

BEFORE THE INDEPENDENT HEARING PANEL

APPOINTED BY HUTT CITY COUNCIL

IN THE MATTER

of the Resource Management
Act 1991

AND

IN THE MATTER

of Private Plan Change 58:
12 Shaftesbury Grove, Stokes
Valley - Rezoning to Medium
Density Residential Activity
Area

WRITTEN RIGHT OF REPLY #2

Joint Statement by C Tessendorf and D Kellow

In Response to Minutes #5 and #6

08 October 2024

- (1) In response to the direction for further information provided by the hearing panel in Minute #5 (issued on 01 October 2024) and Minute #6 (issued on 04 October 2024) we would like to provide the following additional written reply.
- (2) Any further changes recommended in response to questions arising at the hearing are shown as purple underline or ~~purple strikethrough~~.

Minute #5

... whether the level of detail in the recommended policy (c) is appropriate relative to the other two policies. In particular, there is neither an overall outcome expressed nor the need to identify and protect the significant ecological values of the land.

Response by C Tessendorf (for Requestor)

- (3) I consider the level of detail of the proposed policy to be appropriate. The intention of the policy is to clarify the intentions for the subdivision and development of the site especially in relation to portions within or outside the identified development area. The policy was not intended to specifically address or be limited to the identification and protection of significant ecological values of the site.
- (4) I note that the identification and protection are specifically required under the amendments to the additional information requirement for Ecology proposed below.
- (5) The intention was that the proposed additional policy (c) would apply in addition to and in conjunction with the existing policies and therefore I did not repeat the guidance provided by these policies. In my opinion especially policy (a) covers a wide enough range of matters for consideration that would be applicable to the plan change site including amenity and ecology values.
- (6) At the same time I consider policy (a) to be restrictive enough to be aligned with the requirements of the NPS-IB. I therefore recommend the amendment of the proposed site specific policy (c) to clarify that it applies in addition to policy (a). Since there are no heritage items or precincts identified on the site, I do not see the need to add a reference to (b) but would not be opposed to a broad reference back to existing policies should the panel prefer that approach:

11.1 Issues, Objectives and Policies

11.1.4 Special Areas

Issue

Subdivision of land in the coastal environment and in areas of ecological and historic heritage value can have adverse effects that need to be controlled.

Objective 1

To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.

Objective 2

Historic heritage values of identified heritage precincts and heritage items are protected from inappropriate subdivision.

Policy

- a. To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.
- b. Protect the historic heritage values of heritage items and in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts by managing density of development enabled by subdivision of land.
- c. In addition (to a. above) any subdivision of the land identified in Appendix Subdivision 10 is managed as follows:
 - i. Require the identification of all earthworks, building platforms, roads, accesses and utility structures at the time of subdivision;
 - ii. Provide for the subdivision of land where all earthworks, building platforms, roads, accesses and utility structures are located within the development area identified in Appendix Subdivision 10;
 - iii. Only allow for the subdivision of land that enables earthworks, building platforms, roads, accesses and utility structures located outside the development area identified in Appendix Subdivision 10 where the activities or structures are required to support or enable development within the development area and to provide additional flexibility along the boundary of the development area.

- (7) Appendix 1 shows the amendments proposed by PC58 including all recommended further changes.

Response by D Kellow (for Hutt City Council)

- (8) Objective 1 will be read in conjunction with proposed policy (c). Objective 1 includes the outcome of “...and other environmentally sensitive areas are protected from inappropriate subdivision.”. I consider the word ‘protected’ aligns with the NPS-IB and the RPS post PC1 and ‘inappropriate’ allows for consideration of whether adverse effects have been avoided, or where appropriate, managed, via the effects management hierarchy.
- (9) Policy a. appears to set a very high bar for a subdivision to proceed whereas the NPS-IB requires the avoidance of five types of effects and the effects management hierarchy to be applied to manage other effects. Clearly some adverse effects are contemplated by the NPS-IB whereas Policy a. appears to not allow adverse effects on the matters identified in that policy. The direction provided in the NPS-IB would prevail given its higher order status.
- (10) Objective 16 of the RPS PC1 requires protection of significant biodiversity values and where appropriate, enhancement, and Policy 24B restates the NPS-IB by listing the five adverse effects to be avoided and that the effects management hierarchy applies to other effects. I note the RPS PC1 is not yet operative so only regard must be had to RPS PC1.
- (11) Unless the NPS-IB is referenced in Policy (c), or in the Explanation and Reasons, I consider the NPS-IB and RPS post PC1 Policy 24B could be written into Policy (c) if certainty embedded in the District Plan is preferred. However, I note that whether provisions are included in the District Plan or not, any resource consent assessment under s104 (1)(b) is required to have regard to the NPS-IB and RPS.
- (12) Given the prescriptive approach taken in the NPS-IB and consequently the RPS PC1 it is difficult to write a useful Policy that requires avoidance of some effects and management of others without stating what those effects are – essentially by repeating the NPS-IB. While this would make for a lengthy policy it would provide certainty. However, I don’t consider this is the best approach given the RPS PC1 is not yet operative and because of the clarity provided in the suggested amendments to 11.2.3 (h) (c). The suggested amendment to the information requirements is to insert the following:

A full ecological assessment of the site that:

1. Identifies indigenous biodiversity values on the site.

2. Identifies the appropriate level of management or avoidance depending on the significance of the indigenous biodiversity.

...

(13) This provides certainty that an ecological assessment is required, and that 'management' or 'avoidance' is required. The language aligns with the NPS-IB and RPS.

(14) I consider the proposed amendment to proposed Policy c. helpfully confirms that it is in addition to Policy a. and the amended information requirements in particular confirm the information to be provided and that effects are to be avoided, and where appropriate, managed, which aligns with the higher documents. I support the proposed amendments.

... whether additional direction is required to address the notable absence of direction about the prerequisite need for a full ecological assessment of the entire site to identify the indigenous biodiversity values at the detail needed to understand where significant indigenous biodiversity on the land is to be either avoided (protected) or managed (such as through the proposed management plans). Such information, for example, would be needed to inform the final subdivision and earthworks design.

Response by C Tessendorf (for Requestor)

(15) In response to the further direction provided by Minute #5 I would like to note that I still consider that the additional information requirement as proposed, especially with the addition of the words 'at least', provides sufficient scope for the identification of significant indigenous biodiversity on the site and its management (or avoidance), especially until Council gives effect to and implements the relevant parts of the NPS-IB at a district wide scale.

(16) To address the concerns raised by the hearing panel I alternatively suggest the following additional amendments to Additional Information Requirement C. to

require the preparation of a full ecological assessment of the entire site to identify indigenous biodiversity values and their avoidance or management.

11.2.3 Restricted Discretionary Activities

...

(h) Any subdivision of land identified in Appendix Subdivision 10.

In addition to the standard information requirements of s88(3) of the RMA the following information requirements shall also apply:

The following information requirements must be provided by the first application for subdivision under this rule and is applicable to any future stages and subsequent subdivision applications.

Where subsequent subdivision applications deviate from the management plans and information previously provided, the appropriate revisions, addendums or further information to the initial management plans and information shall be provided.

...

C. Ecology

The first application for subdivision under this rule must provide an Ecological Plan for the site that is applicable to any future stages and subsequent subdivision applications. The An Ecological Plan must be prepared by a suitably qualified person and addressing at least the following: A full ecological assessment of the site that:

1. Identifies indigenous biodiversity values on the site.
2. Identifies the appropriate level of management or avoidance depending on the significance of the indigenous biodiversity.
3. Provides the required management plans addressing at least the following:

1i. Orchid Management

- Identify ~~whether there are potential~~ the location of threatened orchids within the development area.
- Set out requirements for the management of threatened orchids, ~~should they be~~ identified on the site.

2ii. Lizard Management Plan

- Identify areas that require a pre-vegetation clearance monitoring survey of lizards.
- Document any pre-vegetation clearance monitoring of lizards.
- Identify suitable lizard relocation areas.

- Set out requirements for any lizard relocation.

3iii. Mānuka Management

- Review the significance and threat status of Mānuka Forest on the site;

- Identify areas of significant Mānuka Forest on the site.

4iv. Vegetation Management

- Identify vegetation protection measures outside the development area identified in Appendix Subdivision 10.

- Provide details for weed and pest management on the site.

- Identify ongoing monitoring and maintenance requirements.

5v. Falcon Survey

- The requirements for an on-site survey for nesting NZ falcons prior to the start of works if any vegetation clearance or earthworks are scheduled to be undertaken during the falcon nesting season.

- (17) I consider that both, the previous and the amended versions would provide sufficient scope and opportunity for the assessment, identification and protection of indigenous biodiversity values at the time of subdivision.

Response by D Kellow (for Hutt City Council)

- (18) I agree with the recommended change by Corinna Tessendorf.

...whether more explicit direction is required to ensure the landscape management plan is appropriately integrated with the measures identified in the ecological management plans.

Response by C Tessendorf (for Requestor)

- (19) As outlined in more detail in my evidence (section 12.6) I consider that all the additional information requirements will be prepared in an integrated way and will inform the design and layout of the subdivision.

- (20) The restricted discretionary activity status and the proposed matters of discretion ensure that an integrated design response will be achieved. The listed matters of discretion can't be considered in isolation but will always be considered comprehensively and result in an integrated design response.

(21) However, to address the request for integration I suggest the following additions to the introductory text for additional information requirements and D. Landscape and Visual:

11.2.3 Restricted Discretionary Activities

...

(h) Any subdivision of land identified in Appendix Subdivision 10.

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The following information requirements must be provided by the first application for subdivision under this rule to achieve an integrated design response. and is They are applicable to any future stages and subsequent subdivision applications.

Where subsequent subdivision applications deviate from the management plans and information previously provided, the appropriate revisions, addendums or further information to the initial management plans and information shall be provided.

...

D. Landscape and Visual

The first application for subdivision under this rule must provide a Landscape Management Plan for the site that is applicable to any future stages and subsequent subdivision applications. The A Landscape Management Plan must be prepared by a suitably qualified person and provide taking into consideration the findings of the ecological assessment and management plans required under C. Ecology and providing the following landscaping details:

- Street trees and amenity planting.
- Fencing and planting treatments at the boundary with Fenchurch Grove properties.
- Planting to mitigate earthworks and retaining structures.
- Reserve and open space design including recreation tracks.
- Roads, pedestrian and cycle linkages within the site and to the wider access network.
- Stormwater design and associated planting.

...

Response by D Kellow (for Hutt City Council)

(22) I consider the recommended changes will assist in ensuring the assessment of the proposal will include considering how well integrated the management plans are.

Minute #6

... we direct that the Requestor and the Council's planning advisers could please, either jointly or separately, on the consistency of the PC58 with the decisions under Change #1 to the WRPS, and the weight that should be provided on these decisions.

Joint response

- (23) Decisions on the RPS PC1 were released 4 October 2024. The appeal period extends to 18 November 2024. After this date those provisions that have not been appealed will be treated as operative. At the time of writing this Memo it is speculative to identify which provisions may be appealed. What is certain is that there has been a significant number of amendments to the provisions from when they were notified.
- (24) From our initial review of the PC1 Decision and past experience it is anticipated that appeals will be lodged which are likely to relate to at least some of the relevant matters for PC58. For example, Policy 24B appears to extend beyond what the NPS-IB requires. This is discussed further below and is only referred to illustrate why many of the new and amended RPS provisions are unlikely to be operative in the short term. Accordingly, while reasonable weight ought to be given to the provisions introduced and amended by PC1, due to the last stage in the process, it is our view that assessing the RPS provisions ought to be at a higher level looking at the general policy direction rather than a detailed assessment of the at times quite nuanced amendments that are subject to appeal. The high level approach aligns with the requirement in Section 74 (2) that a territorial authority "shall have regard to" a proposed RPS in contrast to the requirement in s73 (4) to "give effect to a regional policy statement".
- (25) The chapters of the RPS PC1 that contain the most relevant changes from the Notified Version to the Decision Version are considered to be 3.1A Climate Change, 3.4 Freshwater, 3.6 Indigenous Ecosystems, 3.8 Natural Hazards and 3.9 Regional Form, Design and Function. Chapters that are not commented upon are considered to either be not relevant to the site or the changes between the Notified Version and Decision Version are minimal. As an example of an Objective with a minor wording change that is not commented upon, please see Objective CC.1 in the attached table

where clause (c) is slightly amended but the change has no material bearing on the assessment of the proposed plan change (Appendix 2: RPS-PC1 Decision Version - Further Assessment).

- (26) Please note the approach taken in the assessment where the 'Notified Version' column shows the relevant objectives and policies including changes proposed by PC1 as notified, the 'Decision Version' column shows the decision version of the same provisions that was published on 04 October and is now open for appeals, the 'Scope of Change' column includes brief comments on the extent of the changes, the 'Initial Assessment' column that repeats the assessment by the s32 and s42A reports for context and the 'Further Assessment' column which considers the Plan Change against the decision version of the relevant objectives or policies. The assessment is largely focused on the regulatory policies that need to be given effect to when changing the District Plan.
- (27) Overall, for sections 3.1 Climate Change, 3.4 Freshwater and 3.8 Natural Hazards the proposed changes are considered to be of lesser relevance and the proposed provisions allow for the assessment of a future consent application against the relevant policies.
- (28) For section 3.6 Indigenous Biodiversity the changes of the decision version are substantial. The decision version gives effect to the NPS-IB by largely duplicating the requirements of the NPS. While the majority of these changes provides detailed and prescriptive requirements for Councils on how to identify and protect indigenous biodiversity and ecosystems in their District Plans, the changes to policy 47 are of particular relevance to this plan change. The intention of PC58 was to provide a framework that allows for the identification and protection of indigenous biodiversity at the subdivision stage in accordance with the requirements of higher order legislation (the NPS-IB in particular). Since the decision version of plan change 1 is very closely aligned with the wording and intention of the NPS-IB this is still considered achievable, and the provisions therefore have regard to the updated RPS-PC1 requirements.
- (29) The changes made by the decision version of RPS-PC1 to the provisions of section 3.9 Regional Form, Design and Function are also of particular relevance to this plan

change. Overall, the proposed restricted discretionary activity status and the relatively broad range of matters of discretion have regard to the relevant sections of the RPS and allow for the assessment of future subdivision applications against the relevant sections.

