

**Before the Hearings Panels  
At Greater Wellington Regional Council**

**Under** Schedule 1 of the Resource Management Act 1991

**In the matter of** Proposed Change 1 to the Regional Policy Statement for the Wellington Region

**Hearing Topic** Hearing Stream 5 – Freshwater / Te Mana o te Wai

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**Statement of evidence of Torrey James McDonnell on behalf of Porirua City  
Council (Planning)**

**Date: 2 November 2023**

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## **INTRODUCTION:**

1 My full name is Torrey James McDonnell. I am employed as a Principal Planner by Incite Wellington.

2 I have prepared this statement of evidence on behalf of Porirua City Council (“PCC”) to provide planning evidence in support of its submission to Greater Wellington Regional Council’s (“the Council”) Proposed Change 1 (“Change 1”) to the Regional Policy Statement for the Wellington Region (“RPS”).

3 Specifically, this statement of evidence relates to the matters in Hearing Stream 5, Freshwater/Te Mana o te Wai.

4 I am authorised to provide this evidence on behalf of PCC. I am giving this evidence as a planning expert, and the views I express in this evidence are my own.

## **QUALIFICATIONS AND EXPERIENCE**

5 I hold the qualifications of Bachelor of Science (Majoring in Geography) and a Master of Planning both from Otago University.

6 I currently work for Incite Resource and Environmental Consultants, based in the Wellington office. I provide expert advice on a variety of resource management matters, including national policy development, growth/spatial planning, district and regional plan policy development, and district and regional consenting.

7 I worked for PCC as a Principal Policy Planner from 2017 to 2023. I was involved in the preparation of the 2020 Porirua Proposed District Plan (“PDP”), the 2022 Variation 1 to the PDP, and the 2022 Plan Change 19 to the Operative District Plan.

8 I also led the collation of PCC’s submission on RPS Change 1.

9 Prior to PCC, my work experience included working as a Senior Analyst for the Ministry for the Environment developing national direction under the RMA; and working as a planner for the Transit New Zealand Otago/Southland regional office where my main duties included both consenting and policy input.

10 I am a full member of the New Zealand Planning Institute.

### **Code of conduct**

11 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.

12 My qualifications as an expert are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

### **SCOPE OF EVIDENCE**

13 My statement of evidence addresses the following matters arising from PCC's submission on Change 1 as grouped in the Section 42A Hearing Report Hearing Stream 5: Te Mana o te Wai ("Section 42A Report"):

- Issue 5: Objective 12 and Te Mana o te Wai Statements;
- Issue 6: Policy 12 – Management of water bodies – regional plans;
- Issue 8: Urban development effects on freshwater and the coastal marine area (Policy 14, Policy FW.3, Policy 42, and Method FW.2;

- Issue 9: Earthworks and vegetation disturbance (Policy 15 and Policy 41);
- Issue 10: Managing water takes and use (Policy 17, Policy 44, and Method 48);
- Issue 11: Protecting and restoring the ecological health of water bodies (Policy 18, Policy 40, and Policy 43);
- Issue 12: Reducing water demand (Policy FW.1 and FW.2);
- Issue 13: Policy FW.4 - Financial Contributions for urban development;
- Issue 14: Policy FW.5 – Water supply planning for climate change and urban development; and
- Issue 15: Policy FW.6: Allocation of responsibilities for land use and development controls for freshwater.

14 In preparing my evidence, I have reviewed the following:

- The Section 32 Evaluation of provisions for Proposed Change 1 to the Regional Policy Statement for the Wellington Region (Section 32 Evaluation Report);
- Section 42A Hearing Report – Hearing Stream 5 Freshwater Te Mana o te Wai;
- The National Policy Statement on Freshwater Management 2020 (“NPS-FM”);
- The National Policy Statement for Urban Development 2020 (“NPS-UD”);

- National Environmental Standards for Freshwater 2020 (“NES-FW”);
- Natural Resources Plan for the Wellington Region (Operative July 2023) (“NRP”);
- Change 1 to the Natural Resources Plan for the Wellington Region (Notified October 2023);
- Te Awarua-o-Porirua Whaitua Implementation Programme (2019);
- Te Awarua-o-Porirua Whaitua Implementation Programme: Ngāti Toa Rangatira Statement (2019);
- Te Whanganui-a-Tara Whaitua Implementation Programme (2021);
- Te Mahere Wai o te Kāhui Taiao (2021);
- HS5 GWRC Legal Submission; and
- HS5 GWRC Technical Evidence from Stu Farrant.

15 I have included recommended amendments to Change 1 provisions addressed in my evidence in Appendix A.

## **EVIDENCE**

### **Issue 5: Objective 12 and Te Mana o te Wai Statements**

#### *Objective 12 - Porirua City Council [S30.012]*

16 The reporting officer recommends accepting PCC’s submission in part. PCC seeks that:

*Amend the objective so that it is clear what the outcomes sought are. These amendments should provide clarity as to the status and purpose of the iwi statements including their weighting and status compared to the other FW objectives and how any conflicts should be managed. Ensure that any new statements that are inserted into the RPS by way of submission or subsequent variation are able to be achieved and implemented as above.*

- 17 The reporting officer agrees with PCC that Objective 12 should be clear about the outcome that is sought and articulate a clear objective about the application of Te Mana o te Wai in the region.<sup>1</sup> They recommend the replacement of Objective 12 with a new regionally-specific objective, and two new policies.
- 18 I agree with the deletion of the notified version of Objective 12 as this simply restates direction in the NPS-FM.
- 19 Section 3.2 of the NPS-FM requires that every regional council must engage with communities and tangata whenua to determine how Te Mana o te Wai applies to water bodies and freshwater ecosystems in the region and express this as an objective. As such, I support the approach taken by the reporting officer as articulated in paragraph 170 of the section 42A Report to draw on the Whaitua Implementation Plans in drafting this objective and policies as these provide an expression of community and mana whenua views on how Te Mana o Te Wai should be given effect to in their region.
- 20 I consider one further change is required to make it clear that Te Mana o Te Wai can only be given effect to in a district plan insofar as it falls under the statutory functions of a territorial authority under Section 31 of the RMA. As written, it reads as though Te Mana o Te Wai should

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<sup>1</sup> Para 165

be given full effect to at both a regional and district level, which is not possible. The NPS-FM is largely to be implemented by regional councils under Section 30 of the RMA and the NPS-FM. I have provided some recommended wording changes to Objective 12 in Appendix A to address this matter.

- 21 In regard to the points made on the framing of the mana whenua statements, the reporting officer does not consider that it is appropriate for anyone other than mana whenua/tangata whenua to amend the content of the statements.<sup>2</sup> The reporting officer does recommend a structural change as follows:<sup>3</sup>

*In my view, to ensure the statements are given the consideration they require – that is to direct an action on behalf of those implementing the RPS – it is more appropriate to provide policy direction about the statements, rather than doing this through an objective. Objectives provide the outcome, whereas policies provide the means to achieve the objective. I therefore recommend two new policies are added to the RPS to provide policy direction about how the mana whenua/tangata whenua statements of Te Mana o Te Wai must be considered in plan changes, notices of requirement, and resource consent processes.*

- 22 I support the change to include a policy that references the statements in an Appendix. This resolves the structural issue of having objectives and policies within an objective and will reduce the uncertainty created by the framing of the statements in an objective in Change 1 as notified.

#### **Issue 6: Policy 12 – Management of water bodies – regional plans**

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<sup>2</sup> Para 184

<sup>3</sup> Para 183

*Policy 12 - Porirua City Council [S30.038]*

- 23 PCC seeks amendments to provide clear direction to plan users and provide regional context to the NPS-FM requirements, in addition to specific wording changes (see Appendix A of this statement). The reporting officer recommends accepting PCC's submission.
- 24 PCC's submission says that they support that these matters are addressed in a regional plan in accordance with the regional council's s30 functions. However, this policy unnecessarily duplicates requirements set out already in the NPS- FM, the role of an RPS should be to articulate what national direction means at a regional level.
- 25 The reporting officer agrees at paragraph 214 of the section 4A Report that Policy 12 does not provide sufficient regional context in the implementation of the NPS-FM, and that further local context would be appropriate and recommends wording changes and inclusion of a map of Freshwater Management Unit (FMU) areas. This includes agreement with relief sought by PCC with respect to removing the phrase "and include these as rules" from subclause (g).
- 26 I consider that the policy as amended by the reporting officer still largely duplicates the NPS-FM. For example, clauses 12(d) through 12(i) replicate the National Objectives Framework (NOF) process set out in Subpart 2 of the NPS-FM, without providing any additional regionally specific policy direction.
- 27 I agree in principle with the changes recommended by the reporting officer to clause (c) of Policy 12, as these provide regional direction as outlined in the associated Section 32AA evaluation. However, I disagree that each Whaitua is necessarily an FMU as there may be multiple FMU within a Whaitua, including future Whaitua processes.
- 28 I recommend wording changes to Policy 12 as set out in Appendix A to remove duplication with the NPS-FM.

**Issue 8: Urban development effects on freshwater and the coastal marine area  
(Policy 14, Policy FW.3, Policy 42, and Method FW.2)**

*Policy 14 - Porirua City Council [S30.039]*

29 The reporting officer recommends accepting PCC's submission in part. PCC seeks that the policy be amended so that it provides clear and appropriate direction to plan users in line with objectives, in addition to specific wording changes (see Appendix A of this statement).

