, the effects of some proposed activities may not be completely known or understood prior to undertaking the activity. A suggestion was made to add a new objective around appropriateness of activities which have no more than minor effects. A new policy was also suggested to enable appropriate use and development in the coastal environment, and possibly a similar policy relating to district and regional plans.

The Hearing Committee considered that situations where interference with coastal processes is appropriate and the use of adaptive management are matters of detail and have not been identified as matters of regional significance. It is therefore not appropriate to include them in issue 3. If interference results in positive benefits, then this may form part of the balancing undertaken when the matters of Part 2 of the Act are being considered. Policy 35 now caters for the determination of appropriateness, therefore a new objective and policy is unnecessary. The Hearing Committee rejected this submission on section 3.2 coastal environment.

New Zealand Transport Agency submitted that they supported the reference to the important role that the Wellington region’s

infrastructure plays in the coastal environment. This support was noted by the Hearing Committee.

Wellington City Council highlighted that they indeed have undertaken public access planning through their Open space Access Plan. However, in the introduction section of Section 3.2, it is stated that no strategic planning regarding public access had been undertaken. Wellington City Council supported the recommended changes to this section which changed this statement to say that there has been no *region-wide* strategic planning for public access. The Hearing Committee agreed with this recommended change.

Wellington International Airport submitted that they accepted the officer's comments in relation to not including Wellington International Airport as an example of regionally significant infrastructure, but do not understand why the list was amended to provide for Transpower New Zealand Limited (submitter 123/5). The Hearing Committee agreed that Wellington International Airport is already listed as an item of regionally significant infrastructure in the definition section on page 174 of the proposed Regional Policy Statement. The items listed on page 19 of the proposed Regional Policy Statement are examples of regionally significant infrastructure. Transpower New Zealand Limited's submission was accepted as it provided for other transmission facilities generally without being specific.

Porirua City Council was pleased that the regional significance of the Porirua Harbour is going to be specifically recognised in the proposed Regional Policy Statement. The Hearing Committee noted this support for new policy 5a and new method 29a, as discussed in Volume 1 of the Staff Report, page 80 and 81 respectively. New policy 5a and new method 29a are added to chapter 4 of the Regional Policy Statement in the respective sections of this report.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/5	Accept in part
CentrePort Wellington	23/1	Accept
CentrePort Wellington	23/2	Reject
Anders Crofoot	25/5	Accept in part
East Harbour Environmental	33/4	Accept

Submitter	Submission	Decision
Association Incorporated		
Federated Farmers of New Zealand	35/4	Accept in part
Kapiti Coast District Council	56/3	Reject
Mighty River Power	83/4	Accept
New Zealand Historic Places Trust	87/1	Reject
NZ Transport Agency	91/2	Accept
Oil Companies	92/1	Accept
Porirua City Council	100/2	Accept
South Wairarapa District Council	112/7	Accept
South Wairarapa District Council	112/8	Accept in part
Tararua Tramping Club	114/5	Accept
The Energy Efficiency and Conservation Authority	117/5	Accept in part
Transpower New Zealand Limited	123/5	Accept
TrustPower Limited	124/3	Accept
Paula Warren	128/1	Accept
Wellington City Council	131/2	Accept in part
Wellington International Airport Limited	134/2	Reject
Wellington Surf Riders Club Inc	137/1	Reject

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

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

Amend Section 3.2 Coastal Environment, on page 19, as follows:

Revised paragraph 3:

As well as its cultural importance, the coastal environment is important to the regional community for recreation and general enjoyment. It is also the location of many activities and structures that require a coastal location. Significant infrastructure – such as Centreport, the Cook Strait cable and other transmission infrastructure, and several state highway and rail corridors – is located in the coastal environment. This infrastructure is essential

to the community's economic and social wellbeing. This region's coastal environment also has significant wind and marine energy resources. There are also other commercial activities that may be appropriate in highly modified coastal areas.

Revised paragraph 4:

The Regional Policy Statement must give effect to the New Zealand Coastal Policy Statement, which provides a policy framework for both the wet and dry parts of the coastal environment. This framework recognises the ecological, geographical, cultural, social, and economic linkages between land and sea, and the complementary responsibilities that different authorities have for coastal management. Other National Policy Statements are also relevant.

Insert new paragraph 6:

Much of the region's coastal environment is in private ownership and is being actively farmed. This rural land use has had a significant impact on the coastal environment resulting in landscapes which are 'modified but natural' in the continuum of natural character. These pastoral landscapes are valued by people not only for their natural character (aesthetic appeal) but also by landowners for the economic benefits they derive from them. While farming activities have modified the coastal environment, these pastoral "working landscapes", in some cases, have helped to prevent further more intensive development.

Insert new paragraph at the end of the introduction:

The implications of sea-level rise on the coastal environment also need to be considered when looking at the potential effects of new subdivisions, use and development.

2.18 Section 3.2 Coastal Environment - Issue 1: Adverse effects on the natural character of the coastal environment

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Issue 1 is on page 82 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anders Crofoot, Federated Farmers and Wellington Fish and Game Council submitted on issue 1 and attended the hearing, but did not make oral submissions on issue 1.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the oral submissions given at the hearing.

Horticulture New Zealand further submitted in support of **Anders Crofoot's** submission and sought that greater recognition be given to the importance of rural production activities in the coastal environment. The Hearing Committee determined that changes to the introduction section have assisted in clarifying that there is a continuum of natural character in the coastal environment from pristine to highly modified and that this allows for rural production activities to occur.

(c) Decisions

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

Submitter	Submission	Decision
Anders Crofoot	25/6	Reject
Federated Farmers of New Zealand	35/6	Accept
Wellington Fish and Game Council	133/4	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend issue 1, on page 20, as follows:

1. Adverse effects on the natural character of the coastal environment

The natural character of the region's coastal environment has been, and continues to be, adversely affected by activities such as

large-scale earthworks for housing developments and roads, changes in land use and the placement of structures.

2.19 Section 3.2 Coastal Environment - Issue 2: Coastal water quality and ecosystems

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Issue 2 is on page 83 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

John Christopher Horne submitted on issue 2 and attended the hearing, but did not refer specifically to issue 2 during his oral submission.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the oral submissions given at the hearing.

Winstone Aggregates further submitted in opposition to **John Christopher Horne's** submission and argued that it should be recognised that some human activities and discharges can have only minor or less than minor adverse effects on the environment. They also sought more balance overall in the coastal environment section. The Hearing Committee rejected these submission points and concluded that determining the actual and potential effects of human activities are the responsibility of the applicant when they are applying for resource consent. The Regional Policy Statement provides a directional framework.

(c) Decisions

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

Submitter	Submission	Decision
John Christopher Horne	49/5	Reject

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

(d) Changes to the proposed Regional Policy Statement

There is no change to issue 2.

2.20 Section 3.2 Coastal Environment - Issue 3: Human activities interfere with natural coastal processes

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Issue 3 is on page 84 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anders Crofoot submitted on issue 3 and attended the hearing, but did not make an oral submission on issue 3.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the oral submission given at the hearing.

(c) Decisions

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

Submitter	Submission	Decision
Anders Crofoot	25/7	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend Issue 3(b), on page 20, as follows:

“Sand dunes and dune vegetation ~~are being destroyed~~ can be significantly affected by inappropriate development, vehicles, and trampling by people and animals”.

2.21 Section 3.2 Coastal environment and Section 3.4 Fresh water - Issue 4: Public access to and along the coastal marine area, lakes and rivers. (This issue is shared with section 3.4 Fresh water.)

(a) Staff report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Issue 4 of the coastal environment and freshwater sections is on page 85 of volume 1.

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

The Tararua Tramping Club made submissions on issue 4 but did not attend the hearing.

CentrePort Wellington, Anders Crofoot, Federated Farmers of New Zealand, John Christopher Horne and Wellington Fish and Game Council attended the hearing, but did not make oral submissions on issue 4. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussions on their submissions in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
CentrePort Wellington	23/3	Accept
Anders Crofoot	25/8	Accept in part
Federated Farmers of New Zealand	35/7	Accept in part
John Christopher Horne	49/6	Reject
Tararua Tramping Club	114/6	Accept in part
Wellington Fish and Game Council	133/5	Accept

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

(d) Changes to the proposed Regional Policy Statement

Amend the second paragraph on page 20 as follows:

The maintenance and enhancement of public access to and along the coastal marine area is another matter of national importance in the Resource Management Act. Where land is publicly owned, public access can be enhanced by providing walking tracks and recreational areas. Where land is privately owned, city and district councils can take esplanade reserves or strips as part of subdivisions. On private land that is not proposed to be subdivided, however, public access is at the discretion and with the permission of the landowner. To date, there has been no region-wide strategic planning in the region that has identified where public access should be enhanced. Where esplanade reserves and strips have been taken for public access, city and district councils sometimes struggle to maintain them. Even where there is legal access, it is not always aligned with access that is physically possible. There are circumstances where public access to the coastal marine area, lakes and rivers may not be desirable – such as to provide security for regional infrastructure and prevent harm to the public.

Amend the last paragraph on page 34 as follows:

Where land is privately owned, city and district councils can take esplanade reserves or strips as part of subdivisions. On private land that is not proposed to be subdivided, however, public access is at the discretion and with the permission of the landowner. To date, there has been no region-wide strategic planning in the region that has identified where public access should be enhanced. Where esplanade reserves and strips have been taken for public access, city and district councils sometimes struggle to maintain them. Even where there is legal access, it is not always aligned with access that is physically possible. There are circumstances where public access to the coastal marine area, lakes and rivers may not be desirable – such as to provide security for regional infrastructure and prevent harm to the public

Amend section 3.2 issue 4, on page 20, as a result of the submission by CentrePort Wellington on section 3.4:

- 4 Public access to and along the coastal marine area, lakes and rivers (shared with Issue 4 in section 3.4)

Amend section 3.4 issue 4, on page 40, as a result of the submission by CentrePort Wellington on section 3.4 as follows:

- 4 Public access to and along the coastal marine area, lakes and rivers (shared with Issue 4 in section 3.2)

2.22 Objective 3: Habitats and features in the coastal environment are protected because of their significant indigenous biodiversity, recreational, cultural, historical or landscape values

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 3 is on page 90 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Anthony Roy Edwards and New Zealand Historic Places Trust made submissions on objective 3 but did not attend the hearing.

Federated Farmers, TrustPower Limited, Pauatahanui Inlet Community Trust and Wellington City Council submitted on objective 3 and attended the hearing, but did not give oral submissions on objective 3.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the oral submissions given at the hearing.

Meridian Energy Limited provided evidence that it is reasonable to retain objectives 3 and 4 as two separate objectives only if the wording of objective 3 is changed to correct the undue emphasis given to values not given unqualified protection by the Act namely recreational, cultural, historical or landscape values. As a solution to this, Meridian Energy Limited suggested separating out the biodiversity value from the other four value sets:

- “Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected; and
- “Habitats and features in the coastal environment that have recreational, cultural, historical or landscape values that are significant in the regional context are protected from inappropriate subdivision, use and development”.

The Hearing Committee considered whether there is already sufficient differentiation of the protection provided for in this objective and agreed that policies that give effect to objective 3 are qualified where appropriate e.g. policy 21, and the Act provides the ultimate determination when an assessment is being undertaken. The Committee determined that the intent of the objective should be made clearer, and that the wording as requested by Meridian Energy Limited was generally acceptable. The proposed wording separates the habitats and features in the coastal environment according to their values. The Hearing Committee considered however that the words *in the regional context* in Meridian Energy Limited's suggested rewording were not useful and should not be used as this policy document is already regional in scope.

Oil companies stated during their evidence that as drafted, objective 3 implies that all habitats and features have significant indigenous biodiversity, recreational, cultural, and historical or landscape values as they are located in the coastal environment, and that they all require protection. They also explained that it is reasonable to anticipate some change occurring over time, as long as the values of those significant habitats and features are protected. To resolve this, they suggested rewording objective 3:

“The significant indigenous biodiversity, recreational, cultural, and historical or landscape values of habitats and features in the coastal environment shall be protected”.

Transpower New Zealand Limited submitted that objective 3 be amended to refer to the protection of values of habitat and features in the coastal environment from *inappropriate* use and development. Transpower believes that it is implied that because of their location within a coastal environment that all habitats and features have significant indigenous biodiversity, recreational, cultural, and historical or landscape values, and require protection.

Transpower New Zealand Limited also submitted that it is the values of habitats and features in the coastal environment that should be afforded protection, not just the features themselves. They submitted that it is reasonable to expect change occurring over time, as long as the values are protected. Transpower New Zealand Limited offered the following rewording of objective 3:

“The significant indigenous biodiversity, recreational, cultural, historical, or landscape values of habitats and features in the coastal environment shall be protected”.

The Committee acknowledges that objective 3 could be read to imply that all habitats and features have significant values purely because they are within the coastal environment. They considered that the wording of the amended objective will meet **Oil Companies** and

Transpower New Zealand Limited's concerns as opposed to the wording these submitters provided in their relief sought

The Hearing Committee sought as a consequential amendment relating to objective 3 that cross referencing is undertaken to include Resource management with tangata whenua, policies 47 and 48 in 'Table 2: Coastal Environment objectives and titles of policies and methods to achieve the objectives' (page 21 of the proposed Regional Policy Statement), instead of being consideration policies.

(c) Decisions

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

Submitter	Submission	Decision
Anthony Roy Edwards	34/1	Reject
Federated Farmers of New Zealand	35/8	Reject
Meridian Energy Limited	82/1	Accept in part
New Zealand Historic Places Trust	87/2	Accept
Oil Companies	92/2	Accept in part
Pauatahanui Inlet Community Trust	95/1	Reject
Transpower New Zealand Limited	123/6	Reject
TrustPower Limited	124/4	Reject
Wellington City Council	131/47	Accept

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

(d) Changes to the proposed Regional Policy Statement

Amend objective 3, on page 21, as follows:

Habitats and features in the coastal environment ~~are protected because of their significant indigenous biodiversity, recreational, culture, historical or landscape values~~ that have significant indigenous biodiversity values are protected; and

Habitats and features in the coastal environment that have recreational, cultural, historical or landscape values that are significant are protected from inappropriate subdivision, use and development.

2.23 Objective 4: The natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 4 is on page 94 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on objective 4 but did not attend the hearing.

Meridian Energy Limited, Mighty River Power, Oil Companies, South Wairarapa District Council, Transpower Limited and Wellington City Council submitted on objective 4 and attended the hearing, but did not make oral submissions on objective 4.

There was no evidence presented at the hearing regarding objective 4.

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

(c) Decisions

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

Submitter	Submission	Decision
Meridian Energy Limited	82/2	Accept in part
Mighty River Power	83/5	Accept
New Zealand Historic Places Trust	87/3	Accept
Oil Companies	92/3	Accept

Submitter	Submission	Decision
South Wairarapa District Council	112/9	Accept
Transpower New Zealand Limited	123/7	Accept
Wellington City Council	131/48	Accept

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

(d) Changes to the proposed Regional Policy Statement

There is no change to objective 4.

2.24 Objective 5: Areas of the coastal environment where natural character has been degraded are restored and rehabilitated

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 5 is on page 96 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on Objective 5 but did not attend the hearing.

Federated Farmers, South Wairarapa District Council and Wellington City Council submitted on objective 5 and attended the hearing, but did not make oral submissions on objective 5.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the oral submissions given at the hearing.

Masterton District Council submitted that as proposed, objective 5 “requires” that the coastal environment is restored and re-habilitated and that this goes beyond the requirement of the Act and could place an additional financial burden on territorial authorities. They sought that objective 5 be amended by deleting the words *restored and rehabilitated* to **read *maintained and enhanced in accordance with section 7 of the Act.*** **Masterton District Council** did not believe that the words *maintained and enhanced* should be elevated to something

more restrictive, and that the wording used in the Act should be adequate.

Horticulture New Zealand sought changes to objective 5 on the basis that restoring degraded areas is not a section 6 matter. Horticulture New Zealand submitted that objectives included in the proposed Regional Policy Statement need to give effect to the Act, and this includes the preservation of natural character of the coastal environment. They believed that including an objective that goes beyond that is inappropriate.

The Hearing Committee agreed with the argument in the Staff Report that objective 5 is supported only by a non-regulatory policy and that therefore the terms ‘restored and rehabilitated’ are appropriate in this instance. This term is also that used in the current New Zealand Coastal Policy Statement 1994.

(c) **Decisions**

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/9	Reject
Horticulture New Zealand	50/6	Reject
Masterton District Council	74/1	Reject
New Zealand Historic Places Trust	87/4	Accept
South Wairarapa District Council	112/10	Reject
Wellington City Council	131/49	Accept

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

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

There is no change to objective 5.

2.25 Objective 7: The integrity, functioning and resilience of physical and ecological processes in the coastal environment are protected from the adverse effects of subdivision, use and development

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 7 is on page 99 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Federated Farmers and Wellington City Council submitted on objective 7 and attended the hearing, but did not make oral submissions on objective 7.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Meridian Energy Limited submitted that objective 7 should be amended to read “the integrity, functioning and resilience of physical and ecological processes in the coastal environment are protected from the adverse effects of *inappropriate* subdivision, use and development”. Staff had recommended rejecting this point as the subject matter is a section 6(c) matter under the Act.

Meridian Energy Limited submitted that the subject matter of section 6(c) is more limited than ‘ecosystems or ecological processes’, and only includes indigenous vegetation and habitats of indigenous fauna and only those that are significant. Meridian Energy Limited considered that ‘ecosystems and ecological processes’ is considerably broader and includes elements of the coastal environment captured by section 6(a), which includes the qualifier ‘from inappropriate subdivision, use and development’. Meridian Energy Limited suggested that the intention of the Act is that coastal processes, “...wetlands... rivers and their margins” within the coastal environment are not protected in absolute terms. Therefore Meridian Energy Limited suggested re-wording objective 7 to include the qualifying term ‘inappropriate’.

Mighty River Power further submitted in support of Meridian Energy Limited’s submission seeking objective 7 be amended to include the qualifier “inappropriate” prior to the words subdivision, use and development. Like Meridian Energy Limited they also stated during

their presentation that they believe the scope of objective 7 is much broader than section 6(c) of the Act.

The Hearing Committee acknowledged that there are different levels of protection provided for in section 6 (a) and (c). However they decided that regardless of this, the protection of ecological processes is provided for under section 5(2) (b) of the Act and there it has unqualified protection.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/10	Reject
Meridian Energy Limited	82/3	Reject
Wellington City Council	131/50	Accept

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

(d) Changes to the proposed Regional Policy Statement

There is no change to objective 7.

2.26 Objective 8: Public access to and along the coastal marine area, lakes and rivers is enhanced (this objective is shared with section 3.4 Fresh water, Table 4)

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 8 is on page 101 of volume 1.

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

The Korokoro Environment Group and New Zealand Historic Places Trust made submissions on objective 8 but did not attend the hearing. CentrePort Wellington, Masterton District Council, Wellington Fish

and Game Council and Wellington City Council attended the hearing, but did not make oral submissions on issue 4.

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

(c) Decisions

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

Submitter	Submission	Decision
CentrePort Wellington	23/4	Reject
Korokoro Environment Group	65/1	Accept
Masterton District Council	74/2	Reject
New Zealand Historic Places Trust	87/5	Accept
Wellington Fish and Game Council	133/6	Accept
Wellington City Council	131/51	Accept

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

(d) Changes to the proposed Regional Policy Statement

Amend objective 8 in Table 2 (on page 25, within section 3.2) and Table 4 (on page 40, within section 3.4), as a result of the submission by CentrePort on section 3.4, as follows:

Public access to and along the coastal marine area, lakes and rivers is enhanced (objective 8 is shared for the coastal environment and fresh water).

2.27 Section 3.3: Energy, infrastructure and waste

(a) Staff Report

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

recommends decisions and recommends changes to the proposed Regional Policy Statement. Section 3.3 is on page 103 of volume 1.

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

The Department of Corrections, Linda Hoyle, Westfield New Zealand Ltd, South Wairarapa District Council, Diane and Mike Strugnell, and Shear Hard Work made submissions on section 3.3 but did not attend the hearing.

Higgins Group Holdings Ltd, Horticulture New Zealand, Anders Crofoot, Meridian Energy Limited, Kapiti Coast District Council, Federated Farmers of New Zealand, Mighty River Power, Transpower New Zealand Limited, Oil Companies, Preserve Pauatahanui Incorporated, The Energy Efficiency and Conservation Authority, Masterton District Council, TrustPower Limited, and Wellington Fish and Game Council submitted on section 3.3 and attended the hearing, but did not give oral submissions on section 3.3.

New Zealand Defence Force did not attend the hearing, provided additional written submissions, but did not provide additional submissions on section 3.3.

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

The Department of Corrections originally submitted requesting the inclusion of social infrastructure and essential social infrastructure. The Staff Report recommended including certain social infrastructure in the definition of regionally significant infrastructure and amending the explanation of policy 6 to explicitly include emergency services as part of the provision of essential services. The Hearing Committee considered that the definition of regionally significant infrastructure should be limited to what is included in the definition of infrastructure in the Resource Management Act. It was acknowledged that social infrastructure is important to the Wellington region and the country, but that the recognition of health and safety and emergency services in policies such as policy 6 was sufficient to address important social infrastructure. The Hearing Committee did not consider it appropriate to include social infrastructure in the definition of regionally significant infrastructure because of the different nature of benefits and importance to the Wellington region specifically. The benefits and importance to the Wellington region are received by virtue of being part of the nation, rather than directly. No change to the definition of regionally significant infrastructure was made. The Hearing Committee amended policy 6 to include the definition of

essential services in the policy itself and deleted the sentence in the explanation.

South Wairarapa District Council made a written submission querying the absence of the Meridian Energy Turbine in Brooklyn from the second paragraph on page 27 of the proposed Regional Policy Statement. The Hearing Committee considered that the paragraph should be amended to a more general and inclusive statement rather than an exhaustive list of sites. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

The Energy Efficiency and Conservation Authority made a written submission requesting reference to the marine energy development that has been granted resource consent. The Hearing Committee agreed that this should be included, but considered that it should be made clear that the development that was consented was a trial. The wording has been amended accordingly.