(30) In summary we consider that PC58 including the further amendments recommended in response to submissions and the hearing has appropriate regard to the relevant objectives and policies of the decision version of Proposed Change 1 to the RPS.

Additional Comment

(31) We note that at its meeting on 3 October 2024 the District Plan Review Committee instructed council officers to apply the following approach for indigenous biodiversity in preparing the Proposed District Plan:

- Protection of indigenous vegetation on private land in Residential Zones through zone wide vegetation clearance rules without identifying areas of significance (continuing the current approach of the Operative District Plan);
- Protection of indigenous vegetation on public land in the Natural Open Space Zone through zone wide vegetation clearance rules without identifying areas of significance (replacing the SNR approach of the Operative District Plan, protecting a larger area of public land); and
- Removal of the SNR overlay from the District Plan.

(32) The above approach will need to get approval from full Council prior to being notified and will then be tested through the standard schedule 1 process.



Corinna Tessendorf
Principal Planner, Urban Edge Planning Ltd
Acting for the Requestor



Dan Kellow
Planning Consultant
Acting for Hutt City Council

Appendix 1 Recommended Amendments and Further Amendments to PC58 as Notified

The following shows the amendments proposed by PC58 as notified and includes any proposed further amendments.

Any amendments proposed by PC58 as notified are shown as black underline.

Any amendments recommended by the private plan change requestor in response to submissions are shown as red underline and ~~red strikethrough~~.

Any further amendments recommended in response to questions arising at the hearing are shown either as green underline or ~~green strikethrough~~ (recommended by the private plan change requestor) or blue underline or ~~blue strikethrough~~ (recommended by Hutt City Council).

Any further amendments recommended in response to Minute #5 are shown as purple underline or ~~purple strikethrough~~.

AMENDMENT 0

Rezoning of the site

Rezone the site at 12 Shaftesbury Grove from Hill Residential Activity Area and General Recreation Activity Area to Medium Density Residential Activity Area.

NEW AMENDMENT 1A

*Chapter 11 – Subdivision
Add site specific Policy*

11.1 Issues, Objectives and Policies

11.1.4 Special Areas

Issue

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Objective 1

To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.

Objective 2

Historic heritage values of identified heritage precincts and heritage items are protected from inappropriate subdivision.

Policy

- a. To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.

- b. Protect the historic heritage values of heritage items and in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts by managing density of development enabled by subdivision of land.
- c. In addition to a. above, any sSubdivision of the land identified in Appendix Subdivision 10 is managed as follows:
- i. Require the identification of all earthworks, building platforms, roads, private accesses and utility structures at the time of subdivision;
 - ii. Provide for the subdivision of land where all earthworks, building platforms, roads, private accesses and utility structures are located within the Development Area identified in Appendix Subdivision 10;
 - iii. Only allow for the subdivision of land that enables earthworks, building platforms, roads, private accesses and utility structures located outside the Development Area identified in Appendix Subdivision 10 where the activities or structures are required to support development within the Development Area and to provide additional flexibility along the boundary of the development area.

AMENDMENT 1

Chapter 11 – Subdivision

Add site specific Restricted Discretionary Activity & Information Requirements

11.2.3 Restricted Discretionary Activities

...

(h) Any subdivision of land identified in Appendix Subdivision 10.

In addition to the standard information requirements of s88(3) of the RMA the following information requirements shall also apply:

The following information requirements must be provided by the first application for subdivision under this rule to achieve an integrated design response. and is They are applicable to any future stages and subsequent subdivision applications.

Where subsequent subdivision applications deviate from the management plans and information previously provided, the appropriate revisions, addendums or further information to the initial management plans and information shall be provided.

A. Stormwater

The first application for subdivision under this rule must provide a Stormwater Management Plan for the site that is applicable to any future stages and subsequent subdivision applications. The A Stormwater Management Plan must be prepared by a suitably qualified person and covering the following:

1. Existing site evaluation
 - Topography
 - Geotechnical and soil conditions
 - Existing stormwater network

- Existing hydrological features
 - Stream and river locations
 - Flooding and Flowpaths locations
 - Ecological and environmental areas
2. Development summary and planning context
 3. Proposed development including:
 - Location and area
 - Site layout and urban form
 - Location and extent of earthworks
 4. Stormwater management including:
 - Principles of stormwater management
 - Proposed site specific stormwater management and treatment
 - Hydraulic connectivity and downstream impacts
 - Asset ownership
 - Ongoing maintenance requirements
 - Implementation of stormwater network

B. Geotechnical

~~The first application for subdivision under this rule must provide a Geotechnical Assessment for the site that is applicable to any future stages and subsequent subdivision applications. The A~~ Geotechnical Assessment must be prepared by a suitably qualified person confirming that:

- The resulting allotments are able to accommodate the intended use and development.
- The risk from any ~~slope instability~~ geohazards can be avoided, remedied or mitigated.
- The subdivision will not increase or accelerate ~~land instability~~ the risk from geohazards on the site or adjoining properties.

C. Ecology

~~The first application for subdivision under this rule must provide an Ecological Plan for the site that is applicable to any future stages and subsequent subdivision applications. The An Ecological Plan must be prepared by a suitably qualified person and addressing at least the following:~~ A full ecological assessment of the site that:

1. Identifies indigenous biodiversity values on the site.
2. Identifies the appropriate level of management or avoidance depending on the significance of the indigenous biodiversity.

3. Provides the required management plans addressing at least the following:

1i. Orchid Management

- Identify ~~whether there are potential~~ the location of threatened orchids within the development area.
- Set out requirements for the management of threatened orchids, ~~should they be~~ identified on the site.

2ii. Lizard Management ~~Plan~~

- Identify areas that require a pre-vegetation clearance monitoring survey of lizards.
- Document any pre-vegetation clearance monitoring of lizards.
- Identify suitable lizard relocation areas.
- Set out requirements for any lizard relocation.

3iii. Mānuka Management

- Review the significance and threat status of Mānuka Forest on the site;
- Identify areas of significant Mānuka Forest on the site.

4iv. Vegetation Management

- Identify vegetation protection measures outside the development area identified in Appendix Subdivision 10.
- Provide details for weed and pest management on the site.
- Identify ongoing monitoring and maintenance requirements.

5v. Falcon Survey

- The requirements for an on-site survey for nesting NZ falcons prior to the start of works if any vegetation clearance or earthworks are scheduled to be undertaken during the falcon nesting season.

D. Landscape and Visual

~~The first application for subdivision under this rule must provide a Landscape Management Plan for the site that is applicable to any future stages and subsequent subdivision applications. The A Landscape Management Plan must be prepared by a suitably qualified person and provide taking into consideration the findings of the ecological assessment and management plans required under C. Ecology and providing the following landscaping details:~~

- Street trees and amenity planting.
- Fencing and planting treatments at the boundary with Fenchurch Grove properties.
- Planting to mitigate earthworks and retaining structures.
- Reserve and open space design including recreation tracks.
- Roads, pedestrian and cycle linkages within the site and to the wider access network.
- Stormwater design and associated planting.

E. Transport

For any subdivision that exceeds the high trip generator thresholds specified in Appendix Transport 2 an Integrated Transport Assessment prepared by a suitably qualified person.

AMENDMENT 2

Chapter 11 – Subdivision

Add site specific Matters of Discretion

11.2.3.1 Matters in which Council has restricted its discretion

...

(g) Any subdivision of the land identified in Appendix Subdivision 10.

(i) Amenity Values

The extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which replanting, rehabilitation works or retaining structures are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas or visually dominant retaining structures when viewed from adjoining properties or public areas, including roads.

Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

(ii) Existing Natural Features and Topography

The extent to which the proposed earthworks reflect natural landforms and are sympathetic to the natural topography.

Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

(iii) Historical or Cultural Significance

The extent to which the proposed earthworks will affect adversely land and features which have historical and cultural significance.

(iv) Construction Effects

The management of construction effects, including traffic movements and hours of operation.

The extent to which proposed earthworks have adverse short term and temporary effects on the local environment.

(v) Engineering Requirements

The extent of compliance with NZS 4431:2022 (Engineered Fill Construction for Lightweight Structures).

The extent of compliance with NZS 4404:2010 (Land Development and Subdivision Infrastructure).

(vi) Erosion and Sediment Management

The extent of compliance with the “Erosion and Sediment Control Guidelines for the Wellington Region 2002” and “Small Earthworks – Erosion and Sediment Control for small sites” by Greater Wellington Regional Council.

(vii) Design and Layout

The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements.

Any measures proposed to mitigate potential adverse effects of subdivision, earthworks and development upon the steeper hillsides, gullies and streams outside the identified development area.

(viii) Utilities Servicing ~~and Access~~

The provision of utilities servicing, including street lighting, telecommunications, gas and electricity.

~~The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses.~~

(ix) Transport

~~The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses.~~

~~For subdivisions that exceeds the high trip generator thresholds specified in Appendix Transport 2 any measures proposed in accordance with the Integrated Transport Assessment for the site the effects of the activity on the transport network including impacts on on-street parking.~~

(x) Stormwater Management

The provision of stormwater control and disposal and any measures proposed to manage and treat stormwater in accordance with the Stormwater Management Plan for the site.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

(xi) Wastewater

The provision of wastewater systems and any measures proposed to utilise off-peak network capacity through on-site storage and timed wastewater release.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

(xii) Water Supply

The provision of a reticulated water supply network and any measures proposed to achieve an adequate domestic and fire-fighting water supply.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

(xiii) Natural Hazards

The avoidance or mitigation of natural hazard risks.

(xiv) Regionally Significant Network Utilities

The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

The outcome of consultation with the owner and operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

(xv) Geotechnical

Any measures proposed to provide appropriate foundations for future buildings within the subdivision and to manage the risk from ~~slope instability geohazards~~ on the site and on adjoining properties from any earthworks or site development works, in accordance with the Geotechnical Assessment for the site.

(xvi) Ecology

Any measures proposed to ~~avoid or~~ manage adverse effects on ~~significant~~ indigenous biodiversity ~~values~~ on the site ~~in accordance with the Ecological Plan for the site.~~

~~The application of the effects management hierarchy as follows:~~

~~— Avoid adverse effects on significant indigenous biodiversity where practicable;~~

~~— Minimise other adverse effects on significant indigenous biodiversity where avoidance is not practicable;~~

~~— Remedy other adverse effects where they cannot be avoided or minimised;~~

~~— Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied; and~~

~~— Only consider biodiversity compensation after first considering biodiversity offsetting.~~

(xvii) Those matters described in Section 108 and 220 of the Resource Management Act 1991.

AMENDMENT 3

Chapter 11 – Subdivision

Add site specific Standards and Terms

11.2.3.2 Standards and Terms

...

(b) Any subdivision of land identified in Appendix Subdivision 10

(i) Development Areas

All earthworks, building platforms, roads, private accesses and utility structures must be ~~identified and~~ located within the development area identified in Appendix Subdivision 10.

AMENDMENT 4

Chapter 11 – Subdivision

Add site specific Discretionary Activity

11.2.4 Discretionary Activities

...

- (o)** Any subdivision of land identified in Appendix Subdivision 10 that does not comply with the Standards and Terms in 11.2.3.2 (b)(i)(1).
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AMENDMENT 5

