

# Section 32 Evaluation report

For Variation 1 to Proposed Plan Change 1 to the  
Natural Resources Plan for the Wellington Region

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# **1. INTRODUCTION**

## **1.1 Purpose of this report**

1. Greater Wellington Regional Council (GWRC) is proposing to amend Proposed Plan Change 1 (PC1) to the Natural Resources Plan for the Wellington Region (NRP) through a variation (Variation 1).
2. A variation is an alteration to a proposed plan change (or policy statement), prior to the plan being approved. In this case, Variation 1 has been notified prior to the conclusion of the hearings on PC1.
3. In preparing Variation 1, GWRC has considered the rationale for the changes, options for the changes, and involved mana whenua/tangata whenua partners and stakeholders in the process of the evaluation and the drafting of the variation.
4. This report summarises the evaluation of the proposed provisions, and the background and process information relevant to Variation 1.
5. When altering its regional plan, a council must do so in accordance with the requirements of section 66 of the Resource Management Act 1991 (RMA). This includes the requirement to prepare the alteration in accordance with its obligation to prepare an evaluation report under section 32. Section 32 of the RMA sets out requirements for councils in evaluating proposed alterations to its plan and reporting on that evaluation. This report has been prepared to comply with the requirements of section 32.

## **1.2 Why is Variation 1 not a Freshwater Planning Instrument?**

6. Regional Councils must follow the consultation process outlined in Schedule 1 of the RMA following notification of a planning instrument for changes to regional plans and policy statements. Provisions that form part of a Freshwater Planning Instrument (FPI) must follow the Freshwater Planning Process (FPP) that is set out in Part 4 of Schedule 1 of the RMA and the remaining provisions follow the standard Schedule 1 process set out in Part 1 of Schedule 1 of the RMA.
7. Regional Councils must determine and justify which parts of a regional plan change form part of a FPI and are therefore subject to the FPP.
8. Section 80A(2)(b) of the RMA sets out the definition of a freshwater planning instrument (FPI) in the context of a variation to a proposed regional plan. To be considered a freshwater planning instrument, a variation must either be for the purpose of giving effect to any national policy statement for freshwater management or otherwise related to freshwater.
9. Section 80A defined the assessment required to identify the extent of the FPI. Section 80A(8) of the RMA states:

*“In subsection (2), a proposed regional plan does not include a proposed regional coastal plan or a change or variation to that plan.”*

10. Therefore, the first step is to identify provisions that form part of the regional coastal plan or change to a regional coastal plan and exclude these provisions from the FPI.
11. A regional coastal plan provision must relate to the CMA. In this case, the Natural Resources Plan and PC1 is a combined regional coastal plan and regional plan. The regional coastal plan provisions in PC1 are identified by a coastal icon. Due to the integrated nature of the Plan, the coastal icon does not mean that the provisions marked with the coastal icon are exclusive to application in the CMA. Provisions marked with the coastal icon apply to the CMA and are also relevant to provisions managing air, land, and water outside of the CMA, where the regional council has jurisdiction.
12. Variation 1 seeks to improve clarity and certainty for plan users by amending three provisions in PC1. These provisions all relate to rules which include discharges to coastal waters and therefore form part of a Regional Coastal Plan. As a result, it is determined that the amendments included in Variation 1, are to be excluded from the FPI and follow the standard Schedule 1 process set out in Part 1 of Schedule 1 of the RMA.

### **1.3 Why GWRC is varying Plan Change 1**

13. PC1 was notified on 30 October 2023. From the date of notification, all rules within PC1 had immediate legal effect under section 86B of the RMA.
14. PC1 was developed to give effect to the NPS-FM. It implements the National Objectives Framework (NOF) of the NPS-FM by setting numeric, measurable, and time-bound targets for the health of waterways in Te Awarua-o-Porirua and Te Whanganui-a-Tara.
15. The NOF targets were informed by the Whaitua Implementation Programmes (WIPs) for Te Awarua-o-Porirua Whaitua and Whaitua Te Whanganui-a-Tara, and by mana whenua statements from Te Rūnanga o Toa Rangatira, Taranaki Whānui ki Te Upoko o Te Ika, and the Whaitua Committees for these catchments.
16. The Whaitua processes sought to give effect to the NPS-FM in a way that is evidence-based and shaped by the local community. The intent of the Whaitua processes was to develop “community-led visions for our wai (water) and how we can get there”, by delivering recommendations to GWRC through the WIPs.
17. Provisions to implement the NOF target attribute states (TAS) set limits on resource use through land-use controls, input controls, and output controls relating to freshwater.

18. Following notification and receipt of submissions, hearings for PC1 commenced on 4 November 2024. To date, three of the five scheduled topics have been heard. Hearing Stream 4 was scheduled to commence in August 2025, which was to address stormwater, wastewater, and water allocation provisions.
19. On 29 May 2025, the Government announced changes to its National Direction Package, which included a consultation document on the options to amend the NPS-FM. Potentially significant changes to the NPS-FM were likely to occur within the previous decision-making timeframes for PC1. While the new NPS-FM may not be gazetted before a decision is made on PC1, it will be relevant to any subsequent appeals process.
20. Given the statutory framework and purpose of PC1 to give effect to the NPS-FM, there is a high likelihood that changes to PC1 will be required to give effect to new or amended national direction, particularly if there are changes to national bottom lines, TAS, or implementation timeframes. However, there is currently little certainty about the extent of changes proposed until the new NPS-FM is gazetted (anticipated in 2026).
21. Hearing Stream 4 was subsequently vacated by the Hearing Panels on 13 June 2025 at GWRC's request while it considered the implications of the NPS-FM consultation document on PC1. The Council decided at the meeting of 26 June 2025 to pause PC1 until it has enough confidence in government direction to proceed with PC1. It is anticipated that PC1 can recommence either when the new or amended NPS-FM is gazetted, or when GWRC has sufficient certainty to otherwise proceed if the NPS-FM is delayed.
22. Consequently, the provisions of PC1 as notified will continue to have legal effect for a longer period than initially anticipated.
23. As the rules of PC1 had immediate legal effect when they were publicly notified in October 2023, there is now two years of implementation data from consenting and enforcement processes. Implementation issues have been highlighted in two key areas – hydrological controls for stormwater and financial contribution requirements.
24. Under PC1 as notified, developers are having difficulty complying with hydrological control rules on smaller sites. GWRC's Regulation team is spending significant time and resource to address issues in relation to these stormwater provisions.
25. Some issues can be addressed by guidance documents setting out how GWRC applies these provisions for clarity and consistency for both consent applicants and officers. However, there are some issues that cannot be resolved by this approach:

- a. In PC1, it is a permitted activity to discharge stormwater from new or redeveloped sites smaller than 1000m<sup>2</sup>, provided the proposal has on-site or off-site “hydrological control” measures where discharges will enter a surface waterbody (including via an existing local authority stormwater network). Some Plan users have struggled to design hydrological controls for sites of this smaller scale and have been required to seek resource consent as the permitted activity requirements cannot be met.
  - b. PC1 requires consent holders creating new impervious surfaces to pay financial contributions (FC) to offset the residual adverse effects of stormwater contaminants. A FC is required for all greenfield development, new roads, and state highways requiring a resource consent to offset residual contaminant loads from stormwater discharges entering freshwater and coastal water receiving environments, to ensure the maintenance or improvement of water quality within the affected whaitua.
26. The imposition of FCs has caused significant concern from the industry. GWRC’s Regulation team have faced difficulty implementing FCs as intended due to Schedule (30) lacking the requisite detail to accurately calculate the required FC for a given consent, leaving plan users navigating significant uncertainty regarding consenting cost. Multiple consents have been issued and will continue to be issued with consent conditions requiring financial contributions to be paid.
27. Accordingly, GWRC considers it necessary to notify a variation to PC1 to address the above hydrological control and financial contribution issues while PC1 is on hold.
28. This variation will rectify stormwater provisions in PC1 that are resulting in unintended adverse and inefficient outcomes. Variation 1 will ease the regulatory burden on Plan users under PC1 as notified, and directly support the Government priorities in housing, intensification, and urban development.