30 PCC's reasons for this relief are:

*Council supports that these matters are addressed in a regional plan in accordance with the Regional Council's s30 functions. Council generally supports the intent of this policy. However, this policy needs to be drafted as a policy rather than a statement, and listed items need to grammatically link to the chapeau of the policy. It also duplicates a number of other policies in the RPS, for example, clause (e) duplicates Policy 15, clause (i) duplicates (and is inconsistent with) Policy 18(o).*

31 The reporting officer agrees with some of the amendments sought by PCC and disagrees with others, as set out in paragraphs 315, 326 and 341 of the section 42A Report. In addition, there are substantial amendments recommended to Policy 14 in response to other submissions.

32 I generally support Policy 14. I agree with PCC that it is appropriate that these matters are regulated by regional plans to maintain and improve fresh water in the region.

33 I recommend wording changes to clause (h) in Policy 14 in Appendix A, as I consider that clause (h) should remain similar to the notified version. The location of lot boundaries does not have actual adverse

effects on freshwater as these are just legal boundaries on a map. Further, subdivision including the decision on whether or not an esplanade reserve or esplanade strip is required is a territorial authority function. I consider that this clause should direct the management of the location and design of the development itself.

34 I support the inclusion of 'Method FW.XX: Best practice guidance for managing urban development effects on freshwater' as recommended by the reporting officer. I consider that it is critical for the success of Policy 14 that there is best practice guidance available.

35 For example, in relation to Water Sensitive Urban Design (WSUD), in my opinion Plan Change 1 to the NRP is light on detail on how WSUD is to be implemented. It is not clear what specifications will apply to WSUD (as there are no technical guidelines incorporated into the NRP), how development will be monitored where no resource consent is required, and how and by whom physical WSUD assets will be maintained. If there is an expectation that territorial authorities will play a role, there will need to be Memorandum of Understanding (or similar) and a transfer of functions. I note that many of these assets will be located in land owned by or vested in territorial authorities such as roading corridors and reserves. For WSUD to deliver on the outcomes as sought through the RPS provisions, a coordinated regional implementation programme is needed.

36 I consider that Policy 14(m) should be amended to provide a pathway for works in wetlands where there is a functional or operational need, and where the effects management hierarchy can be applied, similar to the recommendation from the reporting officer in Policy 14 (ia). Otherwise, the "avoid" policy direction will likely translate into a regional rule that does not provide a consenting pathway for urban development. This would be inconsistent with the NES-FW which provides for certain activities related to urban development within and around wetlands as a restricted discretionary activity.

- 37 Porirua has identified both brownfield and greenfield land to provide long-term housing supply as required by the NPS-UD. Much of the greenfield land set aside for future urban growth in Porirua is currently hilly farmland that is too steep for wetlands to naturally occur. The current definition of wetland captures modified gullies that have low ecological value, and would otherwise have been a stream when the land was in a natural state.
- 38 I consider that providing a pathway through Policy 14 would enable urban development required to meet the NPS-UD, while still providing for the protection of natural wetlands. The effects management hierarchy provides a mechanism to offset environmental effects for a net positive ecological gain where works in wetlands cannot be avoided.
- 39 In my view, regional policy statements and plans should only be more stringent than the NES-F, where a wetland is specifically identified as having outstanding values. Otherwise, the NES-FW approach should be applied to ensure national consistency.
- 40 I recommend wording changes to Policy 14 as set out in Appendix A.
- 41 In relation to Policy 14(ia), the reporting officer recommends new definitions for “hydraulic neutrality” and “undeveloped state”. I support defining “hydraulic neutrality”, however consider that the comparison of post-development runoff to land in “an undeveloped state” is not practical. For example, for brownfield development it is unclear how far back in time you would need to go for “undeveloped state”, this could be especially problematic in urban areas that are heavily modified, for example large parts of downtown Wellington and Porirua are on reclaimed land. I consider it would be better to refer to the state of the land prior to the development in question.
- 42 I note that the term “hydraulic neutrality” is defined differently in various district plans throughout the region. I prefer the definition in

the Porirua PDP to the reporting officer's definition, as it uses "pre-development" rather than "undeveloped state":

Hydraulic neutrality: means managing stormwater runoff from all new lots or development areas through either on-site disposal or storage, so that stormwater is released from the site at a rate that does not exceed the pre-development peak stormwater runoff.

43 The reporting officer recommends the following new method: "Method FW.X: Technical Guidance for Stormwater Management in Urban Development", which should be developed in collaboration with territorial authorities and Wellington Water. I support continual updating of guidance, but I would like to note that guidance already exists that most territorial authorities in Wellington already apply. For example, the following technical guides were developed by Wellington Water and are incorporated in the Porirua PDP by reference:

- Wellington Water (2019) Regional Standard for Water Services;
- Wellington Water (2019) Guide to Managing Stormwater Runoff, The use of rain tanks for hydraulic neutrality, Acceptable solution #1; and
- Wellington Water (2019) Water Sensitive Design for Stormwater: Treatment Device Design Guideline

*Policy FW.3 - Porirua City Council [S30.045]*

44 The reporting officer recommends accepting PCC's submission in part. PCC opposes the policy on the basis that it lacks the necessary precision to enable its meaningful implementation and directs district plans to address matters which are outside their scope, and due to its drafting and scope represents a high regulatory requirement. PCC lists a range

of concerns with the individual clauses of Policy FW.3 and seeks that either Policy FW.3 be deleted or alternatively that:

- the policy be amended to provide clear and appropriate direction to plan users in line with objectives, and delete (g), (h), (o), (p) and (q).
- Amend the explanation as follows: Policy FW.3 requires district plans to manage the effects of urban development on freshwater and the coastal marine area. This is to the extent that is relevant under a territorial authority's functions under section 31 of the RMA and in a manner that does not duplicate the functions of the Regional Council under section 30 of the RMA.

45 The reporting officer agrees in part that Policy FW.3 includes a number of requirements for district plans that do not sit within the responsibilities of territorial authorities. In assessing submissions on Policy 14 (which applies to regional plans) and Policy FW.3 they consider there is duplication across the policies that requires resolving including amending or deleting various clauses.

46 I consider that there is still considerable duplication. I recommend wording changes to Policy FW.3 as set out in Appendix A for the following reasons:

- I consider that (a) can be deleted as (b) suitably directs partnership with mana whenua / tangata whenua;
- I agree with PCC that (g), (k) and (o) should be deleted as these are regional council functions under section 30 (the discharge of contaminants to land/water). Policy 14 requires that regional plans regulate these matters, for example Policy FW.3 directly duplicates Policy 14(f) and Policy 42(i). Further, I consider requiring district plans to regulate these matters would duplicate

provisions contained in Plan Change 1 to the NRP (at least for Te-Awarua-o-Porirua and Te Whanganui a Tara Whaitua catchments);

- I support the inclusion of (ia) by the reporting officer which requires hydraulic neutrality – a method that I consider does align with territorial authority Section 31 functions;
- I support the recommendation by the reporting officer to delete (h), (m), (n), (p) and (q) for the reasons outlined in PCC's submission; and
- I agree with PCC that a note is needed to remind the reader of the limits of territorial authority functions through the explanation to Policy 42.

*Policy 42 - Porirua City Council [S30.066]*

- 47 The reporting officer recommends accepting PCC's submission. PCC [S30.066] opposes Policy 42 and requests that the policy be amended so that it applies to regional consents only.
- 48 The reporting officer agrees at paragraph 399 of the section 42A report with changes to clarify this policy applies to regional consents only, which I support.

*Method FW.2 - Porirua City Council [S30.093]*

- 49 The reporting officer recommends accepting PCC's submission in part. PCC opposes Method FW.2 on the basis that the term 'urban development' is not defined, that there is no scale or other threshold to be applied before joint processing is required, and that the method as notified would capture applications that are limited notified. PCC also considers that the policy needs to be retitled if it is to be a FW method, and it is unclear why joint processes would only be

appropriate for urban development and regionally significant infrastructure (RSI) consents, and not for larger-scale rural consents. PCC also seeks specific wording changes (see Appendix A of this statement).

50 I agree with the wording changes proposed by the reporting officer, noting that 'urban development' is in fact defined in the Operative RPS. I agree that the RPS does not address rural development to the extent that it addresses urban development, and as such it would be out of scope to broaden this method to a broader range of activities.

51 I support the changes encouraging early engagement with mana whenua on these types of applications as this is consistent with the application of Te Mana o Te Wai in the officer recommended version of Objective 12.

#### **Issue 9: Earthworks and vegetation disturbance (Policy 15 and Policy 41)**

##### *Policy 15 - Porirua City Council [S30.040]*

52 The reporting officer recommends accepting PCC's submission in part. PCC seeks that the policy be split into two policies so that it is clear what regional plans and district plans should each cover. PCC also seeks specific wording changes (see Appendix A of this statement).