Chapter 11 – Subdivision

Add new Appendix Subdivision 10



Appendix 2 RPS-PC1 Decision Version - Further Assessment

RPS-PC1 - Notified Version	RPS-PC1 - Decision Version	Scope of Change	Initial Assessments	Further Assessment
3.1A Climate Change (New Chapter)				
<p>Objective CC.1</p> <p>By 2050, the Wellington Region is a low-emission and climate-resilient region, where climate change mitigation and adaptation are an integral part of:</p> <p>(a) sustainable air, land, freshwater, and coastal management,</p> <p>(b) well-functioning urban environments and rural areas, and</p> <p>(c) well-planned infrastructure</p>	<p>Objective CC.1</p> <p>The Wellington Region is a low-emission and climate-resilient region, where climate change mitigation and climate change adaptation are an integral part of:</p> <p>(a) sustainable air, land, freshwater, and coastal management,</p> <p>(b) well-functioning urban areas and rural areas, and</p> <p>(c) the planning and delivery of infrastructure (including regionally significant infrastructure).</p>	<p>No substantial amendments</p> <p>Minor wording changes</p>	<p>s32</p> <p>This is of relevance to the Private Plan Change as it would allow for additional development on the Shaftesbury Grove site.</p> <p>It is necessary for the Plan Change to consider the impact that the subdivision will have on climate change, particularly in relation to greenhouse gas emissions from vehicles. The proposed objectives and policies seek an overall reduction in greenhouse gases by increasing use of active travel and public transport mode options.</p>	<p>Objectives</p> <p>The conclusions in the assessment in the s32 and s42A remain unchanged in regard to Objectives CC.1 – CC.3.</p> <p>Policy CC.1</p> <p>The intent of Policy CC.1 essentially remains the same which is to encourage a mode shift from private vehicles to public transport and active modes. The full District Plan review will need to consider how to give effect to the Policy and site specific policies are not considered necessary to guide the consenting process for a single site. The proposed restricted discretionary activity status, the matters of discretion and the Integrated Transport Assessment for High Trip Generators allow for consideration at a site specific level.</p>
<p>Objective CC.2</p> <p>The costs and benefits of transitioning to a low emission and climate-resilient region are shared fairly to achieve social, cultural, and economic well-being across our communities.</p>	<p>Objective CC.2</p> <p>The costs and benefits of transitioning to a low-emission and climate-resilient region are equitable between sectors and communities.</p>	<p>No substantial amendments</p> <p>Minor wording changes</p>	<p>s42A</p> <p>The plan change site is well connected to the existing transport network, including public transport (existing bus service) and walking and cycling connections to surrounding areas</p>	<p>Policies CC.2 and CC.2A</p> <p>Policy CC.2 and CC.2A must be put into effect by 25 June 2025. The full District Plan review is the more appropriate process to give effect to this policy rather than a site specific private plan change. In the meantime the proposed restricted discretionary activity status, the matters of discretion and the Integrated Transport Assessment for High Trip Generators allow for consideration at a site specific level.</p>
<p>Objective CC.3</p> <p>To support the global goal of limiting warming to 1.5 degrees Celsius, net greenhouse gas emissions from transport, agriculture, stationary energy, waste, and industry in the Wellington Region are reduced:</p> <p>(a) By 2030, to contribute to a 50 percent reduction in net greenhouse gas emissions from 2019 levels, including a:</p> <p>(i) 35 percent reduction from 2018 levels in land transport generated greenhouse gas emissions, and</p> <p>(ii) 40 percent increase in active travel and public transport mode share from 2018 levels, and</p> <p>(iii) 60 percent reduction in public transport emissions, from 2018 levels, and</p> <p>(b) By 2050, to achieve net zero emissions.</p>	<p>Objective CC.3</p> <p>To support the global goal of limiting warming to 1.5 degrees Celsius and New Zealand’s greenhouse gas emissions reduction targets, net greenhouse gas emissions in the Wellington Region are reduced:</p> <p>(a) to contribute to a 50 percent reduction in net greenhouse gas emissions from 2019 levels by 2030, and</p> <p>(b) to contribute to achieving net-zero greenhouse gas emissions by 2050.</p>	<p>Less prescriptive regarding interim timeframes</p>	<p>s42A</p> <p>I consider that most of the objectives and policies above are most appropriately implemented through a city-wide district plan change or assessed at the time assessing an application to develop the site. The Proposed District Plan is due to be released in 2025 and this will give effect to the above climate change objectives and policies.</p>	<p>Policy CC.4</p> <p>Policy CC.4 is now more detailed and prescriptive with the full District Plan review the appropriate mechanism to introduce new objectives, policies and methods into the District Plan. The changes to the District Plan are likely to occur across the Subdivision, Transport and Residential Chapters. District wide changes to the Transport and Residential Chapter are outside of the scope of this private plan change but</p>
<p>Policy CC.1 Reducing greenhouse gas emissions associated with transport infrastructure – district and regional plans</p> <p>District and regional plans shall include objectives, policies, rules and/or methods to require that all new and altered transport infrastructure is designed, constructed, and operated in a way that contribute to reducing greenhouse gas emissions by:</p> <p>(a) Optimising overall transport demand;</p> <p>(b) Maximising mode shift from private vehicles to public transport or active modes; and</p> <p>(c) Supporting the move towards low and zero-carbon modes.</p>	<p>Policy CC.1: Reducing greenhouse gas emissions associated with transport demand and infrastructure – district and regional plans</p> <p>District and regional plans shall include objectives, policies, rules and/or methods that require that all new and altered land transport infrastructure to be designed, constructed, and operated in a way that contribute to an efficient transport network, maximises mode shift from private vehicles to public transport and active modes and reduces greenhouse gas emissions by:</p> <p>(a) Enabling multi-modal transport networks and infrastructure to serve and support development in locations which minimise travel distances between residential, employment and other essential services, and within walkable catchments of public transport routes where practicable; and</p>	<p>More prescriptive wording</p> <p>Wider list of matters for consideration</p>	<p>Policies CC1, CC2, CC3, CC4, CC8 and CC14 will need to be given effect to through amendments to the Medium Density Residential Activity Areas provisions as part of the District Plan review. As such I consider specific provisions do not need to be created for this site to give effect to the policies.</p> <p>In relation to Policy 55 and 57 only the outer edges of the site is beyond the existing urban edge of the city and the rezoning would add to the city’s</p>	<p>Policy CC.4</p> <p>Policy CC.4 is now more detailed and prescriptive with the full District Plan review the appropriate mechanism to introduce new objectives, policies and methods into the District Plan. The changes to the District Plan are likely to occur across the Subdivision, Transport and Residential Chapters. District wide changes to the Transport and Residential Chapter are outside of the scope of this private plan change but</p>

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	<p>(b) Utilising existing space to remove barriers for access to walking, cycling and public transport; and</p> <p>(c) Where providing new infrastructure or capacity upgrades on the transport network, prioritise walking, cycling and public transport, such as improved or new bus and cycle lanes and measures, to prioritise the need of pedestrians, cyclists and public transport above the car.</p>		development capacity in an area connected to existing urban development with good transport links.	<p>once established will be relevant at the consenting stage for the subdivision and development of the site.</p> <p>Policy CC.9</p> <p>Policy CC.9 is a regulatory policy but has only minor wording changes. Because the District Plan does not contain objectives and policies in the Transport Chapter the District Plan will need to be amended to give effect to Policy CC.9 and the other CC objectives and policies. However, policy CC.9 must be considered at the time of resource consent so the matters to which particular regard must be had will be considered at the time of subdivision application. The initial conclusion that site specific objectives and policies do not need to be created for this site remains.</p>				
<p>Policy CC.2 Travel demand management plans – district plans</p> <p>By 30 June 2025, district plans shall include objectives, policies and rules that require subdivision, use and development consent applicants to provide travel demand management plans to minimise reliance on private vehicles and maximise use of public transport and active modes for all new subdivision, use and development over a specified development threshold where there is a potential for a more than minor increase in private vehicles and/or freight travel movements and associated increase in greenhouse gas emissions.</p>	<p>Policy CC.2: Travel choice assessment– district plans</p> <p>By 30 June 2025, district plans shall include objectives, policies and rules that require subdivision, use and development to contribute to the reduction of greenhouse gas emissions by requiring consent applicants to provide travel choice assessment that:</p> <p>(a) demonstrates how the use of public transport and active modes will be maximised;</p> <p>(b) demonstrates how the use of private vehicles will be minimised; and Attachment 4 to Report 24.408 1241</p> <p>(c) includes measures within the design of subdivision, use and development which addresses parts (a) and (b) above.</p> <p>The requirement for a travel choice assessment must apply to all new subdivision, use and development over a specified travel choice threshold as required by Policy CC.2A.</p> <p>The results of travel choice assessments may form the basis for conditions of consent.</p> <p>Policy CC.2A: Travel choice assessment local thresholds – district plans</p> <p>By 30 June 2025, district plans shall include local thresholds for travel choice assessments as required by Policy CC.2. As a minimum, city and district councils must use the regional thresholds set out in Table 1 as the basis for developing their own local thresholds. The regional thresholds in Table 1 will cease to apply when Policy CC.2A is given effect through a district plan. To contribute to reducing greenhouse gas emissions city and district councils must develop their own travel choice thresholds that are locally specific.</p> <p>Table 1: Regional Thresholds</p> <table border="1" data-bbox="923 1528 1694 1730"> <tr> <td>Activity and Threshold per application</td> </tr> <tr> <td>100 residential units located within a walkable catchment.</td> </tr> <tr> <td>Commercial development of 2,500m² gross floor area</td> </tr> <tr> <td>Greenfield subdivision over 100 residential units</td> </tr> </table>	Activity and Threshold per application	100 residential units located within a walkable catchment.	Commercial development of 2,500m ² gross floor area	Greenfield subdivision over 100 residential units	<p>More prescriptive wording</p> <p>Wider list of matters for consideration</p> <p>Introduction of thresholds for travel choice assessments</p>		<p>Policy CC.9</p> <p>Policy CC.9 is a regulatory policy but has only minor wording changes. Because the District Plan does not contain objectives and policies in the Transport Chapter the District Plan will need to be amended to give effect to Policy CC.9 and the other CC objectives and policies. However, policy CC.9 must be considered at the time of resource consent so the matters to which particular regard must be had will be considered at the time of subdivision application. The initial conclusion that site specific objectives and policies do not need to be created for this site remains.</p> <p>Policy CC.14</p> <p>Policy CC.14 is a regulatory policy which must be considered when assessing a resource consent and will be directly relevant to large scale subdivision, including water supply infrastructure. For example, clause (a) would need to be considered as part of the landscape plan, clause (b) can be addressed by the stormwater management plan and clause (c) would need to be considered in relation to any vegetation removal.</p>
Activity and Threshold per application								
100 residential units located within a walkable catchment.								
Commercial development of 2,500m ² gross floor area								
Greenfield subdivision over 100 residential units								
<p>Policy CC.3 Enabling a shift to low and zero-carbon emission transport – district plans</p> <p>By 30 June 2025, district plans shall include objectives, policies, rules and methods that enable infrastructure that supports the uptake of</p>	<p>Policy CC.3: Enabling a shift to low and zero-carbon emission transport – district plans</p> <p>By 30 June 2025, district plans shall include objectives, policies, rules and methods for enabling infrastructure that supports the</p>	No change						

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zero and low-carbon multi modal transport that contribute to reducing greenhouse gas emissions.	uptake of zero and low-carbon multi modal transport that contribute to reducing greenhouse gas emissions.			
<p>Policy CC.4 Climate resilient urban areas – district and regional plans</p> <p>District and regional plans shall include policies, rules and/or methods to provide for climate-resilient urban areas by providing for actions and initiatives described in Policy CC.14 which support delivering the characteristics and qualities of well-functioning urban environments.</p>	<p>Policy CC.4: Climate responsive development– district plans</p> <p>District plans shall include objectives, policies, rules and/or non-regulatory methods to require development and infrastructure to be located, designed, and constructed in ways that provide for climate change mitigation, climate change adaptation and climate-resilience, prioritising the use of nature-based solutions and informed by mātauranga Māori.</p> <p>This includes, as appropriate to the scale and context of the activity:</p> <ul style="list-style-type: none"> (a) requiring provision of urban green space, particularly canopy trees, to reduce urban heat and reduce stormwater flowrates: <ul style="list-style-type: none"> (i) prioritising the use of appropriate indigenous species, and (ii) contributing to achieving a wider target of 10 percent tree canopy cover at a suburb-scale by 2030, and 30 percent cover by 2050, (b) requiring methods to increase water resilience, including harvesting of water at a domestic and/or community-scale for non-potable uses (for example by requiring rain tanks, rainwater reuse tanks, and setting targets for urban roof area rainwater collection), (c) requiring that significant adverse effects on the climate change mitigation, climate change adaptation and climate-resilience functions and values of an ecosystem shall be avoided, and other adverse effects on these functions and values shall be avoided, minimised, or remedied, (d) promoting efficient use of water and energy in buildings and infrastructure, and (e) promoting appropriate design of buildings and infrastructure so they are able to withstand the predicted future higher temperatures, intensity and duration of rainfall and wind over their anticipated life span. 	Significantly more detailed and prescriptive		
<p>Policy CC.8 Prioritising greenhouse gas emissions reduction over offsetting – district and regional plans</p> <p>District and regional plans shall include objectives, policies, rules and/or methods to prioritise reducing greenhouse gas emissions in the first instance rather than applying offsetting, and to identify the type and scale of the activities to which this policy should apply.</p>	<p>Policy CC.8: Prioritising the reduction of greenhouse gas emissions – district and regional plans</p> <p>When giving effect to the climate change objectives and policies in the RPS, district and regional plans shall, where relevant, prioritise reducing greenhouse gas emissions by applying the following hierarchy in order:</p> <ul style="list-style-type: none"> (a) in the first instance, gross greenhouse gas emissions are avoided or reduced where practicable; and (b) where gross greenhouse gas emissions cannot be avoided or reduced, a net reduction in greenhouse gas emissions is achieved where practicable, with any offsetting undertaken as 	Introduction of more detailed management hierarchy		

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	<p>close to the source of the greenhouse gas emissions as possible; and</p> <p>(c) increases in net greenhouse gas emissions are avoided to the extent practicable.</p>			
<p>Policy CC.9: Reducing greenhouse gas emissions associated with transport infrastructure – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to whether the subdivision, use and development have been planned to optimise overall transport demand, maximising mode shift from private vehicles to public transport or active modes, in a way that contributes to reducing greenhouse gas emissions.</p>	<p>Policy CC.9: Reducing greenhouse gas emissions associated with subdivision, use or development – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to whether the subdivision, use or development has been planned in a way that contributes to reducing greenhouse gas emissions by optimising overall transport demand, by maximising mode shift from private vehicles to public transport or active modes, and supporting low and zero carbon modes.</p>	<p>No substantial amendments</p> <p>Minor wording changes</p>		
<p>Policy CC.14 Climate-resilient urban areas consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, provide for actions and initiatives, particularly the use of nature-based solutions, that contribute to climate resilient urban areas, including:</p> <p>(a) maintaining, enhancing, restoring, and/or creating urban greening at a range of spatial scales to provide urban cooling, including working towards a target of 10 percent tree canopy cover at a suburb-scale by 2030, and 30 percent cover by 2050,</p> <p>(b) the application of water sensitive urban design principles to integrate natural water systems into built form and landscapes, to reduce flooding, improve water quality and overall environmental quality,</p> <p>(c) capturing, storing, and recycling water at a community-scale (for example, by requiring rain tanks, and setting targets for urban roof area rainwater collection),</p> <p>(d) protecting, enhancing, or restoring natural ecosystems to strengthen the resilience of communities to the impacts of natural hazards and the effects of climate change,</p> <p>(e) providing for efficient use of water and energy in buildings and infrastructure, and</p> <p>(f) buildings and infrastructure that are able to withstand the predicted future temperatures, intensity and duration of rainfall and wind.</p>	<p>Policy CC.14: Climate-responsive development – district and city council consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, require that development and infrastructure is located, designed and constructed in ways that provide for climate change mitigation, climate change adaptation and climate-resilience prioritising the use of nature-based solutions and informed by mātauranga Māori. This includes as appropriate to the scale and context of the activity:</p> <p>(a) providing urban green space, particularly canopy trees, to reduce urban heat and reduce stormwater flowrates:</p> <ol style="list-style-type: none"> i. prioritising the use of appropriate indigenous species, and ii. contributing to achieving a wider target of 10 percent tree canopy cover at a suburb-scale by 2030, and 30 percent cover by 2050; and <p>(b) methods to increase water resilience, including by requiring harvesting of water at a domestic and/or community-scale for non-potable uses (for example by requiring rain tanks, rainwater re-use tanks, and setting targets for urban roof area rainwater collection); and</p> <p>(c) avoiding significant adverse effects on the climate change mitigation, climate change adaptation and climate-resilience functions and values of an ecosystem, and avoiding, minimising, or remedying other adverse effects on these functions and values; and</p> <p>(d) promoting efficient use of water and energy in buildings and infrastructure; and</p> <p>(e) promoting appropriate design of buildings and infrastructure so they are able to withstand the predicted future higher temperatures, intensity and duration of rainfall and wind over their anticipated life span.</p>	<p>More prescriptive wording</p> <p>Includes reference to mātauranga Māori</p>		