Winstone Aggregates sought an additional paragraph on resource unavailability or inefficiencies in obtaining resources required to maintain and construct infrastructure. The Hearing Committee agreed with the Staff Report, that an additional paragraph is not required in section 3.3 on the future needs of infrastructure. The Hearing Committee considered that new infrastructure resource requirements will need to be worked out on a case by case basis and further explanation of these issues is not required in the proposed Regional Policy Statement.

John Christopher Horne requested reference to peak oil and the Kyoto Protocol. The Hearing Committee concurred with the discussion in the Staff Report on this matter and no change is to be made to the proposed Regional Policy Statement. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

NZ Transport Agency requested each infrastructure activity be discussed individually and recognition be included that regionally significant infrastructure can have adverse effects on the environment which need to be balanced and managed appropriately. The Hearing Committee concurred with the discussion in the Staff Report on this matter, however the Hearing Committee considered that the first paragraph under the 'infrastructure' heading on page 28 of the proposed Regional Policy Statement should be amended to refer to the roading network, as all other transport infrastructure is referred to in that paragraph. The Hearing Committee also considered adverse effects of regionally significant infrastructure should be recognised and a paragraph is added accordingly.

Wellington International Airport Limited requested that competing interests be more specifically covered rather than being left to Part II of the Resource Management Act, due to the importance of regionally significant infrastructure. The Hearing Committee considered that

competing interests are adequately addressed in other sections of the proposed Regional Policy Statement as well as under Part II of the Resource Management Act. It is inappropriate to have general preference statements without having regard to the circumstances of individual activity applications. A statement has been added to section 3.3 and the explanation of policies 6, 7, and 38 regarding the need to balance competing interests with the benefits of regionally significant infrastructure.

Paraparaumu Airport Limited requested that Paraparaumu Airport be recognised and included in the list of regionally significant infrastructure. Evidence was provided that commercial domestic passenger flights currently operate out of the airport, which means the airport is considered significant as a ‘gateway’ for tourists to enter the Wellington region. The Hearing Committee therefore agreed that the definition of regionally significant infrastructure should be amended to include Paraparaumu Airport.

Wellington City Council supported energy efficient design and small scale generation, requested stronger wording regarding greenhouse gases, and requested that the Meridian Energy turbine in Brooklyn be added to the second paragraph on page 27. The Hearing Committee noted the support and considered the current wording regarding greenhouse gases is appropriate, but also noted the points raised were beyond the scope of Wellington City Council’s submission. The Hearing Committee noted the request for Brooklyn Turbine to be included but also noted that this request is beyond the scope of Wellington City Council’s submission. In response to a submission from South Wairarapa District Council on the same matter, the second paragraph on page 27 of the proposed Regional Policy Statement was amended to no longer include reference to any specific operations. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Regional Public Health supported the section. The support was noted. However, the Hearing Committee also noted that this is beyond the scope of Regional Public Health’s submission.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/6	Reject
Department of Corrections	32/2	Accept in part

Submitter	Submission	Decision
Higgins Group Holdings Ltd	48/2	Reject
John Christopher Horne	49/7	Reject
John Christopher Horne	49/8	Reject
Horticulture New Zealand	50/7	Reject
Linda Hoyle	51/1	Reject
Kapiti Coast District Council	56/4	Accept
Meridian Energy Limited	82/4	Accept
Mighty River Power	83/6	Accept in part
NZ Transport Agency	91/3	Accept in part
Paraparaumu Airport Ltd	94/1	Accept
Preserve Pauatahanui Incorporated	101/1	Accept in part
South Wairarapa District Council	112/11	Accept in part
Diane and Mike Strugnell	113/2	Accept in part
The Energy Efficiency and Conservation Authority	117/6	Accept in part
Transpower New Zealand Limited	123/8	Accept in part
TrustPower Limited	124/5	Reject
TrustPower Limited	124/6	Accept in part
TrustPower Limited	124/7	Accept in part
Wellington City Council	131/3	Noted
Wellington City Council	131/4	Reject
Wellington City Council	131/5	Noted
Wellington Fish and Game Council	133/7	Accept in part
Shear Hard Work	141/4	Accept

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

(d) Changes to proposed Regional Policy Statement

Amend section 3.3 on page 27 as a result of the submissions above and as a result of the submission by Porirua City Council on policy 10 and NZ Transport Agency's submission on policy 6, as follows:

Energy

Paragraph two

~~In 2009, the Hau Nui wind farm, near Martinborough, a small hydro generation site at Kourarau Dam near Gladstone in the Wairarapa, and two landfill gas generation plants at the Silverstream and Wellington City Southern landfill were the only generation sites in the Wellington region.~~ Energy generation operations in the Wellington region include wind, hydro, and landfill gas. Resource consent has been granted for a trial marine energy development in Cook Strait.

Paragraph seven

The Wellington region faces several major long-term energy challenges, including responding to climate change and tackling carbon emissions, especially from transportation and energy generation. Other challenges are securing clean, renewable energy at affordable prices and using it efficiently, as well as responding to impacts on the region from oil depletion and the rising costs of oil. This means looking to make better use of existing energy resources through energy conservation and efficiency, better utilising the region's renewable energy resources, and looking at ways that the impacts from oil price increases and oil depletion can be mitigated.

Paragraph one, page 28

The region contains significantly greater renewable energy resources than are currently used. Wind, biofuels and solar (for hot water systems), have been identified as possible renewable energy generation sources for the region. There is also the potential for domestic-scale and small-scale distributed renewable energy generation including small-scale hydro in the region. Tidal currents in Cook Strait and, to a lesser extent, wave action in Cook Strait and off the Wairarapa coast are also potentially significant renewable energy resources, but technological advances are required to realise this potential. New Zealand has limited locations appropriate for marine energy development and

the Cook Strait has one of the best tidal/ocean current resources in the country.

Infrastructure

The ~~transport~~ roading network, airports, the port, telecommunication facilities, the rail network and other utilities and infrastructure, including energy generation, transmission and distribution networks, are significant physical resources. This infrastructure forms part of national or regional networks and enables communities to provide for their social, economic, and cultural wellbeing and their health and safety. The efficient use and development of such infrastructure can be adversely affected by development. For example, land development can encroach on infrastructure or interfere with its efficient use. Infrastructure can also have an adverse effect on the surrounding environment. For example, the operation or use of infrastructure can create noise which may adversely impact surrounding communities. These effects need to be balanced to determine what is appropriate for the individual circumstances.

The National Policy Statement on Electricity Transmission (2008) sets out objectives and policies to enable the management of effects on and of the electricity transmission network under the Resource Management Act. The Statement recognises that efficient and secure electricity transmission plays a vital role in the well-being of New Zealand and makes it explicit that electricity transmission is to be considered a matter of national significance.

2.28 Section 3.3 Energy, infrastructure and waste - Issue 1: Energy

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Section 3.3 issue 1 is on page 121 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Westfield New Zealand Ltd made submissions on section 3.3 issue 1 but did not attend the hearing.

John Christopher Horne, TrustPower Limited, and Preserve Pauatahanui Incorporated submitted on section 3.3 issue 1 and

attended the hearing, but did not give oral submissions on section 3.3 issue 1.

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

Meridian Energy Limited requested the issue be amended to discuss the dependence on fossil fuels in the Wellington region and the potential for renewable energy generation. The Hearing Committee noted that the last paragraph on page 27 and the first paragraph on page 28 address the matters raised by the submitter. It is also addressed in issue 2 infrastructure, and these issues are to be read in conjunction when dealing with energy infrastructure so no change was necessary.

The Energy Efficiency and Conservation Authority supported the recommended changes to this issue. The Hearing Committee noted this support. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

(c) **Decisions**

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

Submitter	Submission	Decision
John Christopher Horne	49/9	Reject
Meridian Energy Limited	82/5	Reject
Preserve Pauatahanui Incorporated	101/2	Reject
The Energy Efficiency and Conservation Authority	117/7	Accept in part
TrustPower Limited	124/8	Reject
Westfield New Zealand Ltd	138/14	Accept in part

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

(d) Changes to proposed Regional Policy Statement

Amend section 3.3 issue 1, on page 29, as follows:

1. Energy

The Wellington region is dependent on externally generated electricity and overseas-sourced fossil fuels and is therefore vulnerable to supply disruptions and energy shortages. In addition, demand for energy is increasing. However, significant renewable energy resources exist within the region.

2.29 Section 3.3 Energy, infrastructure and waste – Issue 2: Infrastructure

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Section 3.3 issue 2 is on page 124 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Westfield New Zealand Ltd made submissions on section 3.3 issue 2 but did not attend the hearing.

New Zealand Defence Force submitted on section 3.3 issue 2, did not attend the hearing, provided additional written submissions, but did not provide additional submissions on section 3.3 issue 2.

TrustPower Limited submitted on section 3.3 issue 2 and attended the hearing, but did not give oral submissions on section 3.3 issue 2.

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

Winstone Aggregates reiterated their request for inclusion of the recognition of the impact of resource unavailability or inefficiencies. The Hearing Committee concurred with the discussion in the Staff Report and no changes are made to the proposed Regional Policy Statement. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

NZ Transport Agency raised concerns regarding the definition of ‘adjacent’ in case law. *Wellington v Lower Hutt* [1904] AC 773 stated “‘Adjacent’ land is not confined to land which is adjoining but includes places which are nearby’. This has been followed in several cases, including *Ports of Auckland v Auckland City Council* [1999] 1 NZLR 601 and *Murray v Whakatane District Council* [1999] 3 NZLR 276, which all provide further guidance for the definition of adjacent. The Hearing Committee concurred with the discussion in the Staff Report.

The Energy Efficiency and Conservation Authority supported the recognition of issue 2 as a significant resource management issue. The submitter did not submit on issue 2 specifically but made a general submission point on section 3.3 of the proposed Regional Policy Statement. The Hearing Committee noted this support.

Oil Companies, Transpower New Zealand Limited, and PowerCo wanted recognition of the adverse effects of infrastructure included. The submitters did not mention issue 2 specifically in their original submissions but made general submissions under section 3.3 of the proposed Regional Policy Statement. The Hearing Committee considered the balancing of adverse effects was adequately addressed through cross-referencing to other sections of the proposed Regional Policy Statement and references in the introduction to section 3.3. However, the Hearing Committee considered it appropriate to include a further statement in the introduction to section 3.3 regarding the adverse effects of infrastructure and the need for these to be balanced in each case. The Hearing Committee considered it appropriate to also reference the need to balance competing considerations in the explanations for policies 6, 7, and 38.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/7	Reject
New Zealand Defence Force	86/3	Accept in part
NZ Transport Agency	91/4	Accept in part
TrustPower Limited	124/9	Accept
Westfield New Zealand Ltd	138/15	Accept in part

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

(d) Changes to proposed Regional Policy Statement

Amend section 3.3 issue 2, on page 29, as follows:

2. Infrastructure

Infrastructure enables communities to provide for their social, economic and cultural wellbeing. The management, use and operation of infrastructure can be adversely affected when incompatible land uses occur under, over, or ~~alongside~~ adjacent.

2.30 Section 3.3 Energy, infrastructure and waste – Issue 3: Waste

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Section 3.3 issue 3 is on page 126 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Westfield New Zealand Ltd made submissions on section 3.3 issue 3 but did not attend the hearing.

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

Winstone Aggregates sought an amendment to issue 3 to recognise the important role that cleanfills have in diverting waste from landfills. The Hearing Committee considered that cleanfills are an issue under section 62 (1) (a) of the Resource Management Act and concurred with the Staff Report that there are sufficient national guidelines and provisions in district and regional plans to control the effects from cleanfills. The Hearing Committee did not consider that cleanfills need to be added to issue 3.

(c) Decisions

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

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

Submitter	Submission	Decision
Winstone Aggregates	15/8	Reject
Westfield New Zealand Ltd	138/16	Accept

(d) Changes to proposed Regional Policy Statement

No change is made to issue 3.

2.31 Objective 9: The region's energy needs are met in ways that ...

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 9 is on page 127 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

East Harbour Environmental Association Incorporated, Makara Ohariu Community Board, and South Wairarapa District Council made submissions on objective 9 but did not attend the hearing.

TrustPower Limited submitted on objective 9 and attended the hearing, but did not give oral submissions on objective 9.

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

Makara Guardians Incorporated requested an amendment to clause (c) to 'make best use of...' instead of 'maximise' and an additional clause to refer to not adversely affecting local communities. They also suggested alternative clauses relating to noise limitations and setbacks. The Hearing Committee concurred with the discussion in the Staff Report regarding the amendment to clause (c), so no change was made. The suggested alternative clauses are considered more appropriate for plan rule conditions rather than as objectives, so no change was made. The Hearing Committee acknowledged that there are adverse effects of renewable energy generation infrastructure and

projects, and the need for the competing considerations to be weighed is now recognised in the explanations to policies 6, 7, and 38. An additional statement acknowledging the adverse effects of infrastructure and the need to balance the effects in each case has also been added to the introduction to section 3.3. The Hearing Committee understood the concerns of Makara Guardians Incorporated related to the lack of recognition of adverse effects on the local community.

The proposed Regional Policy Statement addresses odour and dust, visual amenity, recreational amenity, and cultural and historic amenity through several objectives and policies. Other objectives and policies, such as indigenous biodiversity, ecosystems, and water quality may indirectly add to community amenity values through improving cultural, visual, and recreational amenity. Noise and vibration is not addressed in the proposed Regional Policy Statement but this is a function required to be addressed by district councils under the Resource Management Act, and all district councils in the Wellington region address noise in their plans. The adverse effect of noise from infrastructure on surrounding communities is given as an example in the introduction to section 3.3. No other change was made.

Mighty River Power reiterated their concerns regarding reference to national and regional benefits. The Hearing Committee concurred with the discussion in the Staff Report and no change was made.

Porirua City Council reiterated their submission requesting a new method to create a regional energy strategy and stated the opinion that the Staff Report inadequately addressed this request. The Hearing Committee noted that the Staff Report discusses, on page 130 of volume 1, several areas of work that Wellington Regional Council is engaged in and considered this to adequately address the point. The Hearing Committee concurred with the discussion in the Staff Report and no change was made.

The Energy Efficiency and Conservation Authority, Genesis Energy, and Wellington City Council supported the objective. The Hearing Committee noted the support.

Regional Public Health supported the objective. The Hearing Committee noted the support, but also noted this was beyond the scope of Regional Public Health's submission.

Agenda Development Planning reiterated their submission on policy 6, which links back to objective 9. The Hearing Committee concurred with the discussion in the Staff Report and no change was made. The Hearing Committee also noted any changes to objective 9 are beyond the scope of Agenda Development Planning's submission.

(c) Decisions

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

Submitter	Submission	Decision
East Harbour Environmental Association Incorporated	33/5	Accept in part
Genesis Energy	40/1	Accept
Makara Guardians Incorporated	68/1	Accept in part
Makara Ohariu Community Board	69/2	Accept in part
Meridian Energy Limited	82/6	Accept
Mighty River Power	83/7	Reject
Porirua City Council	100/3	Accept in part
South Wairarapa District Council	112/12	Reject
The Energy Efficiency and Conservation Authority	117/8	Accept
TrustPower Limited	124/10	Reject
Wellington City Council	131/52	Accept

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

(d) Changes to proposed Regional Policy Statement

No change is made to objective 9.

2.32 Objective 10: The social, economic, cultural and environmental benefits of regionally significant infrastructure are recognised and protected

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009*

volumes 1&2 November 2009 (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 10 is on page 132 of volume 1.

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

Westfield New Zealand Limited made a submission on objective 10 but did not attend the hearing.

New Zealand Defence Force submitted on section 3.3 issue 2, did not attend the hearing, provided additional written submissions, but did not provide additional submissions on objective 10.

Airways Corporation of New Zealand Ltd, Meridian Energy Limited, the Energy Efficiency and Conservation Authority, TrustPower Limited, Wellington International Airport Limited, Wellington City Council, Transpower New Zealand Limited, PowerCo Limited, and Oil Companies submitted on objective 10 and attended the hearing, but did not give oral submissions on objective 10.

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

Winstone Aggregates reiterated their request for a new objective to provide for resources required for infrastructure. The Hearing Committee concurred with the discussion in the Staff Report and no change was made.

Genesis Energy reiterated their request for regionally significant infrastructure to be provided for, as well as recognised and protected. The Hearing Committee considered that regionally significant infrastructure is provided for in other policies, so the recognition and protection of the benefits under objective 10 is adequate. No change was made.

Mighty River Power reiterated its request for national benefits to be included. The Hearing Committee concurred with the discussion in the Staff Report and no change was made.

The Energy Efficiency and Conservation Authority supported the objective. The support is noted. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Agenda Development Planning reiterated their submissions on the policies to which objective 10 relates. The Hearing Committee concurred with the discussion in the Staff Report on policies 6 and 7

and noted that any changes to objective 10 are beyond the scope of Agenda Development Planning's submission.

(c) Decisions

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

Submitter	Submission	Decision
Airways Corporation of New Zealand Ltd	4/2	Accept
Winstone Aggregates	15/9	Reject
Genesis Energy	40/2	Reject
Meridian Energy Limited	82/7	Accept
Mighty River Power	83/8	Reject
New Zealand Defence Force	86/4	Accept in part
The Energy Efficiency and Conservation Authority	117/9	Reject
TrustPower Limited	124/11	Accept
Wellington International Airport Limited	134/3	Accept
Wellington City Council	131/53	Accept
Westfield New Zealand Limited	138/17	Accept

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

(d) Changes to proposed Regional Policy Statement

No change is made to objective 10.

2.33 Objective 11: The quantity of waste is reduced

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009*

volumes 1&2 November 2009 (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 11 is on page 136 of volume 1.

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

Korokoro Environment Group made a submission on objective 11 but did not attend the hearing.

Horticulture New Zealand, TrustPower Limited, and Wellington City Council submitted on objective 11 and attended the hearing, but did not give oral submissions on objective 11.

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

Winstone Aggregates sought a change to objective 11 to take into account cleanfills as an alternative from using landfills. The Hearing Committee concurred with the Staff Report that cleanfills are not an issue to be addressed by the proposed Regional Policy Statement, and considered that objective 11 does not require any changes to take into account cleanfills. Further, the Hearing Committee did not consider that a new policy is required as objective 11 was not changing.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/10	Reject
Horticulture New Zealand	50/8	Accept in part
Korokoro Environment Group	65/2	Accept
TrustPower Limited	124/12	Accept
Wellington City Council	131/54	Accept

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

(d) Changes to proposed Regional Policy Statement

No change is made to objective 11.

2.34 Section 3.4 Fresh water

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Section 3.4 is on page 137 of volume 1.

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

David Scott, South Wairarapa District Council and Tararua Tramping Club made submissions on section 3.4 but did not attend the hearing. Winstone Aggregates, CentrePort Wellington, Federated Farmers of New Zealand, Higgins Group Holding Ltd, Kapiti Coast District Council, Meridian Energy Limited, Mighty River Power, Porirua City Council and Wellington City Council submitted on section 3.4 and attended the hearing, but did not make oral submissions on section 3.4. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussions on their submissions in the Staff Report.

In response to the submission from CentrePort Wellington on section 3.4. The Hearing Committee also made a change to objective 8, by adding a note (in brackets) to clarify that objective 8 is between the coastal environment and freshwater. The Hearing Committee then considered submissions given at the hearing.

John Christopher Horne stated that a list of contaminants from the transport system should be included in the proposed Regional Policy Statement. The Hearing Committee agreed with the Staff Report that providing an inventory of contaminants in the transport system is not appropriate to include in the proposed Regional Policy Statement. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Horticulture New Zealand sought that the policy framework for water quantity be separated from water quality. They considered it is important that all relevant policies are placed together. The Hearing Committee received comments from many of the oral submitters supporting the layout and structure of the proposed Regional Policy Statement. We considered that integrating water management is desirable and no change is needed. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Horticulture New Zealand also made submissions at the hearing seeking a clearer focus and definition of efficient use of water, direction on demand side efficiencies, a definition for reasonable domestic take, encouragement of water recycling, water management plans and research on the state and availability of water resources in the Wellington region. The Hearing Committee adopted the position that staff recommended in the Staff Report. The Hearing Committee would not fetter the regional plan's ability to manage water more efficiently by prescribing a definition of efficient use in the proposed Regional Policy Statement. This is something for the regional plan to do. The Hearing Committee also commented on policy 18, relating to the submitter's request about efficient use. The Hearing Committee noted that Policy 43 and 44 provides direction on demand side management. While the term "individual's reasonable domestic needs" is mentioned in the explanation to policy 19, it is a term used in the Act and case law around it should be relied on rather than defining it in the proposed Regional Policy Statement. Water recycling is encouraged in the proposed Regional Policy Statement through policies 44 and 65. The Hearing Committee considered that provision for research on the state and availability of water resources in the Wellington region are matters to be considered when the Regional Monitoring Strategy is reviewed (see chapter 5 of the proposed Regional Policy Statement), and annual monitoring reports and the six yearly state of the environment report are prepared. In all other respects the Hearing Committee adopted the discussion in the Staff Report

Masterton District Council expressed concern that if the main focus of managing waterways is to maintain and enhance the health of aquatic ecosystems, then any works required for another purpose is going to require consent. The Hearing Committee recognised that healthy aquatic ecosystems underpin other uses and values of fresh water in the Wellington region. It considered how a focus on aquatic ecosystem health in the proposed Regional Policy Statement might affect the way fresh water would be managed. The management purpose of aquatic ecosystem health in the proposed Regional Policy Statement is a "bottom line" for waterways. The operative Regional Freshwater Plan currently manages water quality in all rivers and streams in the Wellington region with the "bottom line" of aquatic ecosystems, much as the proposed Regional Policy Statement is proposing. River flows in the operative Regional Freshwater Plan are also established to maintain aquatic ecosystems. The Hearing Committee was aware that the operative Regional Freshwater Plan includes permitted activities and many other uses of fresh water are currently allowed through resource consents. The Hearing Committee concluded that an emphasis in the proposed Regional Policy Statement on aquatic ecosystem health for fresh water, by itself, will not lead to significant change in the way fresh water is managed.

The Hearing Committee noted that comments made in the Staff Report on policy 18 no longer hold because it has been amended following the hearings for the reasons outlined in the deliberations on that policy. In all other respects, the Hearing Committee adopted the discussion in the Staff Report.