53 PCC's reasons for this relief are:

*It is important that controls in District Plans do not duplicate those in the Regional Plan. Unlike District Plans, Regional Plans can control both land uses and discharges and as such are the primary tool for achieving target attribute states for water bodies. The policy should be split into two policies so it is clear what the Regional Plan should cover and what district plans should cover. Otherwise, it lacks regulatory certainty as district plans do not have the*

*jurisdiction to address everything they are being required to by this policy.*

- 54 The reporting officer agrees with splitting Policy 15 into two limbs, so that it is clear which authority implements the policy.<sup>4</sup> The reporting officer also agrees with amending the policy so there is further clarity about what ‘mana whenua/tangata whenua and their relationship with their culture, land, water, sites, wāhi tapu and other taonga’ means in a regional context.<sup>5</sup>
- 55 I consider that the policy as amended by the reporting officer should be further amended so that clauses (b)(iii) and (iv) of Policy15 are reallocated to clause (a). Riparian setbacks and management of sediment are regional council functions under s30.
- 56 The management of sediment is addressed by the control of a discharge into land/water under s30(1)(f). The NES-FW has made it clear that earthworks and vegetation clearance setbacks are matters that regional councils regulate. Under the NES-FW, earthworks within a wetland are prohibited under clause 53, and vegetation clearance or earthworks within 10 metres of a wetland are non-complying under clause 54. Only a regional council can enforce these rules under clause 5.
- 57 Further, the s42A version of Policy 15 is inconsistent with Policy FW.6. The reporting officer has recommended a change to Policy FW.6 as follows:

*Wellington Regional Council is responsible for earthworks and vegetation clearance in riparian margins of water bodies.*

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<sup>4</sup> Para 469, 471

<sup>5</sup> Para 479

58 I recommend wording changes to Policy 15 as set out in Appendix A to address this issue.

*Policy 41 - Porirua City Council [S30.065]*

59 The reporting officer recommends accepting PCC's submission. PCC's seeks that the policy be amended so that it provides clear and appropriate direction to plan users in line with objectives, including limiting to regional consents only.

60 I agree with the reporting officer that this policy should relate to regional consents only.<sup>6</sup>

**Issue 10: Managing water takes and use (Policy 17, Policy 44, and Method 48)**

*Policy 17 - Porirua City Council [S30.041]*

61 The reporting officer recommends accepting PCC's submission in part. PCC seeks that this policy be retained as notified.

62 The reporting officer has recommended two minor changes to the policy to include "health needs of the people" in the chapeau (and an associated definition), and "the taking of water for marae and papakāinga". I support these changes. In respect of the latter, PCC worked in partnership with Te Rūnanga o Toa Rangatira to add a Papakāinga Chapter and related zoning provisions to the Proposed Porirua District Plan (PDP) in 2020 and in its IPI, notified in 2022. Recognising this activity in the RPS better aligns with the PDP.

*Policy 44 - Porirua City Council [S30.067]*

63 The reporting officer recommends accepting PCC's submission.

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<sup>6</sup> Para 496

64 The reporting officer agrees with the relief sought by PCC that Policy 44 should only apply to regional consents. This is on the basis that all the matters within Policy 44 fall within the responsibility of the regional council. They also agree that the policy incorrectly applies these matters to notices of requirement and unnecessarily duplicates other policies in Change 1.

65 The reporting officer also recommends all other wording changes sought by PCC which I support.

*Method 48 - Porirua City Council [S30.096]*

66 The reporting officer recommends rejecting PCC's submission. PCC seeks that Method 48 be timebound to increase clarity and regulatory certainty.

67 The reporting officer notes the relief sought by PCC and Forest and Bird to include a timeframe for Method 48 to be achieved<sup>7</sup>, but also notes:

*I understand from Council officers that the directions in Method 48 will take time given some of the significant issues that it addresses, and this may also require the input of Central Government to implement. On this basis I do not consider that it is possible to place a timeframe on implementing Method 48 at this stage.*

68 While I have not reviewed this advice from Council officers, I agree that this is a complex issue, particularly with regard to iwi/hapu rights and interests in water. As such, I agree a timeframe is not appropriate if this has not been agreed with all treaty partners.

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<sup>7</sup> Para 598

**Issue 11: Protecting and restoring the ecological health of water bodies (Policy 18, Policy 40, and Policy 43)**

*Policy 18 - Porirua City Council [S30.042]*

69 The reporting officer recommends accepting PCC's submission in part. PCC is concerned that:

- *Policy 18 contains very strong policy directions that go beyond and are stricter than what is in the NPS-FM;*
- *There are no exceptions in the policy and there is no hierarchy provided for when directions are not practicable;*
- *Some clauses unnecessarily duplicate directions in the NPS-FM, without providing additional direction in a regional context, they also duplicate other policy directions in the RPS including Policy 14; and*
- *Several clauses have a different construct to the rest of the clauses, and do not flow from 'including' in the chapeau.*

70 PCC seeks specific wording changes to the policies (see Appendix A of this statement).

71 The reporting officer recommends changes in line with the relief sought by PCC, which I support. This includes:

- Adding a qualifier to clause (e) of Policy 18 "avoiding the loss of river extent and values to the extent practicable"
- Adding a qualifier to clause (n) of Policy 18:  
~~discourage~~ restricting avoiding the reclamation, piping, straightening or concrete lining of rivers unless:  
(i) there is a functional need for the activity in that location;  
and

(ii) the effects of the activity are managed by applying the effects management hierarchy”

- Changing the grammar of the clauses so they flow from the chapeau.

72 I consider that a similar qualifier is required for clause (c) to provide a policy pathway for urban development in line with NES-FW Clause 45(c), subject to demonstrating a functional or operational need and applying the effects management hierarchy. I recommend wording changes to Policy 18 as set out in Appendix A.

*Policy 40 - Porirua City Council [S30.064]*

73 The reporting officer recommends accepting PCC’s submission. PCC seeks the deletion of clause (d) on the basis this duplicates clauses (a) and (b).

74 The reporting officer agrees with PCC that there are some instances where there is duplication with other policies (e.g. clauses (d) and (h))<sup>8</sup>, and states that:

*Where there is duplication with other policies in Change 1, I am recommending deletion of some of these clauses as a result of my recommendations on other submission points.*

75 I consider that qualifiers are required for clauses (n) and (p) to provide a policy pathway for urban development in line with NES-FW Clause 45(c), subject to demonstrating a functional or operational need and applying the effects management hierarchy. I recommend wording changes to Policy 40 to address this matter as set out in Appendix A.

**Issue 12: Reducing water demand (Policy FW.1 and FW.2)**

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<sup>8</sup> Para 663

*Policy FW.1 - Porirua City Council [S30.043]*

76 The reporting officer recommends accepting PCC's submission in part. PCC's seeks that the policy be retained as notified.

77 The reporting officer recommends several changes, including amending the terminology to more commonly used terms. I support these changes.

*Policy FW.2 - Porirua City Council [S30.044]*

78 The reporting officer recommends accepting PCC's submission in part. PCC seeks a number of specific drafting amendments to Policy FW.2, including a definition of 'registered water suppliers'.

79 The reporting officer notes the concerns raised by PCC in relation to the requirement in Policy FW.2(b) to include provisions in district plans requiring alternative water supplies for non-potable use.<sup>9</sup> They consider that this is an appropriate provision to include in district plans and that there is a role to at least promote alternative water supplies through methods other than rules, such as design guidance, policies that provide incentives, or matters of discretion. The reporting officer recommends an amendment to clause (b) to replace 'requiring' with 'promoting'.

80 I support the approach and the changes recommended by the reporting officer.

81 In Appendix A I suggest a minor change to Policy FW.2 to remove the word "provisions" from clause (b) as this is redundant seeing as the chapeau refers to policies, rules and/or methods.

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<sup>9</sup> Para 75

### **Issue 13: Policy FW.4 - Financial Contributions for urban development**

#### *Policy FW.4 - Porirua City Council [S30.046]*

82 The reporting officer recommends rejecting PCC's submission. PCC opposes Policy FW.4 on the basis that the Council does not use financial contributions as a regulatory tool in their PDP. PCC considers financial contributions are inefficient and that they duplicate the existing approach of the Council of relying on development contributions and developer agreements administered under the LGA 2002. PCC seeks amendments to the policy to specifically provide for situations where a development contribution is already being collected.

83 I support the deletion of Policy FW.4 and consider that this addresses the concerns raised by PCC around requiring district plans and policies and rules requiring financial contributions.

### **Issue 14: Policy FW.5 – Water supply planning for climate change and urban development**

#### *Policy FW.5 - Porirua City Council [S30.068]*

84 The reporting officer recommends rejecting PCC's submission. PCC seeks the deletion of Policy FW.5 as the matters addressed in the policy are already addressed in Long Term Plans, Asset Management Plans, and will be considered in the Wellington Region Future Development Strategy. PCC considers that it is unclear how these requirements align with the existing requirements of the NES for Sources of Human Drinking Water.

85 The reporting officer does not agree with the relief sought by PCC to delete Policy FW.5.<sup>10</sup> The reporting officer considers the intent of the

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<sup>10</sup> Para 787

policy is appropriate for inclusion in the RPS and that there should be consideration of climate change impacts on water supply and demand for future population projections. They do not consider that the mechanisms under the LGA, mentioned by PCC, are sufficient to ensure that development planning adequately considers impacts of climate change on the region's water supply for urban development.

- 86 I do not agree with the reporting officer. I do not see how this policy would be able to be given effect to through the provisions of a district plan. As outlined by PCC, provision of water supply is addressed by other regulatory and funding mechanisms. The protection of sources of water supply is regulated by the NES for Sources of Human Drinking Water. As such I consider that 'district' can be removed from the chapeau as outlined in my recommend amendments to Policy FW.5 in Appendix A.