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3.4 Fresh water				
<p>Objective 12</p> <p>Natural and physical resources of the region are managed in a way that prioritises:</p> <p>(a) first, the health and well-being of water bodies and freshwater ecosystems</p> <p>(b) second, the health needs of people (such as drinking water)</p> <p>(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future; and</p> <p>Te Mana o te Wai encompasses six principles relating to the roles of tangata whenua and other New Zealanders in the Wellington Regional Plans management of freshwater, and these principles inform this RPS and its implementation. The six principles are:</p> <p>(a) Mana whakahaere: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater</p> <p>(b) Kaitiakitanga: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations</p> <p>(c) Manaakitanga: the process by which tangata whenua show respect, generosity, and care for freshwater and for others</p> <p>(d) Governance: the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future</p> <p>(e) Stewardship: the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations, and</p> <p>(f) Care and respect: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.</p>	<p>Objective 12</p> <p>The mana of the Region’s waterbodies and freshwater ecosystems is restored and protected by ongoing management of land and water that:</p> <p>(a) returns the Region’s water bodies and freshwater ecosystems to, and thereafter maintains them, in a state of tūhauora/good health</p> <p>(b) improves the health and wellbeing of the Region’s degraded waterbodies and freshwater ecosystems</p> <p>(c) applies the Te Mana o te Wai hierarchy of obligations by prioritising:</p> <p>i. first, the health and wellbeing of waterbodies and freshwater ecosystems,</p> <p>ii. second, the health needs of people</p> <p>iii. third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.</p> <p>(d) recognises and provides for the individual natural characteristics and processes of waterbodies including their natural form, and their associated ecosystems</p> <p>(e) incorporates and protects mātauranga Māori and acknowledges and provides for the connections and relationships of mana whenua / tangata whenua with freshwater</p> <p>(f) provides for the ability of mana whenua / tangata whenua to safely undertake their cultural and spiritual practices associated with freshwater, including mahinga kai</p> <p>(g) actively involves mana whenua / tangata whenua in decision-making in relation to the Region’s waterbodies</p> <p>(h) includes engagement with communities, stakeholders, and territorial authorities</p> <p>(i) supports the wellbeing and safety of the community, by providing for the ability to carry out recreational activities, in and around freshwater environments</p> <p>(j) supports and protects an abundance and diversity of freshwater habitats for indigenous freshwater species and, where appropriate, the habitat of trout and salmon</p> <p>(k) supports the reasonable, sustainable and efficient use of water for activities that benefit the Region’s economy, including primary production activities, innovation and tourism.</p>	<p>Quote of Te Mana o te Wai principles is replaced by more detailed and prescriptive wording</p>	<p>s32</p> <p>These changes are relevant to the Private Plan Change as there are several streams on the site. Additionally, any future dwellings on the site will need to have access to drinking water.</p> <p>The Private Plan Change requires the preparation of a stormwater management plan at the time of first subdivision to ensure that any dwellings do not increase stormwater run-off and any potential adverse effects can be managed appropriately.</p> <p>The Private Plan Change relies on the existing subdivision provisions relating to water supply. It is acknowledged that the network currently does not have sufficient capacity to provide potable water to a new medium density residential development. However, it is also acknowledged that there are engineering solutions available to address this issue in the future (e.g. build a new reservoir).</p> <p>s42A</p> <p>I agree that the stormwater management plan requirement will allow adverse effects associated with stormwater to be appropriately managed until HCC amend the provisions of the District Plan through the District Plan review which is underway. The proposed provisions are broadly worded so as to allow consideration of onsite and offsite effects.</p>	<p>Objectives</p> <p>The conclusions of the s32 and s42A assessments still remain relevant. The site specific provisions allow for the appropriate consideration of matters to achieve objectives at the time of subdivision.</p> <p>Policy 15</p> <p>Policy 15 is a regulatory policy and has become more prescriptive. The District Plan earthworks volume trigger is 50m³ so consent will be required for earthworks. Policy 15 clearly requires earthworks to be minimised. Existing District Plan objective 14I 1.1. is “<i>To ensure that earthworks are designed to maintain the natural features that contribute to the City’s landscape</i>” and policy (a) is <i>To ensure that earthworks are designed to be sympathetic to the natural topography</i>” be sympathetic to the natural topography.” The existing provisions means additional site specific objectives and policies do not need to be created for this site.</p>
<p>Policy FW.3: Urban development effects on freshwater and the coastal marine area – district plans</p>	<p>Policy FW.3: Urban development effects on freshwater and receiving environments – district plans</p>	<p>Wording changes but overall</p>		

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<p>District plans shall include objectives, policies, and methods including rules, that give effect to Te Mana o te Wai and section 3.5(4) of the NPS-FM, and in doing so must:</p> <ul style="list-style-type: none"> (a) Partner with mana whenua / tangata whenua in the preparation of district plans; (b) Protect and enhance Māori freshwater values, including mahinga kai; (c) Provide for mana whenua / tangata whenua and their relationship with their culture, land, water, wāhi tapu and other taonga; (d) Incorporate the use of mātauranga Māori to ensure the effects of urban development are considered appropriately; (e) Adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development; (f) Integrate planning and design of stormwater management to achieve multiple improved outcomes – amenity values, recreational, cultural, ecological, climate, vegetation retention; (g) Consider the effects on freshwater and the coastal marine area of subdivision, use and development of land; (h) Consider the use and development of land in relation to target attribute states and any limits set in a regional plan; (i) Require that Water Sensitive Urban Design principles and methods are applied during consideration of subdivision, the extent of impervious surfaces and in the control of stormwater infrastructure; (j) Require that urban development is located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours; (k) Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries; (l) Require riparian buffers for all waterbodies and avoid piping of rivers; (m) Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows; (n) Require efficient use of water; (o) Manage land use and development in a way that will minimise the generation of contaminants, including building materials, and the extent of impervious surfaces; (p) Consider daylighting of streams, where practicable; and (q) Consider the effects of land use and development on drinking water sources. 	<p>District plans shall include objectives, policies, and methods including rules for urban development, that give effect to Te Mana o te Wai and section 3.5(4) of the NPS-FM, and in doing so must:</p> <ul style="list-style-type: none"> (a) partner with mana whenua / tangata whenua and recognise and provide for their relationship with their culture, land, water, wāhi tapu and other taonga; and (b) incorporate the use of mātauranga Māori to ensure the effects of urban development are considered appropriately; and (c) adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development; and (d) integrate planning and design of stormwater management to achieve multiple improved outcomes – amenity values, recreational, cultural, ecological, climate, vegetation retention; and (e) consider the effects of the location, layout and design of urban development on freshwater and; and (f) require that water sensitive urban design principles and methods are applied during consideration of subdivision, including the extent of impervious surfaces and stormwater infrastructure; and (g) require urban development to be designed, constructed and maintained to achieve hydraulic neutrality; and (h) require that urban development is located and designed to protect and enhance the health and wellbeing of gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries and other receiving environments; and (i) identify aquifers and drinking water source areas in the district and include information about how urban development in these areas is managed in the region; and (j) require that urban development is located and designed to protect natural flows and enable the daylighting of rivers as far as practicable; and (k) manage land use and development in a way that will minimise the generation of contaminants, including in relation to the choice of building materials. 	<p>intentions appear to be unchanged</p>		

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<p>Policy 15: Managing the effects of earthworks and vegetation disturbance – district and regional plans</p> <p>Regional and district plans shall include policies, rules and/or methods that control earthworks and vegetation disturbance to the extent necessary to achieve the target attribute states for water bodies and freshwater ecosystems including the effects of these activities on the life-supporting capacity of soils, and to provide for mana whenua / tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga.</p>	<p>Policy 15: Managing the effects of earthworks and vegetation clearance – district and regional plans</p> <p>Regional and district plans manage the effects of earthworks and vegetation clearance as follows:</p> <p>(a) Regional Plans shall include policies, rules and/or methods that:</p> <ul style="list-style-type: none"> (i) Control the effects of earthworks and vegetation clearance including through setbacks from wetlands and riparian margins, to achieve the target attribute states for water bodies and freshwater ecosystems, including receiving environments (ii) In the absence of target attribute states, minimise silt and sediment runoff into freshwater and receiving environments, or onto land that may enter water; and (iii) Minimise erosion. (iv) manage sediment associated with earthworks except as specified in clause (b)iv. <p>(b) District Plans shall include policies, rules and/or methods that:</p> <ul style="list-style-type: none"> (i) Require urban development to follow existing land contours, to the extent practicable; (ii) Minimise the extent and volume of earthworks required for urban development (iii) Require setbacks from waterbodies and other receiving environments for vegetation clearance and earthworks activities; (iv) Manage sediment associated with earthworks less than 3000m²; (v) Manage subdivision layout and design. 	<p>More prescriptive - separate requirements for Regional Plans and District Plans</p>		
3.6 Indigenous ecosystems				
<p>Objective 16</p> <p>Indigenous ecosystems and habitats with significant ecosystem functions and services and/or biodiversity values are protected, enhanced, and restored to a healthy functioning state.</p>	<p>Objective 16</p> <p>Indigenous ecosystems and habitats with significant indigenous biodiversity values, other significant habitats of indigenous fauna, and the ecosystem processes that support these ecosystems and habitats, are protected and, where appropriate, enhanced and restored to a healthy functioning state.</p>	<p>Wording changes to reflect NPS-IB requirements</p>	<p>s32</p> <p>In the absence of any provisions for the protection of significant natural areas in the District Plan, the Private Plan Change has been informed by an ecological assessment and requires the provision of an Ecological Plan at the time of first subdivision. This will ensure the appropriate management of indigenous biodiversity values at the time of subdivision and development.</p>	<p>Objectives</p> <p>The proposed amendments to the information requirements ensure a full ecological assessment will be required and the matters of discretion require adverse effects on indigenous biodiversity values to be managed or avoided. This framework is suitably broad to ensure a proposal can be assessed for and achieve consistency with Objective 16.</p>
<p>Objective 16A</p> <p>The region’s indigenous ecosystems are maintained, enhanced, and restored to a healthy functioning state, improving their resilience to increasing environmental pressures, particularly climate change, and giving effect to Te Rito o te Harakeke.</p>	<p>Objective 16A</p> <p>The region’s indigenous biodiversity is maintained and, where appropriate, enhanced and restored to a healthy functioning state, improving its resilience to increasing environmental pressures, particularly climate change.</p>	<p>Minor wording changes</p>	<p>s42A</p> <p>Policy 23 (Identifying indigenous ecosystems ...) and Policy 24 (Protecting indigenous ecosystems ...)</p>	<p>Policy 23</p> <p>HCC will need to complete the identification and mapping process by</p>
<p>Objective 16B</p> <p>Mana whenua / tangata whenua values relating to indigenous biodiversity, particularly taonga species, and the important</p>	<p>Objective 16B</p> <p>Mana whenua / tangata whenua values relating to indigenous biodiversity, particularly taonga species, and the important</p>	<p>No changes</p>		

