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Proposed Change 1 to the Regional Policy Statement for the Wellington Region

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Upper Hutt

I wish to be heard in support of my submission at a hearing.

Disclosures: I could gain an advantage in trade competition through this submission: Yes ☐**No**

The following is the submission I wish to make on the proposed change to the Regional Policy Statement.

Signature: [redacted]

The wording of a number of clauses in the Proposed Change 1 to the RPS is ambiguous at best. I believe that too much has been left to interpretation. The GWRC has previously attempted to impose restoration of a wetland on the Mangaroa Peatland. This was thrown out by the Environment Court. The ambiguity of the wording of the proposed changes as they stand do not give the Mangaroa Peatland community, of which I am a member, any surety regarding what activities will be permitted. The community has already suffered from years of uncertainty.

In preparing this submission the relevant text from the proposed plan change is shown in **black.**

Observations are shown in **red.**

The decision that requested is shown in **green.**

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

This clause sees the introduction of the concept of restoration, which is inadequately defined at the conclusion of the RPS. Based on the past track record of GWRC ecologists, the community does not trust GWRC with open ended powers which an action concept of this nature would give. There is no argument against protecting that which currently exists, but issue is taken with the concept of returning something to a loosely defined prior state.

The community is increasingly troubled by the council's apparent belief that it has the right, power and mandate to regulate matters more properly the domain of central government, and to ignore limits imposed by central government where the council disagrees.

Decision requested - remove the words **and restore** from this clause.

Policy 18: Protecting and restoring aquatic ecological function health of water bodies - regional plans

(a) there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, **and their restoration is promoted.**

When it comes to GWRC making statements relating to wetlands and the concept of restoration, the Mangaroa Peatlands community have every reason to be sceptical. The document implies that natural wetlands in the region are shrinking when in fact they have been expanding which poses the question "loss since when?" GWRC have a past track record of taking punitive action against both members of the community and the Upper Hutt City Council. Their actions have been referred to as draconian by the Environment Court and their ill-considered case has cost the ratepayers of the Wellington Region in excess of one million dollars.

We have on record Councillor Ros Connelly informing the peatland community that she was in favour of the peatland water table being raised by over 2 metres in order to restore the wetland and that she was in favour of compensation being paid to affected property owners.

The peatland is not now a natural wetland and has not been a natural wetland since the late 1800's and early 1900's as confirmed in evidence to the Environment Court, which hearing which was initiated by GWRC. We consider that the phrase "and their restoration is promoted" should be deleted from the RPS as its presence will be interpreted by the eco factions within GWRC as license to proceed along extreme lines.

For the avoidance of doubt, the RPS should also acknowledge that it respects and observes the Environment Court's finding in GWRC v Adams and ors that the land subject to that decision was not and is not a natural wetland.

Decision requested - delete the phrase [11]and their restoration is promoted".

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

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

The entire concept of buffering has not been adequately defined and there has been no consultation with communities that would be impacted. There has been no definition as to the dimensions of any buffer zone, no definition as to what constitutes 'adequate' nor has there been any clear direction as to what activities within the buffer would be constrained. Not only will there need to be effective consultation with the landowner where the SNA is situated but there would also need to be another layer of consultation for those landowners within the buffer zone. This concept has not been thoroughly thought through and GWRC has failed in its obligation to consult.

To consult meaningfully, we need to understand matters like the dimensions of any buffer zone, the scientific basis on which those buffers are being drawn, what constitutes 'adequate' and the restrictions that might be imposed on activities within the buffer.

To reiterate, before a buffer zone could be imposed, there would need to be effective consultation with the landowner where the SNA is situated as well as consultation for landowners within the buffer zone.

Decision requested - GWRC be required to clearly define the concept of buffering, including all relevant factors and rules that would apply to the buffer zone. GWRC be required to undertake extensive community consultation prior to issuing a consultation document. It is not acceptable for GWRC to be left to make up detailed regulations on the fly.

Insert a new definition of nature-based solutions as follows: **Nature-based solutions**
Examples include:
Reducing greenhouse gas emissions (climate change mitigation):
- planting forests to sequester carbon
- **protecting peatland to retain carbon stores**

GWRC must clearly state what it means by "protecting" peatland and exactly what form that protection would take.
The Mangaroa peatland overlay encompasses over 75 individual landowners and not one single one has been consulted.
The community feels very strongly regarding the high-handed approach taken by GWRC and the devious way it appears to be trying to gain control of all aspects regarding the peatland.

The inclusion of the reference to peatland within a definition constitutes an attempt to regulate by stealth, and flies in the face of the Environment Court's expectation that people on the peatland would be left to the quiet enjoyment of their land. It smacks of bad faith regulation.

The community is aware that GWRC officials have long sought to limit use of the peatland, first through wetland rules, then
using SNA rules and now, it seems by citing it as a carbon sink.

Decision requested - GWRC be instructed to cease and desist in yet another attempt to gain control over the Mangaroa peatland. That the concept of "protecting peatland to retain carbon stores" is struck out pending thorough and extensive consultation with the community and Upper Hutt City Council. That GWRC be required to formulate simple, clear rules regarding the peatland and the implications around and compensation for any loss of use by landowners.

Restoration The active intervention and management of modified or degraded habitats, ecosystems, landforms and landscapes in order to reinstate indigenous natural character, ecological and physical processes, and cultural and visual qualities. The aim of restoration actions is to return the environment, either wholly or in part, to a desired former state, including reinstating the supporting ecological processes.

The process of restoration as outlined in the definition is so wide sweeping that it needs to be redefined. It should not be undertaken without extensive community consultation and support.
The perspective - whose desired former state it is - needs to be defined, as does the time at which that former state existed. Some reference to expert opinion needs to be included. The assessment of what is needed to restore a habitat etc should not come down to the subjective opinion of a council official, given that GWRC has strongly stated environmental goals.
Balancing perspectives are needed from expert advisors and from people directly affected in the local community.
The perspectives of people indirectly affected may also be relevant but should be given less weight than those directly affected.

Decision requested - insert a clause requiring GWRC to engage with the community and only proceed once they have community approval in each case.

End of submission