**Issue 15: Policy FW.6: Allocation of responsibilities for land use and development controls for freshwater**

*Policy FW.6 - Porirua City Council [S30.079]*

- 87 The reporting officer recommends accepting PCC's submission in part. PCC opposes Policy FW.6 on the basis that it uses terminology that is inconsistent with national direction and duplicates other regulations. PCC also notes that the reference to a 10 metre setback is less stringent than the 100 metre setback required under the NES-F. PCC also seeks specific wording changes (see Appendix A of this statement).
- 88 I agree with the changes made by the reporting officer to Policy FW.6, in particular clarifying that the Regional Council is responsible for earthworks and vegetation clearance in riparian margins of water bodies. This is consistent with s30 of the RMA and the NES-FW.

**Date:** 2/11/2023

*W. Donnell*

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## Appendix A: Recommended amendments

Submission Point Ref.	Provision	Relief Sought by PCC (green text where relevant)	Section 42A report Recommendation		Recommended Amendments to Section 42A Version (blue text)
			Response	Recommended Changes (red text)	
Porirua City Council [S30.012]	Objective 12	Amend the objective so that it is clear what the outcomes sought are.	Accept in part	<p><b>New Freshwater policy in Chapter 4.1 – Regulatory Policies</b></p> <p><u>Policy FWXX – Mana whenua/tangata whenua and Te Mana o te Wai – regional and district plans</u></p> <p><u>District and regional plans shall include objectives, policies, rules or other methods to give effect to Te Mana o te Wai, and in doing so:</u></p> <p>(a) <u>Recognise and provide for the mana whenua/tangata whenua Statements of Te Mana o te Wai in Appendix 5, as applicable to the territorial authority area shown in Table X. Regional plans shall apply the mana whenua/tangata whenua statements as relevant to the scope and content of the plan change or review process.</u></p> <p>(b) <u>Partner with mana whenua/tangata whenua in the development of the required district and regional plan objectives, policies, rules or other methods that give effect to Te Mana o te Wai.</u></p> <p><b>New Freshwater policy in Chapter 4.2 – Regulatory Policies – Matters to be considered</b></p> <p><u>Policy FWXX: Mana whenua/tangata whenua and Te Mana o te Wai – consideration</u></p> <p><u>When considering an application for resource consent, notice of requirement, or a change, variation or review of a regional or district plan that relates to freshwater, have regard to the mana whenua/tangata whenua Te Mana o te Wai Statements contained in Appendix 5, as applicable to the territorial authority area shown in Table X.</u></p>	<p><b>New Freshwater policy in Chapter 4.1 – Regulatory Policies</b></p> <p><u>Policy FWXX – Mana whenua/tangata whenua and Te Mana o te Wai – regional and district plans</u></p> <p><u>District and regional plans shall include objectives, policies, rules or other methods to give effect to Te Mana o te Wai in line with their respective functions under Section 30 and 31 of the RMA, and in doing so:</u></p> <p>(a) <u>Recognise and provide for the mana whenua/tangata whenua Statements of Te Mana o te Wai in Appendix 5, as applicable to the territorial authority area shown in Table X. Regional plans shall apply the mana whenua/tangata whenua statements as relevant to the scope and content of the plan change or review process.</u></p> <p>(b) <u>Partner with mana whenua/tangata whenua in the development of the required district and regional plan objectives, policies, rules or other methods that give effect to Te Mana o te Wai.</u></p> <p><b>New Freshwater policy in Chapter 4.2 – Regulatory Policies – Matters to be considered</b></p> <p><u>Policy FWXX: Mana whenua/tangata whenua and Te Mana o te Wai – consideration</u></p> <p><u>When considering an application for resource consent, notice of requirement, or a change, variation or review of a regional or district plan that relates to freshwater, have regard to the mana whenua/tangata whenua Te Mana o te Wai Statements contained in Appendix 5 in line with their respective functions under Section 30 and 31 of the RMA, as applicable to the territorial authority area shown in Table X.</u></p>
Porirua City Council [S30.038]	Policy 12	<p>Regional plans shall give effect to Te Mana o te Wai and include objectives, policies, rules and/or methods that:</p> <p>(a) require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and</p> <p>(b) manage water bodies for other purposes identified in regional plans.</p> <p>(a) are prepared in partnership with mana whenua / tangata whenua;</p> <p>(b) achieve the long-term visions for freshwater;</p> <p>(c) identify freshwater management units (FMUs);</p> <p>(d) identify values for every FMU and environmental outcomes for these as objectives;</p>	Accept	<p>Regional plans shall <u>give effect to Te Mana o te Wai</u> and include objectives, policies, rules and/or methods that:</p> <p>(a) <del>require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and</del></p> <p>(b) <del>manage water bodies for other purposes identified in regional plans.</del></p> <p>(a) <u>are prepared in partnership with mana whenua / tangata whenua and enable the application of mātauranga Māori;</u></p> <p><u>(aa) adopt an integrated approach, ki uta ki tai</u></p> <p><u>(b) contribute to achieving the any relevant long-term visions for freshwater;</u></p> <p><del>(c) identify freshwater management units (FMUs);</del></p> <p><u>(c) manage freshwater through the following freshwater management units (FMUs) which are shown on Map X:</u></p> <p><u>(i) Kāpiti Whaitua</u></p>	<p>Regional plans shall <u>give effect to Te Mana o te Wai</u> and include objectives, policies, rules and/or methods that:</p> <p>(a) <del>require that water quality, flows and water levels, and the aquatic habitat of surface water bodies are to be managed for the purpose of safeguarding aquatic ecosystem health; and</del></p> <p>(b) <del>manage water bodies for other purposes identified in regional plans.</del></p> <p>(a) <u>are prepared in partnership with mana whenua / tangata whenua and enable the application of mātauranga Māori;</u></p> <p><u>(aa) adopt an integrated approach, ki uta ki tai</u></p> <p><u>(b) contribute to achieving the any relevant long-term visions for freshwater;</u></p> <p><del>(c) identify freshwater management units (FMUs);</del></p> <p><u>(c) manage freshwater through the following Whaitua freshwater management units (FMUs) which are shown on Map X:</u></p> <p><u>(i) Kāpiti Whaitua</u></p>

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		<p>(e) identify target attribute states that achieve environmental outcomes, and record their baseline state;</p> <p>(f) set environmental flows and levels that will achieve environmental outcomes and long-term visions;</p> <p>(g) identify limits on resource use including take limits that will achieve the target attribute states, flows and levels <del>and include these as rules;</del></p> <p>(h) identify non-regulatory actions that will be included in Action Plans that will assist in achieving target attribute states (in addition to limits); and</p> <p>(i) identify non-regulatory and regulatory actions in Actions Plans required by the NPS-FM</p>		<p>(ii) Ruamahanga Whaitua</p> <p>(iii) Te Awarua-o-Porirua Whaitua</p> <p>(iv) Te Whanganui-a-Tara Whaitua</p> <p>(v) Wairarapa Coast Whaitua</p> <p>(ca) identify part FMUs that require specific management within the FMUs identified in clause (c), in partnership with mana whenua/tangata whenua</p> <p>(d) identify values for every FMU and part FMU, and environmental outcomes for each value as objectives;</p> <p>(da) For each value identified in clause (d), identify attributes and the baseline states for those attributes</p> <p>(e) For each attribute identified in clause (da), identify target attribute states that achieve environmental outcomes, and record their baseline state;</p> <p>(f) set environmental flows and levels that will achieve environmental outcomes and long-term visions for freshwater;</p> <p>(g) identify limits on resource use, including take limits that will achieve the target attribute states, flows and levels and include these as rules;</p> <p>(h) identify non-regulatory actions that will be included in Action Plans that will assist in achieving target attribute states (in addition to limits); and</p> <p>(i) identify non-regulatory and regulatory actions in Actions Plans required by the NPS-FM</p>	<p>(ii) Ruamahanga Whaitua</p> <p>(iii) Te Awarua-o-Porirua Whaitua</p> <p>(iv) Te Whanganui-a-Tara Whaitua</p> <p>(v) Wairarapa Coast Whaitua</p> <p>(ca) identify FMUs or part FMUs that require specific management within the Whaitua FMUs identified in clause (c), in partnership with mana whenua/tangata whenua</p> <p>(d) identify values for every FMU and part FMU, and environmental outcomes for each value as objectives;</p> <p>(da) For each value identified in clause (d), identify attributes and the baseline states for those attributes</p> <p>(e) For each attribute identified in clause (da), identify target attribute states that achieve environmental outcomes, and record their baseline state;</p> <p>(f) set environmental flows and levels that will achieve environmental outcomes and long-term visions for freshwater;</p> <p>(g) identify limits on resource use, including take limits that will achieve the target attribute states, flows and levels and include these as rules;</p> <p>(h) identify non-regulatory actions that will be included in Action Plans that will assist in achieving target attribute states (in addition to limits); and</p> <p>(i) identify non-regulatory and regulatory actions in Actions Plans required by the NPS-FM</p>
Porirua City Council [S30.039]	Policy 14	<p>Regional plans shall include objectives, policies, rules and methods including rules, must that give effect to Te Mana o te Wai and in doing so must:</p> <p>(a) Enable the active involvement of mana whenua / tangata whenua in freshwater management (including decision-making processes); and</p> <p>(b) Identify and provide for Māori freshwater values are identified and provided for;</p> <p>(c) Require the control of both land use and discharge effects from the use and development of land on freshwater and the coastal marine area;</p> <p>(d) Achieve the target attribute states set for the catchment;</p> <p>(e) Require the development, including stormwater discharges, earthworks and vegetation clearance meet any limits set in a regional plan;</p> <p>(f) Require that urban development is designed and constructed using the principles of Water Sensitive Urban Design;</p> <p>(g) Require that urban development located and designed to minimise the extent and volume of earthworks and to</p>	Accept in part	<p><b>Policy 14: Urban development effects on freshwater and the coastal marine area receiving environments Minimising contamination in stormwater from new development – regional plans</b></p> <p>Regional plans shall give effect to Te Mana o te Wai and include objectives, policies, rules and methods for urban development including rules, must that give effect to Te Mana o te Wai and in doing so must:</p> <p>(a) Enable the active involvement of mana whenua / tangata whenua in freshwater management (including decision-making processes); and</p> <p>(ab) Identify and provide for Māori freshwater values are identified and provided for;</p> <p>(b) 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;</p> <p>(c) Require the cControl of both land use and discharge effects from the use and development of land urban development on freshwater and the coastal marine area receiving</p>	<p><b>Policy 14: Urban development effects on freshwater and the coastal marine area receiving environments Minimising contamination in stormwater from new development – regional plans</b></p> <p>Regional plans shall give effect to Te Mana o te Wai and include objectives, policies, rules and methods for urban development including rules, must that give effect to Te Mana o te Wai and in doing so must:</p> <p>(a) Enable the active involvement of mana whenua / tangata whenua in freshwater management (including decision-making processes); and</p> <p>(ab) Identify and provide for Māori freshwater values are identified and provided for;</p> <p>(b) 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;</p> <p>(c) Require the cControl of both land use and discharge effects from the use and development of land urban development on freshwater and the coastal marine area receiving environments;</p>