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relationship between indigenous ecosystem health and well-being, are given effect to in decision-making, and mana whenua / tangata whenua are supported to exercise their kaitiakitanga for indigenous biodiversity	relationship between indigenous ecosystem health and well-being, are given effect to in decision-making, and mana whenua / tangata whenua are supported to exercise their kaitiakitanga for indigenous biodiversity.		are amended by inserting a date, 30 June 2025, by which time TLA's shall identify and evaluate SNA's and include rules, polices and methods to protect significant indigenous biodiversity values. Policy 47, (Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration) is not amended in a material way for the sake of this assessment.	August 2028 and that will include the private plan change site. While the new Appendix 1B which contains the Criteria for identifying SNA is more detailed and prescriptive with regards to process and identification requirements, the underlying criteria are similar to the existing criteria.
<p>Policy 23: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</p> <p>By 30 June 2025, district and regional plans shall identify and evaluate indigenous ecosystems and habitats with significant indigenous biodiversity values; these ecosystems and habitats will be considered significant if they meet one or more of the following criteria:</p> <p>(a) Representativeness: the ecosystems or habitats that are typical and characteristic examples of the full range of the original or current natural diversity of ecosystem and habitat types in a district or in the region, and:</p> <p>(i) are no longer commonplace (less than about 30% remaining); or</p> <p>(ii) are poorly represented in existing protected areas (less than about 20% legally protected).</p> <p>(b) Rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.</p> <p>(c) Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.</p> <p>(d) Ecological context of an area: the ecosystem or habitat:</p> <p>(i) enhances connectivity or otherwise buffers representative, rare or diverse indigenous ecosystems and habitats; or</p> <p>(ii) provides seasonal or core habitat for protected or threatened indigenous species.</p> <p>(e) Mana whenua / tangata whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to mana whenua / tangata whenua, identified in accordance with tikanga Māori.</p>	<p>Policy 23: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna – district and regional plans</p> <p>As soon as reasonably practicable and by no later than 4 August 2028:</p> <p>1. District plans shall identify and map indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna in the terrestrial environment that qualify as significant natural areas in accordance with Appendix 1B[*]; and</p> <p>2. Regional plans shall identify and map indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna in the coastal marine area, the beds of lakes and rivers, and natural wetlands, that meet one or more of the following criteria:</p> <p>(a) representativeness: the ecosystems or habitats that are typical and characteristic examples of the full range of the original or current natural diversity of ecosystem and habitat types in a district or in the region, and:</p> <p>(i) are no longer commonplace (less than about 30% remaining); or</p> <p>(ii) are poorly represented in existing protected areas (less than about 20% legally protected).</p> <p>(b) rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.</p> <p>(c) diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.</p> <p>(d) ecological context of an area: the ecosystem or habitat:</p> <p>(i) enhances connectivity or otherwise buffers representative, rare or diverse indigenous ecosystems and habitats; or</p> <p>(ii) provides seasonal or core habitat for protected or threatened indigenous species.</p> <p>(e) mana whenua / tangata whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to mana whenua /</p>	<p>Significant changes</p> <p>Extended timeframes</p> <p>Different criteria for District Plans and Regional Plans</p> <p>Regional Plan criteria remain unchanged</p> <p>District Plan criteria and process requirements are identified in new Appendix 1B</p> <p>Appendix 1B is significantly more detailed and prescriptive</p>	<p>Given the current situation with higher order planning documents being under review or at the proposed stage I consider the approach taken in the private plan change in regard to indigenous biodiversity is acceptable and not contrary to the RPS PC1.</p>	<p>Policies 24 & 24B</p> <p>As above HCC will have to include provisions that align with the highly prescriptive direction in Policy 24B by August 2008. This will be a city wide process and the objectives, policies and rules are expected to apply to the plan change site as well.</p> <p>Policy 47</p> <p>Policy 47 is an interim policy and will guide decision making prior to policies 23, 24 and 24B being implemented. It will therefore be applied to the site in question.</p> <p>As stated earlier the proposed amendments to the information requirements ensure that a full ecological assessment will be required at the subdivision stage and the proposed matters of discretion require adverse effects on indigenous biodiversity values to be managed or avoided depending on the ecological values present. This framework will allow for a restricted discretionary application to be assessed against the matters outlined in (a) to (m) irrespective of the SNR overlay. (It is understood the SNR overlays may be removed as part of the full District Plan review.)</p> <p>New Policy IE.2A</p> <p>As above - the proposed matters of discretion require adverse effects on indigenous biodiversity values to be managed or avoided depending on the ecological values present. This framework will allow for a restricted</p>

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	tangata whenua, identified in accordance with tikanga Māori.			discretionary application to be assessed against the matters outlined in IE.2A.
<p>Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</p> <p>By 30 June 2025, district and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development. Where the policies and/or rules in district and regional plans enable the use of biodiversity offsetting or biodiversity compensation for an ecosystem or habitat with significant indigenous biodiversity values, they shall:</p> <p>(a) not provide for biodiversity offsetting:</p> <p>(i) where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate biodiversity offset; or</p> <p>(ii) when an activity is anticipated to causes residual adverse effects on an area after an offset has been implemented if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</p> <p>(b) not provide for biodiversity compensation where an activity is anticipated to cause residual adverse effects on an area if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</p> <p>(c) ecosystems and species known to meet any of the criteria in (a) or (b) are listed in Appendix 1A (Limits to biodiversity offsetting and biodiversity compensation);</p> <p>(d) require that the outcome sought from the use of biodiversity offsetting is at least a 10 percent net biodiversity gain, or from biodiversity compensation is at least a 10 percent net biodiversity benefit.</p>	<p>Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna – district and regional plans</p> <p>As soon as reasonably practicable, and by no later than 4 August 2028, district and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values, other significant habitats of indigenous fauna, and the ecosystem processes that support these ecosystems and habitats, from inappropriate subdivision, use and development, including by applying:</p> <p>(a) Policy 24B to manage adverse effects on significant indigenous biodiversity values in the terrestrial environment;</p> <p>(b) Policy 24C and Policy 24CC to manage adverse effects on indigenous biodiversity values in the coastal environment; and</p> <p>(c) Policy 24D to manage the adverse effects of REG activities and ET activities on significant indigenous biodiversity values (these activities are not subject to Policy 24A and Policy 24B).</p> <p>Policy 24B: Managing adverse effects on significant indigenous biodiversity values in the terrestrial environment (except for REG and ET activities) – district plans</p> <p>As soon as reasonably practicable, and by no later than 4 August 2028, district plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna in the terrestrial environment by:</p> <p>1) Except as provided for by clause (2) and (3), avoiding the following adverse effects:</p> <p>(a) loss of ecosystem representation and extent;</p> <p>(b) disruption to sequences, mosaics, or ecosystem function;</p> <p>(c) fragmentation of indigenous ecosystems and habitats with significant indigenous biodiversity values or the loss of buffers or connections within these ecosystems and habitats;</p> <p>(d) a reduction in the function of indigenous ecosystems and habitats with significant indigenous biodiversity values as a buffer or connection to other important habitats or ecosystems;</p> <p>(e) a reduction in the population size or occupancy of Threatened or At Risk species that use a habitat with significant indigenous biodiversity values for any part of their life cycle.</p> <p>2) Applying the effects management hierarchy to adverse effects not referred to in clause (1) and to the following new</p>	<p>Significant changes</p> <p>Extended timeframes</p> <p>Policy 24B only applies to District Plans and largely repeats NPS-IB requirements</p>		

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	<p>subdivision, use and development, which are exempt from clause (1):</p> <ul style="list-style-type: none"> (a) construction or upgrade of specified infrastructure (other than REG activities and ET activities) if; <ul style="list-style-type: none"> (i) it provides significant national or regional public benefit; and (ii) there is a functional need or operational need to be in that particular location; and (iii) there are no practicable alternative locations for the activity. (b) mineral extraction if: <ul style="list-style-type: none"> (i) it provides a significant national public benefit that could not otherwise be achieved using resources within New Zealand; and (ii) there is functional need or operational need to be in that particular location; and (iii) there are no practicable alternative locations for the activity. (c) aggregate extraction activities if: <ul style="list-style-type: none"> (i) it provides a significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand; and (ii) there is functional need or operational need to be in that particular location; and (iii) there are no practicable alternative locations for the activity. (d) the operation or expansion of any coal mine that was lawfully established before August 2023 (except that, after 31 December 2030, this exception applies only to such coal mines that extract coking coal) if; <ul style="list-style-type: none"> (i) there is functional need or operational need to be in that particular location; and (ii) there are no practicable alternative locations for the activity. (e) new use and development associated with a single residential dwelling on an allotment that was created before 4 August 2023 and where there is no practicable location within the allotment where a single residential dwelling and essential associated on-site infrastructure can be constructed without avoiding the adverse effects referred to in clause (1). (f) use or development for the purpose of maintaining or restoring ecosystems and habitats provided it does not involve the permanent destruction of significant habitat of 			

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	<p>indigenous biodiversity (or an alternative management approach established to restore indigenous biodiversity).</p> <p>(g) use or development in an area of indigenous vegetation or habitat of indigenous fauna (other than an area managed under the Forests Act 1949) that was established and is managed primarily for a purpose other than the maintenance or restoration of that indigenous biodiversity and the loss of indigenous biodiversity values is necessary to meet that purpose.</p> <p>(h) use and development associated with the harvest of indigenous tree species, such as track clearance or timber storage (but not the harvest itself managed under clause (3)(d)), from within an ecosystem or habitat with significant indigenous biodiversity values that is carried out in accordance with a forest management plan or permit under Part 3A of the Forests Act 1949.</p> <p>3) Allowing the following use, development, work and activities without being subject to clause (1) and (2):</p> <p>(a) use and development required to address a high risk to public health or safety;</p> <p>(b) the sustainable customary use of indigenous biodiversity conducted in accordance with tikanga;</p> <p>(c) work or activity of the Crown within the boundaries of any area of land held or managed under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act (other than land held for administrative purposes), provided that the work or activity:</p> <p>(i) is undertaken in a way that is consistent with any applicable conservation management strategy, conservation management plan, or management plan established under the Conservation Act 1987, or any other Act specified in Schedule 1 of that Act; and</p> <p>(ii) does not have a significant adverse effect beyond the boundary of the land.</p> <p>(d) the harvest of indigenous tree species that is carried out in accordance with a forest management plan or permit under Part 3A of the Forests Act 1949.</p> <p>(e) the maintenance, operation and minor upgrade of existing infrastructure (other than that covered in Policy 24CC), which is within or affects indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna, where the effects (including cumulative effects) on the ecosystem or habitat are no greater in intensity, scale or character than they were at 4 August 2023, and which do not result in the loss of extent or degradation of the ecological integrity of the ecosystem or habitat.</p>			

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<p>Policy IE.1: Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – district and regional plans</p> <p>District and regional plans shall include objectives, policies, methods and/or rules to partner with mana whenua / tangata whenua to:</p> <ul style="list-style-type: none"> (a) apply mātauranga Māori frameworks, and support mana whenua / tangata whenua to exercise their kaitiakitanga, in managing and monitoring indigenous biodiversity; (b) identify and protect taonga species; (c) support mana whenua / tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga. 	<p>Policy IE.1: Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – district and regional plans</p> <p>District and regional plans shall include objectives, policies, methods and/or rules to partner with mana whenua / tangata whenua when managing indigenous biodiversity, including to:</p> <ul style="list-style-type: none"> (a) apply mātauranga Māori frameworks, and support mana whenua / tangata whenua to exercise their kaitiakitanga, in managing and monitoring indigenous biodiversity; and (b) identify and protect acknowledged and identified taonga species, populations, and ecosystems; and (c) support mana whenua / tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga; and (d) maintain and restore indigenous biodiversity on Māori land to the extent practicable, while enabling new occupation, use and development of that land to support the social, cultural and economic wellbeing of mana whenua / tangata whenua. 	Slightly more detailed wording		
<p>Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect indigenous ecosystems and habitats with significant indigenous biodiversity values, and in determining whether the proposed activity is inappropriate particular regard shall be given to:</p> <ul style="list-style-type: none"> (a) maintaining connections within, or corridors between, habitats of indigenous flora and fauna and/or enhancing the connectivity between fragmented indigenous habitats; (b) providing adequate buffering around areas of significant indigenous ecosystems and habitats from other land uses; (c) managing wetlands for the purpose of aquatic ecosystem health, recognising the wider benefits, such as for indigenous biodiversity, water quality and holding water in the landscape; (d) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats; (e) providing seasonal or core habitat for indigenous species; (f) protecting the life supporting capacity of indigenous ecosystems and habitats; (g) minimising or remedying adverse effects on the indigenous biodiversity values where avoiding adverse effects is not practicably achievable; 	<p>Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect indigenous ecosystems and habitats with significant indigenous biodiversity values, other significant habitats of indigenous fauna, and the ecosystem processes that support these ecosystems and habitats, and in determining whether the proposed activity is inappropriate particular regard shall be given to:</p> <ul style="list-style-type: none"> (a) maintaining connections within, or corridors between, habitats of indigenous flora and fauna and/or enhancing the connectivity between fragmented indigenous habitats; and (b) providing adequate buffering around areas of significant indigenous ecosystems and habitats from other land uses; and (c) managing natural wetlands for the purpose of aquatic ecosystem health, recognising the wider benefits, such as for indigenous biodiversity, water quality and holding water in the landscape; and (d) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats; and (e) providing seasonal or core habitat for indigenous species; and (f) protecting the life supporting capacity of indigenous ecosystems and habitats; and (g) minimising or remedying adverse effects on the indigenous biodiversity values where avoiding adverse effects is not 	<p>Significant changes</p> <p>Reference back to Policies 24A to 24D</p>		

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<p>(h) the need for a precautionary approach when assessing the potential for adverse effects on indigenous ecosystems and habitats;</p> <p>(i) the limits to, and expected outcomes from biodiversity offsetting and biodiversity compensation set out in Policy 24.</p>	<p>practicably achievable except where Clause (i) and (j) apply; and</p> <p>(h) the need for a precautionary approach to be adopted when assessing and managing the potential for adverse effects on indigenous ecosystems and habitats, where;</p> <p>(i) the effects on indigenous biodiversity are uncertain, unknown, or little understood; and</p> <p>(ii) those effects could cause significant or irreversible damage to indigenous biodiversity; and</p> <p>(i) the provisions to protect significant biodiversity values in Policy 24B, and Policy 24C and the principles for biodiversity offsetting and biodiversity compensation in Policy 24A, except that Policy 24A and Policy 24B do not apply to REG activities and ET activities; and</p> <p>(j) the provisions to manage the adverse effects of REG activities and ET activities on significant biodiversity values in Policy 24D; and</p> <p>(k) protecting indigenous biodiversity values of significance to mana whenua / tangata whenua, including those associated with a significant site for mana whenua / tangata whenua identified in a regional or district plan; and</p> <p>(l) enabling established activities affecting significant biodiversity values in the terrestrial environment to continue, where the effects of the activities:</p> <p>(i) are no greater in intensity, scale and character; and</p> <p>(ii) do not result in loss of extent, or degradation of ecological integrity, of any significant biodiversity values; and</p> <p>(m) ensuring that the adverse effects of plantation forestry activities on significant indigenous biodiversity values in the terrestrial environment are managed in a way that:</p> <p>(i) maintains significant indigenous biodiversity values as far as practicable, while enabling plantation forestry activities to continue; and</p> <p>(ii) where significant biodiversity values are within an existing plantation forest, maintains the long-term populations of any Threatened or At Risk (declining) species present in the area over the course of consecutive rotations of production.</p>			
<p>Policy IE.2: Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan for subdivision, use or development, particular regard shall be given to enabling mana whenua / tangata whenua to exercise their role as kaitiaki, including, but not restricted to:</p>	<p>Policy IE.2: Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan for subdivision, use or development that may impact on indigenous biodiversity, recognise and provide for mana whenua / tangata</p>	<p>More detailed and prescriptive requirements especially in relation to indigenous biodiversity that does not have</p>		