#### **1.4 What is included in Variation 1?**

29. The scope of Variation 1 is very narrow compared with the broader scope of PC1. Variation 1 proposes to:
- a. Delay the date by which financial contributions are to be paid until 31 December 2027. This will ensure that any consent holder is not required to pay financial contributions until that topic has been resolved via Hearings on PC1 and a decisions version of the plan is notified; and
30. Defer the requirement for sites smaller than 1000m<sup>2</sup> to provide “hydrological control” as defined in PC1 until the date of decision on PC1. This will ensure that if all other conditions of the rule are able to be met, sites smaller than



1000m<sup>2</sup> are not required to undergo a consenting process in instances where providing for hydrological control may be impracticable or impossible due to the size and nature of the development.

### **1.5 How to navigate this report**

31. This report is structured in two parts. Part A provides the background and context for Variation 1. Part B provides the evaluation of the provisions that are included in Variation 1.

## **PART A CONTEXT**

32. Part A of this report sets out the background, context and process in respect of variation 1, and defined the issues that the proposed variation addresses

## **2. BACKGROUND**

### **2.1 The purpose of the Natural Resources Plan**

33. The NRP is an integrated plan for the Wellington region's coast, land, water, and air. The NRP has objectives, policies, rules, and methods to address issues of use, development, and protection of land resources and freshwater resources, including the bed and margins of water bodies. Section 67 of the RMA sets out the required contents of a Regional Plan.
34. The current Natural Resources Plan for the Wellington Region became operative on 28 July 2023, superseding the previous five regional plans for soil, fresh water, air, discharges to land, and the coastal marine area.

### **2.2 Plan Change 1**

35. On 30 October 2023, GWRC publicly notified PC1. PC1 gives effect to the NPS-FM, including the NOF in two of the five whaitua of the Wellington region – Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua. PC1 also implements the regulatory and some of the non-regulatory recommendations from the Whaitua Te Whanganui-a-Tara Implementation Programme (TWT WIP) and Te Awarua-o-Porirua Implementation Programme (TAoP WIP).
36. PC1 also includes amendments to region-wide provisions, including Schedule F (ecosystems and habitats with significant indigenous biodiversity values), Section 5.4.4 (uses of beds of lakes and rivers rules) and air rules in the coastal marine area (CMA) to give effect to the New Zealand Coastal Policy Statement (NZCPS).
37. PC1 is partly a freshwater planning instrument, proceeding through the freshwater planning process. It is also partly non-freshwater planning instrument, proceeding through the standard RMA Part 1, Schedule 1 plan change process.

38. As mentioned in the introduction of this report PC1 Hearings commenced on 4 November 2024 following notification and receipt of submissions. To date, three of the scheduled five topics have been heard. Hearing Stream 4 was scheduled to commence in August 2025, which was to address stormwater, wastewater, and water allocation in Te Awarua-o-Porirua Whaitua.
39. On 29 May 2025, the Government announced changes to its National Direction Package, which included a consultation document on the options to amend the NPS-FM. Potentially significant changes to the NPS-FM were likely to occur within the previous decision-making timeframes for PC1. While the new NPS-FM may not be gazetted before a decision is made on PC1, it will be relevant to any subsequent appeals process.
40. The Council decided at the meeting of 26 June 2025 to pause PC1 until it has enough confidence in government direction to proceed. It is anticipated that PC1 can recommence either when the new or amended NPS-FM is gazetted, or when GWRC has sufficient certainty to otherwise proceed if the NPS-FM is delayed.

## **2.3 National direction as a driver for Variation 1**

41. Changes in national direction outlined in paragraph 39 above are a key driver for Variation 1. National direction also influences the scope, timing, processes, and approach to PC1. An outline of the regulatory and policy context, including the key content from NPS-FM and other relevant national policy direction, is provided in Section 5 of this report.
42. The key driver for Variation 1 is to address implementation issues currently faced by Plan users while the PC1 Hearings are currently paused.

## **2.4 Processes informing Plan Change 1**

### **2.4.1 Statutory Process**

43. The proposed amendments contained in Variation 1 seek to address implementation issues in PC1 as notified. They seek to amend a part of PC1 that is not a freshwater planning instrument. The relevant statutory process for Variation 1 is therefore an RMA Part 1, Schedule 1 plan change process.

### **2.4.2 The Natural Resources Plan and Whaitua Implementation Programs in response to the NPS-FM**

44. Greater Wellington has responded to the earlier NPS-FM (2014) with two major parallel regional planning processes. One process involved reviewing the operative regional plans and moving them into a single regional plan – the Natural Resources Plan – which became operative on 28 July 2023.
45. The second process, the development of Whaitua Implementation Programmes (WIP), is a direct response to the NPS-FM. There are five whaitua which collectively cover the geographical extent of the Wellington Region. Each whaitua has a Whaitua Committee tasked with developing a

WIP, which includes recommendations for regulatory and non-regulatory proposals for the future of land and water management within that whaitua.

46. The purpose of the WIP is to set resource limits and drive place-based (whaitua) implementation in partnership with mana whenua/Tangata whenua and communities, providing a local response to the NPS-FM. The WIPs are completed for four whaitua (Ruamāhanga, Te Awarua-o-Porirua, and Te Whanganui-a-Tara and Kāpiti), with Wairarapa Coast still to come
47. The five whaitua are shown in Figure 1. The approach and documented reports endorsed for the whaitua include a process to define the issues, undertake modelling/scientific work to support the consideration of issues, and recommendations for identified objectives:
- Whaitua te Whanganui-a-Tara Implementation Programme, September 2021<sup>1</sup>
  - Te Mahere Wai o Te Kāhui Taiao: A Mana Whenua implementation plan to return mana to our freshwater bodies<sup>2</sup>
  - Te Awarua-o-Porirua Whaitua: Whaitua Implementation Programme, Te Awarua-o-Porirua Whaitua Committee, April 2019<sup>3</sup>
  - Te Awarua-o-Porirua Whaitua Implementation Programme: Ngāti Toa Rangatira statement<sup>4</sup>