Mighty River Power sought an additional policy that recognises social and economic benefits obtained from the use of water. They comment that there appear to be no policies in the proposed Regional Policy Statement that give effect to the enabling aspect of objective 12. The Hearing Committee noted that the social and economic benefits from the use of energy resources, which includes hydro sources, are included in policy 6. It considered that the enabling aspects of objective 12, which must also be followed through in regional (and district) plans and resource consents, will provide for the various uses of water in an appropriate way.

Wairarapa Irrigation Trust supported provisions in the proposed Regional Policy Statement. The Hearing Committee noted their support and draws attention to Policy 18 which has been amended following the hearings for the reasons outlined in the deliberations on that policy.

Wellington Fish and Game Council wanted the effect of increased sediment from land use on water quality addressed in section 3.4 of the proposed Regional Policy Statement. The Hearing Committee noted the staff response to this request was that it is not necessary to repeat material from section 3.11 *Soils and minerals* on the implications of earthworks and loss of soil from the land, leading to increased sediment in rivers. The submitter gave us additional information about the adverse effects of sediment on fresh water. The Hearing Committee considered there is sufficient material in section 3.11, issue 1 of section 3.11 and issue 1 of section 3.4 to establish appropriate policies that address sediment effects on fresh water. The Hearing Committee noted the submitter has not opposed the policies that address sediment discharges (policies 14 and 40, in particular). However, the Hearing Committee considered a cross reference to section 3.11 on sediment effects on fresh water would be included in section 3.4.

At the hearing the submitter requested that increasing sediment loadings be included in the regionally significant resource management issues for fresh water. The Hearing Committee was satisfied that issue 1 *Pollution is affecting water quality in water bodies* adequately incorporates sediment discharges in response to the matters raised in introductory material in sections 3.4 and 3.11.

Wellington Fish and Game Council wanted issues relating to degraded natural character addressed in the introduction to section 3.4. The Hearing Committee noted that matters relevant to natural character are addressed in paragraphs 4 (urban and lowland streams

fail water quality guidelines), 5 (poor urban water quality, filling in small streams), 6 (nuisance aquatic weed and algal growth), 7 (poor biological health and water quality), 9 (low river flows and wetland water levels) and 10 (low flows and poor water quality). The Hearing Committee was satisfied that matters relating to degraded natural character are discussed in the introduction. The Hearing Committee also noted that Wellington Fish and Game Council's opposition to the introduction in their original submission was subject to specific relief about the impact on waterways due to increased sediment loading as a result of some land uses. No request is made in the original submission for additional material relating to natural character. Having decided not to accept the submitter's request, it was not necessary to examine further whether the request was within the scope of the submission.

The submitter also sought a regionally significant resource management issue on degraded natural character. The activities listed in issue 2 *Poor ecosystem function in rivers, lakes and wetlands* all impair the natural character of fresh water just as they impair ecosystem function. The Hearing Committee was satisfied that identifying degraded natural character as a regionally significant issue would not add to the efficiency or effectiveness of the proposed Regional Policy Statement provisions. The Hearing Committee also noted that the original submission by Wellington Fish and Game Council supports all 3 regionally significant issues for fresh water in the proposed Regional Policy Statement and does not request any additional regionally significant issues. Having decided not to accept the submitter's request, the Hearing Committee did not need to examine further whether the request was within the scope of the submission.

In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Wellington Residents Coalition reiterated their concerns about water metering at the hearing. The Hearing Committee concurred with the discussion in the Staff Report and no change is made to the proposed Regional Policy Statement.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/11	Reject
CentrePort Wellington	23/5	Accept in part

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/11	Reject
Higgins Group Holding Ltd	48/3	Reject
John Christopher Horne	49/10	Reject
Horticulture New Zealand	50/9	Reject
Kapiti Coast District Council	56/5	Accept in part
Masterton District Council	74/3	Reject See also reports on policies 11, 15, 16 and 18
Masterton District Council	74/4	Reject
Meridian Energy Limited	82/8	Reject
Mighty River Power	83/9	Reject
Mighty River Power	83/10	Reject
Porirua City Council	100/4	Accept
David Scott	109/1	Reject
South Wairarapa District Council	112/13	Accept in part
Tararua Tramping Club	114/7	Accept
Wairarapa Regional Irrigation Trust	127/2	Accept in part
Wellington City Council	131/6	Accept
Wellington Fish and Game Council	133/8	Accept in part
Wellington Residents Coalition	136/1	Accept in part

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

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

Amend paragraph 2, on page 34, as follows:

Accommodating people's needs for water is becoming more and more difficult because some water resources in the region are already fully allocated and others are close to full allocation. In the Wairarapa, the amount of water taken for farm pasture irrigation has more than doubled over the last 10 years and increasing populations in the region's urban areas means demand

for water supply from rivers, lakes and groundwater is expected to increase. The pressure on water resources is also likely to increase as a result of climate change. Some predicted effects are that the central and eastern Wairarapa will become drier, and droughts will occur more frequently and persist for longer periods.

Add the following sentence at the end of paragraph 4:

The adverse effects of erosion and sediment run-off on fresh water are discussed in section 3.11 *Soil and Minerals*.

2.35 Section 3.4 Fresh water - Issue 1: Pollution is affecting water quality in water bodies

(a) Staff Report

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

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

Wellington Fish and Game Council submitted on issue 1 and attended the hearing, but did not make oral submissions on issue 1. The Hearing Committee considered the submission of Wellington Fish and Game Council and adopted the discussion on their submission in the Staff Report. The Hearing Committee then considered the following submissions of submitters who gave oral submissions at the hearing.

Horticulture New Zealand submitted that the words “may be” should be used in issue 1 in place of “is being” and reference to “land uses” and “intensive farming” should be deleted. The Hearing Committee did not think it was helpful to include the qualifier “may” in issue 1. Water quality in the Wellington region is currently being affected by discharges and land uses and it is appropriate to state this fact without qualification.

Federated Farmers of New Zealand and Horticulture New Zealand wanted to remove the references in issue 1 to land uses and intensively farmed land. The Hearing Committee noted that in their original submission Federated Farmers sought a definition of the term “intensive farming”. We also noted that staff recommended a definition for “intensively farmed land”, and this is discussed in section 2.202 of the Staff Report. The Hearing Committee was satisfied that in a document which has the purpose of integrating management of resources it is appropriate that reference to land use remain in the issue because very often land use is a reason why run-off

is having adverse effects on water quality. The Hearing Committee considered whether reference to intensive farming operations in the issue and its definition are appropriate. The reference to intensive farming operations is made in section 3 of the proposed Regional Policy Statement (sections 3.4 and 3.11) and is not included in any of the objectives, policies and methods. The Hearings Committee also looked at various definitions relating to intensive farming presented from the agriculture industry and staff. The Hearing Committee was of the view that intensive land use, whether urban or rural, is a cause of poor water quality and it does warrant mention in the introductory material and the issues of the proposed Regional Policy Statement. It did not, however, think the term needed to be defined because it is not mentioned in the outcomes (objectives) and actions (policies and methods) of the proposed Regional Policy Statement. The Hearing Committee also did not think it was a term that should be precisely defined in this context because it did not want to fetter local authority responses to this issue by such a definition.

(c) **Decisions**

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/12	Accept in part
Horticulture New Zealand	50/10	Accept in part
Wellington Fish and Game Council	133/9	Accept

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

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

Amend section 3.4 issue 1, on page 35, as follows:

The water quality of rivers and streams, lakes, wetlands and groundwater in the region is being polluted by discharges and intensive urban and rural land uses.

2.36 Section 3.4 Fresh water - Issue 2: Poor ecosystem function in rivers, lakes and wetlands

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Issue 2 is on page 152 of volume 1.

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

Mighty River Power submitted on issue 2 and attended the hearing, but did not make oral submissions on issue 2. The Hearing Committee considered the submission of Mighty River Power and adopted the discussion on their submission in the Staff Report.

Wellington Fish and Game Council supported issue 2 in their original submission. At the hearing, the submitter requested that increased sediment loadings and degradation of natural character be included in the regionally significant resource management issues for the Wellington region. Both these matters are addressed in the Decision Report on section 3.4.

(c) Decisions

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

Submitter	Submission	Decision
Mighty River Power	83/11	Reject
Wellington Fish and Game Council	133/10	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to issue 2.

2.37 Section 3.4 Fresh water - Issue 3: There is increasing demand on limited water resources

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Issue 3 is on page 153 of volume 1.

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

Wellington Fish and Game Council submitted on issue 3 and attended the hearing, but did not make oral submissions on issue 3. The Hearing Committee considered the submission of Wellington Fish and Game Council and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the following submission given at the hearing.

TrustPower Limited requested an amendment to section 3.4 to recognise that water take and use for renewable energy generation may be appropriate. The Hearing Committee considered that this statement is not an issue. The request from TrustPower Limited has been broadened to a statement recognising the link between renewable energy and the use of water. The introduction in section 3.4 provides background information on the state of water in the Wellington region and present uses. The Hearing Committee did not think wording sought by TrustPower Limited belongs in the Freshwater introduction but noted that the introduction to Energy, infrastructure and waste in section 3.3 includes reference to hydro generation being one of the sources of renewable energy in the Wellington region. Section 3.3 also comments that there is the potential for small scale renewable energy generation including small scale hydro in the Wellington region. The Hearing Committee considered these comments were appropriate.

(c) Decisions

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

Submitter	Submission	Decision
TrustPower Limited	124/13	Reject
Wellington Fish and Game Council	133/11	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to issue 3

Fresh water issue 4 is addressed in section 2.21 of the Decisions Report

Objective 8 on public access to and along rivers is addressed 2.26 of the Decisions Report

2.38 Objective 12: The quantity and quality of freshwater

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 12 is on page 154 of volume 1.

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

Coastland Shopping Limited, Korokoro Environment Group and South Wairarapa District Council made submissions on objective 12 but did not attend the hearing. Kapiti Coast District Council, Meridian Energy Limited, Mighty River Power, Wellington City Council and Wellington Fish and Game Council submitted on objective 12 and attended the hearing, but did not make oral submissions on objective 12. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Horticulture New Zealand sought a separation of water quality from water quantity for this objective. The Hearing Committee considered that integrating water management as much as possible in the proposed Regional Policy Statement is desirable. For this reason, it did not make any change. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

(c) Decisions

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

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

Submitter	Submission	Decision
Coastland Shopping Limited	24/1	Accept
Horticulture New Zealand	50/11	Reject
Kapiti Coast District Council	56/6	Accept in part
Korokoro Environment Group	65/3	Accept
Meridian Energy Limited	82/9	Reject
Mighty River Power	83/12	Reject
South Wairarapa District Council	112/14	Accept in part
Wellington Fish and Game Council	133/12	Reject
Wellington City Council	131/55	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 12.

2.39 Objective 13: The region's rivers, lakes and wetlands support healthy functioning ecosystems.

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 13 is on page 158 of volume 1.

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

Horticulture New Zealand and Wellington City Council attended the hearing, but did not make oral submissions on objective 12. The Hearing Committee considered their submissions and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submission of Wellington Fish and Game Council who gave an oral submission at the hearing.

Wellington Fish and Game Council requested the wording of objective 13 be changed to reflect the intent of the Resource Management Act in relation to natural character. The Hearing Committee noted that objective 13 is not specifically about natural character but refers to healthy aquatic ecological function. The Hearing Committee noted that it does include matters relating to natural character but considers that targeting aquatic ecosystems is a more effective approach to managing freshwater values in the proposed Regional Policy Statement for the Wellington region. The Hearing Committee also noted that the original submission from Wellington Fish and Game Council supported objective 13, but did not examine further whether the change sought at the hearing was outside the scope of the original submission.

(c) **Decisions**

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

Submitter	Submission	Decision
Horticulture New Zealand	50/12	Reject
Wellington Fish and Game Council	133/13	Accept in part
Wellington City Council	131/57	Accept

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

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

No change is made to objective 13.

2.40 Objective 14: Water is used efficiently and is not wasted.

(a) **Staff Report**

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Objective 14 is on page 159 of volume 1.

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

Horticulture New Zealand, Wellington City Council and Meridian Energy Limited submitted on Objective 14 and attended the hearing, but did not make oral submissions on section objective 14. The Hearing Committee considered their submissions and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submission of **Wellington Fish and Game Council** who gave an oral submission supporting objective 14 at the hearing.

(c) Decisions

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

Submitter	Submission	Decision
Horticulture New Zealand	50/13	Reject
Meridian Energy Limited	82/10	Reject
Wellington Fish and Game Council	133/14	Accept in part
Wellington City Council	131/57	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 14.

2.41 Section 3.5 Historic Heritage

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.5 is on page 160 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

South Wairarapa District Council made a submission on section 3.5 but did not attend the hearing.

Kapiti Coast District Council submitted on section 3.5, and attended the hearing, but did not give oral submissions on section 3.5.

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

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

(c) Decisions

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

Submitter	Submission	Decision
Kapiti Coast District Council	56/7	Accept
Porirua City Council	100/56	Accept
South Wairarapa District Council	112/15	Accept
Wellington City Council	131/7	Accept
Wellington Fish and Game Council	133/15	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to section 3.5.

2.42 Objective 15: Historic heritage is identified and protected from inappropriate modification, use and development

(a) Staff Report

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

decisions and recommended changes to the proposed Regional Policy Statement. Objective 15 is on page 161 of Volume 1.

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

New Zealand Historic Places Trust made a submission on objective 15 but did not attend the hearing.

Winstone Aggregates, Federated Farmers of New Zealand and Transpower New Zealand Limited submitted on objective 15, and attended the hearing, but did not give oral submissions on objective 15.

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

Wellington City Council expressed support in their oral evidence for the recommendations contained in the Staff Report pertaining to historic heritage. The Hearing Committee noted their support.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/12	Reject
Federated Farmers of New Zealand	35/13	Reject
New Zealand Historic Places Trust	87/6	Accept
Transpower New Zealand Limited	123/9	Accept
Wellington City Council	131/58	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 15.

2.43 Section 3.6 Indigenous ecosystems

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Section 3.6 is on page 163 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Tararua Tramping Club made a submission on section 3.6 but did not attend the hearing.

Michael James Curtis, Federated Farmers of New Zealand, Kapiti Coast District Council, Mighty River Power, Porirua City Council, Wellington Botanical Society, Wellington City Council and Wellington Fish and Game Council submitted on section 3.6 and attended the hearing, but did not give oral submissions on section 3.6.

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

The Hearing Committee then considered the submission of **Winstone Aggregates** who gave an oral submission at the hearing. Winstone Aggregates reinforced their written submission requesting amendments which recognise the ability to mitigate or offset loss of indigenous ecosystems through mitigation measures both on and off a particular site. The Hearing Committee considered this matter when considering the submission of Mighty River Power on Policy 11 and the decision of the Hearing Committee is contained in the discussion relating to that policy. Refer to the Staff Report, page 317 of volume 1, and to the section on policy 11 within this Decisions Report.

(c) Decisions

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

Submitter	Submission	Decision
Winstone Aggregates	15/13	Reject
Michael James Curtis	27/2	Reject
Federated Farmers of New Zealand	35/14	Reject
Kapiti Coast District Council	56/8	Accept
Mighty River Power	83/13	Reject
Porirua City Council		Accept
Tararua Tramping Club	114/8	Accept
Wellington Botanical Society	130/3	Accept in part
Wellington Botanical Society	130/4	Accept in part
Wellington City Council	131/8	Accept
Wellington Fish and Game Council	133/16	Reject

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

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

Amend section 3.6, the introduction to Indigenous ecosystems, on page 43, as follows:

An ecosystem may be described as a community of plants, animals and micro-organisms interacting with each other and their surrounding environment.

As well as contributing to the region's natural character and having their own intrinsic values, hHealthy ecosystems provide us with life's essentials – such as plants and animals for food, fibre for clothing, timber for construction. This is true even in an industrialised age, although the connections are less immediately obvious. Healthy ecosystems supply us with 'services' that support life on this planet – such as:

- Processes the purify air and water
- Decomposition and detoxification of wastes
- Creation and maintenance of productive soils
- Reduction of the impact of climate extremes
- Capture of carbon and maintenance of a functioning atmosphere.

Ecosystems are dynamic (constantly changing) and the many diverse natural processes that drive ecosystems are as important as the species biodiversity values within them. In addition, all parts of an ecosystem are interconnected...

The Wellington region has a distinctive range of ecosystems – such as forests, mountains, wetlands, lakes, rivers and coastal and marine ecosystems. Some ecosystems have a high degree of indigenesness - such as the Tararua, Rimutaka and Aorangi and ~~Orongorongo~~ ranges, while others are dominated by exotic species - such as pastoral farmlands.

2.44 Section 3.6 Indigenous ecosystems – Issue 2: The region’s indigenous ecosystems are under threat

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Section 3.6 Indigenous ecosystems – Issue 2: The Wellington region’s indigenous ecosystems are under threat is on page 170 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Federated Farmers of New Zealand submitted on issue 2, attended the hearing, but did not give oral evidence on issue 2. The Hearing Committee considered their submission and adopted the recommendation in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/15	Reject

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

- (d) Changes to proposed Regional Policy Statement

No change is made to issue 2.

2.45 **Objective 16: Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state**

- (a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 16 is on page 171 of volume 1.

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

Tararua Tramping Club made a submission on Objective 16 but did not attend the hearing.

Winstone Aggregates, Federated Farmers of New Zealand, the Wellington Botanical Society, Masterton District Council, Mighty River Power and Wellington City Council submitted on Objective 16 and attended the hearing, but did not give oral submissions on Objective 16.

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

The Hearing Committee then considered the submission of **Lower Hutt Forest and Bird Protection Society** who gave an oral submission at the hearing.

Lower Hutt Forest and Bird questioned whether the proposed Regional Policy Statement would achieve a reversal in the downward trend of biodiversity in the Wellington region. Their comments were noted by the Hearing Committee.

- (c) Decisions

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

Submitter	Submission	Decision
Winstone Aggregates	15/14	Reject
Federated Farmers of New Zealand	35/16	Reject
Lower Hutt Forest and Bird Protection Society	66/2	Reject
Masterton District Council	74/16	Reject
Mighty River Power	83/14	Reject
Tararua Tramping Club	114/9	Accept
Wellington Botanical Society	130/5	Reject
Wellington City Council	135/159	Accept

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

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

No change is made to Objective 16.

2.46 Section 3.7 Landscape

(a) **Staff Report**

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.7 is on page 174 of volume 1.

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

Diane and Mike Strugnell, Tararua Tramping Club and the New Zealand Defence Force made a submission on section 3.7 but did not attend the hearing.

Winstone Aggregates, Michael James Curtis, Kapiti Coast District Council, Meridian Energy Limited, Porirua District Council, Wellington City Council, Masterton District Council, Wellington International Airport, Kiwi Income Property Trust, Kiwi Income Properties Limited, Kiwi Properties Management Limited, Federated Farmers of New Zealand and Wellington Fish and Game Council submitted on section 3.7 and attended the hearing, but did not make oral submissions on section 3.7.

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

TrustPower Limited supported the amendments to this section. The Hearing Committee noted their support.

(c) **Decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/15	Reject
Michael James Curtis	27/3	Reject
Kapiti Coast District Council	56/13	Accept in part
Meridian Energy Limited	82/11	Reject
Porirua City Council	100/5	Accept in part
Diane and Mike Strugnell	113/3	Accept in part
Tararua Tramping Club	114/10	Accept
TrustPower Limited	124/14	Accept in part
Wellington City Council	131/9	Accept
Wellington Fish and Game Council	133/17	Accept

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

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

Amend section 3.7, paragraphs 3 to 5, on page 47, as follows:

Within all communities in the Wellington region there is an increasing awareness of the distinctive character of local landscapes and natural features, and their importance to our quality of life. Landscapes influence our sense of identity and our experiences of the places we live. Landscape is regarded as a physical resource that shapes and is shaped by many of our activities such as farming, tourism, forestry, renewable energy generation and urban development. For Māori it provides earthly links with ancestors and tribal history, and is intrinsic to the wellbeing of the people of that place. The Rohe, or tribal area

for Tangata whenua, is often associated with landscapes and features and therefore they have powerful cultural significance.

Landscape change is inevitable, even without human action. However, the degree of change caused by human activities has been accelerating. The distinctive aspects of the Wellington region's landscapes are at risk of being lost or degraded.

Urban and rural residential developments are bringing new types and patterns of land use into peri-urban areas, as well as into more rural and remote areas. This can particularly affects more sensitive landscapes – such as on ridgelines and the coast. Modern earth-moving machinery can reshape landform so quickly and drastically that natural patterns of land, drainage and vegetation cover are dramatically altered or destroyed. Even small changes in land use and development patterns can have cumulative impacts on landscapes.

2.47 Section 3.7 Landscape – Issue 1: Inappropriate modification and destruction of outstanding natural features and landscapes, and significant amenity landscapes

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Issue 1 – Landscape is on page 180 of volume 1.

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

Mighty River Power submitted on Issue 1 – Landscape and attended the hearing, but did not make oral submissions on issue 1 – Landscape.

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

Meridian Energy Limited sought that outstanding natural features and landscapes and significant amenity landscapes be addressed as separate issues. The Hearing Committee considered that the issue as worded in the proposed Regional Policy Statement accurately portrays the situation in terms of landscapes within the Wellington region. That is, the values that make up both outstanding natural features and landscapes and significant amenity landscapes are being modified or

destroyed. The Hearing Committee therefore considered it unnecessary to separate as suggested.

Federated Farmers of New Zealand, Masterton District Council and **Anders Crofoot** all sought that reference to significant amenity landscapes be deleted from the document. They stated that ‘amenity landscapes’ is not a term used in the Resource Management Act, and that it is a new term derived by Wellington Regional Council from other matters referred to in the Act.

The Hearing Committee considered that ‘amenity landscapes’ are in fact covered within the Resource Management Act, 1991, and particular regard shall be given to the maintenance and enhancement of their amenity values. Judge Jackson in the *Wakatipu Environment Society Incorporated v Queenstown Lakes District Council Environment Court Decision, 1999 (C180/99)(page 45, paragraph77)* stated:

“.....We consider it is useful to consider ‘landscape’ as a large subset of the ‘environment’. We have already observed that ‘landscape’ involves both natural and physical resources themselves and also various factors relating to the viewer and their perception of the resources. These aspects seem to fit with ‘amenity values’ and into the category of “*social ... and cultural conditions which affect the matters in paragraphs (a) to (c) ... or which are affected by those matters.*”

The Resource Management Act, 1991 definition of ‘Environment’ includes –

- (a) *Ecosystems and their constituent parts, including people and communities; and*
- (b) *All natural and physical resources; and*
- (c) *Amenity values; and*
- (d) *The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.*

The Resource Management Act, 1991 definition of ‘amenity values’ states –

‘means those natural and physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.’