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<p>(a) providing for mana whenua / tangata whenua values associated with indigenous biodiversity, including giving local effect to Te Rito o te Harakeke,</p> <p>(b) incorporating the use of mātauranga Māori in the management and monitoring of indigenous biodiversity; and</p> <p>(c) supporting mana whenua / tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga.</p>	<p>whenua values and relationships associated with indigenous biodiversity, including by, but not restricted to:</p> <p>(a) giving effect to the decision-making principles for indigenous biodiversity and, once they are established, the local expressions of the decision-making principles for indigenous biodiversity developed through Method IE.1; and</p> <p>(b) enabling mana whenua / tangata whenua to exercise their roles as kaitiaki; and</p> <p>(c) incorporating the use of mātauranga Māori in the management and monitoring of indigenous biodiversity; and</p> <p>(d) supporting mana whenua / tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga.</p> <p>Policy IE.2A: Maintaining indigenous biodiversity in the terrestrial environment – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan or regional plan, indigenous biodiversity in the terrestrial environment that does not have significant indigenous biodiversity values as identified under Policy 23 and is not on Māori land, shall be maintained by:</p> <p>(a) avoiding, remedying or mitigating the adverse effects of REG activities and ET activities to the extent practicable; and</p> <p>(b) managing any significant adverse effects on indigenous biodiversity from any other proposed activity by applying the effects management hierarchy; and</p> <p>(c) managing all other adverse effects on indigenous biodiversity to achieve at least no overall loss in indigenous biodiversity within the Wellington Region or district as applicable.</p>	<p>significant biodiversity values</p>		
3.8 Natural Hazards				
<p>Objective 19</p> <p>The risks and consequences to people, communities, their businesses, property, and infrastructure and the environment from natural hazards and the effects of climate change effects are reduced minimised.</p>	<p>Objective 19</p> <p>The risks to people, communities, businesses, property, and infrastructure from natural hazards and the effects of climate change are avoided or minimised.</p>	<p>Minor wording changes</p>	<p>s32</p> <p>The changes are of relevance to the Private Plan Change as they expand the consideration of hazard risk to include the potential effect on the natural environment, rather than limiting it to just people, communities, infrastructure and property.</p>	<p>Objectives</p> <p>Since the decision version contains only minor wording changes the initial assessments provided still apply.</p>
<p>Objective 20</p> <p>Natural hazard and climate change mitigation and adaptation activities minimise the risks from natural hazards and impacts on Te Mana o te Wai, Te Rito o te Harakeke, natural processes, indigenous ecosystems and biodiversity.</p>	<p>Objective 20</p> <p>Natural hazard mitigation measures and climate change adaptation activities minimise the risks from natural hazards, and impacts on, Te Mana o te Wai, taonga species, sites of significance to mana whenua / tangata whenua, natural processes, indigenous ecosystems and biodiversity.</p>	<p>Minor wording changes</p>	<p>The supporting policies remain largely the same with the exception of seeking to minimise effects from natural</p>	<p>Policy 29</p> <p>Since the decision version contains only minor changes and the overall intentions of policy 29 remain unchanged, the initial assessments provided by the s32 and s42A reports still apply.</p>

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<p>Objective 21</p> <p>The resilience of our communities and the natural environment to the short, medium, and long-term effects of climate change and sea level rise is strengthened, and people are better prepared for the consequences of natural hazard events.</p>	<p>Objective 21</p> <p>The resilience of our communities, infrastructure and the natural environment to natural hazards is improved, including to the short, medium, and long-term effects of climate change and sea level rise, and people are better prepared for the consequences of natural hazard events.</p>	<p>Minor wording changes</p>	<p>hazards. The new policies are largely non-regulatory.</p> <p>The plan change recognises the potential natural hazard effects relevant to the site with the Private Plan Change including a site specific geotechnical assessment. In response the Private Plan Change requires a geotechnical assessment for any new allotments to address slope stability and other potential geotechnical issues.</p>	
<p>Policy 29: Managing subdivision, use and development in areas at risk from natural hazards – district and regional plans</p> <p>Regional and district plans shall:</p> <p>(a) identify areas affected by natural hazards; and</p> <p>(b) use a risk-based approach to assess the consequences to subdivision, use and development from natural hazard and climate change impacts over a 100 year planning horizon;</p> <p>(c) include objectives, polices and rules to manage subdivision, use and development in those areas where the hazards and risks are assessed as low to moderate; and</p> <p>(d) include objectives, polices and rules to avoid subdivision, use or development and hazard sensitive activities where the hazards and risks are assessed as high to extreme.</p>	<p>Policy 29: Managing subdivision, use and development in areas at risk from natural hazards – district and regional plans</p> <p>Regional and district plans shall manage subdivision, use and development in areas at risk from natural hazards as follows:</p> <p>(a) identify areas potentially affected by natural hazards; and</p> <p>(b) use a risk-based approach to assess the consequences to new or existing subdivision, use and development from natural hazard and climate change impacts over at least a 100 year planning horizon which identifies the hazards or risks as being low, medium or high; and</p> <p>(c) include hazard overlays, objectives, polices and rules to manage new and existing subdivision, use and development in those areas where the hazards or risks are assessed as low to medium in order to minimise or not increase the risks from natural hazards; and</p> <p>(d) include hazard overlays, objectives, polices and rules to avoid new and minimise or not increase the risks to existing subdivision, use and development and hazard sensitive activities in areas where the hazards or risks are assessed as high, unless there is a functional or operational need to be located in these areas.</p>	<p>Minor wording changes</p>	<p>s42A</p> <p>The proposed provisions include a matter of discretion which states “Natural Hazards: the avoidance or mitigation of natural hazard risks” which is suitably broad to allow full consideration of any hazard risks when a resource consent application is made. In regard to the district plan review slope hazard mapping overlays are likely to be developed with associated rules regarding earthworks and new buildings. As such, if this site is within a slope hazard overlay, additional rules may apply to the site.</p> <p>On the basis of the above it is considered that the proposed Plan Change is consistent with these objectives and policies of the RPS as amended through PC1</p>	
3.9 Regional Form, Design and Function				
<p>Objective 22</p> <p>Urban development, including housing and infrastructure, is enabled where it demonstrates the characteristics and qualities of well-functioning urban environments, which:</p> <p>(a) Are compact and well designed; and</p> <p>(b) Provide for sufficient development capacity to meet the needs of current and future generations; and</p> <p>(c) Improve the overall health, well-being and quality of life of the people of the region; and</p> <p>(d) Prioritise the protection and enhancement of the quality and quantity of freshwater; and</p> <p>(e) Achieve the objectives in this RPS relating to the management of air, land, freshwater, coast, and indigenous biodiversity; and</p>	<p>Objective 22</p> <p>A compact, well-designed, climate-resilient, accessible, and environmentally responsive regional form with well-functioning urban areas and rural areas, where:</p> <p>(a) there is sufficient development capacity to meet the needs of current and future generations, improve housing affordability and quality, and provide access to a diversity of housing typologies within neighbourhoods which enable choice; and</p> <p>(b) Māori are able to express their culture and traditions, and the relationship of mana whenua / tangata whenua with their culture, ancestral land, water, sites, wāhi tapu and other taonga is provided for; and</p> <p>(c) Te Mana o te Wai is given effect to; and</p>	<p>Substantial changes to wording and criteria</p> <p>More extensive and detailed requirements</p>	<p>s32</p> <p>The changes are of relevance to the Private Plan Change as the rezoning would create opportunities for additional medium density residential development.</p> <p>The Plan Change is expected to:</p> <ul style="list-style-type: none"> • Provide additional housing capacity for Hutt City. • Achieve the RPS objectives relating to the management of air, land, freshwater, and indigenous biodiversity, as demonstrated. 	<p>Objectives</p> <p>Objective 22 is described in the RPS PC1 as an overarching objective. On balance the proposal is generally in accordance with the objective as it is enabling residential intensification on land currently zoned for low density housing and will increase development capacity. In particular clauses (d), (e), (f) and (g) of the decision version can be achieved through the proposed provisions and the resulting design of the subdivision. Allowing greater density will contribute to clause (j) and (k) being achieved.</p>

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<p>(f) Support the transition to a low-emission and climate-resilient region; and</p> <p>(g) Provide for a variety of homes that meet the needs, in terms of type, price, and location, of different households; and</p> <p>(h) Enable Māori to express their cultural and traditional norms by providing for mana whenua / tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga; and</p> <p>(i) Support the competitive operation of land and development markets in ways that improve housing affordability, including enabling intensification; and</p> <p>(j) Provide for commercial and industrial development in appropriate locations, including employment close to where people live; and</p> <p>(k) Are well connected through multi-modal (private vehicles, public transport, walking, micro-mobility and cycling) transport networks that provide for good accessibility for all people between housing, jobs, community services, natural spaces, and open space.</p>	<p>(d) intensification occurs within existing urban zones in appropriate places where it is environmentally responsive; and</p> <p>(e) subdivision, use and development is located, designed, and constructed in a way that is climate-resilient and contributes to reducing greenhouse gas emissions; and</p> <p>(f) built environments, including integrated transport infrastructure, meet the health and wellbeing needs of all people, with multi-modal access including active transport, between housing, jobs, community services, centres, green space, and open space; and</p> <p>(g) the biophysical characteristics, location, recognised values, capability and limitations of land inform its use and development; and</p> <p>(h) the productive capacity of rural land is retained; and</p> <p>(i) existing urban-zoned land, and infrastructure capacity is used effectively and efficiently; and</p> <p>(j) new or upgraded infrastructure is integrated and sequenced with development; and</p> <p>(k) development densities are sufficient to support the provision and ongoing maintenance of infrastructure; and</p> <p>(l) a variety of residential, commercial, mixed use and industrial development in appropriate locations is provided which contributes to viable and vibrant centres at a range of scales, and industrial-based employment locations; and</p> <p>(m) the safe and efficient operation of regionally significant infrastructure is protected from potential reverse sensitivity effects.</p>		<ul style="list-style-type: none"> Provide for well connected residential development with opportunities for non-private vehicle trips as there are public transport and walking and cycling opportunities in proximity of the site. Provide for a variety of homes and development forms by providing for medium density development. <p>s42A</p> <p>The relevant objectives have already been incorporated into the district plan and discussed above.</p> <p>Policy 31 is amended and it relates to district plans enabling a range of building heights. The District Plan review is the most appropriate place for a consideration of building heights across the city.</p> <p>New Policy FW.3 relates to urban development effects on freshwater and requires district plans to include provisions managing these effects. The District Plan review is the most appropriate place for a consideration of provisions to manage urban development effect on freshwater.</p> <p>New Policy CC.4 and CC.14 relate to including provisions to provide for climate resilient urban areas. The District Plan review is the most appropriate place for a consideration of provisions relating to climate resilience.</p> <p>Policy 55 relates to providing for appropriate urban expansion beyond the region's urban areas. The policy has been significantly broadened as discussed earlier and particular regard must be had to several matters, but of most relevance to this site, is protecting indigenous ecosystems and habitats with significant indigenous values. This policy applies to both plan changes and resource consents so the policy would have to be taken into account during the assessment of a</p>	<p>Policy 31</p> <p>Policy 31 has mostly been given effect to through HCC's PC56 (IPI) and the recent updates through RPS-PC1 will need to be considered by the full District Plan review.</p> <p>Policy 42</p> <p>Policy 42 will apply to and be relevant for any application for a regional consent for urban development of the site. The matters covered will therefore not be required to be duplicated by the site specific provisions.</p> <p>Policy 55</p> <p>Policy 55 has been amended to be more prescriptive, but the general thrust of the policy remains largely unchanged. Therefore the previous assessments by the s32 and the s42A report are still relevant.</p> <p>While under the current zoning approximately half of the site is beyond the existing urban zone, this part of the site is located outside of the identified Development Area and is anticipated to have minimal development mainly around the boundary of the identified development area.</p> <p>Policy 57</p> <p>The intention of policy 57 appears to be largely unchanged. The proposed restricted discretionary activity status and the matters of discretion will allow for the application to be assessed against the relevant matters outlined in Policy 57.</p> <p>Policy 58</p> <p>Policy 58 has been amended to include references to existing infrastructure capacity and staging of development. As above the proposed restricted discretionary activity status and the matters of discretion will allow for the application to be assessed against the relevant matters of Policy 58.</p>
<p>Objective 22A</p> <p>To achieve sufficient development capacity to meet expected housing demand in the short-medium and long term in any tier 1 urban environment within the Wellington Region, the housing bottom lines in Table 9A are to be met or exceeded in the short-medium and long term in the tier 1 urban environment.</p>	<p>Objective 22A</p> <p>To achieve sufficient development capacity to meet expected housing demand in the short-medium and long term in any tier 1 urban environment within the Wellington Region, the housing bottom lines in Table 9A are to be met or exceeded in the short-medium and long term in the tier 1 urban environment.</p>	No change		
<p>Policy 31: Identifying and enabling a range of building heights and density – district plans</p> <p>District plans shall include policies, rules and/or methods that identify and enable a range of different building heights and density within urban areas where it contributes to maintaining, establishing or improving the qualities and characteristics of well-functioning urban environments, including as a minimum:</p> <p>(a) For any tier 1 territorial authority, identify areas for high density development within:</p> <p>(i) City centre zones and metropolitan centre zones; and</p>	<p>Policy 31: Enabling intensification to contribute to well-functioning urban areas – district plans</p> <p>District plans shall include policies, rules and/or methods that enable intensification within existing urban zones where it contributes to a compact, well-designed, climate-resilient, accessible and environmentally responsive regional form with well-functioning urban areas by:</p> <p>(a) for any tier 1 territorial authority, identifying a range of building heights and urban form densities (while recognising identified qualifying matters in that area) to:</p>	More detailed requirements		