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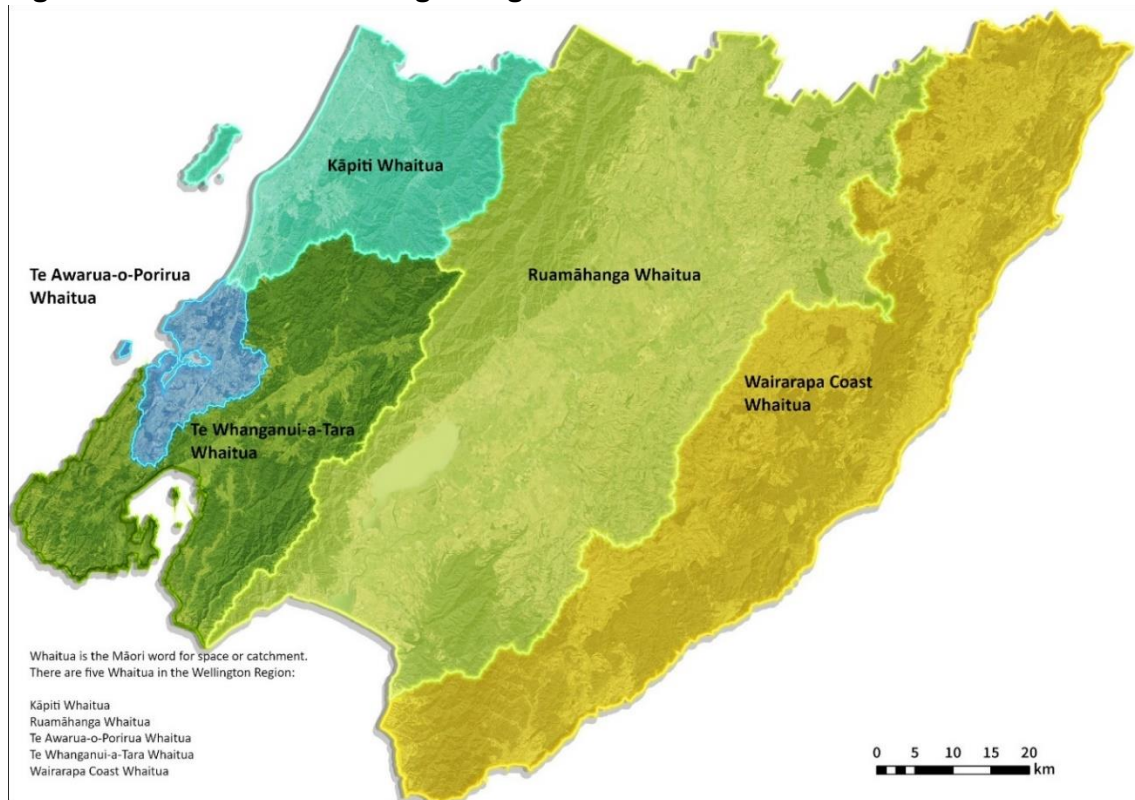
<sup>1</sup> [https://www.gw.govt.nz/assets/Documents/2021/12/Te-Whaitua-te-Whanganui-a-Tara-Implementation-Programme\\_web.pdf](https://www.gw.govt.nz/assets/Documents/2021/12/Te-Whaitua-te-Whanganui-a-Tara-Implementation-Programme_web.pdf)

<sup>2</sup> [https://www.gw.govt.nz/assets/Documents/2021/12/te\\_mahere\\_wai\\_20211028\\_v32\\_DIGI\\_FINAL.pdf](https://www.gw.govt.nz/assets/Documents/2021/12/te_mahere_wai_20211028_v32_DIGI_FINAL.pdf)

<sup>3</sup> <https://www.gw.govt.nz/assets/Documents/2021/11/Te-Awarua-o-Porirua-Whaitua-Implementation-Programme.pdf>

<sup>4</sup> <https://www.gw.govt.nz/assets/Documents/2021/12/ngatitoataopwhaituastatement-v2.pdf>

**Figure 1: Whaitua of the Wellington region**



48. Variation 1 to PC1 seeks to amend three provisions for two whaitua (Te Awarua-o-Porirua and Te-Whanganui-a-Tara) to as ensure the NRP limits, targets, and rules can be implemented as intended.

## **2.5 Process informing Variation 1**

49. The Resource Management (Consenting and Other System Changes) Amendment Act 2025 stopped council plan reviews and plan changes. This 'Plan stop' is intended to ensure authorities do not expend resources on these plan-making process until legislation to replace the RMA comes into force, which is expected by the end of 2027.
50. Where the proposed planning instrument has been notified but has not been heard (or has a hearing set to begin more than five days after commencement of the Act), the instrument must be withdrawn unless an exemption applies.
51. Accordingly, GWRC sought an exemption under s90P of the RMA to notify Variation 1 to PC1. As stated previously, Variation 1 seeks to address implementation issues identified with PC1, thereby reducing uncertainty and improving time and cost efficiencies for developers and other Plan users.
52. On 7 November 2025, the Minister for Resource Management Reform granted an exemption to Variation 1 from the Plan stop legislation under s80P. The Minister considered that Variation 1 meets the criteria of 80W(2)(b)

as it would rectify Plan provisions that have had unintended consequences, are unworkable, or have led to inefficient outcomes.

53. Section 32 of the RMA requires the Council to prepare an evaluation report for Variation 1 that sets out the process and results of what is proposed, including:

- Examining the extent to which the provisions of the variation are the most appropriate way to achieve the objectives; and
- Containing a level of detail relevant to the scale and significant of the environmental, economic, social and cultural effects that would result from implementation of the Variation; and
- Summarising all advice concerning the Variation received from iwi authorities under the relevant provisions of Schedule 1 and the response to that advice, including any provisions intended to give effect to the advice.

54. The detailed requirements of Section 32 are provided in Appendix A – Section 32 RMA.

55. In identifying and assessing the proposed changes, and other reasonable options, GWRC adopted a range of evaluation techniques. This included:

- Partnership and engagement with external parties (refer section 4) including informal briefings and feedback, structured engagement, and formal consultation under the Triennial Agreement; and
- Considering options and outcomes with GWRC Councillors in committee meetings and workshops.

56. In general, desktop analysis and qualitative assessment were the primary techniques used to complete this Section 32 analysis. Further information on the approach to policy evaluation for Variation 1 is provided in Part B of this report.

### **3. RESOURCE MANAGEMENT ISSUES**

#### **3.1 Scope of Variation 1 and reliance on national identification of resource management issues**

57. Variation 1 amends PC1 in response to two specific implementation issues prolonged by the pause on PC1, in anticipation of a new NPS-FM being gazetted.

58. The NPS-FM was developed by the government in response to national freshwater resource management issues. It is necessary for GWRC to implement national policy statements on the basis that the relevant resource management issues have already been identified, analysed, and responded to in the development of that national direction. This report does

not duplicate that assessment and instead addresses that national direction in the regional context.

### **3.2 Degradation of freshwater**

59. The state of our waterbodies, and the shift to restore them is outlined in the WIPs. The causes of this degradation are complex and many, as are the solutions. In very simple terms there has been inadequate control of land use activities and land use change, and the resulting discharge of contaminants. This is highlighted in the urban sector where stormwater quality controls have been inadequate, wastewater overflows are common, as is stream loss to urban subdivision. These issues are not the only issues in respect of the degradation of freshwater, however they are highlighted here due to the focus of PC1 being on the interface between urban development and freshwater.

## **4. PARTNERSHIP, ENGAGEMENT AND OUTCOMES**

60. A summary of partnership and engagement in developing Variation 1, and the outcomes that have contributed to the development of Variation 1, is provided in this section.
61. The limited scope of Variation 1 has resulted in a focused engagement programme, with targeted consultation and involvement of mana whenua/tangata whenua, territorial authorities, Ministers, and central government departments, and in accordance with the consultation process agreed in the triennial agreement under the Local Government Act 2002. There are no customary marine title groups in the Wellington Region. The upcoming Schedule 1 process provides an opportunity for wider stakeholder and community consultation through submissions, further submissions, and the hearings process. The Council has considered the section 82 Local Government Act 2002, and it considers it has undertaken an appropriate level of consultation in light of the significance of the proposed Variation and the extent the issues have been discussed previously.
62. The feedback and outcomes from the consultation to date are reflected in the evaluation of the preferred option are summarised in this report.

### **4.1 Previous consultation**

63. In addition to the targeted engagement undertaken in the preparation of Variation 1, the Council has drawn on information provided in the whaitua process and feedback received from Plan users and council officers since the notification of PC1. This is an efficient approach to consultation and engagement, acknowledging the resource constraints and demands for consultation on many of our partners, stakeholders, and the community.