The Hearing Committee considered that the inappropriate modification and destruction of significant amenity landscapes is a regionally significant issue and therefore reference to significant amenity landscapes is to be retained within the issue.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/17	Reject
Meridian Energy Limited	82/11	Reject
Mighty River Power	83/15	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to issue 1.

2.48 Objective 17: The region's outstanding natural features, landscapes and significant amenity landscapes, are identified and their values protected, maintained or enhanced

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 17 is on page 181 of volume 1.

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

New Zealand Historic Places Trust and Ravensdown Fertiliser Co-operative Limited made a submission on objective 17 but did not attend the hearing.

Mighty River Power, Winstone Aggregates, Porirua City Council, Transpower New Zealand Limited, Wellington City Council and Meridian Energy Limited submitted on objective 17 and attended the hearing, but did not make oral submissions on objective 17.

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

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

Federated Farmers of New Zealand, Horticulture New Zealand, Anders Crofoot and Masterton District Council all sought that reference to significant amenity landscapes be deleted from the document. In particular, they stated that ‘amenity landscapes’ is not a term used in the Resource Management Act, 1991. In terms of significant amenity landscape being a new term, the Hearing Committee considered that it is not a new term and that it is appropriate for this objective to remain for the reasons which have already been discussed in regard to landscape – issue 1.

Genesis Power Limited expressed their support for the amendments made to this objective. This support was noted by the Hearing Committee.

(c) **Decisions**

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/18	Accept in part
Masterton District Council	75/17	Reject
Meridian Energy Limited	82/12	Accept
Mighty River Power	83/16	Accept
New Zealand Historic Places Trust	87/7	Accept
Porirua City Council	100/55	Accept
Ravensdown Fertiliser Co-operative Limited	104/1	Reject
Ravensdown Fertiliser Co-operative Limited	104/2	Reject
Transpower New Zealand Limited	123/10	Accept
Wellington City Council	131/60	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend objective 17 in Table 7 (section 3.7 on page 48) as follows:

Objective 17

The region's outstanding natural features, and landscapes ~~and significant amenity landscapes~~, are identified and their values protected, ~~maintained or enhanced~~ from inappropriate subdivision, use and development.

And include an additional objective as follows:

Objective 17a

The region's significant amenity landscapes are identified and their values are maintained and enhanced.

2.49 Section 3.8 Natural hazards

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Section 3.8 is on page 186 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Coastland Shopping Limited made a submission on section 3.8 but did not attend the hearing.

East Harbour Environmental Association Incorporated, Wairarapa Regional Irrigation Trust, Wellington City Council and Wellington Fish and Game Council submitted on section 3.8 and attended the hearing, but did not give oral submissions on section 3.8.

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

Michael James Curtis opposed Section 3.8 on the basis that the proposed Regional Policy Statement did not consider landowner rights and that there was no compensation to landowners affected by policies. It was argued that everyone is affected by hazards in New Zealand and that people should be able to decide for themselves if they want to live with that risk, providing councils give them adequate

warning. The Hearing Committee decided to retain section 3.8 in its current form as the Resource Management Act makes it mandatory for regional council's to manage natural hazards. Section 3.8 provides important contextual information and the reasons why Wellington Regional Council needs to include policies for managing natural hazards that affect many communities in the Wellington region.

Winstone Aggregates submitted that section 3.8 make specific reference to gravel extraction activities and recognise the important role that gravel and sand extraction plays in mitigating flood hazard risks. The Hearing Committee agreed that section 3.8 was not the appropriate place to discuss this issue. Section 3.8 provides the contextual background to hazards in the Wellington region and is a discussion of the effects of these hazards on the community and the reasons for addressing them in the proposed Regional Policy Statement. It does not address issues of hazard mitigation.

(c) **Hearing Committee decisions**

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

Submitter	Submission	Decision
Winstone Aggregates	15/16	Reject
Coastland Shopping Limited	24/2	Accept
Michael James Curtis	27/4	Reject
East Harbour Environmental Association Incorporated	33/6	Accept
Wairarapa Regional Irrigation Trust	127/3	Accept in part
Wellington City Council	131/10	Accept
Wellington Fish and Game Council	133/18	Accept

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

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

No change is made to Section 3.8.

2.50 Section 3.8 Natural hazards - Issue 3: Climate change will increase both the magnitude and frequency of natural hazard events

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Issue 3 is on page 189 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Federated Farmers of New Zealand submitted on issue 3 and attended the hearing, but did not give oral submissions on issue 3.

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

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/19	Reject

(d) Changes to proposed Regional Policy Statement

No change to issue 3.

2.51 Objective 18: The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 18 is on page 191 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Kapiti Coast District Council, Oil Companies, Transpower NZ Limited, Wellington City Council and Upper Hutt City Council submitted on objective 18 and attended the hearing, but did not give oral submissions on this provision.

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

(c) Decisions

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

Submitter	Submission	Decision
Kapiti Coast District Council	56/14	Accept
Oil Companies	92/4	Accept
Transpower NZ Limited	123/11	Accept
Upper Hutt City Council	125/2	Accept
Wellington City Council	131/61	Accept

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

(d) Changes to proposed Regional Policy Statement

No change is made to objective 18.

2.52 Objective 19: Hazard mitigation measures, structural works and other activities do not increase the risk and consequences of natural hazard events

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 19 is on page 192 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Oil Companies, Transpower NZ Limited and Wellington City Council and Upper Hutt City Council made submissions on objective 19 and attended the hearing, but did not give oral submissions on this provision.

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

(c) Decisions

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

Submitter	Submission	Decision
Oil Companies	92/5	Accept
Transpower NZ Limited	123/12	Accept
Upper Hutt City Council	125/3	Accept
Wellington City Council	131/62	Accept

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

(d) Changes to proposed Regional Policy Statement

No change is made to objective 19.

2.53 Objective 20: Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the consequences of natural hazard events

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Objective 20 is on page 193 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

East Harbour Environmental Association Incorporated submitted on objective 20, but did not attend the hearing. Wellington City Council and Upper Hutt City Council submitted on objective 20, but did not give oral submissions on the objective.

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

(c) Decisions

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

Submitter	Submission	Decision
East Harbour Environmental Association Incorporated	33/7	Accept
Upper Hutt City Council	125/4	Accept
Wellington City Council	131/63	Accept

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

(d) Changes to proposed Regional Policy Statement

No change is made to Objective 20.

2.54 Section 3.9 Regional form, design and function (overall and introduction)

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1 & 2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on regional form, design and function starts on page 194 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Kirkcaldie and Stains Ltd and Westfield New Zealand Ltd made submissions on the introductory section 3.9 overall, but did not attend the hearing.

Kapiti Coast District Council, Wellington City Council, Porirua City Council, Wellington Fish and Game Council, Wellington International Airport Limited, NZ Transport Agency, Transpower New Zealand Ltd, and South Wairarapa District Council submitted on the introductory section 3.9 and the section overall and attended the hearing, but did not give oral submissions on these matters.

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

Regional Public Health discussed the linkage between the proposed Regional Policy Statement provisions relating to regional form, design and function with public health (an intrinsic component of community well being). The submitter considers regional form is an important strategic topic for the long term from a public health point of view. A presentation was given on a health impact assessment carried out by Regional Public Health, including an assessment against the regional form provisions of the proposed Regional Policy Statement. The general conclusion of the health impact assessment was that the provisions will provide for the well being of the wider community of the Wellington region. The Hearing Committee noted the presentation by this submitter.

John Christopher Horne discussed his concerns about subdivision development where amenities, facilities and services are not provided within close proximity, such that the developments promote travel in cars. The Hearing Committee noted that these matters are the focus of issue 3, *Integration of land use and transportation*. Mr Horne considered the use of the term 'sustainable economic growth' an oxymoron and submitted that it should be deleted, along with the phrase 'growing the region's economy'. The Hearing Committee noted that 'sustainable economic growth' is the driver of the Wellington Regional Strategy (WRS), and one of the three focus areas in that Strategy is 'growing the region's economy'. Many of the themes in the regional form provisions of the proposed Regional Policy Statement are derived from the Wellington Regional Strategy, which was developed by the Wellington region's nine local authorities, in conjunction with the Wellington region's iwi authorities, central government and business, education, research and voluntary sector interests. The Hearing Committee considered it appropriate for the proposed Regional Policy Statement to reflect the

key principles of the Wellington Regional Strategy. The Hearing Committee noted that the Staff Report did not include discussion on Mr Horne's submission with respect to the introduction section of chapter 3.9.

Kiwi Property Holdings Ltd submitted in support of provisions to contain development to existing centres. However, this submitter argued that greater emphasis should be placed on the management of retail distribution, due to the potential to undermine the maintenance of the vibrancy and vitality within Regionally Significant Centres. Specific suggested wording changes to the relevant provisions were provided at the hearing. The Hearing Committee did not consider it appropriate for any greater emphasis to be placed on retail distribution in the Regional Form provisions, as retail activity is only one component of regional form. This matter is discussed further in relation to policy 29, about which the original submission of Kiwi Property Holdings Ltd specifically related to.

Mighty River Power supported the recommendations of the Staff Report. In all other respects the Hearing Committee adopted the discussion on Mighty River Power in the Staff Report.

Masterton District Council noted the focus of the Senior Officers Resource Team (SORT) meetings associated with the WRS, from which the direction of the regional form provisions have arisen, is very city focussed and are not organised so as to easily facilitate input from officers from the Wairarapa. The Hearing Committee relayed these comments to the organisers of the SORT meetings to ensure they would be addressed.

Horticulture New Zealand considered the importance of rural production has been overlooked in the regional context. This matter was not specifically raised in their original submission in relation to the regional form provisions. However, the Hearing Committee noted that development in rural areas is covered by a number of the regional form provisions, and that further discussion on the importance of rural production were added to section 2.3 (Community outcomes for the Wellington region) to address the concerns of the submitter.

(c) **Decisions**

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

Submitter	Submission	Decision
John Christopher Horne	49	Reject
Kapiti Coast District Council	56/15	Accept

Submitter	Submission	Decision
John Christopher Horne	49	Reject
Kirkcaldie and Stains Ltd	61/1	Accept in part
Mighty River Power	83/17	Accept in part
New Zealand Transport Agency	91/5	Accept
Porirua City Council	100/7	Accept in part
South Wairarapa District Council	112/16	Accept
Transpower New Zealand Limited	123/13	Reject
Wellington City Council	131/11	Accept
Wellington Fish and Game Council	133/19	Accept
Wellington International Airport Limited	134/4	Accept
Westfield New Zealand Ltd	138/4	Accept
Westfield New Zealand Ltd	138/5	Accept in part

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

(d) Changes to proposed Regional Policy Statement

Amend section 3.9 paragraph 2, on page 57, as follows:

Central Wellington city contains the central business district for the region. Its continued viability, vibrancy and accessibility are important to the whole region. There are also a number of other regionally significant centres that are an important part of the region's form. These are the sub-regional city centres of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Masterton town centre, Paraparaumu town centre, and the suburban centres in Petone, Johnsonville and Kilbirnie. These centres are significant areas of transport movement and civic and community investment. They also have the potential to support new development and increase the range and diversity of activities. Good quality medium density housing in these centres could increase housing choice and the use of services and public transport. Encouraging use and development of existing centres of business activity can also lead to social and economic benefits. Additional local employment around these centres could also provide people with greater choice about where they work. The physical arrangement of urban and rural communities/smaller

~~centres. These centres, along with~~ the region's industrial business areas, the port, the airport, the road and public transport network, and the region's open space network are fundamental to a compact and well designed regional form.

2.55 Section 3.9 Regional form – Issue 1: Poor quality urban design

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1 & 2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on issue 1 starts on page 199 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Westfield New Zealand Ltd made a submission on issue 1 but did not attend the hearing.

Kiwi Property Holdings Ltd submitted on issue 1 and attended the hearing, but did not give oral submissions on this provision.

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

(c) Decisions

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

Submitter	Submission	Decision
Kiwi Property Holdings Ltd	62/2	Accept
Westfield New Zealand Ltd	138/18	Accept

There were no further submissions in respect of issue 1.

(d) Changes to the proposed Regional Policy Statement

There is no change to issue 1.

2.56 Section 3.9 Regional form - Issue 2: Sporadic and uncoordinated development

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1 & 2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on issue 2 starts on page 200 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Westfield New Zealand Ltd made a submission on issue 2 but did not attend the hearing.

Federated Farmers of New Zealand submitted on issue 2 and attended the hearing, but did not give oral submissions on issue 2.

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

Kiwi Property Holdings Ltd attended the hearing and supported the changes to issue 2 recommended in the Staff Report, which the Hearing Committee noted. In all other respects the Hearing Committee adopted the discussion on Kiwi Property Holdings Ltd in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/20	Reject
Kiwi Property Holdings Ltd	62/4	Accept
Westfield New Zealand Ltd	138/6	Accept

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

(d) Changes to proposed Regional Policy Statement

Amend issue 2 as follows:

2. Sporadic, uncontrolled and/or uncoordinated development

Uncoordinated, ~~and~~ sporadic, and/or uncontrolled development (including of infrastructure) can adversely affect the region's compact form. This can, among other things, result in:

- (a) new development that is poorly located in relation to existing infrastructure (such as roads, sewage and stormwater systems) and is costly or otherwise difficult to service
- (b) development in locations that restrict access to the significant physical resource in the region – such as aggregate
- (c) the loss of rural or open space land valued for its productive, ecological, aesthetic and recreational qualities
- (d) insufficient population densities to support public transport and other public services
- (e) ~~new infrastructure that can encourage~~ development in locations that undermine existing centres and industrial employment areas
- (f) loss of vitality and/or viability in the region's central business district and other centres of regional significance
- (g) displacement of industrial employment activities from established industrial areas
- (h) adverse effects on the management, use and operation of infrastructure from incompatible land uses under, over, on or adjacent.

2.57 Section 3.9 Regional form - Issue 3: Integration of land use and transportation

(a) Staff Report

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

Regional Policy Statement. Discussion on issue 3 starts on page 203 of volume 1.

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

Westfield New Zealand Ltd submitted in support of issue 3 but did not attend the hearing.

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

Kiwi Property Holdings Ltd supported the changes to issue 3 recommended in the Staff Report, which was noted by the Hearing Committee. In all other respects the Hearing Committee adopted the discussion on Kiwi Property Holdings Ltd in the Staff Report.

John Christopher Horne submitted that issue 3 should include references to the discharge of contaminants to water, with a consequential change to objective 21. The Hearing Committee consider that discharges to water arising from development, including transportation, is sufficiently covered by the proposed freshwater provisions, in particular issues 1 & 2 and policy 13. The policies of the proposed Regional Policy Statement are not to be considered in isolation, but are intended to complement each other to provide a robust, integrated approach to promoting the sustainable management of natural and physical resources. As such the Hearing Committee did not consider it necessary to expand the ambit of the issue. The Hearing Committee noted that the Staff Report did not include discussion on Mr Horne's submission with respect to the introduction section of chapter 3.9.

New Zealand Transport Agency supported the changes to issue 3 recommended in the Staff Report, which was noted by the Hearing Committee. In all other respects the Hearing Committee adopted the discussion on this submission on issue 3 in the Staff Report

(c) **Decisions**

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

Submitter	Submission	Decision
New Zealand Transport Agency	91/6	Accept

Submitter	Submission	Decision
Kiwi Property Holdings Ltd	62/3	Accept
John Christopher Horne	49	Reject
Westfield New Zealand Ltd	138/19	Accept

The further submission of Westfield New Zealand Ltd in support of Kiwi Property Holdings Ltd is accepted accordingly.

(d) Changes to proposed Regional Policy Statement

Amend issue 3, on page 58, as follows:

3. Integration of land use and transportation

A lack of integration between land use and the region's transportation network can create patterns of development that increase the need for travel, the length of journeys and reliance on private motor vehicles, resulting in:

- (a) increased emissions to air from a variety of pollutants, including greenhouse gases
- (b) increased use of energy and reliance on non-renewable resources
- (c) reduced opportunities for alternate means of travel (such as walking and cycling), ~~and increased costs associated with upgrading roads~~ increased community severance, and increased costs associated with upgrading roads
- (d) increased road congestion leading to restricted movement of goods and services to, from and within the region, and compromising the efficient and safe operation of the transport network
- (e) inefficient use of existing infrastructure (including transport orientated infrastructure).

2.58 Objective 21: A compact, well designed and sustainable regional form that has an integrated, safe and responsive transport network

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1 & 2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on objective 21 starts on page 205 of volume 1.

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

Department of Corrections, Wellington Police, East Harbour Environmental Association Incorporated, New Zealand Historic Places Trust, Coastlands Shopping Limited, Ravensdown Fertiliser Co-operative Limited and Westfield New Zealand Ltd made submissions on provision objective 21 but did not attend the hearing.

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

Wellington City Council supported the changes recommended in the Staff Report, and noted that the recommended changes improve and clarify the overall outcomes being achieved in the policies. The Hearing Committee noted this submission.

Kiwi Property Holdings Ltd supported the changes recommended in the Staff Report. This submitter further sought that ‘regional form’ be replaced with ‘urban form’ to reinforce the role of urban development in guiding this pattern. The Hearing Committee did not consider it appropriate to amend the objective to relate it only to “urban form” as there are a number of elements to the objective (that continue through to policies) that relate to both urban and rural issues and the Wellington region’s form as a whole. Additionally Kiwi Property Holdings Ltd sought inclusion of the word ‘commercial’ in clause (c) (sufficient industrial ‘and commercial’ based employment locations). The objective specifically refers to providing sufficient industrial-based employment locations, as this has been determined through the Wellington Regional Strategy to be an important component of regional form, and in fact one of the reasons noted for this is competition with commercial and residential demands. The Hearing Committee considered that it would be contrary to the purpose of the objective to include commercial employment locations. In all other respects the Hearing Committee adopted the discussion on Kiwi Property Holdings Ltd in the Staff Report.

Upper Hutt City Council supported the changes recommended in the Staff Report, particularly in relation to reference to Regional Focus Areas. The Hearing Committee noted this support.

Porirua City Council sought that the complete list of Regionally Significant Centres remain as those given in the Wellington Regional Strategy, and that objective 21, policy 29 and Appendix 3 distinguish between significant sub-regional centres and the suburban centres of Petone, Johnsonville and Kilbirnie. On questioning by the Hearing Committee, Porirua City Council suggested removal of the suburban centres from the provisions entirely (as sought in its original

submission). As discussed under policy 29, the Hearing Committee considered the full list of centres should be retained, but a distinction between the sub-regional civic and commercial centres and the suburban centres be included. In all other respects the Hearing Committee adopted the discussion on Porirua City Council's submission in the Staff Report.

Makara Guardians Inc did not submit on objective 21 in their original submission. At the hearing the Makara Guardians Inc sought more detail be added to clause '(f) strategically planned rural development' to capture the intent of issue 2 and suggested the following wording from issue 2 "protects rural or open space land valued for its productive, ecological, aesthetic and recreational qualities". The Hearing Committee did not consider it necessary to repeat the wording from issue 2. Matters in the objective and issues should be read together. More importantly, the issue of protection of land with these rural open space values is addressed directly in policy 55 (managing development in rural areas).

Genesis sought an additional clause to objective 21 to recognise the importance of providing key strategic routes through the Wellington region for the transportation of over dimension loads. The Hearing Committee considered that provisions for the transportation of 'over dimension loads' is a very specific matter which sits at a detailed level below that of the broader considerations of the proposed Regional Policy Statement. The Hearing Committee concluded that providing for strategically planned corridors for the transportation of 'over dimension loads' is a matter best addressed in the Wellington Regional Land Transport Strategy (RLTS), and the associated Regional Freight Plan and Corridor Plans developed under its framework.

Policy 32 of the proposed Regional Policy Statement requires the Regional Land Transport Strategy to contain objectives and policies that support the maintenance and enhancement of a compact, well designed and sustainable regional form. Objective 21 outlines the elements that are to be achieved. In the Hearing Committee's view, planning for such transport corridors falls within the current elements, in particular; providing for integrated landuse and transportation, improved east-west transport linkages and efficient use of existing infrastructure (including transport network infrastructure). The Regional Land Transport Strategy and associated plans are the appropriate planning instruments in which to expand on these elements further. The Wellington Regional Land Transport Strategy is currently under review. As a part of this review, that Strategy will need to give effect to policy 32, which could include strengthening policies around regional freight efficiency (routes that accommodate over dimension or overweight loads would be one element of this) and how to reflect the outcome of the New Zealand Transport Agency's review of Key Freight Routes as they apply to the Wellington region. The Hearing Committee considered a submission on the Wellington

Regional Land Transport Strategy would be the more appropriate means by which to ensure this issue is addressed.

Transpower & PowerCo supported the changes recommended to objective 21 and sought the inclusion of a clause (21(k)) to provide for expanding, refining or upgrading existing infrastructure. The Hearing Committee noted that there are existing provisions which specifically address the development of infrastructure, i.e., objective 10 and policies 6, 7, and 38. In addition, the Hearing Committee note that the term ‘use’ (...of existing infrastructure) is defined by the Resource Management Act to include ‘alter’. Therefore, discretion would be with each local authority to determine the extent to which they provide for activities such as maintenance or additions to existing infrastructure in District Plans in order to support a compact, well designed and sustainable regional form. In all other respects the Hearing Committee adopted the discussion on Transpower and PowerCo in the Staff Report.