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<p>(ii) any other locations, where there is with good access to:</p> <ol style="list-style-type: none"> 1. existing and planned rapid transit; 2. edge of city centre zones and metropolitan centre zones; and/or 3. areas with a range of commercial activities and community services. <p>(b) For any tier 1 territorial authority, identify areas for medium density residential development within any relevant residential zone.</p> <p>(c) For any other territorial authority not identified as a tier 1 territorial authority, identify areas for greater building height and density where:</p> <ol style="list-style-type: none"> (i) there is good access to existing and planned active and public transport to a range of commercial activities and community services; and/or (ii) there is relative demand for housing and business use in that location. 	<ol style="list-style-type: none"> (i) realise as much development capacity as possible in city centre zones, and (ii) enable high density development within metropolitan centre zones; and any other locations, within at least a walkable catchment of: <ol style="list-style-type: none"> a. existing and planned rapid transit stops, along networks identified as existing and planned transit in the current Regional Land Transport Plan, or b. edge of city centre zones and metropolitan centre zones, or c. areas with a range of commercial activities and community services, and (iii) enable medium density development, and (iv) otherwise reflect the purpose of, and level of commercial activity and community services, within and adjacent to town, local and neighbourhood centres; and <p>(b) for any other territorial authority not identified as a tier 1 territorial authority, identifying areas for greater building height and urban form densities within, and adjacent to town centre zones where appropriate and either:</p> <ol style="list-style-type: none"> (i) where there is good access to existing or planned active and public transport to a range of commercial activities and community services, or (ii) to meet relative demand for housing and business use in that location. 		<p>subdivision consent. Given the potential for change to the planning framework in relation to significant indigenous ecosystems I consider the best approach is to rely on the District Plan review and the consent process to implement Policy 55.</p> <p>New Policy UD.3 provides criteria for determining whether a plan change, for the purpose of Policy 8, is adding 'significant development capacity.' Policy 55 does not require a plan change to add significant development capacity to be approved but simply makes it a matter to which particular regard should be had.</p> <p>While Policy 58 has been amended the intent remains the same, which is to ensure infrastructure is provided for and is available, or is consented, designated or programmed to be available prior to development occurring. PC58 ensures coordination during the consenting phase, rather than at the plan change through appropriate rules and matters of discretion. I note the district plan already enables development that cannot be supported by existing</p>	<p>Policy UD.3</p> <p>While PC58 is expected to provide additional development capacity, the exact level of enabled development will depend on a number of factors (such as biodiversity values and infrastructure capacity). Therefore it is uncertain whether the plan change will provide for development capacity that can be considered significant.</p>
<p>Policy 33: Supporting well-functioning urban environments and a reduction in transport related greenhouse gas emissions – Regional Land Transport Plan</p> <p>The Wellington Regional Land Transport Plan shall contain objectives and policies that support well-functioning urban environments and a reduction in transport related greenhouse gas emissions and vehicle kilometres travelled of the light vehicle fleet.</p>	<p>Policy 33: Supporting a reduction in transport related greenhouse gas emissions – Regional Land Transport Plan</p> <p>The Wellington Regional Land Transport Plan shall contain objectives and policies that contribute to a reduction in transport related greenhouse gas emissions and vehicle kilometres travelled of the light vehicle fleet, to contribute to a compact, well-designed, climate-resilient, accessible and environmentally responsive regional form.</p>	Slight rewording	<p>infrastructure capacity, but that the sufficiency of infrastructure to support the new development is addressed through the consenting process and is a Consent Notice requirement. As stated earlier it is reasonable that the water supply has not been provided as the site has not been developed. No barriers have been identified by HCC's Development Engineer's review of the proposal in relation to stormwater and wastewater.</p>	
<p>Policy 42: Effects on freshwater and the coastal marine area from urban development – consideration</p> <p>When considering an application for a resource consent the regional council must give effect to Te Mana o te Wai and in doing so must have particular regard to:</p> <ol style="list-style-type: none"> (a) Adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development; (b) Protect and enhance mana whenua /tangata whenua freshwater values, including mahinga kai; 	<p>Policy 42: Effects on freshwater and receiving environments from urban development – consideration</p> <p>When considering an application for a regional resource consent that relates to urban development the regional council must have regard to:</p> <ol style="list-style-type: none"> (a) adopting an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development; and (b) protecting and enhancing Māori freshwater values, including mahinga kai, in partnership with mana whenua / tangata whenua; and 	<p>Minor wording changes</p> <p>Removed reference to Te Mana o te Wai</p> <p>More detailed list of matters for consideration</p>		

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<p>(c) Provide for mana whenua/tangata whenua and their relationship with their culture, land, water, wāhi tapu and other taonga;</p> <p>(d) Incorporate the use of mātauranga Māori to ensure the effects of urban development are considered appropriately;</p> <p>(e) The effects of use and development of land on water, including the effects on receiving environments (both freshwater and the coastal marine area);</p> <p>(f) The target attribute states set for the catchment;</p> <p>(g) Require that the development, including stormwater discharges, earthworks and vegetation clearance meets any limits set in a regional plan;</p> <p>(h) Require that urban development is located and designed and constructed using the principles of Water Sensitive Urban Design;</p> <p>(i) Require that urban development located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;</p> <p>(j) Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</p> <p>(k) Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</p> <p>(l) Require stormwater quality management that will minimise the generation of contaminants, and maximise, to the extent practicable, the removal of contaminants from stormwater;</p> <p>(m) Require riparian buffers for all waterbodies and avoid piping of rivers;</p> <p>(n) Daylighting of rivers, where practicable;</p> <p>(o) Mapping of rivers and wetlands;</p> <p>(p) Efficient end use of water and alternate water supplies for non-potable use;</p> <p>(q) protecting drinking water sources from inappropriate use and development; and</p> <p>(r) applying an integrated management approach to wastewater networks including partnering with mana whenua as kaitiaki and allowance for appropriately designed overflow points where necessary to support growth and consideration of different approaches to wastewater management to resolve overflow.</p>	<p>(c) providing for mana whenua / tangata whenua and their relationship with their culture, land, water, wāhi tapu and other taonga; and</p> <p>(d) incorporating the use of mātauranga Māori to ensure the effects of urban development are considered appropriately; and</p> <p>(e) the effects of use and development of land on water, including the effects on receiving environments (both freshwater and the coastal marine area); and</p> <p>(f) the target attribute states set for the catchment; and</p> <p>(g) the extent to which the urban development, including stormwater discharges, meets any limits set in a regional plan and the effect of any exceedances; and</p> <p>(h) the extent to which urban development incorporates water sensitive urban design techniques and hydrological control to minimise the generation of contaminants from stormwater runoff, and maximise, to the extent practicable, the removal of contaminants from stormwater; and</p> <p>(i) the extent to which urban development is located and designed to protect and enhance the health and wellbeing of adjacent rivers, lakes, wetlands, springs, riparian margins, and receiving environments, including the natural form and flow of the waterbody; and</p> <p>(j) the extent to which hydrological control minimises adverse effects of runoff quantity (flows and volumes) and other potential adverse effects on natural stream values; and</p> <p>(k) the provision of riparian buffers for urban development adjacent to natural waterbodies; and</p> <p>(l) the extent to which the development avoids piping of rivers and whether there is a functional need for the activity in that location; and</p> <p>(m) the practicability of daylighting rivers within the area proposed for urban development area; and</p> <p>(n) efficient end use of water and alternate water supplies for non-potable use; and</p> <p>(o) protecting drinking water sources from inappropriate use and development; and</p> <p>(p) applying a catchment approach to wastewater networks including partnering with mana whenua as kaitiaki and allowance for appropriately designed overflow points where necessary to support growth and consideration of different approaches to wastewater management to resolve overflow.</p>			
<p>Policy 55: Providing for appropriate urban expansion – consideration</p>	<p>Policy 55: Managing greenfield development to contribute to well-functioning urban areas and rural areas – consideration</p>	<p>More detailed and prescriptive</p>		

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<p>When considering an application for a resource consent, or a change, variation or review of a district plan for urban development beyond the region's urban areas (as at August 2022), particular regard shall be given to whether:</p> <p>(a) the urban development contributes to establishing or maintaining the qualities of a well-functioning urban environment, including:</p> <p>(i) the urban development will be well-connected to the existing or planned urban area, particularly if it is located along existing or planned transport corridors;</p> <p>(ii) the location, design and layout of the proposed development shall apply the specific management or protection for values or resources identified by this RPS, including:</p> <ol style="list-style-type: none"> 1. Avoiding inappropriate subdivision, use and development in areas at risk from natural hazards as required by Policy 29, 2. Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values as identified by Policy 23, 3. Protecting outstanding natural features and landscape values as identified by Policy 25, 4. Protecting historic heritage values as identified by Policy 22, 5. Integrates Te Mana o Te Wai consistent with Policy 42, 6. Provides for climate resilience and supports a low or zero carbon transport network consistent with Policies CC.1, CC.4, CC.10 and CC17. 7. Recognises and provides for values of significance to mana whenua / tangata whenua, 8. Protecting Regionally Significant Infrastructure as identified by Policy 8; and <p>(b) the urban development is consistent with any Future Development Strategy, or the regional or local strategic growth and/or development framework or strategy that describes where and how future urban development should occur in that district or region, should the Future Development Strategy be yet to be released; and</p> <p>(c) a structure plan has been prepared.; and/or</p> <p>(d) Any urban development that would provide for significant development capacity, regardless of if the development was out of sequence or unanticipated by growth or development strategies.</p>	<p>An application for a resource consent, notice of requirement, or a change, variation or review of a district plan for urban development beyond the region's existing urban zones, will contribute to achieving a compact, well-designed, climate-resilient, accessible and environmentally responsive regional form if:</p> <p>(a) the location, design and layout of the urban development:</p> <ol style="list-style-type: none"> 1. contributes to well-functioning urban areas, as articulated in Policy UD.5; and 2. is well-connected to the existing urban area, which means it: <ol style="list-style-type: none"> i) is adjacent to existing urban zones with access to employment and amenities, and either, ii) is along existing or planned transport corridors that provide for multi-modal transport options, including public transport, or iii) supports the efficient and effective delivery of planned new or upgraded transport infrastructure including for public transport; and 3. concentrates building heights and densities to: <ol style="list-style-type: none"> i) maximise access to, and efficient use of, existing infrastructure, ii) use land to be zoned urban efficiently, iii) support viable and vibrant neighbourhood, local, town, metropolitan and city centres, and iv) support reductions in greenhouse gas emissions by use of low and zero-carbon emission transport modes, including efficient provision of public transport services; and 4. applies specific management or protection for values or resources required by this Regional Policy Statement, including: <ol style="list-style-type: none"> i) managing subdivision, use and development in accordance with the risk from natural hazards as required by Policy 29, ii) protecting indigenous ecosystems and habitats with significant indigenous biodiversity values as identified by Policy 23, iii) protecting outstanding natural features and landscape values as identified by Policy 25, iv) protecting historic heritage values as identified by Policy 22, v) giving effect to Te Mana o te Wai consistent with Policy 42, 	<p>matters for consideration</p>		

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	<ul style="list-style-type: none"> vi) providing for climate resilience and supporting a low and zero-carbon multi-modal transport network consistent with Policies CC.1, CC.4, CC.4A, CC.9, CC.14 and CC.14A, vii) providing for mana whenua / tangata whenua values, including their relationship with their culture, ancestral lands, water, sites, wāhi tapu and other taonga, viii) protecting Regionally Significant Infrastructure from incompatible or inappropriate adjacent land uses, consistent with Policy 8, ix) protecting significant mineral resources from incompatible or inappropriate adjacent land uses, consistent with Policy 60, and x) managing effects on natural character in the coastal environment, consistent with Policy 36; and <p>(b) it has regard to the Future Development Strategy that describes where and how future urban development will occur; and</p> <p>(c) a structure plan has been prepared to a level of detail commensurate to the scale of the urban development, in partnership with mana whenua / tangata whenua where undertaken by a local authority.; and</p> <p>(d) for a plan change, it would add significantly to development capacity in accordance with Policy UD.3.</p>			
<p>Policy 57: Integrating land use and transportation – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, require land use and transport planning within the Wellington Region is integrated in a way which:</p> <ul style="list-style-type: none"> (a) supports a safe, reliable, inclusive and efficient transport network; (b) supports connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity; (c) minimises private vehicle travel and trip length while supporting mode shift to public transport or active modes and support the move towards low and zero-carbon modes; (d) encourages an increase in the amount of travel made by public transport and active modes; (e) provides for well-connected, safe and accessible multi modal transport networks while recognising that the timing and sequencing of land use and public transport may result in a period where the provision of public transport may not be efficient or practical; 	<p>Policy 57: Integrating land use and transportation – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, seek to achieve integrated land use and transport within the Wellington Region by:</p> <ul style="list-style-type: none"> (a) locating development in areas near centres and well-served by existing or planned public transport, to minimise private vehicle travel and trip length and maximise mode shift to public transport or active modes; and (b) supporting connectivity with, and accessibility to public services or amenities, key centres of employment activity or retail activity via public and active transport networks; and (c) supporting a safe, reliable, equitable, inclusive and efficient transport network including through connections with the wider transport network; and (d) providing safe and accessible multi-modal transport networks along connected routes that are designed for public and active transport, while recognising that the delivery of public transport services may not always be efficient or practical; and 	<p>Small wording changes and restructuring</p>		