### **4.2 Statutory consultation**

64. Resource Management Act, Schedule 1 sets out the statutory requirements for consultation that must occur before the notification of any Variation.

Clause 3(1) of Schedule 1 provides the following list of parties that councils must consult with in preparing a proposed plan:

- a. The Minister for the Environment;
  - b. Other Ministers of the Crown who may be affected by the variation;
  - c. Local authorities who may be affected;
  - d. The Tangata whenua of the area, through iwi authorities;
  - e. Any customary marine title group in the area;
65. In developing Variation 1, the GWRC engaged with representatives of Ministers of the Crown (through Department officials), territorial authorities, and mana whenua/Tangata whenua partners as required by Schedule 1.
66. A draft of Variation 1 was provided to mana whenua/Tangata whenua and There are no groups in the Wellington Region holding customary marine title.
67. The draft Variation 1 was sent to:
- a. GWRC's mana whenua/Tangata whenua partners within Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua, being Taranaki Whānui and Te Rūnanga o Toa Rangatira;
  - b. The Ministers for Resource Management Reform, the Environment, and Conservation;
  - c. The four relevant territorial authorities (Wellington, Porirua and Upper Hutt and Hutt City Councils ); and
  - d. Wellington Water (given their key role on implementing Variation 1 and PC1).

#### **4.3 Mana whenua/Tangata whenua**

68. Mana whenua have been significant partners in the Whaitua processes, pivotal in shaping the WIPs, and developed their own documents speaking to these issues: Te Mahere Wai and the Ngāti Toa Statement.
69. Early engagement with Te Rūnanga o Toa Rangatira (TRoTR) and Taranaki Whānui on Variation 1 began in June 2025 as GWRC continued to build on transparency while navigating national direction reform and the potential effects on the public. Both iwi organisations were invited to the Council meeting on 26 June 2025 to express their positions on whether to pause the PC1 Hearings.
70. Both Te Rūnanga o Toa Rangatira (TRoTR) and Taranaki Whānui were provided with opportunities to be involved in the design of variation 1. Officers specifically sought opportunities to co-design the variation
71. Officers from Te Rūnanga o Toa Rangatira provided feedback and accepted an invitation to meet and discuss the proposed variation in detail. GWRC and Te Rūnanga o Toa Rangatira officers were in agreement as to the proposed

content and approach of Variation 1. There have been no changes to the proposed variation since meeting with officers from Te Rūnanga o Toa Rangatira.

#### **4.4 Territorial Authorities**

72. Given the small scale of Variation 1, engagement with Territorial Authorities and Wellington Water consisted of sending the draft provisions to the planning teams and expressing our interest in notifying a variation subject to receiving an exemption to the plan stop legislation (s80P).
73. Upon receiving confirmation from the minister on 17 November regarding the exemption application, an email was sent to these parties to update them regarding the proposed variation, likely timing of notification, and providing them with an opportunity to feedback.

#### **4.5 Central Government**

74. Draft versions of Variation 1 were sent to the relevant Ministers listed above. Responses were received from Ministers for Resource Management Reform, the Environment expressing support for the Variation whilst granting the exemption.

### **5. REGULATORY AND POLICY CONTEXT**

75. This section contains a summary of the main documents that have guided the development of Variation 1. The separate evaluation in Part B provides further regulatory context where relevant to evaluating a specific part of the proposal.
76. The matters considered by GWRC in preparing Variation 1 are summarised below and include:
  - RMA: The purpose and principles in Part 2 of the RMA;
  - Greater Wellington Regional Council functions under section 30 of the RMA;
  - The requirements for Regional Plans under sections 63, 65-68 of the RMA;
  - Environmental management documents recognised by iwi authorities;
  - National Policy Statements prepared under the RMA;
  - This section 32 evaluation.

#### **5.1 Resource Management Act 1991**

77. The purpose of the RMA, as per section 5 of the Act, is:

*(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*



*(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

- a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- c. avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

78. Matters of national importance, contained in section 6 of the Act, are as follows:

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- a. the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development*
- b. the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development*
- c. the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna*
- d. the maintenance and enhancement of public access to and along the coastal marine area, lakes, and river*
- e. the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- f. the protection of historic heritage from inappropriate subdivision, use, and development*
- g. the protection of protected customary rights*
- h. the management of significant risks from natural hazards.*

79. Other matters, contained in section 7 of the Act, are as follows:

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- a. the preservation kaitiakitanga*
- b. the ethic of stewardship*

- c. *the efficient use and development of natural and physical resources*
- d. *the efficiency of the end use of energy*
- e. *the maintenance and enhancement of amenity values*
- f. *intrinsic values of ecosystem:*
- g. *[Repealed]*
- h. *maintenance and enhancement of the quality of the environment*
- i. *any finite characteristics of natural and physical resources*
- j. *the protection of the habitat of trout and salmon*
- k. *the effects of climate change*
- l. *the benefits to be derived from the use and development of renewable energy*

80. Section 8 provides direction relating to the Treaty of Waitangi, which is as follows:

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

81. The provisions of the Variation have been developed in accordance with the provisions in Part 2 including the matters of national importance (Section 6), other matters (Section 7) and the Principles of the Treaty of Waitangi (Section 8).

82. Section 30 of the RMA sets out the functions of regional councils which, of particular relevance, include:

- a. *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region*
- b. *the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance*
- c. *the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in relation to housing and business land to meet the expected demands of the region:*

83. The provisions of Variation 1 have been developed in accordance with these functions in section 30 of the RMA.

## **5.2 National Policy Statement for Freshwater Management**

84. The NPS-FM came into force on 3 September 2020, replacing the NPS-FM 2014 (as amended 2017). It was subsequently amended in 2023. The NPS-FM sets the direction for freshwater quality and quantity management in New Zealand through the framework of Te Mana o te Wai. Te Mana o te Wai is described as the fundamental concept for the NPS-FM (at clause 1.3),

recognising that protecting the health of freshwater protects the health and wellbeing of the wider environment. Te Mana o te Wai has a hierarchy of obligations that prioritises: First, the health and wellbeing of water bodies and freshwater ecosystems; Second, the health needs of people (such as drinking water); Third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.

85. Regional councils are directed under the RMA to give effect to the requirements of the NPS-FM when developing a proposed Regional Plan. The NPS-FM requires freshwater quality to be maintained (where it meets the stated environmental outcomes) or improved over time (where it does not meet stated environmental outcomes) and includes a national Objectives Framework for achieving this.
86. The scope of PC1 Variation 1 gives effect to the requirements of the NPS-FM, as detailed in the Plan Change 1 Section 32 evaluation (Page 18). Variation 1 will address implementation issues with PC1 as notified and the proposed changes will have minimal effects during this period (discussed further in Part B).

### **5.3 National Policy Statement on Urban Development**

87. The National Policy Statement on Urban Development (NPS-UD) came into force on 20 August 2020, replacing the National Policy Statement on Urban Development Capacity 2016. The NPS-UD contains objectives and policies that local authorities must give effect to in the Variation. The objectives and policies require local authorities to plan for growth and ensure a well-functioning urban environment. Regional councils are directed under the RMA to give effect to the objectives and policies of the NPS-UD, where directed, when developing statutory plans and plan changes.
88. The NPS-UD recognises the significance of:
  - a. having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and
  - b. providing sufficient development capacity to meet the different needs of people and communities.
89. PC1 sets objectives for the health and wellbeing of freshwater bodies and the coastal marine area. To achieve these objectives, the plan change includes policies, rules and other methods that manage the effects of existing urban areas and new urban developments, including brownfield redevelopments.
90. This variation will support urban development by addressing implementation issues with hydrological controls and financial

contributions applying to urban development, while ensuring the requirements of both the NPS-FM and NPS-UD are being met.