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		<p>follow, to the extent practicable, existing land contours;</p> <p>(h) Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</p> <p><del>(i) Require riparian buffers for all waterbodies and avoid to the piping of rivers;</del></p> <p>(j) Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</p> <p>(k) Require stormwater quality management that will minimise the generation of contaminants, and maximise, to the extent practicable, the removal of contaminants from stormwater; and</p> <p>(l) Identify and map rivers and wetlands.</p>		<p><del>environments;</del></p> <p>(d) <u>Identify how to Achieve the target attribute states and environmental flows and levels set for the catchment;</u></p> <p>(e) Require <del>the urban development</del>, including stormwater discharges, <del>earthworks and vegetation clearance</del> to meet any limits set in a regional plan;</p> <p>(f) Require <del>that urban development to incorporate water sensitive urban design techniques to avoid adverse effects of contaminants on waterbodies from the use and development of the land is designed and constructed using the principles of Water Sensitive Urban Design;</del></p> <p><del>(g) 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;</del></p> <p>(h) Require that <del>urban development lot boundaries and new roads for are is appropriately located and designed to protect and enhance the health and wellbeing of adjacent gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries including the natural form and flow of the waterbody;</del></p> <p>(i) Require <del>urban development adjacent to natural waterbodies to include riparian buffers; for all waterbodies and avoid piping of rivers;</del></p> <p><del>(ia) avoid the piping of rivers for urban development unless:</del></p> <p><del>(i) there is a functional need for the activity in that location; and</del></p> <p><del>(ii) the effects of the activity are managed by applying the effects management hierarchy;</del></p> <p><del>(j) Require hydrological controls in urban development to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</del></p> <p>(k) Require <del>urban development to adopt</del> stormwater quality management <del>measures that will minimise the generation of contaminants, and maximise, to the extent practicable, the removal of contaminants from stormwater; and</del></p> <p>(l) <del>Identify and map rivers and wetlands within the area proposed for urban development in partnership with mana whenua/tangata whenua and affected landowners;</del></p> <p><del>(m) require that urban development avoids the loss of extent or values of natural inland wetlands; and</del></p> <p><del>(n) promoting the daylighting of streams.</del></p> <p><del>Regional plans shall include policies, rules and/or methods that protect</del></p>	<p>(d) <u>Identify how to Achieve the target attribute states and environmental flows and levels set for the catchment;</u></p> <p>(e) Require <del>the urban development</del>, including stormwater discharges, <del>earthworks and vegetation clearance</del> to meet any limits set in a regional plan;</p> <p>(f) Require <del>that urban development to incorporate water sensitive urban design techniques to avoid adverse effects of contaminants on waterbodies from the use and development of the land is designed and constructed using the principles of Water Sensitive Urban Design;</del></p> <p><del>(g) 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;</del></p> <p>(h) Require that <del>urban development lot boundaries and new roads for are is appropriately located and designed to protect and enhance the health and wellbeing of adjacent gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries including the natural form and flow of the waterbody;</del></p> <p>(i) Require <del>urban development adjacent to natural waterbodies to include riparian buffers; for all waterbodies and avoid piping of rivers;</del></p> <p><del>(ia) avoid the piping of rivers for urban development unless:</del></p> <p><del>(i) there is a functional need for the activity in that location; and</del></p> <p><del>(ii) the effects of the activity are managed by applying the effects management hierarchy;</del></p> <p><del>(j) Require hydrological controls in urban development to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</del></p> <p>(k) Require <del>urban development to adopt</del> stormwater quality management <del>measures that will minimise the generation of contaminants, and maximise, to the extent practicable, the removal of contaminants from stormwater; and</del></p> <p>(l) <del>Identify and map rivers and wetlands within the area proposed for urban development in partnership with mana whenua/tangata whenua and affected landowners;</del></p> <p><del>(m) require that urban development avoids the loss of extent or values of natural inland wetlands; unless:</del></p> <p><del>(i) there is a functional need for the activity in that location; and</del></p> <p><del>(ii) the effects of the activity are managed by applying the effects management hierarchy;</del></p> <p><del>and</del></p>

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				<p>aquatic ecosystem health by minimising ecotoxic and other contaminants in stormwater that discharges into water, or onto or into land that may enter water, from new subdivision and development.</p> <p><b>Explanation</b></p> <p>Policy 14 manages the effects of urban development, including the effects of contamination in stormwater, earthworks and vegetation clearance from new and existing subdivision and development to halt and reverse the degradation of freshwater and <del>coastal water in receiving environments.</del></p>	<p><del>(n) promoting the daylighting of streams.</del></p>
Porirua City Council [S30.039]	Policy 14	As above.	Accept in part	<p><b>Insert a new definition of 'hydraulic neutrality'</b></p> <p><b>Hydraulic neutrality:</b> managing stormwater runoff from subdivision, use and development through either on-site disposal or storage, so that peak stormwater flows and volumes are released from the site at a rate that does not exceed the modelled peak flows and volumes from the site in an undeveloped state.</p> <p><b>New definition of 'undeveloped state'</b></p> <p><b>Undeveloped state:</b> The modelled grassed (pastoral or urban open space) state of the site prior to urban development</p>	<p><b>Insert a new definition of 'hydraulic neutrality'</b></p> <p><b>Hydraulic neutrality:</b> means managing stormwater runoff from all new lots or development areas through either on-site disposal or storage, so that stormwater is released from the site at a rate that does not exceed the pre-development peak stormwater runoff.</p> <p><b>New definition of 'undeveloped state'</b></p> <p><b>Undeveloped state:</b> The modelled grassed (pastoral or urban open space) state of the site prior to urban development</p>
Porirua City Council [S30.045]	Policy FW.3	<p>Delete policy.</p> <p>Alternatively, amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and delete (g), (h), (o), (p) and (q).</p> <p>Amend the explanation as follows:</p> <p><b>Explanation</b></p> <p>Policy FW.3 requires district plans to manage the effects of urban development on freshwater and the coastal marine area. This is to the extent that is relevant under a territorial authority's functions under section 31 of the RMA and in a manner that does not duplicate the functions of the Regional Council under section 30 of the RMA.</p>	Accept in part	<p><b>Policy FW.3 Urban development effects on freshwater and <del>the coastal marine area receiving environments</del> – district plans</b></p> <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> <p>(a) Partner with mana whenua / tangata whenua in the preparation of district plans;</p> <p><del>(b) Protect and enhance Māori freshwater values, including mahinga kai;</del></p> <p>(c) Partner with Provide for mana whenua / tangata whenua and recognise and provide for 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) Adopt an integrated approach, ki uta ki tai, that recognises</p>	<p><b>Policy FW.3 Urban development effects on freshwater and <del>the coastal marine area receiving environments</del> – district plans</b></p> <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> <p><del>(a) Partner with mana whenua / tangata whenua in the preparation of district plans;</del></p> <p><del>(b) Protect and enhance Māori freshwater values, including mahinga kai;</del></p> <p>(c) Partner with Provide for mana whenua / tangata whenua and recognise and provide for 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) Adopt an integrated approach, ki uta ki tai, that recognises</p>