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<p>(f) supports and enables the growth corridors in the Wellington Region, including:</p> <ul style="list-style-type: none"> (i) Western Growth Corridor – Tawa to Levin; (ii) Eastern Growth Corridor – Hutt to Masterton; (iii) Let’s Get Wellington Moving Growth Corridor. 	<p>(e) supporting and enabling the rapid transport network and the growth corridors in the Wellington Region, including:</p> <ul style="list-style-type: none"> i. Western Growth Corridor – Tawa to Levin; ii. Eastern Growth Corridor – Hutt to Masterton; iii. Let’s Get Wellington Moving Growth Corridor; and <p>(f) minimising the potential for reverse sensitivity effects on the safe and efficient operation of transport corridors.</p>			
<p>Policy 58: Co-ordinating land use with development and operation of infrastructure – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan for subdivision, use or development, require all new urban development including form, layout, location, and timing is sequenced in a way that:</p> <ul style="list-style-type: none"> (a) the development, funding, implementation and operation of infrastructure serving the area in question is provided for; and (b) all infrastructure required to serve new development, including low or zero carbon, multi modal and public transport infrastructure, is available, or is consented, designated or programmed to be available prior to development occurring. 	<p>Policy 58: Co-ordinating land use with development and operation of infrastructure – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan, for subdivision, use or development, seek to achieve development that is integrated with infrastructure, in a way that:</p> <ul style="list-style-type: none"> (a) makes effective, efficient and safe use of existing infrastructure capacity; and (b) makes provision for the development, funding, implementation and operation of infrastructure serving the area in question; and (c) all infrastructure required to serve new development is available or is able to be delivered in a timeframe appropriate to service the development, and this may require timing or staging development accordingly. 	<p>Small wording changes and restructuring</p> <p>Inclusion of reference to existing infrastructure capacity and staging</p>		
<p>Policy UD.3: Responsive planning to developments that provide for significant development capacity – consideration</p> <p>When considering a change of a district plan for a development in accordance with clause (d) of Policy 55, particular regard shall be given to whether the following criteria is met:</p> <ul style="list-style-type: none"> (a) the location, design and layout of the proposal: <ul style="list-style-type: none"> (i) contributes to establishing or maintaining the characteristics and qualities of a well-functioning urban environment identified in Policy 55(a)(ii) and Objective 22, (ii) is well-connected to the existing or planned urban area, particularly if it is located along existing or planned transport corridors, (iii) for housing will apply a relevant residential zone or other urban zone that provides for high density development or medium density residential development, (b) the proposal makes a significant contribution to meeting a need identified in the latest Housing and Business Development Capacity Assessment, or a shortage identified in monitoring for: 	<p>Policy UD.3: Plan changes that provide for significant development capacity – consideration</p> <p>For local authorities with jurisdiction over part, or all, of an urban environment, when determining whether a plan change for urban development will be treated as adding significantly to development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release, the following criteria must be met:</p> <ul style="list-style-type: none"> (a) the plan change makes a significant contribution to meeting a need identified in the latest Housing and Business Development Capacity Assessment, or a shortage identified through monitoring or otherwise for: <ul style="list-style-type: none"> (i) a variety of housing that meets the regional, district, or local shortage of housing in relation to the particular type, size, or format, or (ii) business space or land of a particular size or locational type, or (iii) community, cultural, health, or educational facilities; and (b) a plan change will make a significant contribution to a matter in (a) if it: <ul style="list-style-type: none"> (i) is of high yield relative to either the forecast demand or the identified shortfall, 	<p>Extended list of requirements</p>		

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<ul style="list-style-type: none"> (i) a variety of housing that meets the regional, district, or local shortages of housing in relation to the particular type, size, or format, (ii) business space or land of a particular size or locational type, or (iii) community, cultural, health, or educational facilities, and (iv) the proposal contributes to housing affordability through a general increase in supply or through providing non-market housing, and <p>(c) when considering the significance of the proposal's contribution to a matter in (b), this means that the proposal's contribution:</p> <ul style="list-style-type: none"> (i) is of high yield relative to either the forecast demand or the identified shortfall, (ii) will be realised in a timely (i.e., rapid) manner, (iii) is likely to be taken up, and (iv) will facilitate a net increase in district-wide up-take in the short to medium term, <p>(d) required development infrastructure can be provided effectively and efficiently for the proposal, and without material impact on planned development infrastructure provision to, or reduction in development infrastructure capacity available for, other feasible, likely to be realised developments, in the short-medium term.</p>	<ul style="list-style-type: none"> (ii) will be realised in a timely manner, and (iii) responds to demonstrated demand for the land use types proposed, for the short-medium term in that location; and <p>(c) where it provides for housing, the plan change will:</p> <ul style="list-style-type: none"> (i) as part of a mix of housing typologies, provide for high density development or medium density development, and (ii) contribute to increasing housing affordability through a general increase in supply or through providing non-market housing; and <p>(d) the required infrastructure can be provided effectively and efficiently for the proposal, and without material impact on the capacity provided by existing or committed infrastructure for other feasible, reasonably expected to be realised developments, in the short-medium term; and</p> <p>(e) the plan change justifies the need for additional urban-zoned land in that particular location to meet housing and business demand, demonstrating consideration of existing feasible, reasonably expected to be realised development capacity within existing urban zones; and</p> <p>(f) the plan change can demonstrate it will mitigate any potential adverse effects on the ability of existing urban areas and rural areas to be well-functioning, including by minimising potential reverse sensitivity effects and impacts on the feasibility, affordability, or deliverability of urban development anticipated by the district plan.</p>			

***Appendix 1B: Criteria for identifying areas that qualify as an area with significant indigenous biodiversity in the terrestrial environment (a significant natural area)**

This appendix sets out the criteria for identifying significant indigenous vegetation or significant habitats of indigenous fauna in a specific area, so that the area qualifies as a significant natural area in the terrestrial environment. The assessment must be done using the assessment criteria set out below and in accordance with the following principles:

- (a) partnership: territorial authorities engage early with mana whenua and landowners and share information about indigenous biodiversity, potential management options, and any support and incentives that may be available:
- (b) transparency: territorial authorities clearly inform mana whenua and landowners about how any information gathered will be used and make existing information, draft assessments and other relevant information available to mana whenua and relevant landowners for review:
- (c) quality: wherever practicable, the values and extent of natural areas are verified by physical inspection; but if a physical inspection is not practicable (because, for instance, the area is inaccessible, or a landowner does not give access) the local authority uses the best information available to it at the time:
- (d) access: if a physical inspection is required, permission of the landowner is first sought and the powers of entry under section 333 of the Act are used only as a last resort:
- (e) consistency: the criteria in Appendix 1 are applied consistently, regardless of who owns the land:
- (f) boundaries: the boundaries of areas of significant indigenous vegetation or significant habitat of indigenous fauna are determined without regard to artificial margins (such as property boundaries) that would affect the extent or ecological integrity of the area identified.

1 What qualifies as an SNA

(1) An area qualifies as an SNA if it meets any one of the attributes of the following four criteria:

- (a) representativeness:
- (b) diversity and pattern:

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<p>(c) rarity and distinctiveness:</p> <p>(d) ecological context.</p> <p>(2) If an area would qualify as an SNA solely on the grounds that it provides habitat for a single indigenous fauna species that is At Risk (declining), and that species is widespread in at least three other regions, the area does not qualify as an SNA unless:</p> <p>(a) the species is rare within the Wellington Region or ecological district where the area is located; or</p> <p>(b) the protection of the species at that location is important for the persistence of the species as a whole.</p> <p>(3) If an area would qualify as an SNA solely on the grounds that it contains one or more indigenous flora species that are Threatened or At Risk (declining), and those species are widespread in at least three other regions, the area does not qualify as an SNA unless:</p> <p>(a) the species is rare within the Wellington Region or ecological district where the area is located; or</p> <p>(b) the protection of the species at that location is important for the persistence of the species as a whole.</p> <p>2. Context for assessment</p> <p>(1) The context for an assessment of an area is:</p> <p>(a) its ecological district; and</p> <p>(b) for the rarity assessment only, its ecological district, its region and the national context.</p> <p>3. Manner and form of assessment</p> <p>(1) Every assessment must include at least:</p> <p>(a) a map of the area; and</p> <p>(b) a general description of its significant attributes, with reference to relevant criteria (as specified below); and</p> <p>(c) a general description of the indigenous vegetation, indigenous fauna, habitat, and ecosystems present; and</p> <p>(d) additional information, such as the key threats, pressures, and management requirements; and</p> <p>(e) for SNAs in areas of Crown-owned land referred to in clause 3.8(8), the conservation management strategy or plan or national park management plan that applies to the area.</p> <p>(2) An assessment under this appendix must be conducted by a suitably qualified ecologist (which, in the case of an assessment of a geothermal ecosystem, requires an ecologist with geothermal expertise).</p> <p>A. Representativeness criterion</p> <p>(1) Representativeness is the extent to which the indigenous vegetation or habitat of indigenous fauna in an area is typical or characteristic of the indigenous biodiversity of the relevant ecological district.</p> <p>Key assessment principles</p> <p>(2) Significant indigenous vegetation has ecological integrity typical of the indigenous vegetation of the ecological district in the present-day environment. It includes seral (regenerating) indigenous vegetation that is recovering following natural or induced disturbance, provided species composition is typical of that type of indigenous vegetation.</p> <p>(3) Significant indigenous fauna habitat is that which supports the typical suite of indigenous animals that would occur in the present-day environment. Habitat of indigenous fauna may be indigenous or exotic.</p> <p>(4) Representativeness may include commonplace indigenous vegetation and the habitats of indigenous fauna, which is where most indigenous biodiversity is present. It may also include degraded indigenous vegetation, ecosystems and habitats that are typical of what remains in depleted ecological districts. It is not restricted to the best or most representative examples, and it is not a measure of how well that indigenous vegetation or habitat is protected elsewhere in the ecological district.</p> <p>(5) When considering the typical character of an ecological district, any highly developed land or built-up areas should be excluded.</p> <p>(6) The application of this criterion should result in identification of indigenous vegetation and habitats that are representative of the full range and extent of ecological diversity across all environmental gradients in an ecological district, such as climate, altitude, landform, and soil sequences. The ecological character and pattern of the indigenous vegetation in the ecological district should be described by reference to the types of indigenous vegetation and the landforms on which it occurs.</p> <p>Attributes of representativeness</p> <p>(7) An area that qualifies as an SNA under this criterion has at least one of the following attributes:</p> <p>(a) indigenous vegetation that has ecological integrity that is typical of the character of the ecological district:</p>				

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<p>(b) habitat that supports a typical suite of indigenous fauna that is characteristic of the habitat type in the ecological district and retains at least a moderate range of species expected for that habitat type in the ecological district.</p>				
<p>B. Diversity and pattern criterion</p>				
<p>(1) Diversity and pattern is the extent to which the expected range of diversity and pattern of biological and physical components within the relevant ecological district is present in an area.</p>				
<p>Key assessment principles</p>				
<p>(2) Diversity of biological components is expressed in the variation of species, communities, and ecosystems. Biological diversity is associated with variation in physical components, such as geology, soils/substrate, aspect/exposure, altitude/depth, temperature, and salinity.</p>				
<p>(3) Pattern includes changes along environmental and landform gradients, such as ecotones and sequences.</p>				
<p>(4) Natural areas that have a wider range of species, habitats or communities or wider environmental variation due to ecotones, gradients, and sequences in the context of the ecological district, rate more highly under this criterion.</p>				
<p>Attributes of diversity and pattern</p>				
<p>(5) An area that qualifies as a significant natural area under this criterion has at least one of the following attributes:</p>				
<p>(a) at least a moderate diversity of indigenous species, vegetation, habitats of indigenous fauna or communities in the context of the ecological district:</p>				
<p>(b) presence of indigenous ecotones, complete or partial gradients or sequences.</p>				
<p>C. Rarity and distinctiveness criterion</p>				
<p>(1) Rarity and distinctiveness is the presence of rare or distinctive indigenous taxa, habitats of indigenous fauna, indigenous vegetation or ecosystems.</p>				
<p>Key assessment principles</p>				
<p>(2) Rarity is the scarcity (natural or induced) of indigenous elements: species, habitats, vegetation, or ecosystems. Rarity includes elements that are uncommon or threatened.</p>				
<p>(3) The list of Threatened and At Risk species is regularly updated by the Department of Conservation. Rarity at a regional or ecological district scale is defined by regional or district lists or determined by expert ecological advice. The significance of nationally listed Threatened and At Risk species should not be downgraded just because they are common within a region or ecological district.</p>				
<p>(4) Depletion of indigenous vegetation or ecosystems is assessed using ecological districts and land environments.</p>				
<p>(5) Distinctiveness includes distribution limits, type localities, local endemism, relict distributions, and special ecological or scientific features.</p>				
<p>Attributes of rarity and distinctiveness</p>				
<p>(6) An area that qualifies as an SNA under this criterion has at least one of the following attributes:</p>				
<p>(a) provides habitat for an indigenous species that is listed as Threatened or At Risk (declining) in the New Zealand Threat Classification System lists:</p>				
<p>(b) an indigenous vegetation type or an indigenous species that is uncommon within the Wellington Region or ecological district:</p>				
<p>(c) an indigenous species or plant community at or near its natural distributional limit:</p>				
<p>(d) indigenous vegetation that has been reduced to less than 20 per cent of its prehuman extent in the ecological district, region, or land environment:</p>				
<p>(e) indigenous vegetation or habitat of indigenous fauna occurring on naturally uncommon ecosystems:</p>				
<p>(f) the type locality of an indigenous species:</p>				
<p>(g) the presence of a distinctive assemblage or community of indigenous species:</p>				
<p>(h) the presence of a special ecological or scientific feature.</p>				
<p>D. Ecological context criterion</p>				
<p>(1) Ecological context is the extent to which the size, shape, and configuration of an area within the wider surrounding landscape contributes to its ability to maintain indigenous biodiversity or affects the ability of the surrounding landscape to maintain its indigenous biodiversity.</p>				
<p>Key assessment principles</p>				
<p>(2) Ecological context has two main assessment principles:</p>				
<p>(a) the characteristics that help maintain indigenous biodiversity (such as size, shape, and configuration) in the area; and</p>				

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<p>(b) the contribution the area makes to protecting indigenous biodiversity in the wider landscape (such as by linking, connecting to or buffering other natural areas, providing 'stepping stones' of habitat or maintaining ecological integrity).</p> <p>Attributes of ecological context</p>	<p>(3) An area that qualifies as an SNA under this criterion has at least one of the following attributes:</p> <p>(a) least moderate size and a compact shape, in the context of the relevant ecological district:</p> <p>(b) well-buffered relative to remaining habitats in the relevant ecological district:</p> <p>(c) provides an important full or partial buffer to, or link between, one or more important habitats of indigenous fauna or significant natural areas:</p> <p>(d) important for the natural functioning of an ecosystem relative to remaining habitats in the ecological district.</p>			