#### **5.4 Iwi authority planning documents**

91. As part of the Te Awarua-o-Porirua and Te Whanganui-a-Tara whitua processes, two iwi planning documents were developed that give a voice to Tangata whenua/mana whenua aspirations for freshwater:

- Te Mahere Wai o Te Kāhui Taiao – A Mana Whenua whitua implementation plan to return mana to our freshwater bodies (2021) by Te Rūnanga o Toa Rangatira and Taranaki Whānui ki te Upoko o te Ika for Greater Wellington Te Pane Matua Taiao.
- Te Awarua-o-Porirua Whitua Implementation Programme: Ngāti Toa Rangatira Statement (2019) by Ngāti Toa Rangatira.

92. Both documents contain statements of aspirations throughout, which were considered during the drafting of proposed Variation 1.

### **PART B EVALUATION OF THE PROPOSED VARIATION**

93. Part B of this report focuses on the proposed changes in Variation 1 and is structured as follows:

- a. An outline of the evaluation approach
- b. A summary of the preferred option (i.e., the proposed Variation 1).

## **6. APPROACH TO EVALUATION OF PROVISIONS**

94. This section of the report sets out the regional context for the evaluation of Variation 1. It then describes the approach that was taken to that evaluation.

95. The evaluation approach is described in two steps:

- a. A general overview, including how the scale and significance of alterations are relevant to the level of evaluation;
- b. The assessment of the provisions being the most appropriate way to achieve the objectives under section 32(1)(b).

96. The evaluation's conclusions using this approach are set out in Section 7 below.

#### **6.1 Overview of evaluation approach**

97. The overall approach adopted in evaluating the proposals and options for Variation 1 followed accepted practice in policy evaluation, guided by

specific requirements of Section 32 of the RMA.<sup>5</sup> The process involved the following steps:

- Identify the existing implementation issues faced by Plan users and council officers with PC1 as currently notified.
- Identify that issues are unable to be addressed through other means e.g., guidance documents, and must be actioned through a formal variation.
- Formal consultation with mana whenua/Tangata whenua, territorial authorities, and other statutory organisations on the draft Variation 1.
- Draft amendments to provisions based above identification process and formal consultation.
- Document evaluation (this report).
- Finalise the proposal.

## 6.2 Scale and significance

98. Section 32(1)(c) of the RMA requires that the evaluation of proposed Variation 1 to PC1 to the NRP contains a level of analysis commensurate to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the variation.

99. The level of detail undertaken for this evaluation has been determined by assessing the scale and significance of the environmental, economic, social and cultural effects anticipated through implementing the proposed provisions (i.e. schedule and rules) relative to a series of criteria. These criteria provide a framework for determining the scale and significance of the Variation.

100. Based on this, the scale and significance of anticipated effects associated with this proposal are identified below:

Criteria	Scale/ Significance	Comment
Rationale for undertaking the change now	Medium	As discussed in section 1.3, the pause in the PC1 process has resulted in PC1 provisions remaining in place for longer than originally anticipated. While PC1 is paused, the provisions must continue to be applied in consenting and compliance processes. The Regulation business unit in GWRC has encountered implementation issues with the hydrological controls for small sites and financial contributions provisions in PC1 as currently drafted. Keeping the notified

<sup>5</sup> Refer MfE: A guide to section 32 of the Resource Management Act. [A guide to section 32 of the Resource Management Act | Ministry for the Environment](#)

Criteria	Scale/ Significance	Comment
		<p>provisions in effect for longer prolongs these issues.</p> <p>Varying these PC1 provisions will provide clarity and certainty for Plan users in the interim until the Panels issues their recommendations, and Council decides on these recommendations. The notified version of PC1 will then be superseded by the decisions version of PC1, once the decisions are notified.</p>
Degree of effect relative to status quo and national direction - Freshwater	Low	<p>This variation will not have a significant effect on the environment in the short or medium term. There are still several provisions in both PC1 and the NRP that require stormwater treatment to a high standard. This variation will provide Plan users and Council officers with clarity and certainty until the identified issues are worked through in a hearings process and a decisions version of PC1 is available.</p> <p>The Government's national direction package released on 29 May 2025 included options to amend the NPS-FM 2020 and NES-F to "better reflect the interests of all water users". This included the proposal to:</p> <ul style="list-style-type: none"> <li>• Rebalance Te Mana o te Wai by either removing the obligations hierarchy, reinstating the 2017 provisions, or removing Te Mana o te Wai entirely.</li> <li>• Replace the NPS-FM's single Te Mana o te Wai-based objective with multiple new objectives.</li> </ul> <p>Giving effect to the NPS-FM 2020 was a primary driver for both the Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua processes and PC1. As potentially significant changes to the NPS-FM are signalled in the consultation document, the pause in PC1 hearings and consequent need for this variation will ensure GWRC is well-placed to respond to the new NPS-FM once gazetted.</p>

101. Overall, the proposed alterations are considered of low to medium in scale and significance but will provide clarity and certainty for plan users while allowing council to respond to incoming changes to national direction.
102. Considering the low to medium scale and significance of the proposed alterations, the following section outlines the approach to evaluating those alterations.

### **6.3 Quantification of benefits and costs**

103. Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.
104. Due to the nature of the resource management issue being addressed by Variation 1, it is not practicable to quantify all benefits and costs associated with the amendment. As such, the identification of benefits and costs associated with this variation is principally qualitative.

## **7. DESCRIPTION OF THE PROPOSAL**

105. Variation 1 proposes to amend Schedule 30 and two Permitted activity rules in PC1 1 to defer application of hydrological controls to sites under 1,000m<sup>2</sup> and payment of financial contributions that are leading to inefficient outcomes. The changes proposed through Variation 1 will ease the regulatory burden on Plan users under the existing PC1 as notified, and will directly support the Government priorities in housing, intensification, and urban development.

### **7.1 Proposed amendments to provisions**

106. Rules WH.R5 and P.R5 of the NRP-PC1 are proposed to be amended by inserting the below wording into clause (c) of rules.

*“From the date the decision on Submissions to Proposed Plan Change 1 for the Natural Resources Plan for the Wellington Region (2023) is publicly notified.”*

107. This will delay the application of hydrological controls on sites under 1,000m<sup>2</sup> until the issue has been addressed via Hearings and the resolved provisions come into effect with the decisions version of PC1.
108. The following wording is proposed for insertion into Schedule 30 to delay the payment of financial contributions until the matter is addressed through the PC1 Hearings process and the new provisions comes into effect with the decisions version of PC1:

*“Financial contributions shall be imposed as a condition of consent. Financial contributions imposed via conditions of consent during the period of 23 October 2023 and 1 June 2027 shall be paid no earlier than 1 June 2027, and no later than 31 December 2027. Financial Contributions*

*imposed via a condition of consent from 02 June 2027 must be paid in accordance with the timeframes detailed within the consent condition and will be collected prior to the consent being given effect to.”*

## **8. EXAMINATION OF OBJECTIVES**

109. Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal (Variation 1) are the most appropriate way to achieve the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.
110. An examination of the proposed objective is set out below. The following criteria is used as a framework for examining the appropriateness of the objective:
  - a. Relevance, i.e. is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?
  - b. Usefulness, i.e. will the objective guide decision-making?
  - c. Reasonableness, i.e., what is the extent of the regulatory impact imposed on individuals, businesses and wider communities?
  - d. Achievability, i.e., can the objective be achieved either with tools or resources available?