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				<p>the interconnectedness of the whole environment to determine the location and form of urban development;</p> <p>(f) Integrate planning and design of stormwater management to achieve multiple improved outcomes – <i>amenity values</i>, recreational, cultural, ecological, climate, vegetation retention;</p> <p>(g) Consider the location, layout and design of urban development in relation to effects on freshwater and the coastal marine area receiving environments of subdivision, use and development of land;</p> <p><del>(h) Consider the use and development of land in relation to target attribute states and any limits set in a regional plan;</del></p> <p>(i) Require that Water Sensitive Urban Design principles and methods are applied during consideration of subdivision, including the extent of impervious surfaces and in the control of stormwater infrastructure;</p> <p><del>(ia) Require urban development to be designed, constructed and maintained to achieve hydraulic neutrality.</del></p> <p><del>(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;</del></p> <p>(k) Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</p> <p><del>(l) Require riparian buffers for all waterbodies and avoid piping of rivers;</del></p> <p><del>(m) Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</del></p> <p><del>(n) Require efficient use of water;</del></p> <p>(o) Manage land use and development in a way that will minimise the generation of contaminants, including in relation to the choice of building materials, and the extent of impervious surfaces;</p> <p><del>(p) Consider daylighting of streams, where practicable; and</del></p> <p><del>(q) Consider the effects of land use and development on drinking water sources.</del></p>	<p>the interconnectedness of the whole environment to determine the location and form of urban development;</p> <p>(f) Integrate planning and design of stormwater management to achieve multiple improved outcomes – <i>amenity values</i>, recreational, cultural, ecological, climate-resilience, vegetation retention;</p> <p><del>(g) Consider the location, layout and design of urban development in relation to effects on freshwater and the coastal marine area receiving environments of subdivision, use and development of land;</del></p> <p><del>(h) Consider the use and development of land in relation to target attribute states and any limits set in a regional plan;</del></p> <p><del>(i) Require that Water Sensitive Urban Design principles and methods are applied during consideration of subdivision, including the extent of impervious surfaces and in the control of stormwater infrastructure;</del></p> <p><del>(ia) Require urban development to be designed, constructed and maintained to achieve hydraulic neutrality.</del></p> <p><del>(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;</del></p> <p><del>(k) Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;</del></p> <p><del>(l) Require riparian buffers for all waterbodies and avoid piping of rivers;</del></p> <p><del>(m) Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;</del></p> <p><del>(n) Require efficient use of water;</del></p> <p><del>(o) Manage land use and development in a way that will minimise the generation of contaminants, including in relation to the choice of building materials, and the extent of impervious surfaces;</del></p> <p><del>(p) Consider daylighting of streams, where practicable; and</del></p> <p><del>(q) Consider the effects of land use and development on drinking water sources.</del></p>

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				<p><b>Explanation</b></p> <p>Policy FW.3 requires district plans to manage the effects of urban development on freshwater and <del>the coastal marine area receiving environments.</del></p>	<p><b>Explanation</b></p> <p>Policy FW.3 requires district plans to manage the effects of urban development on freshwater and the coastal marine area. <u>This is to the extent that is relevant under a territorial authority's functions under section 31 of the RMA and in a manner that does not duplicate the functions of the Regional Council under section 30 of the RMA.</u></p>
Porirua City Council [S30.040]	Policy 15	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives. It should be split into two policies so it is clear what the Regional Plan should cover and what district plans should cover; and/or reword as follows:</p> <p>Regional and district plans shall include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise the extent necessary to <u>assist in achieving the target attribute states that are set in the Regional Plan 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.</u></p>	Accept in part	<p><b>Policy 15: <del>Managing</del> Minimising the effects of earthworks and vegetation disturbance clearance – district and regional plans</b></p> <p>Regional and district plans shall <del>include policies, rules and/or methods that control earthworks and vegetation disturbance to</del> <u>minimise 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 manage the effects of earthworks and vegetation clearance, as follows:</u></p> <p>(a) <u>Regional Plans shall include policies, rules and/or methods that:</u></p> <ol style="list-style-type: none"> <li>i. <u>Control the effects of earthworks and vegetation clearance to achieve the target attribute states for water bodies and freshwater ecosystems, including receiving environments;</u></li> <li>ii. <u>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</u></li> <li>iii. <u>Minimise erosion.</u></li> </ol> <p>(b) <u>District Plans shall include policies, rules and/or methods that:</u></p> <ol style="list-style-type: none"> <li>i. <u>Require urban development to follow existing land contours, to the extent practicable;</u></li> <li>ii. <u>Minimise the extent and volume of earthworks required for urban development</u></li> <li>iii. <u>Require setbacks from waterbodies for vegetation clearance and earthworks activities;</u></li> <li>iv. <u>Manage sediment associated with earthworks;</u></li> <li>v. <u>Manage subdivision layout and design.</u></li> </ol>	<p><b>Policy 15: <del>Managing</del> Minimising the effects of earthworks and vegetation disturbance clearance – district and regional plans</b></p> <p>Regional and district plans shall <del>include policies, rules and/or methods that control earthworks and vegetation disturbance to</del> <u>minimise 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 manage the adverse effects of earthworks and vegetation clearance, as follows:</u></p> <p>a. <u>Regional Plans shall include policies, rules and/or methods that:</u></p> <ol style="list-style-type: none"> <li>i. <u>Control the effects of earthworks and vegetation clearance to achieve the target attribute states for water bodies and freshwater ecosystems, including receiving environments;</u></li> <li>ii. <u>In the absence of target attribute states, minimise silt and sediment runoff into freshwater and receiving environments, or onto land that may enter water;</u></li> <li>iii. <u>Require setbacks from waterbodies for vegetation clearance and earthworks activities;</u></li> <li><del>iv. Manage sediment associated with earthworks; and</del></li> <li>v. <u>Minimise erosion.</u></li> </ol> <p>b. <u>District Plans shall include policies, rules and/or methods that:</u></p> <ol style="list-style-type: none"> <li>i. <u>Require urban development to follow existing land contours, to the extent practicable;</u></li> <li>ii. <u>Minimise the extent and volume of earthworks required for urban development</u></li> <li><del>iii. Require setbacks from waterbodies for vegetation clearance and earthworks activities;</del></li> <li><del>iv. Manage sediment associated with earthworks;</del></li> <li>v. <u>Manage subdivision layout and design to support Policy</u></li> </ol>