Agenda Development Planning sought consequential changes to objective 21 arising from the changes sought to policies 30, 54 and 56. The Hearing Committee’s decision in regard to each of the policy changes sought are discussed under each policy respectively. In summary, the Hearing Committee accepted in part the submission of Agenda Development Planning. However the Hearing Committee made no change to objective 21 arising from the submission. In all other respects the Hearing Committee adopted the discussion on Agenda Development Planning in the Staff Report

Winstone Aggregates sought an additional clause to ensure access to significant regional resources (including minerals) is not compromised and that these resources can be accessed in close proximity to the areas they are needed most (urban areas). The Hearing Committee agreed with the submitter that this matter is not included in objective 10, which refers to regionally significant infrastructure only (of which aggregate is not). The issue, ‘development in locations that restrict access to the significant physical resource in the region – such as aggregate’, ((2)(b)) is addressed in objective 21(i) (integrated land use and transportation) and also in objective 30 (the demand for mineral resources is met from local sources as much as possible). Policies 32 and 60 are the relevant policies to achieve the objectives. The Hearing Committee considered that the connections between these related objectives and policies (which are to be considered alongside each other) could be strengthened through additional cross referencing i.e., adding policy 60 into table 9, and cross referencing policy 60 to objective 21. The Hearing Committee, therefore, did not consider the clause proposed by this submitter is necessary.

(c) **Decisions**

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

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

Submitter	Submission	Decision
Winstone Aggregates	15/17	Accept in part
Department of Corrections	32/3	Accept in part
East Harbour Environmental Association Incorporated	33/8	Accept
Genesis Energy	40/3	Reject
Kiwi Property Holdings Ltd	62/5	Accept in part
New Zealand Historic Places Trust	87/8	Accept
Porirua City Council	100/59	Accept in part
Ravensdown Fertiliser Co-operative Limited	104/3	Reject
Transpower New Zealand Limited	123/14	Accept
Wellington City Council	131/27	Accept
Wellington Police	135/2	Accept in part
Westfield New Zealand Ltd	138/7	Reject

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

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

Amend objective 21 in Table 9 (Section 3.9 on page 59) as follows:

A compact, well designed and sustainable regional form that has an integrated, safe and responsive transport network and:

- a) a viable and vibrant regional central business district in Wellington city;
- b) an increased range and diversity of activities in and around the regionally significant centres to maintain vibrancy and vitality¹;
- c) sufficient industrial-based employment locations or capacity to meet the region's needs;
- d) development and/or management of the Regional Focus Areas identified in the Wellington Regional Strategy²;

- e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form;
- f) strategically planned rural development;
- g) a range of housing (including affordable housing);
- h) integrated public open spaces;
- i) integrated land use and transportation;
- j) improved east-west transport linkages; ~~and~~
- k) efficient use of existing infrastructure (including transport network infrastructure); and
- l) essential social services to meet the region's needs.

Amend the footnote to clause (1)

The regional significant centres are the sub-regional centres of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Paraparaumu town centre, Masterton town centre and the suburban centres in Petone; Kilbirnie; and Johnsonville.

Add a new footnote to clause (2):

The Regional Focus Areas are described on pages 36 to 39 of the Wellington Regional Strategy. They are areas of critical importance to the achievement of the region's compact form and are predicted to either come under significant development pressure or provide significant development opportunity for a range of land use activities.

Add in additional cross referencing; add policy 60 into Table 9, and cross reference policy 60 to objective 21.

2.59 Section 3.10 Resource management with tangata whenua

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.10 is on page 211 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

South Wairarapa District Council made a submission on section 3.10 but did not attend the hearing.

Kapiti Coast District Council, Porirua City Council and Wellington International Airport Limited submitted on section 3.10, and attended the hearing, but did not give oral submissions on section 3.10.

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

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

(c) Decisions

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

Submitter	Submission	Decision
Kapiti Coast District Council	56/16	Accept in part
Porirua City Council	100/8	Accept
South Wairarapa District Council	112/17	Reject
Wellington City Council	131/12	Accept
Wellington Fish and Game Council	133/20	Accept
Wellington International Airport Limited	134/5	Accept

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

(d) Changes to the proposed Regional Policy Statement

Amend the text above the issues, for each topic section in Chapter 3 (except section 3.10), to read:

The regionally significant issues and the issues of significance to the Wellington region’s iwi authorities for [insert relevant topic] are:

Amend the text above the issues in section 3.10 to read:

The additional resource management issues of specific significance to iwi authorities in the Wellington region and issues of regional significance are:

2.60 Objective 22: The region’s iwi authorities and local authorities work together under Treaty partner principles for the sustainable management of the region’s environment for the benefit and wellbeing of the regional community, both now and in the future

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 22 is on page 214 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on objective 22 but did not attend the hearing.

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

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report pertaining to resource management with tangata whenua. The Hearing Committee noted this support.

(c) Decisions

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

Submitter	Submission	Decision
New Zealand Historic Places	87/9	Accept

Submitter	Submission	Decision
Trust		
Wellington City Council	131/63	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 22.

2.61 Objective 23: The principles of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 23 is on page 214 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on objective 23 but did not attend the hearing.

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

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report pertaining to resource management with tangata whenua. The Hearing Committee noted their support.

(c) Decisions

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

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/10	Accept
Wellington City Council	131/64	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 23.

2.62 Objective 24: The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 24 is on page 215 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on objective 24 but did not attend the hearing.

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

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report pertaining to resource management with tangata whenua. The Hearing Committee noted their support.

(c) Decisions

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

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/11	Accept
Wellington City Council	131/65	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 24.

2.63 Objective 25: Māuri is sustained, particularly in relation to coastal and fresh waters

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 25 is on page 215 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on objective 25 but did not attend the hearing.

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

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report pertaining to resource management with tangata whenua. The Hearing Committee noted their support.

(c) Decisions

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

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/12	Accept
Wellington City Council	131/66	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 25.

2.64 Objective 26: Mahinga kai and natural resources used for customary purposes are maintained and enhanced, and these resources are healthy and accessible to tangata whenua

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 26 is on page 216 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

New Zealand Historic Places Trust made a submission on objective 26 but did not attend the hearing.

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

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report pertaining to resource management with tangata whenua. The Hearing Committee noted their support.

(c) Decisions

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

Submitter	Submission	Decision
New Zealand Historic Places Trust	87/13	Accept
Wellington City Council	131/67	Accept

(d) Changes to the proposed Regional Policy Statement

No change is made to objective 26.

2.65 Objective 27: Adverse effects on the cultural relationship of Māori with their ancestral lands, water, sites, wahi tapu and other taonga are avoided

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 27 is on page 217 of Volume 1.

(b) Submissions, evidence heard and Hearing Committee deliberations

Meridian Energy submitted on objective 27, and attended the hearing, but did not give oral submissions on objective 27.

Mighty River Power, however, gave oral submissions on their further submission in support of the Meridian Energy submission. They sought that the phrase, “avoid, remedy or mitigate” be included in objective 27 due to their concern that it is too focussed on avoiding adverse effects. The Hearing Committee noted the comments made in the Staff Report, Volume 1, pages 217-218, that the purpose of the objective is to provide additional guidance beyond what is already stated in the Resource Management Act. The objective responds to an issue of significance to the Wellington region’s iwi authorities and is specific to the Wellington region. Therefore, the Hearing Committee considers it appropriate to retain reference to avoiding adverse effects.

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

Wellington City Council indicated support in their oral evidence for the recommendations contained in the Staff Report pertaining to resource management with tangata whenua. The Hearing Committee noted their support.

(c) Decisions

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

Submitter	Submission	Decision
Meridian Energy Limited	82/13	Reject
Wellington City Council	131/68	Accept

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

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

No change is made to objective 27.

2.66 Section 3.11 Soil and minerals

(a) **Staff Report**

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.11 is on page 218 of Volume 1.

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

Crown Minerals (Ministry of Economic Development), Fonterra Co-operative Group, made submissions on section 3.11 but did not attend the hearing.

Aggregate and Quarry Association of New Zealand, Michael James Curtis, Federated Farmers of New Zealand, Kapiti Coast District Council, Porirua City Council, Wairarapa Regional Irrigation Trust, Wellington City Council, and Wellington Fish and Game Council submitted on section 3.11, and attended the hearing, but did not give oral submissions on section 3.11. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Winstone Aggregates sought several changes to section 3.11. These changes are identical to those sought in their submission on the proposed Regional Policy Statement and have been addressed in the Staff Report. The Hearing Committee has decided to adopt the discussion on their submission in the Staff Report.

Horticulture New Zealand made reference to section 3.11 in their evidence but did not request any specific changes for section 3.11. The

Hearing Committee has decided to adopt the discussion on their submission in the Staff Report.

(c) **Decisions**

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

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/1	Reject
Winstone Aggregates	15/18	Accept in part
Crown Minerals (Ministry of Economic Development)	26/2	Accept
Michael James Curtis	27/5	Reject
Federated Farmers of New Zealand	35/21	Accept in part
Fonterra Co-operative Group Ltd	36/1	Noted
Kapiti Coast District Council	56/17	Accept
Porirua City Council	100/9	Accept
Wairarapa Regional Irrigation Trust	127/4	Accept
Wellington City Council	131/13	Accept
Wellington Fish and Game Council	133/21	Accept

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

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

Amend the introduction to section 3.11, soils and minerals, paragraphs 5, 7 and 8, on page 68, as follows:

The region has a small amount of land that ~~is~~ ~~could be described as highly productive and~~ suitable for multiple uses such as for growing a wide range of crops, pasture and forest, and for supporting grazing animals. This land is described as Class I and II land under the Land Use capability classification.

Contaminated land arises where hazardous substances are found or are reasonably likely to occur at levels that could have significant adverse effects on the environment. ~~It is the legacy of poor land and/or waste management.~~ There are more than 1,600 sites in the region that have a history of using, storing or manufacturing hazardous substances, including closed landfills. Contaminated land can make land unsuitable or unsafe for future land uses.

In the Wellington region, sand, rock, gravel and limestone are extracted ~~mined~~ from rivers, beaches, coastal cliffs and inland quarries. Oil and gas exploration are also ongoing in parts of Wairarapa and Kapiti. As the region's population continues to expand, the demand for mineral resources, particularly aggregate (~~crushed rock used in building, roading and other construction~~), will increase. A sustained supply of aggregate will be needed to provide for building, construction and roading projects associated with this growth but also to maintain and redevelop existing infrastructure.

Mineral resources are fixed in location, unevenly distributed and finite. Extraction processes, sites and transportation routes can create adverse environmental effects. If activities sensitive to the effects of extraction, ~~and~~ processing and transportation are established nearby, the full and efficient future extraction of these resources can be compromised. In the case of working sites, reverse sensitivity can arise – such as a new garden centre needing to screen itself from dust.

2.67 Section 3.11 Soil and minerals – Issue 2: Reduction of soil health

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.11 Soils and minerals – Issue 2: Reduction of soil health is on page 224 of Volume 1.

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

Federated Farmers of New Zealand submitted on issue 2, and attended the hearing, but did not give oral evidence on issue 2.

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

Horticulture New Zealand suggested issue 2 implies that the use of certain practices (including horticulture) leads to the loss of life supporting capacity. Further, a reduction in soil health does not equate to a total loss of the life supporting capacity. The Hearing Committee notes the discussions with the submitter and recommended changes in the Staff Report. The Hearing Committee has decided that the Staff Report recommended changes for issue 2 are appropriate and takes into account the submitters concerns.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/22	Accept in part
Horticulture New Zealand	50/14	Accept in part

The further submission from Anders Crofoot is accepted accordingly.

(d) Changes to the proposed Regional Policy Statement

Amend soils and minerals, issue 2, on page 69, as follows:

Some land use practices are reducing the health and productive capability of soils ~~leading to the loss of its life-supporting capacity.~~

2.68 Section 3.11 Soil and minerals – Issue 3: Highly productive agricultural land under threat from development

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Section 3.11 Soils and minerals – Issue 3: Highly productive agricultural land under threat from development is on page 225 of Volume 1.

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

Federated Farmers of New Zealand submitted on issue 3, and attended the hearing, but did not give oral evidence on issue 3. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Horticulture New Zealand sought deletion of issue 3 as the submitter has considerable concerns over the identification and protection of some classes of soils for production purposes. The Hearing Committee considered submitters concerns at length with regards to issue 3. The Hearing Committee decided to remain with issue 3 in its current form as high quality soils are unique to the Wellington region and are in limited supply. These soils add to the Wellington region's agricultural sustainability in the districts where they are located.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/23	Reject
Horticulture New Zealand	50/15	Reject

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

(d) Changes to the proposed Regional Policy Statement

There is no change to issue 3.

2.69 Section 3.11 Soils and minerals - Issue 5: Limited mineral resources

(a) Staff Report

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

Statement. Section 3.11 Soils and minerals – Issue 5: Limited mineral resources, is on page 227 of Volume 1.

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

Aggregate and Quarry Association of New Zealand submitted on issue 5, and attended the hearing, but did not give oral evidence on issue 5. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Winstone Aggregates sought the deletion of issue 5 and replacement with two new issues. The submitter contends issue 5 does not go far enough to address the issues of reverse sensitivity and access, and sustained supply of aggregate for the industry in the Wellington region. The Hearing Committee decided that reverse sensitivity from residential and rural residential development activity and access routes to mineral deposits are specific localised issues for the industry to consider, and are not regionally significant resource management issues for the proposed Regional Policy Statement. The second issue suggested by the submitter is encapsulated in issue 5 with regards to sustaining a supply of aggregates for the future. The Hearing Committee decided that issue 5 is an adequate summary of the issues for minerals in the Wellington region.

Higgins Group Holdings Ltd sought that issue 5 be expanded in order to ‘set the stage’ for more specific provisions in the proposed Regional Policy Statement and other planning documents for the integrated management of aggregates and activities. The Hearing Committee discussed the individual parts of issue 5 – that demand for minerals will increase over time, the benefits from local extraction are greater than from outside of the Wellington region, that extraction can be restrained locally (reverse sensitivity), and all these constraints have social, environmental and economic costs for the industry. The Hearing Committee after deliberations considered that issue 5 correctly traverses the issues adequately and no further additions are required.

(c) **Decisions**

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

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/2	Accept
Winstone Aggregates	15/19	Reject
Higgins Group Holdings Ltd	48/4	Reject

The further submission by Winstone Aggregate is rejected.

(d) Changes to the proposed Regional Policy Statement

There is no change to issue 5.

2.70 Objective 28: Land management practices do not accelerate soil erosion

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 28 is on page 229 of Volume 1.

(b) Submissions, evidence heard, and Hearing deliberations

Federated Farmers of New Zealand and Wellington City Council, submitted on objective 28, and attended the hearing, but did not give oral submissions on objective 28. The Hearing Committee adopted the discussion on their submissions in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/24	Reject
Wellington City Council	131/69	Accept

The further submission from Anders Crofoot is rejected accordingly.

- (d) Changes to the proposed Regional Policy Statement

There is no change to objective 28.

2.71 Objective 29: Soil - maintain those desirable physical, chemical and biological characteristics that enable them to retain their ecosystem function and range of uses.

- (a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 Volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 29 is on page 229 of Volume 1.

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

Federated Farmers of New Zealand and Wellington City Council, submitted on objective 29, and attended the hearing, but did not give oral submissions on objective 29. The Hearing Committee adopted the discussion on their submissions in the Staff Report.

- (c) Decisions

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

Submitter	Submission	Decision
Federated Farmers of New Zealand	35/25	Reject
Wellington City Council	131/71	Accept

The further submission from Anders Crofoot is rejected accordingly.

- (d) Changes to the proposed Regional Policy Statement

There is no change to objective 29.

2.72 Objective 30: The demand for mineral resources is met from local sources as much as possible.

- (a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009*

Volumes 1&2 November 2009 prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Objective 30 is on page 230 of Volume 1.

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

Ravensdown Fertiliser Co-operative Limited submitted on objective 30 but did not give oral evidence on objective 30.

Aggregate and Quarry Association of New Zealand and Wellington City Council submitted on issue 5, and attended the hearing, but did not give oral evidence on issue 5. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Winstone Aggregates sought an additional statement to objective 30, to protect existing access routes, and provide for existing mineral extraction areas that are close to urban areas. The Hearing Committee noted the submitters concerns about the existing access routes and reverse sensitivity of existing deposits. The Hearing Committee agrees that ideally having mineral deposits located in close proximity to urban areas is an advantage with possible overall lower costs. However, this ideal is not always possible to achieve. The Hearing Committee does not agree that objective 30 should be modified to take into account those constraints sought by the submitter. Objective 30 sets out what the proposed Regional Policy Statement wants to achieve, that mineral resources are taken from local resources as much as possible. If constraints are such that this is not possible, then policy 60 considers the benefits from extraction of mineral resources in this region and any reverse sensitivity effects that may occur alongside.

Higgins Group Holdings Ltd was concerned about the reliance on policy 60 for mineral applications and this would create an ‘ad-hoc’ approach to future planning of mineral resources in the Wellington region. The submitter suggests that objective 30 and the accompanying text should ‘set the scene’ for minerals in the Wellington region. The Hearing Committee did not agree that the proposed Regional Policy Statement has taken a ‘step back’ when considering minerals in the Wellington region. The resources are given due consideration in the text of the introduction with an appropriate issue outlining the need to source resources from within the Wellington region as much as possible. This issue and objective 30 ‘set the scene’ for the industry and those that are part of it. The Hearing Committee does not consider that the proposed Regional Policy Statement should provide further guidance to district plans on mineral resources. These resources by their very nature are fixed in location, according to rock type. This calls for a case-by-case decision

making process underpinned by objective 30 and using policy 60, that where possible, mineral resources should be located within the Wellington region.

(c) Decisions

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

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/3	Accept
Winstone Aggregates	15/20	Reject
Higgins Group Holdings Ltd	48/5	Reject
Ravensdown Fertiliser Co-operative Limited	104/4	Accept
Wellington City Council	131/71	Accept

The further submission from Winstone Aggregates is rejected accordingly.

(d) Changes to the proposed Regional Policy Statement

There is no change to objective 30.

2.73 Chapter 4 Policies and methods

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on the introductory section of Chapter 4 starts on page 232 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Winstone Aggregates submitted on the introductory section to Chapter 4 and attended the hearing, but did not give oral submissions on this section.

The Hearing Committee considered the submission of Winstone Aggregates and adopted the discussion on their submission in the Staff Report.

(c) Decisions

The decisions on the submission is summarised in the table below. The reason for rejecting the submission is given in the section above, (headed *Submission, evidence heard and Hearing Committee deliberations*) and in the discussion section of the Staff Report as referred to in the section above.

Submitter	Submission	Decision
Winstone Aggregates	15/21	Reject

The further submission from Anders Crofoot is rejected accordingly.

(d) Changes to proposed Regional Policy Statement

Amend the text in the introduction to Chapter 4, on page 73 as a result of the submission by New Zealand Transport Agency on policy 53, as follows:

Alongside each of the policies, in the margin, is a cross reference to the ~~pertinent~~ most relevant objectives, methods and related policies. This is not a complete and exhaustive list, and these provisions must be read in association with each policy, to appreciate the relationships between these policies and methods.

2.74 Section 4.1 Regulatory policies - direction for district and regional plans and the Wellington Regional Land Transport Strategy

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on section 4.1 starts on page 233 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Aggregate and Quarry Association of New Zealand, NZ Transport Agency, South Wairarapa District Council, the Energy Efficiency and Conservation Authority, Wellington City Council attended the hearing, but did not give oral submissions on section 4.1.

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

(c) Decisions

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

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/4	Reject
NZ Transport Agency	91/7	Reject
South Wairarapa District Council	112/18	Accept in part
The Energy Efficiency and Conservation Authority	117/10	Reject
Wellington City Council	131/14	Accept

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

(d) Changes to proposed Regional Policy Statement

Amend the text at the start of section 4.1, on page 79, as a result of these submissions and as a result of the submission of Meridian Energy Limited, under section 4.2 (see the Staff Report on page 106, volume 2), as follows:

This section contains:

- policies that must be given effect to by regional, city or district plans (in accordance with sections 67(3)(c) and 75(3)(c) of the Resource Management Act, 1991)
- policies that the Wellington Regional Land Transport Strategy must ~~not~~ be inconsistent with (in accordance with section 75(a)(iii)(B) of the Land Transport Management Act 2008).

The policies are to be implemented in accordance with methods 1, 2 or 3. The methods require that the process to amend district or regional plans to implement the policies shall 'commence' on or before the date in which a relevant council commences the review of a provision in a district or regional plan in accordance with section 79 of the Resource Management Act 1991. This

recognises substantial work may be required for councils to give effect to these policies.

Within this section the policies are presented in numeric order. The summary table below, however, lists the policy titles alongside topic headings.

2.75 Policy 1: Reverse sensitivity associated with odour, smoke and dust - district plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 1: Reverse sensitivity associated with odour, smoke and dust – district plans, is on page 238 of Volume 1.

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

Department of Corrections, East Harbour Environmental Association Incorporated, Ravensdown Fertiliser Co-operative Limited and New Zealand Defence Force made a submission on policy 1, but did not attend the hearing. New Zealand Defence Force tabled evidence on other matters.

Aggregate and Quarry Association of New Zealand, Higgins Group Holding Ltd, Regional Public Health, and Wellington City Council, submitted on policy 1, and attended the hearing, but did not give oral evidence on policy 1.

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

Winstone Aggregates sought that the word “discourage” be replaced with “prevent”, Part (b) of the policy be totally deleted, and subsequent changes be made to the explanation to reflect the changes sought to the policy. The Hearing Committee has considered the submission on reverse sensitivity by Winstone Aggregates in section 3.1 of this decision report. The subsequent changes requested by the submitter for policy 1 are therefore not relevant. The Hearing Committee agrees with the discussion in the Staff Report, page 243 that address the submitters concerns about policy 1. The Hearing Committee decided that reverse sensitivity is not a separate issue for the proposed Regional Policy Statement and policy 1 provides for the issue of odour, smoke and dust affecting people’s amenity values and

wellbeing. The Hearing Committee decided that the title of policy 1 is too long and should be shortened to make for easier readability. The Hearing Committee decided on a new title, as shown in (d) below. In all other respects the Hearing Committee adopted the discussion on Winstone Aggregates in the Staff Report.

Federated Farmers of New Zealand sought changes to section 3.1 for reverse sensitivity effects. However, this submitter sought retention of policy 1. The Hearing Committee noted the submitters request that reverse sensitivity should be elevated to an issue in section 3.1. The submitters concerns have been addressed by replacing the definition of reverse sensitivity to be more in keeping with environmental case law. The Hearing Committee considers the change to the definition is sufficient and no further changes are required in section 3.1 for reverse sensitivity. The submitter did not request any changes to policy 1. In all other respects the Hearing Committee adopted the discussion on Federated Farmers of New Zealand in the Staff Report. Refer to the definition of ‘reverse sensitivity’ provided later in this Decisions Report, in the section on Appendix 3 – Definitions.