### **8.1 Objective for Variation 1**

111. The variation does not propose to change any existing objectives or introduce any new objectives to PC1. Rather, the objective of Variation 1 is the purpose of the proposal (S32(6)(b)).
112. The objective of Variation 1 is to address the implementation issues relating to two key areas of the stormwater provisions that are unable to be addressed by guidance documents: Hydrological controls for stormwater for sites less than 1000m<sup>2</sup>, and the payment of financial contributions.



## 8.2 Examination of Variation 1 against the objective

Criteria	Examination
Relevance	Variation 1 recognises and provides for the sustainable management of freshwater by managing stormwater discharges into freshwater bodies and assists the Council to undertake its functions.
Usefulness	Variation 1 guides decision making by providing a clear rule framework for stormwater discharges.
Reasonableness	Variation 1 will improve Plan clarity and ease regulatory burden on Plan users.
Achievability	The proposed amendments recognise the implementation issues identified since notification of PC1 and will not be contrary to the objectives of PC1.

### 8.3 PC1 objectives that are relevant to Variation 1

113. In addition to the objective of Variation 1 as set out in the previous section, the following PC1 objectives are also relevant to Variation 1:

Objective	Relevance
WH.O3, WH.O9, P.O3, and P.O6.	These objectives relate to stormwater discharges. The purpose of these objectives is to reduce copper and zinc in stormwater runoff that enters freshwater and coastal water to meet TAS. The reduction in copper and zinc will also assist with reducing the levels of other contaminants including other heavy metals, nutrients, E.coli, and the sediment load to these water bodies.

114. Variation 1 is consistent with these objectives. The change proposed to Schedule 30 will delay the date by which financial contributions are collected, which will be used to offset the increased contaminant load from new greenfield development. The proposed amendment to permitted activity rules will be temporary in nature until a decision is made on PC1, which will ensure hydrological control measures are appropriate for sites of that scale.

## 9. EVALUATION OF PROVISIONS

115. Section 32(1)(1) of the RMA requires reasonable and practicable options to achieve the objective of the variation to be identified and examined. This section of the report evaluates the proposed amendments to provisions as they relate to the objective.
116. An evaluation has been undertaken relating to the costs, benefits, and certainty and sufficiency of information in order to determine the effectiveness and efficiency of each potential approach, and whether each is the most appropriate option to achieve the relevant objectives(s).
117. The Section 32 assessment identifies and assesses the provision's anticipated benefits and costs of the environmental, economic, social and cultural effects to determine which option is most appropriate. This includes consideration of economic growth or employment opportunities that may be provided or reduced.
118. The approach taken to consider costs, benefits, and efficiency has been influenced by the priorities set by the NPS-FM, while also considering the current government direction released on 29 May 2025 regarding the proposals to amend the NPS-FM.
119. In preparing the section 32 assessment, the four elements of section 32(2)(a) have been considered:

- a. Environmental: The focus has been on ensuring the water quality improvements sought by the objectives of PC1 are still able to be met as mandated by the current NPS-FM.
- b. Cultural: Ensuring the mana whenua imperatives of the current NPS-FM are not impacted by the proposed changes.
- c. Economic: Focus on financial impact on the development community.
- d. Social: Consideration of the community sentiment and both positive and negative effects of the proposed changes to PC1 provisions.

120. The costs have not been economically quantified. The value in doing so for a variation with such a narrow focus was determined to be of limited relevance compared to the complexity of undertaking the exercise.

121. Accordingly, the section 32 assessment has been completed as a planning assessment of the expected costs and benefits. This draws on professional understanding of the outcomes that can be expected to arise, with an analysis of options considered during the development of Variation 1.

## 9.1 S32(2)(a) Assessment and the efficiency and effectiveness of provisions

**Implementation Issue 1:** Under PC1 as notified, stormwater discharges from new and redeveloped impervious surfaces less than 1000m<sup>2</sup> is a permitted activity provided conditions are met. This includes the requirement for “hydrological control” to be provided for as defined by PC1. Since notification, there have been several instances where providing for hydrological control was not possible, and or necessary to mitigate potential adverse effects as the effects were assessed as not being significant.

**Implementation Issue 2:** The financial contributions provisions seek to maintain water quality, while still providing for greenfield development. PC1 requires consent holders creating new impervious surfaces to pay financial contributions to offset the residual adverse effects of discharging stormwater contaminants that cannot be treated via other means. Since notification of PC1, the GWRC Regulation team has faced difficulty implementing the financial contributions provisions as intended - particularly due to issues within Schedule 30 of PC1. Schedule 30 provides detailed information in relation to calculating the level of financial contribution required to offset adverse effects from residual contaminant loads. However, this calculation criteria does not account for all greenfield development scenarios subject to resource consent, and is therefore difficult to apply, leaving Plan users navigating significant uncertainty regarding consenting cost.

### Option 1 – Status quo

This option would retain the current approach taken in PC1. Plan users and Council officers would continue to face uncertainty regarding consenting costs and permitted activity requirements, and the stormwater provisions proposed to be amended by this variation will remain difficult to implement.

### Option 2 – Preferred option

The preferred option is to vary the relevant stormwater provisions to defer application of certain aspects of the as provisions set out above, which will improve clarity for Plan users and provide certainty regarding consenting costs in the interim.

The draft text of the proposed changes to provisions is included in Appendix B. It seeks to address the two key implementation issues above by:

- Removing the requirement for sites smaller than 1000m<sup>2</sup> to provide “hydrological control” as defined by PC1 until after the decisions version of PC1 is released; and

- Deferring the date financial contributions must be paid to 31 December 2027. This will ensure that any consent holder is not required to pay financial contributions until the issue has been addressed through Hearings and the decisions version of PC1 is notified.

The changes will contribute to easing regulatory burden on Plan users under the existing plan as notified, and directly support the Government priorities in housing, intensification, and urban development.

**Option 3 – Withdraw Plan Change 1.**

**Option 4 – Address implementation issues with guidance only.**

	Option 1 (Status quo)	Option 2 (Preferred)	Option 3 (Withdraw PC1)	Option 3 (Address implementation issues with guidance only)
<b>Costs</b>				
<b>Environmental</b>	Low. Suboptimal environmental outcomes may arise if PC1 financial contributions are not interpreted correctly.	Low. Less than minor potential adverse effects are anticipated from delaying hydrological control requirements for sites under 1000m <sup>2</sup> .	High. Significant impacts on the environment, particularly by removing restrictions that PC1 has introduced for activities affecting the environment that are outside of the scope of Variation 1 (i.e., increased measures to protect freshwater from forestry and earthwork activities that are not subject to implementation	Neutral. Guidance documents are guides only. The issues proposed to be addressed by Variation 1 are unable to be addressed via guidance as this guidance would be explicitly contradicting the Plan. Some activities therefore would not be able to be undertaken in accordance with schedules/ permitted activity requirements and would

			issues that cannot be addressed by guidance).	legally be considered in breach of the Plan.
<b>Social</b>	Low. Suboptimal social outcomes may arise if PC1 is not interpreted correctly. Plan users continue to have difficulty navigating PC1.	Low. The intent of the Whaitua processes was to develop “community-led visions for our wai (water) and how we can get there”, by delivering recommendations to GWRC through the WIPs. Some members of the public may feel that the aspirations of the whaitua process is undermined by temporarily amending provisions that implement the WIPS.	High. Public trust in the GWRC’s ability to develop appropriate and effective policy documents would be negatively affected.	Medium. Plan users may have a level of discomfort undertaking activities that are not in accordance with the Plan as the guidance has no legal standing.
<b>Economic</b>	<p>Medium. The processing of resource consents may take additional time if PC1 is not clearly and accurately interpreted. Costs would be borne by developers through consent processing charges.</p> <p>Developers will be required to pay financial contributions in accordance with a schedule that may change during the hearings process. This creates uncertainty regarding cost efficiency and may result in consent applications/</p>	Low. The cost of processing Variation 1 will be incorporated into the planned PC1 process.	High. A significant amount of money has been spent on developing and implementing PC1. While some of this may be used for future Plan changes and policy development, a significant amount of money would be considered ‘wasted’.	Medium. Guidance can largely be developed by GWRC staff, however expertise may be required depending on the scale of complexity and technical aspects of the guidance. This could increase costs significantly if expertise is required from someone outside of the organisation.