Submission Point Ref.	Provision	Relief Sought by PCC (green text where relevant)	Section 42A report Recommendation		Recommended Amendments to Section 42A Version (blue text)
			Response	Recommended Changes (red text)	
					<a href="#">15a. and Policy 15 b.i. and b.ii. above.</a>
Porirua City Council [S30.042]	Policy 18	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows:</p> <p>Regional plans shall include policies, rules and/or methods that <u>protect and restore the ecological health of water bodies, including:</u></p> <p>(a) <u>managing freshwater in a way that gives effect to <i>Te Mana o te Wai</i>;</u></p> <p>(b) <u>actively involve mana whenua / tangata whenua in freshwater management (including decision-making processes), <b>and</b></u></p> <p>(c) <u>identify and provide for Māori freshwater values <b>are identified and provided for</b>;</u></p> <p>(d) <u>there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, and their <i>restoration</i> is promoted;</u></p> <p>(e) <u>achieving environmental outcomes, target attribute states and environmental flows and levels;</u></p> <p>(f) <u>avoiding the loss of river extent and values;</u></p> <p>(g) <u>protecting the significant values of outstanding water bodies;</u></p> <p>(h) <u>protecting the habitats of indigenous freshwater species <b>are protected</b>;</u></p> <p>(i) <u>Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided;</u></p> <p>(j) <u>promoting the retention of in-stream habitat diversity by retaining natural features – such as pools, runs, riffles, and the river’s natural form;</u></p> <p>(k) <u>promoting the retention of natural flow regimes – such as flushing flows;</u></p> <p>(l) <u>promoting the protection and reinstatement of riparian habitat;</u></p> <p>(m) <u>promoting the installation of off-line water storage;</u></p> <p>(n) <u>measuring and evaluating water takes;</u></p> <p>(o) <u>discourage restricting the reclamation, piping, straightening or concrete lining of rivers;</u></p>	Accept in part	<p><b>Policy 18: Protecting and <u>enhancing restoring ecological health the health and wellbeing of water bodies and freshwater ecosystem health of water bodies</u> – regional plans</b></p> <p>Regional plans shall include policies, rules and/or methods that <u>give effect to <i>Te Mana o te Wai</i></u>, and in doing so <u>protect and enhance restore the ecological health health and wellbeing of water bodies and freshwater ecosystem health of water bodies</u>, including by:</p> <p><del>(a) — managing freshwater in a way that gives effect to <i>Te Mana o te Wai</i>;</del></p> <p>(b) <u>actively involving mana whenua / tangata whenua in freshwater management (including decision-making processes), <b>and</b></u></p> <p><del>(ba) identifying and providing for Māori freshwater values <b>are identified and provided for</b>;</del></p> <p><del>(bb) adopting an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to ensure that ecological health of freshwater is managed using an integrated, ecosystem wide approach</del></p> <p><del>(bc) incorporating the use of mātauranga Māori to protect and restore ecosystem health,</del></p> <p>(c) <u>ensuring there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, and their <i>restoration</i> is promoted;</u></p> <p><del>(d) — achieving environmental outcomes, target attribute states and environmental flows and levels;</del></p> <p>(e) <u>avoiding the loss of river extent and values <b>to the extent practicable</b></u></p> <p>(f) <u>protecting the significant values of outstanding water bodies</u></p> <p>(g) <u>protecting the habitats of indigenous freshwater species <b>are protected</b>;</u></p> <p><del>(ga) protecting the habitat of trout and salmon, insofar as this is consistent with clause (g).</del></p> <p><del>(h) — Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided;</del></p> <p>(i) <u>promoting the retention of <b>retaining</b> in-stream habitat diversity by retaining natural features – such as pools, runs, riffles, and the river’s natural form <b>to maintain in-stream habitat diversity</b>;</u></p> <p>(j) <u>promoting the retention of <b>retaining</b> natural flow regimes – such as flushing flows;</u></p> <p>(k) <u>promoting the <b>protecting on</b> and reinstating <b>ingement of</b> riparian habitat;</u></p> <p>(l) <u>promoting the installation of off-line water storage;</u></p> <p>(m) <u>measuring and evaluating water takes;</u></p> <p>(n) <u>discourage <b>restricting a voiding</b> the reclamation, piping,</u></p>	<p><b>Policy 18: Protecting and <u>enhancing restoring ecological health the health and wellbeing of water bodies and freshwater ecosystem health of water bodies</u> – regional plans</b></p> <p>Regional plans shall include policies, rules and/or methods that <u>give effect to <i>Te Mana o te Wai</i></u>, and in doing so <u>protect and enhance restore the ecological health health and wellbeing of water bodies and freshwater ecosystem health of water bodies</u>, including by:</p> <p><del>(a) — managing freshwater in a way that gives effect to <i>Te Mana o te Wai</i>;</del></p> <p>(b) <u>actively involving mana whenua / tangata whenua in freshwater management (including decision-making processes), <b>and</b></u></p> <p><del>(ba) identifying and providing for Māori freshwater values <b>are identified and provided for</b>;</del></p> <p><del>(bb) adopting an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to ensure that ecological health of freshwater is managed using an integrated, ecosystem wide approach</del></p> <p><del>(bc) incorporating the use of mātauranga Māori to protect and restore ecosystem health,</del></p> <p>(c) <u>ensuring there is no further loss of extent of natural inland wetlands and coastal wetlands, their values are protected, and their <i>restoration</i> is promoted <b>unless:</b></u></p> <p><u>(i) there is a functional need for the activity in that location; and</u></p> <p><u>(ii) the effects of the activity are managed by applying the <i>effects management hierarchy</i>;</u></p> <p><del>(d) — achieving environmental outcomes, target attribute states and environmental flows and levels;</del></p> <p>(e) <u>avoiding the loss of river extent and values <b>to the extent practicable</b></u></p> <p>(f) <u>protecting the significant values of outstanding water bodies</u></p> <p>(g) <u>protecting the habitats of indigenous freshwater species <b>are protected</b>;</u></p> <p><del>(ga) protecting the habitat of trout and salmon, insofar as this is consistent with clause (g).</del></p> <p><del>(h) — Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided;</del></p> <p>(i) <u>promoting the retention of <b>retaining</b> in-stream habitat diversity by retaining natural features – such as pools, runs, riffles, and the river’s natural form <b>to maintain in-stream habitat diversity</b>;</u></p> <p>(j) <u>promoting the retention of <b>retaining</b> natural flow regimes – such as flushing flows;</u></p> <p>(k) <u>promoting the <b>protecting on</b> and reinstating <b>ingement of</b> riparian habitat;</u></p> <p>(l) <u>promoting the installation of off-line water storage;</u></p> <p>(m) <u>measuring and evaluating water takes;</u></p>

Submission Point Ref.	Provision	Relief Sought by PCC (green text where relevant)	Section 42A report Recommendation		Recommended Amendments to Section 42A Version (blue text)
			Response	Recommended Changes (red text)	
		<p>(p) discourage <del>restricting</del> stock access to <u>estuaries</u>, rivers, lakes and wetland;</p> <p>(q) discourage <del>restricting</del> the diversion of water into or from wetlands – unless the diversion is necessary to restore the hydrological variation to the wetland;</p> <p>(r) discourage <del>restricting</del> the removal or destruction of indigenous plants in wetlands and lakes; and</p> <p>(s) <u>restoring and maintaining</u> fish passage.</p>		<p>straightening or concrete lining of rivers <u>unless:</u>  <i>(i) there is a functional need for the activity in that location; and</i>  <i>(ii) the effects of the activity are managed by applying the <u>effects management hierarchy</u></i></p> <p>(o) discourage <del>restricting</del> stock access to <u>estuaries</u>, rivers, lakes and wetland;</p> <p>(p) discourage <del>restricting</del> the diversion of water into or from wetlands – unless the diversion is necessary to restore the hydrological variation to the wetland;</p> <p>(q) discourage <del>restricting</del> the removal or destruction of indigenous plants in wetlands and lakes; and</p> <p>(r) <u>restoring and maintaining</u> fish passage <u>where appropriate</u>.</p> <p><b>Explanation</b>  Policy 18 lists a range of actions that will protect and restore <u>the health and wellbeing of water bodies and freshwater ecosystem</u> <del>the ecological health of water bodies</del>. The ecosystem health of water bodies is dependent on water quality, water quantity, habitat, aquatic life, and ecological processes. To be a healthy freshwater ecosystem, all five components support and sustain indigenous aquatic life. Habitat diversity, <del>which is described in clauses (a), (b) and (c)</del>, is essential for <u>aquatic</u> <del>freshwater</del> ecosystems to survive and be self-sustaining. When areas of habitat in one part of the river, lake or wetland are degraded or destroyed by activities <del>described in clauses (e), (f), (g) and (h)</del>, critical parts of the ecosystem may be permanently affected with consequent effects elsewhere in the ecosystem.</p>	<p>(n) discourage <del>restricting</del> <u>avoiding</u> the reclamation, piping, straightening or concrete lining of rivers <u>unless:</u>  <i>(i) there is a functional need for the activity in that location; and</i>  <i>(ii) the effects of the activity are managed by applying the <u>effects management hierarchy</u></i></p> <p>(o) discourage <del>restricting</del> stock access to <u>estuaries</u>, rivers, lakes and wetland;</p> <p>(p) discourage <del>restricting</del> the diversion of water into or from wetlands – unless the diversion is necessary to restore the hydrological variation to the wetland;</p> <p>(q) discourage <del>restricting</del> the removal or destruction of indigenous plants in wetlands and lakes; and</p> <p>(r) <u>restoring and maintaining</u> fish passage <u>where appropriate</u>.</p> <p><b>Explanation</b>  Policy 18 lists a range of actions that will protect and restore <u>the health and wellbeing of water bodies and freshwater ecosystem</u> <del>the ecological health of water bodies</del>. The ecosystem health of water bodies is dependent on water quality, water quantity, habitat, aquatic life, and ecological processes. To be a healthy freshwater ecosystem, all five components support and sustain indigenous aquatic life. Habitat diversity, <del>which is described in clauses (a), (b) and (c)</del>, is essential for <u>aquatic</u> <del>freshwater</del> ecosystems to survive and be self-sustaining. When areas of habitat in one part of the river, lake or wetland are degraded or destroyed by activities <del>described in clauses (e), (f), (g) and (h)</del>, critical parts of the ecosystem may be permanently affected with consequent effects elsewhere in the ecosystem.</p>
Porirua City Council [S30.064]	Policy 40	<p>Amend policy as follows:</p> <p>When considering an application for a <u>regional</u> resource consent, particular regard shall be given to:</p> <p>(a) <del>requiring</del> that water quality, flows and water levels and aquatic habitats of <del>surface</del> water bodies are managed <u>in a way that gives effect to Te Mana o Te Wai and protects and enhances the health and well-being of waterbodies and the health and wellbeing of freshwater ecosystems for the purpose of safeguarding aquatic ecosystem health;</u></p> <p>(b) that, <del>requiring</del> as a minimum, water quality in the <u>coastal marine area is to be managed in a way that protects and enhances the health and well-being of waterbodies and the health and</u></p>	Accept	<p><b>Policy 40: <del>Maintaining</del> Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems <u>aquatic ecosystem health in water bodies</u> – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent, <u>the regional council must give effect to Te Mana o te Wai and in doing so must have</u> particular regard shall be given to:</p> <p>(a) <del>requiring that managing</del> water quality, flows and water levels and aquatic habitats of <del>surface</del> water bodies <u>are managed</u> in a way that <u>gives effect to Te Mana o Te Wai and</u> protects and enhances the health and well-being of waterbodies and the health and wellbeing of freshwater ecosystems <u>for the purpose of safeguarding aquatic ecosystem health;</u></p> <p>(b) <del>that, requiring managing as a minimum, freshwater quality in the coastal marine area is to be managed</del> in a way that protects and enhances the health and well-being of <u>waterbodies and the health and wellbeing of marine ecosystems receiving environments;</u> for the purpose of <u>maintaining or enhancing aquatic ecosystem health; and</u></p>	<p><b>Policy 40: <del>Maintaining</del> Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems <u>aquatic ecosystem health in water bodies</u> – consideration</b></p> <p>When considering an application for a <u>regional</u> resource consent, <u>the regional council must give effect to Te Mana o te Wai and in doing so must have</u> particular regard shall be given to:</p> <p>(a) <del>requiring that managing</del> water quality, flows and water levels and aquatic habitats of <del>surface</del> water bodies <u>are managed</u> in a way that <u>gives effect to Te Mana o Te Wai and</u> protects and enhances the health and well-being of waterbodies and the health and wellbeing of freshwater ecosystems <u>for the purpose of safeguarding aquatic ecosystem health;</u></p> <p>(b) <del>that, requiring managing as a minimum, freshwater quality in the coastal marine area is to be managed</del> in a way that protects and enhances the health and well-being of <u>waterbodies and the health and wellbeing of marine ecosystems receiving environments;</u> for the purpose of <u>maintaining or enhancing aquatic ecosystem health; and</u></p>