Horticulture New Zealand sought that policy 1 is limited to odour, smoke and dust and this needs to be widened to include reverse sensitivity effects. Horticulture New Zealand also sought that agrichemicals be included into policy 1. The Hearing Committee noted the concerns of Horticulture New Zealand on reverse sensitivity and agrichemicals in section 3.1 of this decision report. The definition of reverse sensitivity has been changed to be consistent with what is meant by the term. . Refer to the definition of ‘reverse sensitivity’ provided later in this Decisions Report, in the section on Appendix 3 – Definitions. The Hearing Committee does not consider that reverse sensitivity should be elevated to an issue in the proposed Regional Policy Statement. The corresponding changes to policy 1 requested by the submitter are therefore not relevant. The Hearing Committee also considers that agrichemicals are not a regionally significant issue, as discussed in section 3.1 of this report, and subsequent changes to policy 1 are not necessary. In all other respects the Hearing Committee adopted the discussion on Horticulture New Zealand in the Staff Report.

Porirua City Council sought that policy 1(b) is amended to reflect permanent activities, or activities whose affects can be mitigated. The Hearing Committee considered that policy 1 is about the long term location of sensitive activities near land uses that emit odour, smoke and dust, and land uses or activities locating near sensitive activities. The policy is not about temporal effects such as earthworks occurring close to sensitive locations. It is assumed that temporal effects such as earthworks would have sufficient provision to be mitigated in district plans or in consent conditions. District plans will have to establish the appropriate level of control for long term activities over temporal

activities. In all other respects the Hearing Committee adopted the discussion on Porirua City Council in the Staff Report.

Department of Conservation gave oral submissions in support of policy 1 at the hearing.

(c) **Decisions**

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

Submitter	Submission	Decision
Aggregate and Quarry Association of New Zealand	3/5	Accept
Winstone Aggregates	15/22	Accept in part
Department of Conservation	31/1	Accept in part
Department of Corrections	32/4	Accept
East Harbour Environmental Association Incorporated	33/10	Reject
Federated Farmers of New Zealand	35/26	Accept in part
Higgins Group Holdings Ltd	48/6	Accept
Horticulture New Zealand	50/16	Accept in part
New Zealand Defence Force	86/5	Reject
Porirua City Council	100/10	Reject
Ravensdown Fertiliser Co-operative Limited	104/5	Accept
Regional Public Health	105/1	Reject
Wellington City Council	131/72	Accept

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

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

Amend the title of policy 1, on page 80, as follows:

Policy 1: ~~Reverse sensitivity associated with~~ Odour, smoke and dust - district plans

2.76 Policy 2: Reducing adverse effects of the discharge of odour, smoke, dust and fine particulate matter – regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* prior to the hearing. It included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. Policy 2: Reducing adverse effects of the discharges of odour, smoke dust and fine particulate matter – regional plans, is on page 248 of volume 1.

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

Tararua Tramping Club made a submission on policy 2, but did not attend the hearing.

Federated Farmers of New Zealand, Higgins Group Holdings Ltd, Masterton District Council, The Energy Efficiency and Conservation Authority, and Wellington City Council, submitted on policy 2, and attended the hearing, but did not give oral evidence on policy 2.

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

Winstone Aggregates sought replacement of the word “protect or enhance” with the words “avoid, remedy or mitigate” in policy 2. The submitter contends the replacement words are more in keeping with other regional councils around the country. The Hearing Committee notes that policy 2 is for regional plans to consider, and is primarily about people’s health and improving people’s amenity values and wellbeing. Part (b) of the policy has specific meaning for those air sheds that are known to be at risk from exceeding the national standard for air quality. The important words for the regional plan to consider are to “protect” people’s health, rather than if the effects can be avoided, remedied or mitigated. The Hearing Committee considers that the stronger word of “protect” is more appropriate for both parts of policy 2. The Hearing Committee considers the policy wording is set at the appropriate level for the region and does not have to be consistent with other councils around the country to be effective. In all other respects the Hearing Committee adopted the discussion on Winstone Aggregates’ submission in the Staff Report.

Airways Corporation of New Zealand sought additional wording to policy 2 to take account of high velocity vertical discharges to air. The Hearing Committee decided, in relation to section 3.1 and to objective 1, of this decision report that high velocity vertical discharges to air are not an issue under section 62 of the Resource Management Act and, therefore, are not addressed by the proposed Regional Policy Statement. The Hearing Committee considered there are other more appropriate places to deal with this issue and in this context, this is regional and district plans. In all other respects the Hearing Committee adopted the discussion on Airways Corporation of New Zealand's submission in the Staff Report.

Horticulture New Zealand sought that policy 2 include reference to agrichemicals. The Hearing Committee, in relation to section 3.1 of this decision report, has decided that agrichemicals are not a regionally significant issue and do not need to be addressed by the proposed Regional Policy Statement. In all other respects the Hearing Committee adopted the discussion on Horticulture New Zealand's submission in the Staff Report.

Department of Conservation gave oral submissions in support of policy 2 at the hearing.

(c) **Decisions**

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

Submitter	Submission	Decision
Airways Corporation of New Zealand Ltd	4/3	Reject
Winstone Aggregates	15/23	Reject
Department of Conservation	31/2	Accept in part
Federated Farmers of New Zealand	35/27	Reject
Higgins Group Holdings Ltd	48/7	Reject
Horticulture New Zealand	50/17	Reject
Masterton District Council	74/6	Accept
Tararua Tramping Club	114/11	Reject
The Energy Efficiency and Conservation Authority	117/11	Accept in part
Wellington City Council	131/73	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 2.

2.77 Policy 3: Discouraging development in areas of high natural character in the coastal environment – district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 3 is on page 253 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Tararua Tramping Club made a submission on policy 3 but did not attend the hearing.

Pamela Joy Meekings-Stewart, Anders Crofoot, Federated Farmers, Meridian Energy Limited, Horticulture New Zealand, Porirua City Council, Trust Power Limited and Wellington City Council attended the hearing, but did not make oral submissions on policy 3.

The Hearing Committee considered the matters raised by submitters who did not give oral presentations at the hearing and adopted the discussion on their submissions decisions in Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Kapiti Coast District Council submitted that there needs to be an explicit link between policies 3 and 35. The Hearing Committee considered that more cross-referencing could be achieved and requested changes to the proposed Regional Policy Statement, Table 2 (on page 23) and to the side reference (on page 81).

Mighty River Power submitted that the qualifier 'inappropriate' apply to all 'subdivision, use and development' and not only to 'uses' as originally proposed. Mighty River Power also supported other amendments to policy 3 made by officers and the retention of the word 'high'. Mighty River Power stated that the inclusion of assessment matters for natural character was useful and gave appropriate guidance for district and regional plan provisions.

Genesis Energy further submitted in support of Mighty River Power's submission and the amendments in the Staff Report. The

Hearing Committee noted the support of the submitters and agreed with the recommendation in the Staff Report that the term ‘inappropriate’ should be inserted before the terms ‘subdivision, use and development’.

John and Julie Martin submitted that Wellington Regional Council wants to now protect areas of high natural character from inappropriate, subdivision, use and development, and that the values that provide high natural character are in the eye of the beholder. The Hearing Committee noted this comment.

The Department of Conservation noted that the recommended changes to policy 3 both satisfies their concerns and will give effect to section 6 (a) of the Act. The Hearing Committee noted this support for policy 3.

(c) Decisions

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

Submitter	Submission	Decision
Anders Crofoot	25/9	Accept in part
Department of Conservation	31/3	Accept in part
Federated Farmers of New Zealand	35/28	Accept
Horticulture New Zealand	50/18	Accept in part
Kapiti Coast District Council	56/18	Accept in part
John and Julie Martin	73/1	Accept
Pamela Joy Meekings-Stewart	81/1	Reject
Meridian Energy Limited	82/14	Accept
Mighty River Power	83/18	Accept
Porirua City Council	100/11	Accept
Tararua Tramping Club	114/12	Accept in part
TrustPower Limited	124/15	Accept in part
Wellington City Council	131/15	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend policy 3, on page 81, as follows:

**Policy 3: ~~Discouraging development in areas of~~
Protecting high natural character in the coastal environment – district and regional plans**

District and regional plans shall include policies, rules and/or methods ~~that to discourage:~~ protect high natural character in the coastal environment ~~in~~ from inappropriate (a) ~~new~~ subdivision, and/or development; and/or use. (b) ~~inappropriate use; on land in the coastal environment with high natural character.~~ Natural character should be assessed considering the following matters, with a site determined as having high natural character when the landscape is slightly modified or unmodified, the land-cover is dominated by indigenous vegetation and/or the vegetation cover is natural and there are no apparent buildings, structures or infrastructure:

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

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

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

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

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

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

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

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

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

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

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

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

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

Explanation

Although it is a matter of national importance to preserve the natural character of the coastal environment, the Resource Management Act does not preclude appropriate use and development in the coastal environment.

The *New Zealand Coastal Policy Statement* further establishes a requirement to define what form of subdivision, use, development or occupation would be appropriate in the coastal environment and where it would be appropriate. Policy 3 supports these requirements, along with policies 54 and 55, which promote a compact, well designed and sustainable regional form.

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

Policy 3 requires district and regional plans to ~~discourage new subdivision and development, and inappropriate use in~~ protect areas considered to have ‘high’ natural character from inappropriate subdivision, use and development. Councils must assess land in the coastal environment to ascertain which areas have high natural character, in order to ~~discourage new subdivision and development in~~ protect these areas, and to determine what would be inappropriate ~~use~~ activities on this land, depending on the attributes associated with an area’s high natural character.

¹ Harrison v Tasman District Council 1994 W42/93

The policy lists the matters to be considered when assessing natural character. Policy 3 (a) contains factors which contribute ‘natural’ attributes to an area, while the factors within clause (b) are about people’s influence in or upon the area, which can compromise, modify or otherwise diminish the natural character of the area. Clause (c) encourages consideration of how people value a particular place. In determining the degree of natural character, the factors within clauses (a) and (b) must be contrasted against each other, and considered alongside the matters contained in clause (c).

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

~~Policy 35 outlines the factors to be considered in making an assessment of the degree of natural character of a place, site or area in the coastal environment. When making a determination as to whether the degree of natural character is high in a particular location, in accordance with policy 3, the factors provided in policy 35 should be used. Policy 35 will need to be considered alongside policy 3 when changing, varying or replacing a district or regional plan.~~

Related policies within this Regional Policy Statement direct regional and district plans to identify and protect historic heritage places, sites and areas (policies 20 and 21), ecosystems with significant biodiversity value (policies 22 and 23), outstanding natural features and landscapes (policies 24 and 25), and significant amenity landscape values (policies 26 and 27) – using the criteria outlined in each policy, and guidance that will be developed to assist with implementation of the Regional Policy Statement (method 7).

Consequential amendments: Add policies 21, 23, 25 and 27 to Table 2, Objective 4.

2.78 Policy 4: Identifying the landward extent of the coastal environment - district plans

(a) Staff Report

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

recommends decisions and recommends changes. Policy 4 is on page 268 of volume 1.

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

New Zealand Historic Places Trust made a submission on policy 4 but did not attend the hearing.

Federated Farmers, Mighty River Power, Horticulture New Zealand, Porirua City Council, TrustPower Limited and Wellington City Council submitted on policy 4 and attended the hearing, but did not make oral submissions on policy 4.

Anders Crofoot commented on the Wairarapa Coastal Strategy and his perceived lack of inclusive consultation on it. The Hearing Committee noted this.

Kapiti Coast District Council stated that further clarification of the criteria listed in the policy would be useful for territorial authorities when engaging with their communities on the inland extent of the coastal environment. They sought further guidance on the application of the criteria. Some criteria are relatively fixed such as landform, whereas coastal processes have a probability component which will change the area considered to be affected by coastal processes depending on what probability of occurrence is used. The guidance asked for by the Council, was the time scale or return period to use when defining the area affected by coastal processes.

The Hearing Committee considered that this guidance was not able to be included in this policy as it is specific to different processes, and suggested an addition to the explanation of the policy to clarify this point. However, Wellington Regional Council is actively researching aspects of coastal hazards, which will illustrate the effect of different time frames for coastal processes for the community, and assist the councils in implementing this policy. Some further guidance may be provided by central government as has been given for anticipated sea level rise.

The Hearing Committee also noted that generally active coastal processes will not be the major determinant of the landward extent of the coastal environment and that there may be different planning controls which are appropriate within the coastal environment depending on the type of process affecting the land and the probability of occurrence.

John and Julie Martin submitted that the Wellington Regional Council wants to now protect areas of 'high' natural character from inappropriate subdivision, use and development. They suggested that aesthetic values are in the eye of the beholder. The Hearing Committee noted this submission.

Department of Conservation considered that the Staff Report recommendation to their submission should be ‘accept in part’ as part of their submission was to support the policy. The Department accepted the reasons given in the Staff Report for not taking a coordination role with the territorial authorities. The Hearing Committee noted the support for the policy and agrees that the submission should be accepted in part. The Hearing Committee also noted that the research on coastal processes and the landscape project work being undertaken by Wellington Regional Council will contribute to aligning and providing consistency across territorial authority boundaries.

(c) **Decisions**

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

Submitter	Submission	Decision
Anders Crofoot	25/10	Accept in part
Department of Conservation	31/4	Accept in part
Federated Farmers of New Zealand	35/29	Accept in part
Horticulture New Zealand	50/19	Reject
Horticulture New Zealand	50/20	Reject
Kapiti Coast District Council	56/19	Accept in part
John and Julie Martin	73/2	Accept in part
Mighty River Power	83/19	Accept in part
New Zealand Historic Places Trust	87/14	Accept in part
Porirua City Council	100/12	Accept
TrustPower Limited	124/16	Reject
Wellington City Council	131/74	Accept in part

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

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

Amend policy 4, on page 82, as follows:

Add to the last paragraph in the explanation:

Neither does the policy direct the timescale of coastal processes to be used in the determination. This will be specific to the processes involved and the location or geomorphology of the area.

Insert the following last paragraph in the explanation:

Council's shall identify in consultation with landholders, the community, tangata whenua and other key stakeholders, the landward extent of the coastal environment.

2.79 Policy 5: Maintaining and enhancing coastal water quality for aquatic ecosystem health - regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 5 is on page 273 of volume 1.

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

Federated Farmers of New Zealand and Wellington City Council submitted on policy 5 and attended the hearing, but did not make oral submissions on policy 5. The Hearing Committee considered their submissions and adopted the discussion on their submissions in the Staff Report.

The Hearing Committee then considered the submission of the Department of Conservation who gave oral submissions at the hearing adopted the discussion in the Staff Report.

(c) Decisions

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

Submitter	Submission	Decision
Department of Conservation	31/5	Accept in part
Federated Farmers of New Zealand	35/30	Reject
Wellington City Council	131/16	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend policy 5, on page 82, and its explanation as follows:

Regional plans shall include policies and rules to:

- (a) require, as a minimum, water quality in the coastal marine area to be managed for the purpose of maintaining or enhancing so that it sustains aquatic ecosystem healthy ecosystems; and
- (b) manage coastal water quality for other identified purposes identified in regional plans.

Explanation

A high standard of water quality is an essential requirement for maintaining ~~the~~ healthy aquatic ecosystems in the *coastal marine area*.

This policy means that discharges, after reasonable mixing, cannot cause water quality to be unsuitable for sustaining healthy, functioning aquatic ecosystems. Regional plans will identify limits for coastal water quality for the maintenance and enhancement of aquatic ecosystem health.

Most contaminants and sediments that arrive in the coastal marine area are carried by rivers, streams and stormwater drains. Fresh water quality in rivers and streams is addressed in policies 11 and 13. Policy 15 promotes the discharge of contaminants to land and policy 14 seeks to minimise erosion and sediment runoff, prior to plan controls being established ~~in accordance with policy 16~~.

Add a new regulatory policy (5a) as a result of the submission by Porirua City Council on section 3.2 the coastal environment, and relevant cross referencing as required, including in Table 2.

Policy 5a Recognising the regional significance of Porirua Harbour (including Pauatahanui Inlet and Onepoto Arm)

District and regional plans with jurisdiction over all or part of the Porirua Harbour catchment area shall include policies, rules and/or methods that:

- (a) recognise and acknowledge the regional significance of Porirua Harbour (including Pauatahanui Inlet and Onepoto Arm); and
- (b) recognise and provide for the maintenance, protection and

enhancement of the significant amenity, recreational, ecological and cultural values associated with the Porirua Harbour.

Explanation

Porirua Harbour includes the Pauatahanui inlet and the Onepoto arm. Porirua Harbour contains a nationally significant ecosystem and has high cultural significance to Ngati Toa.

While the harbour is a recognised aesthetic, natural and community asset, parts of it have been significantly impacted by historic and current land and coastal management practices. The regulatory approach of the proposed Regional Policy Statement seeks to address the discharge of sediment, nutrients and other contaminants into the Harbour and its ecological health through regional and district plans. However, general regulatory policies cannot address the cross-boundary issues associated with the management of the Harbour, and the need to address existing land management practices that are increasingly impacting on the Harbour.

A non-regulatory method is also necessary to address the issues that cannot be resolved through a regulatory approach, but are vital in restoring the mauri and ecological health of the Harbour. Further, the integrated and coordinated management of Porirua Harbour between Porirua City Council, Wellington City Council and Wellington Regional Council is vital to protecting and restoring the harbour.

2.80 Policy 6: Recognising the benefits from regionally significant infrastructure and renewable energy – regional and district plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 6 is on page 276 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Linda Hoyle, South Wairarapa District Council, and Westfield New Zealand Limited made submissions on policy 6 but did not attend the hearing.

Winstone Aggregates, CentrePort Wellington, Kapiti Coast District Council, Masterton District Council, Porirua City Council, and

TrustPower Limited submitted on policy 6 and attended the hearing, but did not give oral submissions on policy 6.

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

Agenda Development Planning reiterated their requested amendment to include non-motorised and public transport. The Hearing Committee adopted the discussion in the Staff Report.

Department of Conservation noted the Staff Report's recommendations for this policy. The Hearing Committee noted the comment. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Genesis Energy supported the changes recommended in the Staff Report, and requested a minor amendment to the definition of regionally significant infrastructure, which is addressed in the definitions section of this report. The Hearing Committee noted the support.

Meridian Energy Limited requested policy 6 require rules and/or methods to be included in plans as well as policies. The submitter and **Mighty River Power** also requested consideration of operational and technical constraints be included and noted that this concern was largely addressed by the change to policy 38. The Hearing Committee noted the comments regarding policy 38, so no changes were made to policy 6. The Hearing Committee considered it appropriate to include the ability for councils to include rules and/or other methods if this would give effect to their policy framework.

Mighty River Power requested amendment to the definition of regionally significant infrastructure to include electricity transmission lines that are not part of the national grid. The Hearing Committee noted that this infrastructure is part of the facilities for the generation and transmission of electricity where it is supplied to the electricity transmission network as defined by the Electricity Governance Rules 2003, so no change is necessary. **Mighty River Power** also reiterated their concerns regarding the recognition of operational and technical constraints. In all other respects, the Hearing Committee adopted the discussion in the Staff Report.

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

definition of regionally significant infrastructure because of the different nature of benefits and importance to the region specifically. The benefit and importance to the region is received by virtue of being part of the nation, rather than directly. New Zealand Defence Force infrastructure is accordingly not included as regionally significant infrastructure.

NZ Transport Agency reiterated their request for policy 6(a)(i) to refer to travelling around the region safely. The Hearing Committee noted this was inadvertently left out of the Staff Report and the change is made accordingly. The submitter also requested recognition of adverse effects of regionally significant infrastructure be added and that these be allowed for provided they are remedied or mitigated to the extent practicable. The Hearing Committee considered it appropriate to include reference to the adverse effects of regionally significant infrastructure in the explanation to the policy but did not consider it appropriate to include a general allowance for such effects without considering the circumstances of individual activities. The Hearing Committee also considered it appropriate to include reference to adverse effects of infrastructure in the introduction to section 3.3. Refer to the report on section 3.3 for amended wording. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Oil Companies, Transpower New Zealand Limited, and PowerCo Limited requested policy 6 require rules and/or methods to be included in plans as well as policies. The Hearing Committee considered it appropriate to include the ability for councils to include rules and/or other methods if this would give effect to their policy framework. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Preserve Pauatahanui Incorporated requested all references to renewable energy generation be deleted. The Hearing Committee adopted the discussion in the Staff Report and no change is made.

The Energy Efficiency and Conservation Authority requested reference to nationally significant infrastructure be included. The Hearing Committee adopted the discussion in the Staff Report and no change is made. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Wellington International Airport Limited requested that Paraparaumu Airport be included in the definition of regionally significant infrastructure. The Hearing Committee considered this appropriate after receiving evidence that the airport currently has a domestic passenger service operating which acts as a gateway for tourists to enter the region. See the definitions section (on Appendix 3) of the Decision Report for the changes made. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Wellington City Council supported policy 6. The support is noted.

Makara Guardians Incorporated requested deletion of clause (b) and all references to renewable energy in the explanation, as well as amendment of the definition of regionally significant infrastructure to refer to local distribution instead of the national grid. The Hearing Committee considered the inclusion of renewable energy to be appropriate, as this is a regionally significant issue. The benefits of renewable energy are also regionally significant and a matter to have particular regard to under section 7 of the Resource Management Act. The national grid is regionally significant infrastructure and should be recognised as such. The local grid is included as part of the transmission network. Therefore, the Hearing Committee decided no changes are necessary. The Hearing Committee also noted that these requests were outside the scope of the submission from Makara Guardians Incorporated.

As a consequence of the decision on Wellington Police’s overall submission, policy 6(a)(ii) was amended to include provision of emergency services. The definition of essential services in the explanation was removed and stormwater collection and transfer added to policy 6(a)(ii) as well as minor grammatical changes, as the policy would then contain the full definition of essential services and would not be needed in the explanation.