	developments being delayed due to uncertainty regarding current and future financial contribution requirements (i.e., people may delay development in hopes that financial contributions may be decreased through the hearings process).			
<b>Cultural</b>	Low. This option upholds our mana whenua partnerships and commitments to our communities to progress recommendations from the WIPs and mana whenua statements.	Low. This option upholds our mana whenua partnerships and commitments to our communities to progress recommendations from the WIPs and mana whenua statements.	High. Core to the Whaitua programme was Council's commitment to partner with mana whenua and work with our territorial authorities, Wellington Water, and catchment communities to set freshwater objectives. Breach of GW's commitments and responsibilities to mana whenua by withdrawing PC1 may impact on our wider partnering activities as trust is eroded.  Likely the degradation of water quality for some attributes will continue therefore impacting taonga	Low. This option upholds our mana whenua partnerships and commitments to our communities to progress recommendations from the WIPs and mana whenua statements.

			species and cultural practices.	
<b>Benefits</b>				
<b>Environmental</b>	Low. By retaining the hydrological controls for small sites, there may be some positive environmental effects resulting from hydrological controls reducing the concentration of copper and zinc which will also assist with reducing the levels of other contaminants including other heavy metals, nutrients, E.coli, and the sediment load to freshwater bodies.	Low. While there may be some less than minor environmental effects. The overall objectives of the Plan will still be able to be met.	None identified.	Low. Plan users have more clarity about what is required to ensure environmental effects are managed appropriately.
<b>Social</b>	Core to the Whaitua programme was Council's commitment to partner with mana whenua and work with our territorial authorities, Wellington Water, and catchment communities to set freshwater objectives. This option would provide those involved in the development reassurance that GW are still committed to the Whaitua	Medium. Ensures good planning outcomes for communities.	Low. May ease regulatory burden for Plan users having to navigate two plans (PC1 and NRP), as only the NRP would be operative.	Medium. Plan users feel supported with clear guidance to meet the requirements of the plan. Trust is maintained in the PC1 provisions.



	Programme and WIP's, whereas other options may erode some of this trust.			
<b>Economic</b>	Medium. The revenue raised by FCs could start to be used to fund catchment-scale stormwater treatment, that would be delayed by the preferred option of deferring payment to a later date.	Medium. Processing of resource consents will be streamlined due to the Plan being easier to interpret. Fewer consents may be sought as more Plan users will be able to meet permitted activity requirements for developments less than 1000m <sup>2</sup> . Improved clarity on costs of development.	None identified.	Low. Clear guidance may be used by Plan users to meet permitted activity requirements and avoid consenting processes.
<b>Cultural</b>	Low. This option upholds our mana whenua partnerships and commitments to our communities to progress recommendations from the WIPs and mana whenua statements.	Medium. This option upholds our mana whenua partnerships and commitments to our communities to progress recommendations from the WIPs and mana whenua statements.	None identified.	Low. Mana whenua partners may feel supported with clear guidance and understanding of the plan and its implementation.
<b>Effectiveness and efficiency of options and assessment of most appropriate option</b>				
<b>Efficiency and effectiveness of</b>	The objective of the proposal would not be met and the Regional Plans' objectives would be less efficiently and	Most efficient and effective in achieving objective of the proposal, as the changes would clarify how the	This would remove the implementation issues that the Variation is trying to address from the Regional	This option is likely to result in a confusing regulatory framework that lacks transparency and does not

<b>achieving objectives</b>	effectively achieved, as the provisions have been identified as being ambiguous and require alterations to ensure the overriding objective of the proposal is met.	stormwater provisions of PC1 are intended to be given effect to.  Improves the efficient functioning and application of the Regional Plan.	Plan entirely and therefore be effective in achieving the objective of the proposal.	guide appropriate decision making, as some of the guidance may contradict what is explicitly required through PC1.
<b>Most appropriate for achieving objectives</b>	Not considered appropriate, as the notified provisions are unclear and impractical in some circumstances	Appropriate, because the changes allow better and easier decision-making processes that meet Plan objectives.	This would remove the implementation issues that the Variation is trying to address and therefore would achieve the objective of the proposal entirely.	Not appropriate as some implementation issues have been identified as being unable to be addressed through guidance documents and therefore the objective of the proposal would not be met.

## **Appendix A: Section 32 RMA**

### *32 Requirements for preparing and publishing evaluation reports*

*(1) An evaluation report required under this Act must—*

*(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*

*(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*

*(i) identifying other reasonably practicable options for achieving the objectives; and*

*(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*

*(iii) summarising the reasons for deciding on the provisions; and*

*(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

*(2) An assessment under subsection (1)(b)(ii) must—*

*(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*

*(i) economic growth that are anticipated to be provided or reduced; and*

*(ii) employment that are anticipated to be provided or reduced; and*

*(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*

*(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

*(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*

*(a) the provisions and objectives of the amending proposal; and*

*(b) the objectives of the existing proposal to the extent that those objectives—*

*(i) are relevant to the objectives of the amending proposal; and*

*(ii) would remain if the amending proposal were to take effect.*

*(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*

*(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*

*(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*

*(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*

*(5) The person who must have particular regard to the evaluation report must make the report available for public inspection—*

*(a) as soon as practicable after the proposal is made (in the case of a standard, regulation, national policy statement, or New Zealand coastal policy statement); or*

*(b) at the same time as the proposal is notified.*

*(6) In this section,—*

**objectives** means,—

*(a) for a proposal that contains or states objectives, those objectives:*

*(b) for all other proposals, the purpose of the proposal*

**proposal** means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act

**provisions** means,—


*(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:*

*(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.*

## Appendix B Amended Provisions

### Variation to Plan Change 1 - Proposed changes to provisions (in red)

#### Rule WH.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity

 The use of land for the creation of new, or **redevelopment** of existing **impervious surfaces** (including greenfield development and **redevelopment** activities of existing urbanised property) and the associated discharge of **stormwater** into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing or new local authority **stormwater network**, that is not a **high risk industrial or trade premise** or **unplanned greenfield development**, is a permitted activity, provided the following conditions are met:


- (a) the proposal involves the creation of new, or **redevelopment** of existing impervious areas of less than 1,000m<sup>2</sup> (baseline property existing impervious area as at 30 October 2023) and
  - (b) all new building materials associated with the development shall not include exposed zinc (including galvanised steel) or copper roof, cladding and spouting materials, and
  - (c) **from the date the decisions on submissions to Proposed Plan change 1 for the Natural Resources Plan for the Wellington Region (2023) is publicly notified, the** proposal provides **hydrological control** measures (for example rain tanks) onsite or offsite, where discharges will enter a **surface water body** (including via an existing local authority **stormwater network**):
    - (i) for all impervious areas associated with a greenfield development, or
    - (ii) for all redeveloped and new impervious areas involving greater than 30m<sup>2</sup> of
- 

impervious area of a **redevelopment** (of an

- existing urbanised property), and
- (d) the discharge is not from, onto or into **SLUR Category III land**, unless the **stormwater** does not come into contact with **SLUR Category III land**, and
- (e) the discharge does not contain **wastewater**, and
- (f)
- (g) the concentration of total suspended solids in the discharge shall not exceed:
- (i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or
- 100g/m<sup>3</sup> where the discharge enters any other water, and where the discharge is not via an existing or new local authority **stormwater network**:
- (h) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
- (i) the discharge shall not give rise to the following effects beyond the **zone of reasonable mixing**:
- (i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
- (ii) any conspicuous change in the colour, or
- (iii) a decrease in water clarity of more than
1. 20% in a River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or

- 2. 30% in any other river, or
- (iv) any emission of objectionable odour, or
- (v) the freshwater is unsuitable for consumption by **farm** animals, or
- (vi) any significant adverse effects on aquatic life.