(c) **Decisions**

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

Submitter	Submission	Decision
Agenda Development Planning	2/1	Reject
Airways Corporation of New Zealand Ltd	4/4	Accept in part
Winstone Aggregates	15/24	Reject
CentrePort Wellington	23/6	Accept
Department of Conservation	31/6	Noted
Genesis Energy	40/4	Accept in part
Linda Hoyle	51/2	Reject
Kapiti Coast District Council	56/20	Accept in part
Masterton District Council	74/7	Reject
Meridian Energy Limited	82/15	Reject

Submitter	Submission	Decision
Mighty River Power	83/20	Accept in part
New Zealand Defence Force	86/6	Accept in part
NZ Transport Agency	91/8	Accept in part
NZ Transport Agency	91/9	Accept in part
NZ Transport Agency	91/10	Reject
Oil Companies	92/6	Accept
Oil Companies	92/7	Accept in part
Oil Companies	92/8	Accept
Porirua City Council	100/13	Accept
Porirua City Council	100/14	Accept
Preserve Pauatahanui Incorporated	101/3	Reject
South Wairarapa District Council	112/19	Accept in part
The Energy Efficiency and Conservation Authority	117/12	Accept in part
Transpower New Zealand Limited	123/15	Accept
Transpower New Zealand Limited	123/19	Accept in part
TrustPower Limited	124/17	Accept in part
TrustPower Limited	124/18	Reject
Wellington International Airport Limited	134/6	Accept
Wellington City Council	131/75	Accept in part
Westfield New Zealand Limited	138/20	Accept in part

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

(d) Changes to proposed Regional Policy Statement

Amend policy 6, on page 83, as a result of these submissions and submissions by Oil Companies, Transpower New Zealand Limited and PowerCo on section 3.3 of the Regional Policy Statement as follows:

Policy 6: Recognising the benefits from ~~regionally significant infrastructure and renewable energy~~ and regionally significant infrastructure – regional and district plans

District and regional plans shall include policies that recognise:

- (a) The social, economic, cultural and environmental benefits of regionally significant infrastructure including:
 - (i) people and goods can travel to, from and around the region efficiently and safely;
 - (ii) public health and safety is maintained through the provision of essential services; supply of potable water, and the collection and transfer of sewage and stormwater, and the provision of emergency services;
 - (iii) people have access to energy so as to meet their needs; and
 - (iv) people have access to telecommunication services.
- (b) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:
 - (i) security of supply and diversification of our energy sources;
 - (ii) reducing dependency on imported and non-renewable energy resources; and
 - (iii) reducing greenhouse gas emissions.

Explanation

Energy generated from *renewable energy resources* and regionally significant *infrastructure* can provide benefits both within and outside the region. Renewable energy benefits are not only generated by large scale renewable energy projects but also smaller scale projects.

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

...Imported and non-renewable energy sources include as oil, gas, natural gas and coal. ...

Regionally significant infrastructure is defined in Appendix 3. includes:

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

~~Essential services include potable water, and the collection and transfer of sewage and stormwater.~~

2.81 Policy 7: Protecting regionally significant infrastructure – regional and district plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 7 is on page 294 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Westfield New Zealand Limited made submissions on policy 7 but did not attend the hearing.

Airways Corporation of New Zealand Limited, Winstone Aggregates, Meridian Energy Limited, Oil Companies, Transpower New Zealand Limited, TrustPower Limited, Wellington City Council, PowerCo, Paraparaumu Airport Limited, and Masterton District Council submitted on policy 7 and attended the hearing, but did not give oral submissions on policy 7.

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

Agenda Development Planning requested that policy 7 be amended to protect ‘existing and planned’ infrastructure. The submitter felt that some infrastructure projects may not be subject to requiring authorities and pointed out that protection of planned projects before consent is approved is already done through designations, and that these should be explicitly protected. The Hearing Committee considered the requested wording to be inappropriate and too broad in scope, potentially giving protection to inappropriate infrastructure projects that should not be given consent. Designations are a specific process dealt with through the district plan, and Part 8 of the Resource Management Act so it is unnecessary to explicitly address this in the proposed Regional Policy Statement. It is highly unlikely that any regionally significant infrastructure would be a permitted activity so it would come under the resource consent process. No change was made to policy 7.

Genesis Energy requested that the local electricity grid be recognised as regionally significant infrastructure. They requested a minor amendment to the definition of regionally significant infrastructure, which is addressed in the definition section of this report. The Hearing Committee noted that the local electricity grid is already included as regionally significant infrastructure, as it makes up part of the electricity transmission network, so no change was necessary. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Mighty River Power requested that ‘or in close proximity’ be added to the policy. The Hearing Committee noted that the term ‘adjacent’ is to replace ‘alongside’ so this includes areas in close proximity. A change is therefore unnecessary. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

New Zealand Defence Force supported the recommendation that New Zealand Defence Force infrastructure be included as regionally significant infrastructure. The Hearing Committee considered that the definition of regionally significant infrastructure should be limited to those in the Resource Management Act. It was not considered appropriate to include Defence Force infrastructure in the definition of regionally significant infrastructure because of the different nature of benefits and importance to the region specifically. The benefit and importance to the region is received by virtue of being part of the nation, rather than directly. New Zealand Defence Force infrastructure is accordingly not included as regionally significant infrastructure. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

NZ Transport Agency and **Vector** requested the owner/operators of regionally significant infrastructure to be consulted regarding activities that may affect the infrastructure. The Hearing Committee considered that, while this is good practice, it is not a requirement, unlike the requirement under the National Policy Statement on Electricity Transmission to consult with the operator of the national grid. The Hearing Committee concluded that it would be inappropriate to specifically mention one affected party and not others, and it may be misleading to include it as a requirement when it is not, aside from the general requirement to consult with affected parties.

NZ Transport Agency requested that objective 21 be cross-referenced. The Hearing Committee noted that cross referencing with respect to objectives only includes the objective that the policy is designed to achieve, rather than other objectives that may also be relevant. Cross referencing for ‘other relevant matters’ is limited to policies, not objectives. No change is made. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

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

Vector requested reference to incompatible land uses that restrict infrastructure’s ability to be sufficiently protected and wanted additional wording that the “physical integrity and management is maintained.” The Hearing Committee considered the policy, as amended, to provide for operating, maintaining, and upgrading, and considered this sufficient to protect the regionally significant infrastructure from having operations, maintenance, or upgrades inhibited, and the ability to do this safely and efficiently is implied. The maintenance of physical integrity and management is provided for under operation, maintenance, and upgrading. No change was made.

Wellington International Airport Limited wanted more support for the development of regionally significant infrastructure. The submitter also wanted the competing interests more specifically provided for. The Hearing Committee considered the provision for regionally significant infrastructure adequate but considered it appropriate to include a paragraph in the explanation to specifically recognise that there will be competing interests and that these need to be weighed up on a case by case basis to determine what is appropriate for the individual circumstances. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Makara Guardians Incorporated requested the reference to electricity generation and transmission facilities in the definition of regionally significant infrastructure be amended to refer to transmission throughout the region rather than that supplied to the national grid. The Hearing Committee considered it appropriate to include the national grid as well as the local transmission network, and noted that the requested relief is beyond the scope of the submission.

(c) **Decisions**

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

Submitter	Submission	Decision
Agenda Development Planning	2/2	Reject
Airways Corporation of New Zealand Ltd	4/5	Accept in part
Winstone Aggregates	15/25	Reject
Genesis Energy	40/5	Accept in part
Meridian Energy Limited	82/16	Accept in part
Mighty River Power	83/21	Accept in part
New Zealand Defence Force	86/7	Accept in part
NZ Transport Agency	91/11	Accept in part
NZ Transport Agency	91/12	Reject
Oil Companies	92/9	Accept in part
Oil Companies	92/10	Accept
The Energy Efficiency and Conservation Authority	117/13	Accept in part
Transpower New Zealand	123/16	Accept

Submitter	Submission	Decision
Limited		
Transpower New Zealand Limited	123/20	Accept in part
TrustPower Limited	124/19	Reject
Vector	126/2	Reject
Wellington City Council	131/76	Accept in part
Wellington International Airport Limited	134/7	Accept
Westfield New Zealand Limited	138/21	Accept in part

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

(d) Changes to proposed Regional Policy Statement

Amend policy 7, on page 84, a result of the above submissions and the submissions by Oil Companies, Transpower New Zealand Limited and PowerCo on section 3.3 of the Regional Policy Statement as follows:

Policy 7: Protecting regionally significant infrastructure – regional and district plans

District and regional plans shall include policies and rules that protect regionally significant infrastructure from incompatible new ~~land uses or activities~~ subdivision, use and development occurring under, over, or alongside adjacent to the infrastructure.

Explanation

Regionally significant infrastructure is defined in Appendix 3. ~~includes:~~

- ~~• Pipelines for the distribution or transmission of natural or manufactured gas or petroleum~~
- ~~• strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001~~
- ~~• strategic radio communications facilities, as defined in section 2(1) of the Radio Communications Act 1989~~
- ~~• the national electricity grid, as defined by the Electricity Governance Rules 2003~~

- ~~facilities for the generation and transmission of electricity where it is supplied to the national electricity grid~~
- ~~the local authority water supply network and water treatment plants~~
- ~~the local authority wastewater and stormwater networks, systems and wastewater treatment plants~~
- ~~the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2007-2016~~
- ~~Wellington city bus terminal and Wellington Railway Station terminus~~
- ~~Wellington International Airport~~
- ~~Commercial Port Areas within Wellington Harbour (including Miramar, Burnham and Seaview wharves) and adjoining land and storage tanks for bulk liquids.~~

Incompatible subdivisions, land uses or activities are those which adversely affect the efficient operation of infrastructure, ~~or its ability to give full effect to any consent or other authorisation,~~ restrict its ability to be maintained, ~~or restrict the ability to upgrade where the effects of the upgrade are the same or similar in character, intensity, and scale.~~ It may also include new land uses that are sensitive to activities associated with infrastructure.

Protecting regionally significant infrastructure does not mean that all land uses or activities under, over, or ~~alongside~~ adjacent are prevented. The Wellington Regional Council and city and district councils will need to ensure that activities are provided for in a district or regional plan are compatible with the efficient operation, ~~and maintenance, and upgrading (where effects are the same or similar in character, intensity, and scale)~~ of the infrastructure and any effects that may be associated with that infrastructure. Competing considerations need to be weighed on a case by case basis to determine what is appropriate in the circumstances. ...

2.82 Policy 8: Reducing the use and consumption of non-renewable transport fuels and carbon dioxide emissions from transportation – Regional Land Transport Strategy

(a) Staff Report

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

recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 8 is on page 307 of volume 1.

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

Korokoro Environment Group, South Wairarapa District Council, and Paula Warren made submissions on policy 8 but did not attend the hearing.

CentrePort Wellington submitted on policy 8 and attended the hearing, but did not give oral submissions on policy 8.

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

NZ Transport Agency reiterated its requests for the reference to the Land Transport Act to be updated to the current Act and the requirement for Regional Land Transport Strategies to be cover 30 years rather than ten. The Hearing Committee agreed that the Act and timeframe are now different and should be updated but that the old Act and timeframe that the current Strategy was prepared under needs to be explained. The Hearing Committee noted the current Strategy is for ten years, but that the Wellington Regional Council is in the process of developing a proposed Strategy for 30 years. An amendment was made to include the new 30 year timeframe and Act, and a sentence added to acknowledge the different timeframes and statutory documents in the current and proposed Strategies.

Wellington City Council supported energy efficient design and small scale generation. The support was noted.

(c) **Decisions**

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

Submitter	Submission	Decision
CentrePort Wellington	23/7	Reject
Korokoro Environment Group	65/4	Accept
NZ Transport Agency	91/13	Accept
South Wairarapa District Council	112/20	Reject

Submitter	Submission	Decision
Paula Warren	128/2	Accept
Wellington City Council	131/77	Accept

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

(d) Changes to proposed Regional Policy Statement

Amend the second paragraph of policy 8, on page 85, as follows:

The Wellington Regional Land Transport Strategy is a statutory document, prepared under the Land Transport Act 1998 2003, which Wellington Regional Council must produce. It is a strategy for the development of the region's land transport system over the next 30 years and provides policies to guide regional transport decisions and action programmes. The operative Wellington Regional Land Transport Strategy 2007-2016 was prepared under the Land Transport Act 1998 for the required timeframe of 10 years.

2.83 Policy 9: Promoting travel demand management – district plans and the Wellington Regional Land Transport Strategy

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 9 is on page 311 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Paula Warren made submissions on policy 9 but did not attend the hearing. Agenda Development Planning provided additional written evidence on policy 9 but did not attend the hearing.

CentrePort Wellington submitted on policy 9 and attended the hearing, but did not give oral submissions on policy 9.

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

Wellington City Council supported policy 9. This support was noted.

(c) Decisions

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

Submitter	Submission	Decision
Agenda Development Planning	2/3	Reject
CentrePort Wellington	23/8	Accept in part
Paula Warren	128/3	Accept in part
Wellington City Council	131/78	Accept

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

(d) Changes to proposed Regional Policy Statement

No change is made to policy 9.

2.84 Policy 10: Promoting energy efficient design and small scale renewable energy generation – district plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 November 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Policy 10 is on page 313 of volume 1.

(b) Submitters, evidence heard and Hearing Committee deliberations

Korokoro Environment Group made submissions on policy 10 but did not attend the hearing. Agenda Development Planning provided additional written evidence but did not attend the hearing.

Wellington Fish and Game Council, PowerCo Limited, Masterton District Council, Meridian Energy Limited, Kiwi Income Property Trust, Kiwi Income Properties Ltd, Kiwi Properties Management Ltd, and TrustPower Limited submitted on policy 10 and attended the hearing, but did not give oral submissions on policy 10.

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

Department of Conservation accepted the reasons given in the Staff Report for rejecting their original submission. The Hearing Committee noted the comment and no change was made.

Genesis Energy supported the changes recommended in the Staff Report. The Hearing Committee noted the support and no further changes were made.

Porirua City Council requested that domestic-scale be used instead of small-scale and considered 4 MW to be too large. The Hearing Committee noted that the term small-scale was used to include small community-scale as well as domestic-scale generation, but agreed that 4 MW was too large. The Hearing Committee considered a more appropriate size would be 100 kW, as discussed in expert evidence for the Turitea Wind farm in the Manawatu region (Marian (Molly) Melhuish expert evidence, paragraph 69). For further clarification, a size scale for domestic generation of 20 kW in accordance with guidelines from the Energy Efficiency and Conservation Authority is also included.

The Energy Efficiency and Conservation Authority supported the recommendations in the Staff Report. The support was noted.

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

(c) Decisions

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

Submitter	Submission	Decision
Agenda Development Planning	2/4	Reject
Department of Conservation	31/7	Reject
Genesis Energy	40/6	Accept
Korokoro Environment Group	65/5	Accept in part
Masterton District Council	74/8	Reject
Meridian Energy Limited	82/17	Accept in part
Porirua City Council	100/15	Accept in part
The Energy Efficiency and Conservation Authority	117/14	Accept
TrustPower Limited	124/20	Reject
Wellington City Council	131/79	Accept in part

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

(d) Changes to proposed Regional Policy Statement

Amend policy 10, on page 85, as follows:

Policy 10: Promoting energy efficient design and small scale renewable energy generation – district plans

District plans shall include policies and/or rules and other methods that:

- (a) promote energy efficient design and the use of domestic scale (up to 20 kW) and small scale distributed renewable energy generation (up to 100 kW); and
- (b) provide for energy efficient alterations to existing buildings.

Amend the second paragraph of the explanation to read:

Small scale distributed renewable energy generation facilities (up to 20 kW for domestic use and up to 100 kW for small community use) include solar generation particularly for water heating and wind turbines used for on-site or domestic purposes.

2.85 Policy 11: Maintaining and enhancing rivers for aquatic ecosystem health in water bodies – regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 11 is on page 317 of volume 1.

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

Federated Farmers of New Zealand, Lower Hutt Forest and Bird Protection Society, Meridian Energy Limited, Regional Public Health, TrustPower Limited, Wairarapa Regional Irrigation Trust and Wellington City Council submitted on policy 11 and attended the hearing, but did not make oral submissions on policy 11. The Hearing Committee considered their submissions and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered oral submissions given at the hearing.

Horticulture New Zealand sought clear criteria for the identification of purposes for management. The Hearing Committee considered it appropriate for the proposed Regional Policy Statement to provide direction that water bodies are to be managed in the regional plan for identified purposes. However, establishing criteria and identifying the purposes for management should be addressed in consultation with the public when the regional plan is reviewed. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Masterton District Council submitted that care should be taken when listing examples or identifying purposes for management. The Hearing Committee noted that changes to policy 11 and its explanation were recommended in the Staff Report that took into account comments from the submitter. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Mighty River Power sought that the policy be amended to include the words “as far as reasonably practical or otherwise any adverse effects are appropriately remedied, mitigated or off-set to ensure no net loss in relation to ecosystem health.” The Hearing Committee agreed with the Staff Report that it is not necessary to include reference to remedy and mitigate in the policy. Policy 11 directs regional plans. Avoiding, remedying or mitigating is a requirement of section 5 of the Resource Management Act and regional councils are instructed by the Act to be in accordance with section 5 when preparing regional plans. Neither did the Hearing Committee think it was useful or appropriate to include the qualification “as far as reasonably practical” because it would negate the intent of the policy. Managing surface water for aquatic ecosystems provides certainty about the purpose water bodies are to be managed for. Managing surface water for aquatic ecosystems as far as reasonably practical provides no certainty at all.

The next matter raised by the submitter and considered by the Hearing Committee was whether the proposed Regional Policy Statement should include offsetting adverse environmental effects in the policy. The Hearing Committee noted that other submitters have requested policy on offsetting (Horticulture New Zealand, Winstone Aggregates, Masterton District Council, TrustPower Limited) and so it considered all these submissions together and outlines the reason for its decision here.

The Hearing Committee agreed with the Staff Report that it’s appropriate for resource management policy to address offsetting adverse effects, so its decision was whether such policy should be included in the proposed Regional Policy Statement or whether it would be more appropriate at the regional/district plan level. One test the Hearing Committee considered to help its decision was whether including policy in the proposed Regional Policy Statement will “add value” to decision making that follows (regional/district plans/resource consents). The Hearing Committee did not think a policy along the lines of those suggested by Mighty River Power and

other submitters would add much. The approach suggested by Mighty River Power and other submitters simply restated what case law already provides for – that offsetting environmental effects is an appropriate approach (although only in some circumstances).

The Hearing Committee also considered matters in the discussion provided in the Staff Report relating to:

- offsetting is an area of developing case law that is appropriate in some circumstances when adverse effects can't be adequately avoided, remedied or mitigated
- offsetting is already applied in the region
- territorial authorities in the region have not indicated policy is needed in the proposed Regional Policy Statement
- offsetting is site and development specific
- offsetting is currently mentioned in regional plans and policy is best advanced when they (and district plans) are reviewed.

The Hearing Committee concluded that neither the submitters nor the Staff Report provided useful content for policy in the proposed Regional Policy Statement that would help decision making on offsetting environmental effects. Also, sound reasons for including such policy hadn't been given. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

At the hearing, **the Department of Conservation and Wellington Fish and Game Council** accepted policy 11. Department of Conservation considered the Staff Report recommendation should be "accept in part". The Hearing Committee made this change in its decision.

(c) Decisions

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

Submitter	Submission	Decision
Department of Conservation	31/8	Accept in part
Federated Farmers of New Zealand	35/31	Accept in part
Horticulture New Zealand	50/21	Reject
Lower Hutt Forest and Bird Protection Society	66/3	Accept

Submitter	Submission	Decision
Masterton District Council	74/9	Reject
Masterton District Council	74/10	Reject
Masterton District Council	74/11	Accept in part
Meridian Energy Limited	82/18	Reject
Mighty River Power	83/22	Accept in part
Regional Public Health	105/2	Reject
TrustPower Limited	124/21	Accept in part
Wairarapa Regional Irrigation Trust	127/5	Accept
Wellington Fish and Game Council	133/22	Reject
Wellington City Council	131/80	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend policy 11, on page 86, as follows:

Regional plans shall include policies, rules and/or methods that:

- (a) require, as a minimum, that water quality, flows and water levels, and the aquatic habitat of all surface water bodies are to be managed for the purpose of maintaining and ~~or~~ enhancing aquatic ecosystem health; and
- (b) manage water bodies for other ~~identified~~ purposes identified in regional plans.

Explanation

Regional plans will establish ~~limits for water quality, flows and water levels that safeguard aquatic habitats and ecosystems in water bodies.~~ management purposes for water bodies in the region and identify limits for water quality, flows and water levels, and/or aquatic habitat appropriate to the management purposes identified.

Clause (a) requires the management purpose of aquatic ecosystem health to apply to all surface water bodies in the region. The narrative standard for aquatic *ecosystems* in the Third Schedule to the Resource Management Act will be used as a guide to the basis for safeguarding what is needed for aquatic *ecosystem* protection in terms of water quality. The flows and water levels required for

aquatic *ecosystems* will be guided by the “Guidelines for the selection of methods to determine ecological flows and water levels” (Ministry for the Environment, 2008).

Clause (b) provides for some water bodies may to also be managed for other purposes – such as examples are trout fishery, contact recreation, water supply, groundwater protection, or cultural purposes. Where they are identified in regional plans, management purposes will establish limits and guide decisions on water quality, flows and water levels, and managing aquatic habitat.

Where a water body is assigned more than one management purpose in a regional plan, the limits associated with the most stringent water quality, river flows and water levels shall apply not be less than the limits established for aquatic ecosystem health.

Water quality, flows and water levels, and/or aquatic habitat established for management purposes identified in regional plans are suitable for uses associated with those purposes. Water is also available for other uses subject to any limits established in the regional plan.

2.86 Policy 12: Allocating water - regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 12 is on page 326 of volume 1.

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

Fonterra Co-operative made submissions on policy 12 but did not attend the hearing. Federated Farmers of New Zealand, Horticulture New Zealand, Kapiti Coast District Council, Meridian Energy Limited, Wellington City Council and Wairarapa Regional Irrigation Trust submitted on policy 12 and attended the hearing, but did not make oral submissions on policy 12. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussions on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report on policy 12 at the hearing.

Mighty River Power reiterated their original submission that the explanation be amended to recognise that the allocation limits should not be absolute. The Hearing Committee noted that policy 12 responds to the regionally significant issue of increasing use and demand for water by people. Almost all water presently allocated in the region is for consumptive use and virtually none is allocated for non-consumptive use. For this reason the Hearing Committee took the view that it is appropriate for allocation limits in the regional plan to continue to be absolute. However, the Hearing Committee noted that the proposed Regional Policy Statement does not specifically provide for allocation limits to be absolute and allocation limits that build in a component of non-consumptive uses of water are not precluded. Until such time as the issue raised by the submitter becomes an issue in the Wellington region, the Hearing Committee did not consider it warrants any special attention. In all other respects the Hearing Committee adopted the Staff Report in response to Mighty River Power's submission.