#### Rule P.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity

 The use of land for the creation of new, or **redevelopment** of existing **impervious surfaces** (including greenfield development and **redevelopment** activities of existing urbanised property) and the associated discharge of **stormwater** into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing or new local authority **stormwater network**, that is not a **high risk industrial or trade premise** or **unplanned greenfield development**, is a permitted activity, provided the following conditions are met:

- (a) the proposal involves the creation of new, or **redevelopment** of existing impervious areas of less than 1,000m<sup>2</sup> (baseline property existing impervious area as at 30<sup>th</sup> October 2023) and
- (b) all new building materials associated with the development shall not include exposed zinc (including galvanised steel) or copper roof, cladding and spouting materials and
- (c) from the date the decisions on submissions to Proposed Plan change 1 for the Natural Resources Plan for the Wellington Region (2023) is publicly notified, the proposal provides **hydrological control**

measures (for example rain tanks) onsite or offsite, where discharges will enter a **surface water body** (including via an existing local authority **stormwater network**):

- (i) for all impervious areas associated with a greenfield development, or
- (ii) for all redeveloped and new impervious areas involving greater than 30m<sup>2</sup> of impervious area of a **redevelopment** (of an existing urbanised property), and

(d) the discharge is not from, onto or into **SLUR Category III land**, unless the **stormwater** does not come into contact with **SLUR Category III land**, and

(e) the discharge does not contain **wastewater**, and

(f) the concentration of total suspended solids in the discharge shall not exceed:

- (i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or

- (ii) 100g/m<sup>3</sup> where the discharge enters any other water,

and where the discharge is not via an existing or new local authority **stormwater network**:

(g) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and

(h) the discharge shall not give rise to the following effects beyond the **zone of reasonable mixing**:

- (i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or



- (ii)      any conspicuous change in the colour, or
- (iii)      a decrease in water clarity of more than
  - 1.          20% in a River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or
  - 2.          30% in any other river, or
- (iv)      any emission of objectionable odour, or
- (v)      the freshwater is unsuitable for consumption by **farm** animals, or
- (ii)      any significant adverse effects on aquatic life.

Note

Where a **property** connects to a local authority **stormwater network**, additional connection requirements and authorisations may be required by the network utility operator.

For the creation of new or **redevelopment** of existing **impervious surfaces** for **high risk industrial and trade premises** and the associated discharge of stormwater, refer to Rule P.R10.

## Schedule 30: Financial Contributions

This schedule relates to Rules WH.R6, WH.R10, WH.R11, P.R6, P.R9, and P.R10.

### A      **Context**

Under section 108(2)(a) and (10) of the Resource Management Act 1991, a consent authority may impose a condition on a resource consent requiring a financial contribution to be made for the purpose of offsetting an environmental adverse effect.

The creation of **impervious surfaces** through new greenfield development, new roads (not directly associated with a greenfield development) and state highways will result in an increase of **stormwater** contaminants entering freshwater receiving environments. **Stormwater** contaminant treatment will be required of new development proposals, however, treatment of contaminants is only practicable for a portion of the contaminant load received from the site. This results in a residual contaminant load still entering freshwater and coastal water receiving environments.

The National Policy Statement for Freshwater Management 2020 requires freshwater quality to be maintained or improved. A financial contribution is required to offset the adverse environmental effects of the residual **stormwater** contaminants entering freshwater receiving environments where policy WH.P15 and P.P13 anticipates a deterioration of water quality could arise.

### B      **Purpose**

A financial contribution is required for all greenfield development, new roads and state highways requiring a resource consent to offset residual contaminant load from **stormwater** discharges entering freshwater and coastal water receiving environments to ensure the maintenance or improvement of water quality within the affected **whaitua**. Financial contributions collected will be utilised to fund and construct new, or **upgrade** existing, catchment scale **stormwater treatment systems** serving existing urban development, within the same **whaitua** and if practicable, the same **part Freshwater Management Unit**.

### C      **Definition of an Equivalent Household Unit**

An Equivalent Household Unit (EHU) is the basis for assessing the residual environmental impact (measured for

copper and zinc contaminants in this instance) of the development of an average-sized residential unit for the purposes of calculating a financial contribution. Each average-sized new residential unit is deemed to create one unit of impact (one EHU).

Because non-residential developments and new roads/state highways (not in direct support of a greenfield development) also impact contaminant levels, but can vary dramatically in size, every 100m<sup>2</sup> of roofing or roading/hardstand area is deemed to create one unit of impact, rather than using the EHU unit of measure used for residential development.

Financial contributions are calculated based on the number of EHUs expected to be delivered in greenfield areas in the two **whaitua**. Non-residential and new road/state highway financial contributions are calculated based on the amount of roofing and roading/hardstand expected.

## **D**

### **Calculation of level of contribution**

Financial contributions shall be calculated per EHU for residential greenfield development (Table D1), or per 100m<sup>2</sup> for non-residential greenfield development and new roads/state highways (not in direct support of a greenfield development) (Table D2).

**Table D1. Financial contribution calculations for residential greenfield development**

<b>Whaitua</b>	Residential Financial Contribution per EHU*
<b>Whaitua</b> Te Whanganui-a-Tara	\$4, 240
Te Awarua-o-Porirua <b>Whaitua</b>	\$4, 599

\*dwellings with <55m<sup>2</sup> of roof site coverage shall be charged at 0.6 of the financial contribution rate

**Table D2. Financial contribution calculations for non-residential greenfield development and new roads/state highways**

<b>Whaitua</b>	Non-residential (i.e new commercial, industrial, town centre areas) <u>Financial Contributions per 100m<sup>2</sup></u>	New roads and state highways (not in direct support of a new greenfield development) <u>Financial Contribution per 100m<sup>2</sup></u>
<b>Whaitua</b> Te Whanganui-a-Tara	\$858	\$360

Te Awarua-o-Porirua <b>Whaitua</b>	\$858	\$360
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Financial contributions shall be imposed as a condition of consent. Financial contributions imposed via conditions of consent during the period of 23 October 2023 and 1 June 2027 shall be paid no earlier than 1 June 2027, and no later than 31 December 2027. Financial Contributions imposed via a condition of consent from 02 June 2027 must be paid in accordance with the timeframes detailed within the consent condition. and will be collected prior to the consent being given effect to.

## **E**

### **Use**

Financial contributions collected by Wellington Regional Council for a particular greenfield development shall only be invested in catchment scale **stormwater treatment system** projects within the same **whaitua** and if practicable, the same **part Freshwater Management Unit** as that from where the financial contribution was collected. Wellington Regional Council will distribute collected funds to a relevant **stormwater** network utility operator to undertake capital expenditure projects that allow improvements in **stormwater** quality towards meeting the relevant target attribute states in Objectives WH.O3, WH.O8, P.O3 and P.O5.