(c) **Decisions**

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

Submitter	Submission	Decision
Department of Conservation	31/9	Accept
Federated Farmers of New Zealand	35/32	Reject
Fonterra Co-operative Group Ltd	36/2	Accept in part
Horticulture New Zealand	50/22	Accept
Kapiti Coast District Council	56/21	Accept
Meridian Energy Limited	82/19	Reject
Mighty River Power	83/23	Reject
Wairarapa Regional Irrigation Trust	127/6	Note
Wellington City Council	131/81	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 12.

2.87 Policy 13: Minimising contamination in stormwater from new development - regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 13 is on page 330 of volume 1.

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

South Wairarapa District Council made submissions on policy 13 but did not attend the hearing. Friends of Owhiro Stream, Horticulture New Zealand, Kapiti Coast District Council and Wellington City Council submitted on policy 13 and attended the hearing, but did not make oral submissions on policy 13. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussions on their submissions in the Staff Report.

The Hearing Committee then considered the **Department of Conservation's** oral submission accepting the Staff Report at the hearing.

(c) Decisions

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

Submitter	Submission	Decision
Department of Conservation	31/10	Accept in part
Friends of Owhiro Stream	38/1	Reject
Horticulture New Zealand	50/23	Reject
Kapiti Coast District Council	56/22	Reject
South Wairarapa District Council	112/21	Reject
Wellington City Council	131/82	Accept in part

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

(d) Changes to the proposed Regional Policy Statement

Amend the second paragraph of the explanation to Policy 13, on page 87, as follows:

Wellington Harbour and Porirua (Onepoto Arm and Pauatahanui Inlet) Harbours are places where *ecotoxic contaminants* in bottom *sediments* have been found to occur at concentrations that exceed guidelines for aquatic life.

2.88 Policy 14: Minimising the effects of earthworks and vegetation disturbance - district and regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 14 is on page 333 of volume 1.

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

New Zealand Historic Places Trust made submissions on policy 14 but did not attend the hearing. Anders Crofoot, Federated Farmers of New Zealand, Kapiti Coast District Council, TrustPower Limited and Wellington City Council submitted on policy 14 and attended the hearing, but did not make oral submissions on policy 14. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report.

Horticulture New Zealand reiterated their submission to define vegetation clearance and earthworks. The Hearing Committee considered it would be inappropriate to include these definitions in the proposed Regional Policy Statement because they should be defined in relation to the rules in regional and district plans that control them. In all other respects the Hearing Committee adopted the Staff Report.

At the hearing **Friends of Owhiro Stream** supported policy 14.

Mighty River Power reiterated their submission requesting avoid, remedy and mitigate in place of “minimise”. The Hearing Committee noted that silt runoff in rural and urban environments is a significant pollutant of rivers in the region. The Hearing Committee considered it is appropriate to provide strong guidance in the proposed Regional Policy Statement to address this problem by using the word “minimise”.

Genesis Energy made a further submission on policy 14. At the hearing they requested that the word “minimise” should be replaced with “best practice techniques”. The Hearing Committee considered that silt runoff in rural and urban environments is a significant pollutant of rivers in the region and it is appropriate to provide strong guidance in the proposed Regional Policy Statement to address this problem by using the word “minimise”.

(c) **Decisions**

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

Submitter	Submission	Decision
Anders Crofoot	25/11	Reject
Department of Conservation	31/11	Accept in part
Federated Farmers of New Zealand	35/33	Reject
Federated Farmers of New Zealand	35/34	Reject
Friends of Owhiro Stream	38/2	Accept
Horticulture New Zealand	50/24	Reject
Kapiti Coast District Council	56/23	Accept
Mighty River Power	83/24	Reject
TrustPower Limited	124/22	Accept in part
Wellington City Council	131/83	Accept in part

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

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

Amend policy 14, on page 87, and its explanation as follows:

Regional and district plans shall include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise:

- (a) erosion; and
- (b) silt and sediment runoff into water, or onto land that may enter water, so that aquatic ecosystem health is safeguarded.

Explanation

An area of overlapping jurisdiction between Wellington Regional Council and district and city councils is the ability to control earthworks and vegetation disturbance, including clearance. Many small scale earthworks – such as driveways and retaining walls – can cumulatively contribute large amounts of silt and sediment to stormwater and water bodies, as do large scale earthworks on erosion prone land.

...

2.89 Policy 15: Promoting discharges to land - regional plans

(a) Staff Report

The Hearing Committee and submitters received the *Staff Report: Proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes to the proposed Regional Policy Statement. Discussion on policy 15 is on page 339 of volume 1.

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

Fonterra Co-operative Group Ltd and South Wairarapa District Council made submissions on policy 15 but did not attend the hearing. Federated Farmers of New Zealand, Horticulture New Zealand, Masterton District Council, Porirua City Council and Watersmart Ltd submitted on policy 15 and attended the hearing, but did not make oral submissions on policy 15. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report.

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

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

John Charles and Mary McGuinness submitted that the conjunctive “and” should not join clauses (a) and (b) of policy 15. The submitter also sought a qualification to clause (b) which ensures that collective treatment systems are not promoted exclusively.

The Hearing Committee recognised the practical examples John Charles and Mary McGuinness gave of subdivisions where the promotion of collective treatment rather than individual treatment systems would not reduce environmental impacts and there would be higher financial costs. The Hearing Committee considered that collective treatment systems should not be promoted in situations where individual treatment systems will maintain groundwater quality and soil health. The Hearing Committee decided that the use of collective sewage treatment systems should only be promoted where it is likely that individual treatment systems will not maintain groundwater quality and soil health. Having made this decision, the Hearing Committee considers that the use of the conjunctive “and” should join clauses (a) and (b).

Upper Hutt City Council requested Policy 15(b) be amended to ‘promote, where practical and acceptable to the territorial authority concerned, the use of collective...’ The Hearing Committee agreed that collective systems will be beneficial where practical, but note that the decision on whether a system is practical is made during the planning process.

(c) **Decisions**

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

Submitter	Submission	Decision
Department of Conservation	31/12	Accept
Federated Farmers of New Zealand	35/35	Reject
Horticulture New Zealand	50/54	Accept
Fonterra Co-operative Group Ltd	36/3	Accept
Masterton District Council	74/12	Reject
John Charles and Mary McGuinness	75/1	Accept in part

Submitter	Submission	Decision
Porirua City Council	100/16	Accept
South Wairarapa District Council	112/22	Reject
Upper Hutt City Council	125/5	Reject
Watersmart Ltd	129/1	Reject
Wellington City Council	131/84	Accept

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

(d) Changes to the proposed Regional Policy Statement

Amend policy 15 and the explanation as follows:

Policy 15: Promoting discharges to land – regional plans

Regional plans shall include policies, rules and/or methods that promote:

- (a) ~~promote~~ discharges of human and/or animal waste to land rather than water, particularly discharges of sewage, while maintaining groundwater quality and soil health; and
- (b) ~~promote~~ the use of collective sewage treatment systems that discharge to land where it is likely that individual treatment systems will not maintain groundwater quality and soil health;

~~while maintaining groundwater quality and soil health.~~

Explanation

Well managed land-based discharges can avoid adverse effects on *water bodies*, including degradation of the *mauri* of *water bodies*, that results from waste, particularly human waste (however well treated), being put into surface water instead of being returned to the land. Collective and individual land based treatment systems need to be appropriately designed and managed so that the quantity and quality of discharges maintain ground water quality and soil health.

~~Collective sewage treatment systems can service groups of houses, removing the need for each of them to accommodate effluent treatment and disposal on site. Collective or individual sewage treatment systems can both be viable options in many places for the treatment of sewage before it is disposed of to land. Collective treatment systems are promoted in circumstances where it is unlikely~~

that individual treatment and disposal systems will maintain groundwater quality and soil health.

The quality at which *groundwater* is maintained will be determined by water quality standards in *regional plans*, as directed by policy 11. Soil health in the context of this policy refers to the ability of soil to function so that plant and animal productivity is sustained, *groundwater* flows and quality are maintained and human health and habitation is supported. Public health risk will need to be considered when rules are developed in *regional plans*.

2.90 Policy 16: Protecting aquatic ecological function of water bodies - regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 16 is on page 343 of volume 1.

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

Fonterra Co-operative Group Ltd and New Zealand Historic Places Trust made submissions on policy 16 but did not attend the hearing. Anders Crofoot, Federated Farmers of New Zealand, Horticulture New Zealand, Kapiti Coast District Council, Lower Hutt Forest and Bird Protection Society, Masterton District Council, Meridian Energy Limited, Porirua City Council and Wellington City Council submitted on policy 16 and attended the hearing, but did not make oral submissions on policy 16. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report but commented that wording in the explanation needs to make it clear that reference to “augmentation” is suitably qualified. The Hearing Committee noted that it has deleted the reference to augmentation in the policy. The submitter considered the staff recommendation should be “accept in part”. The Hearing Committee made this change in its decision.

Hutt Valley Angling Club reiterated the concern in their submission about vehicle access to rivers. The Hearing Committee agreed with the Staff Report and considered that control of vehicle access within rivers and lakes is a matter to be decided when the regional plan is

reviewed. It is a specific activity that the Resource Management Act requires the rules of regional plans to address. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

TrustPower Limited reiterated their original submission that the policy be amended by adding a new sub-clause recognising that some disturbance to water bodies may be appropriate, particularly in developing new regionally significant infrastructure including renewable energy developments. The submitter said that a framework that tolerates more than minor adverse effects for regionally significant infrastructure would address their concern. The Hearing Committee noted that the proposed Regional Policy Statement does not make any comment on how more than minor adverse effects are addressed or what level of disturbance is appropriate or not. The Hearing Committee considered these were matters to be resolved when applications are made for resource consent, having regard to the appropriate policies and plans and the Resource Management Act. The Hearing Committee considered the balance of policies in the proposed Regional Policy Statement, including policies 6 and 16, will assist this process. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Mighty River Power made a further submission on policy 16 and at the hearing sought a new clause in the explanation to policy 16 recognising the benefits that arise from the use of water bodies and that use may necessitate disturbance of water bodies. The Hearing Committee noted that policy 16 identifies a number of matters that will be “promoted”, “discouraged” etc., but it makes no comment on what level of disturbance is appropriate or not. Policy 6 provides for the recognition of the benefits from regionally significant infrastructure and policy 7 provides for the protection of regionally significant infrastructure. The Hearing Committee concluded it is unnecessary to repeat these policies in the context of policy 16.

Wellington Fish and Game Council made a further submission supporting the Department of Conservation’s submission on policy 16. The Department of Conservation’s submission was to include “ecological function” in clause (a), include “indigenous animals” in clause (h) and to refer to “water bodies”, where appropriate in preference to other terms. Wellington Fish and Game Council wanted to replace natural form with natural character or include both in 16(a). The Hearing Committee noted that “natural character” has a far wider meaning than “natural form”, particularly when considered in the context of a policy which is about protecting aquatic ecological function. The Hearing Committee considered that including reference to “natural character” in clause (a) would not be appropriate because of the far wider meaning it has than the original wording. It also noted the submission was probably outside the scope of the original submission by the Department of Conservation but did not consider this further, having made the decision to reject the further submission.

The Hearing Committee noted that the explanation to policy 16 includes a meaning for “riparian” which differs from the one included in the definitions in Appendix 3. After considering the respective means, the Hearing Committee deleted the meaning given in the explanation to the policy in favour of relying on the meaning given in the definitions section of the proposed Regional Policy Statement.

(c) **Decisions**

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

Submitter	Submission	Decision
Anders Crofoot	25/12	Reject
Department of Conservation	31/13	Accept in part
Federated Farmers of New Zealand	35/36	Accept in part
Fonterra Co-operative Group Ltd	36/4	Accept in part
Horticulture New Zealand	50/66	Reject
Kapiti Coast District Council	56/24	Reject
Lower Hutt Forest and Bird Protection Society	66/4	Accept in part
Masterton District Council	74/13	Reject
Meridian Energy Limited	82/20	Reject
New Zealand Historic Places Trust	87/15	Accept in part
Porirua City Council	100/17	Accept
The Hutt Valley Angling Club	118/1	Reject
TrustPower Limited	124/23	Reject
Wellington City Council	131/85	Accept in part

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

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

Amend policy 16, on page 88, as follows:

Regional plans shall include policies, rules and/or methods that:

- (a) promote the retention of in-stream habitat diversity by retaining natural features - such as pools, runs, riffles, and the river's natural form;
- (b) promote the retention of natural flow regimes – such as flushing flows;
- (c) promote the protection and reinstatement of riparian habitat;
- (d) promote the installation of off-line water storage over dams in river beds;
- (e) discourage the reclamation, piping, straightening or concrete lining of rivers;
- (f) ~~prevent~~ discourage stock access to rivers, lakes and wetlands;
- (g) discourage the diversion of water into or from wetlands – unless the diversion is necessary to restore the hydrological variation to the wetland;
- (h) prevent the removal or destruction of indigenous plants in wetlands and lakes; and
- (i) maintain fish passage.

Delete the 3rd paragraph of the explanation to policy 16.

~~Riparian means land areas besides and connected to streams, rivers and lakes.~~

2.91 Policy 17: Protecting significant values of rivers and lakes - regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 17 is on page 351 of volume 1.

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

Federated Farmers of New Zealand, Meridian Energy Limited, Mighty River Power, Wellington Fish and Game Council and Wellington City Council submitted on policy 17 and attended the hearing, but did not make oral submissions on policy 17. The Hearing Committee considered their submissions and adopted the discussion on their

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

The Department of Conservation accepted the Staff Report.

Friends of Owhiro Steam supported policy 17.

Horticulture New Zealand sought the deletion of Appendix 1. The particular concerns they raised at the hearing are addressed in response to their submissions on Appendix 1 and Table 16 of Appendix 1. In all other respects the Hearing Committee adopted the discussion in the Staff Report in response to Horticulture New Zealand’s submission.

(c) **Decisions**

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

Submitter	Submission	Decision
Department of Conservation	31/14	Accept in part
Federated Farmers of New Zealand	35/37	Accept in part
Friends of Owhiro Stream	38/3	Accept in part
Meridian Energy Limited	82/21	Accept in part
Mighty River Power	83/25	Reject
Wellington City Council	131/86	Accept in part
Wellington Fish and Game Council	133/23	Accept in part

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

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

Amend policy 17, on page 89, and its explanation as follows:

Regional plans shall include policies, ~~and~~ rules and/or methods that ~~protect~~:

- (a) Maintain or enhance the ~~significant~~ amenity and recreational values of associated with the rivers and lakes,

including significant amenity and recreational values of rivers and lakes listed in Table 15 of Appendix 1; and

- (b) Protect the significant indigenous ecosystems and habitats with significant indigenous biodiversity values of associated with the rivers and lakes, including rivers and lakes listed in Table 16 of Appendix 1.

Explanation

...

The rivers and lakes with significant *indigenous ecosystems and habitats with significant indigenous biodiversity values* were selected using indicators of aquatic invertebrate community health, the diversity of *indigenous* migratory fish species, the presence of nationally threatened fish species and the location of inanga spawning habitat. The criteria used to assess rivers and lakes with significant *indigenous ecosystems* are explained underneath Table 16 in Appendix 1.

2.92 Policy 18: Using water efficiently - regional plans

- (a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 18 is on page 356 of volume 1.

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

Craig Brown and Fonterra Co-operative Group Ltd made submissions on policy 18 but did not attend the hearing. Federated Farmers of New Zealand, Kapiti Coast District Council, Masterton District Council, TrustPower Limited and Wellington City Council submitted on policy 18 and attended the hearing, but did not make oral submissions on policy 18. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report but commented that wording in the explanation needs to make it clear that reference to augmentation is suitably qualified. The Hearing Committee noted that it has deleted the reference to augmentation in the policy.

Horticulture New Zealand raised matters about efficient use of water that are addressed in response to their submission on section 3.4. The Hearing Committee noted that the submitter acknowledged that the meaning of efficient use of water, in relation to policy 18, is included in the explanation. The original submission on policy 18 by Horticulture New Zealand sought the inclusion of on-line dams in policy 18 but this was not raised at the hearing. In all other respects the Hearing Committee adopted the discussion in the Staff Report.

Wairarapa Regional Irrigation Trust supported policy 18 and the changes recommended in the Staff Report. The Hearing Committee did not think that the wording “and augmentation of river flows” recommended in the Staff Report was a useful addition to clause (b) of the policy. The augmentation of river flows is an activity that is not restricted under the Resource Management Act other than any controls that might be placed on discharges. The Hearing Committee considered it would be appropriate to address such discharges through the regional plan without any reference being made to policy 18 of the proposed Regional Policy Statement.

WaterSmart Ltd sought addition of (c) promote greywater re-use for irrigation purposes. The Hearing Committee did not think it was appropriate to include the submitter’s suggestion in policy 18 because of the reasons outlined in the Staff Report. However, the Hearing Committee appreciated that the submitter had a point, and that greywater irrigation should be promoted in the proposed Regional Policy Statement. It felt that the change the submitter suggested is best made in the context of policy 65. A change is made to accordingly.

Wellington Residents Coalition raised points about water metering although policy 18 was not mentioned in their original submission. The Hearing Committee noted that their submission related to the metering of water residential water supply, which is not a matter addressed directly in the proposed Regional Policy Statement.

(c) **Decisions**

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

Submitter	Submission	Decision
Craig Brown	17/1	Reject
Department of Conservation	31/15	Accept in part
Federated Farmers of New Zealand	35/38	Accept
Fonterra Co-operative Group Ltd	36/5	Accept

Submitter	Submission	Decision
Horticulture New Zealand	50/55	Reject
Kapiti Coast District Council	56/25	Accept
Kapiti Coast District Council	56/26	Accept
Masterton District Council	74/14	Reject
TrustPower Limited	124/24	Reject
Wairarapa Regional Irrigation Trust	127/7	Accept
Watersmart Ltd	129/2	Accept in part see policy 65
Wellington City Council	131/87	Accept

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

(d) Changes to the proposed Regional Policy Statement

No change is made to policy 18.

2.93 Policy 19: Prioritising water abstraction for the health needs of people - regional plans

(a) Staff Report

The Hearing Committee and submitters received the Staff Report: *proposed Regional Policy Statement for the Wellington Region 2009 volumes 1&2 2009* (the Staff Report) prior to the hearing. It includes summaries of submissions, a discussion of submissions, recommends decisions and recommends changes. Policy 19 is on page 361 of volume 1.

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

Fonterra Co-operative Group Ltd made submissions on policy 19 but did not attend the hearing. Federated Farmers of New Zealand, Kapiti Coast District Council, Meridian Energy Limited, Mighty River Power, Porirua City Council, Energy Efficiency and Conservation Authority and Wellington City Council submitted on policy 19 and attended the hearing, but did not make oral submissions on policy 19. The Hearing Committee considered the submissions of submitters who did not give oral submissions at the hearing and adopted the discussion on their submissions in the Staff Report. The Hearing Committee then considered the submissions of submitters who gave oral submissions at the hearing.

Department of Conservation accepted the Staff Report.

Horticulture New Zealand reiterated their submission at the hearing to include efficient and reasonable use of water for community and public water supply. The Hearing Committee agreed with the Staff Report that policy 19 identifies the priorities for water use in the Wellington region. It does not refer to efficient use. Managing water takes to ensure efficient use is addressed in policies 18, 43 and 44.

The Hutt Valley Angling Club considered there is a conflict between policy 19 and other provisions of the proposed Regional Policy Statement. They submitted that the priority for taking water by a statutory authority is very high. The submitter considered the analogy of equating public authorities taking of water with “fire fighting” purposes and an individual’s reasonable domestic needs is a false one. The Hearing Committee noted that policy 19 is already a statutory policy in Wellington Regional Council’s Regional Freshwater Plan and the importance of public water supply for people’s health needs warrants it being included in the proposed Regional Policy Statement. The Hearing Committee considered that it does not necessarily conflict with other policies. As the explanation says, the policy gives public water priority over other takes. It does not give public water supply priority over uses that do not take water. The Hearing Committee has made a small amendment to the explanation by removing the words “the same”. This will clarify the analogy between public authorities taking of water with “fire fighting” purposes and an individual’s reasonable domestic needs.

TrustPower Limited reiterated their original submission seeking a new sub-clause to read: ‘(d) the taking of water for regionally significant infrastructure, particularly where it is non-consumptive.’ The Hearing Committee considered that the intent of the policy is to give priority to taking water for public supply over other uses because of the importance of water supply to public health needs. Water is an essential element that allows people to live. The benefits of regionally significant infrastructure are identified in policy 6, and policy 7 provides it with protection. The Hearing Committee made no change to policy 19 in response to TrustPower Limited’s submission.

(c) **Decisions**

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

Submitter	Submission	Decision
Department of Conservation	31/16	Accept in part
Federated Farmers of New	35/39	Reject

Submitter	Submission	Decision
Zealand		
Fonterra Co-operative Group Ltd	36/6	Reject
Horticulture New Zealand	50/25	Reject
Kapiti Coast District Council	56/27	Accept
Meridian Energy Limited	82/22	Accept
Meridian Energy Limited	82/23	Reject
Mighty River Power	83/26	Accept
Porirua City Council	100/6	Accept
The Energy Efficiency and Conservation Authority	117/15	Reject
The Hutt Valley Angling Club Inc	119/1	Accept in part
TrustPower Limited	124/25	Reject
Wellington City Council	131/88	Accept in part

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

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

Amend the proposed Regional Policy Statement, by reordering policy 19, so that it follows policy 15, and make any consequential changes to Table 4 and the numbering of policies.

Amend the explanation to policy 19, on page 90, as follows:

This policy recognises the need to prioritise the taking of water. The Resource Management Act, in section 14, gives priority for water to be taken for fire fighting purposes and an individual's reasonable domestic needs or the needs of an individual's animals for drinking water, provided there are no adverse effects on the environment. This policy gives ~~the same~~ priority to the *abstraction* of water by public authorities for public water supply over other takes of water.