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			Response	Recommended Changes (red text)	
		<p>wellbeing of marine ecosystems;—for the purpose of maintaining or enhancing aquatic ecosystem health; and</p> <p>(c) managing water bodies and the water quality of coastal water for other purposes identified in regional plans.</p> <p>(c) providing for mana whenua / tangata whenua values, including mahinga kai;</p> <p>(d) <u>maintaining or enhancing the functioning of ecosystems in the water body;</u></p> <p>(e) <u>maintaining or enhancing the ecological functions of riparian margins;</u></p> <p>(f) <u>minimising the effect of the proposal on groundwater recharge areas that are connected to surface water bodies;</u></p> <p>(g) <u>maintaining or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;</u></p> <p>(h) <u>protecting the significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those listed in Table 16 of Appendix 1;</u></p> <p>(i) <u>maintaining natural flow regimes required to support aquatic ecosystem health;</u></p> <p>(j) <u>maintaining or enhancing space for rivers to undertake their natural processes;</u></p> <p>(k) <u>maintaining fish passage;</u></p> <p>(l) <u>protecting and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;</u></p> <p>(m) <u>discouraging restricting stock access to estuaries rivers, lakes and wetlands; and discouraging avoiding the removal or destruction of indigenous wetland plants in wetlands.</u></p>		<p>(e) managing water bodies and the water quality of coastal water for other purposes identified in regional plans.</p> <p>(c) providing for mana whenua / tangata whenua values, including mahinga kai;</p> <p>(ca) <u>partnering with mana whenua/tangata whenua</u></p> <p>(d) <u>maintaining or enhancing the functioning of ecosystems in the water body;</u></p> <p>(e) <u>maintaining or enhancing the ecological functions of riparian margins;</u></p> <p>(f) <u>minimising the effect of the proposals such as gravel extraction, exploratory drilling, flood protection and works in the beds of lakes and rivers on groundwater recharge areas that are connected to surface water bodies;</u></p> <p>(g) <u>maintaining or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;</u></p> <p>(h) <u>protecting the values of rivers and lakes that have significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those listed as identified in Table 16 of Appendix 1;</u></p> <p>(i) <u>maintaining natural flow regimes required to support aquatic ecosystem health;</u></p> <p>(j) <u>maintaining or enhancing space for rivers to undertake their natural processes;</u></p> <p>(k) <u>maintaining fish passage;</u></p> <p>(l) <u>protecting and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;</u></p> <p>(m) <u>discouraging restricting stock access to estuaries rivers, lakes and wetlands; and</u></p> <p>(n) <u>discouraging avoiding the removal or destruction of indigenous wetland plants in wetlands.</u></p> <p>(o) <u>avoiding the loss of river extent or values, to the extent practicable</u></p> <p>(p) <u>ensuring there is no further loss of extent of natural inland wetlands, and their values are protected.</u></p> <p>(q) <u>protecting the habitat of indigenous freshwater species</u></p> <p>(r) <u>protecting the habitat of trout and salmon, insofar as this is consistent with clause (q).</u></p>	<p>(e) managing water bodies and the water quality of coastal water for other purposes identified in regional plans.</p> <p>(c) providing for mana whenua / tangata whenua values, including mahinga kai;</p> <p>(ca) <u>partnering with mana whenua/tangata whenua</u></p> <p>(d) <u>maintaining or enhancing the functioning of ecosystems in the water body;</u></p> <p>(e) <u>maintaining or enhancing the ecological functions of riparian margins;</u></p> <p>(f) <u>minimising the effect of the proposals such as gravel extraction, exploratory drilling, flood protection and works in the beds of lakes and rivers on groundwater recharge areas that are connected to surface water bodies;</u></p> <p>(g) <u>maintaining or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;</u></p> <p>(h) <u>protecting the values of rivers and lakes that have significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those listed as identified in Table 16 of Appendix 1;</u></p> <p>(i) <u>maintaining natural flow regimes required to support aquatic ecosystem health;</u></p> <p>(j) <u>maintaining or enhancing space for rivers to undertake their natural processes;</u></p> <p>(k) <u>maintaining fish passage;</u></p> <p>(l) <u>protecting and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;</u></p> <p>(m) <u>discouraging restricting stock access to estuaries rivers, lakes and wetlands; and</u></p> <p>(n) <u>discouraging avoiding the removal or destruction of indigenous wetland plants in wetlands unless:</u>  <u>(i) there is a functional need for the activity in that location; and</u>  <u>(ii) the effects of the activity are managed by applying the effects management hierarchy;</u></p> <p>(o) <u>avoiding the loss of river extent or values, to the extent practicable</u></p> <p>(p) <u>ensuring there is no further loss of extent of natural inland wetlands, and their values are protected unless:</u>  <u>(i) there is a functional need for the activity in that location; and</u>  <u>(ii) the effects of the activity are managed by applying the effects management hierarchy;</u></p> <p>(q) <u>protecting the habitat of indigenous freshwater species</u></p> <p>(r) <u>protecting the habitat of trout and salmon, insofar as this is consistent with clause (q).</u></p>

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			Response	Recommended Changes (red text)	
Porirua City Council [S30.044]	Policy FW.2	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows:</p> <p>District plans shall include policies, rules and/or methods to reduce demand of water from registered water suppliers and users, including where practicable:</p> <p>(a) <del>provisions improving requiring</del> <b>improvements to the efficiency of the end use of water on a per capita basis for new developments; and</b></p> <p>(b) <del>provisions</del> <b>requiring alternate water supplies for non-potable use in new developments.</b></p> <p>Include a definition of 'registered water suppliers'.</p>		<p><b>Policy FW.2: Reducing water demand – district plans</b></p> <p>District plans shall include policies, rules and/or methods to reduce demand <del>of</del> water from <del>registered water suppliers and users community drinking water supplies and group drinking water supplies</del>, including where practicable:</p> <p>(a) <del>provisions improving the efficiency of the end use of water on a per capita basis for new developments; and</del></p> <p>(b) <del>provisions requiring</del> <b>promoting</b> alternate water supplies for non-potable use in new developments, <b>such as the requirement to install rainwater tanks.</b></p> <p><b>Explanation</b></p> <p>Policy FW.2 requires district plans to address the reduction of demand in <del>community drinking water supplies or group drinking water supplies municipal</del>-water supplies.</p>	<p><b>Policy FW.2: Reducing water demand – district plans</b></p> <p>District plans shall include policies, rules and/or methods to reduce demand <del>of</del> water from <del>registered water suppliers and users community drinking water supplies and group drinking water supplies</del>, including where practicable:</p> <p>(a) <del>provisions improving the efficiency of the end use of water on a per capita basis for new developments; and</del></p> <p>(b) <del>provisions requiring</del> <b>promoting</b> alternate water supplies for non-potable use in new developments, <b>such as the requirement to install rainwater tanks.</b></p> <p><b>Explanation</b></p> <p>Policy FW.2 requires district plans to address the reduction of demand in <del>community drinking water supplies or group drinking water supplies municipal</del>-water supplies.</p>
Porirua City Council [S30.068]	Policy FW.5	Delete policy.	Reject	<p><b>Policy FW.5: Water supply planning for climate change and urban development – consideration</b></p> <p>When considering a change, variation or review of a regional or district plan, <del>local authorities must give effect to Te Mana o te Wai, and</del> particular regard shall be given to:</p> <p>(a) <del>climate change impacts on community drinking water supplies and group drinking water supplies</del>, including water availability and demand <del>and the potential for saline intrusion into aquifers;</del></p> <p>(b) <del>demand from future population projections;</del></p> <p>(c) <del>development of future water sources, storage, treatment and reticulation; and</del></p> <p>(d) <del>an integrated approach, ki uta ki tai, in the protection of existing and future water sources.</del></p> <p><b>Explanation</b></p> <p>Policy FW.5 requires water supply planning to adequately considered including the impacts of climate change and new urban development.</p>	<p><b>Policy FW.5: Water supply planning for climate change and urban development – consideration</b></p> <p>When considering a change, variation or review of a regional <del>or district plan,</del> <b>local authorities must give effect to Te Mana o te Wai, and</b> particular regard shall be given to:</p> <p>(a) <del>climate change impacts on community drinking water supplies and group drinking water supplies</del>, including water availability and demand <del>and the potential for saline intrusion into aquifers;</del></p> <p>(b) <del>demand from future population projections;</del></p> <p>(c) <del>development of future water sources, storage, treatment and reticulation; and</del></p> <p>(d) <del>an integrated approach, ki uta ki tai, in the protection of existing and future water sources.</del></p> <p><b>Explanation</b></p> <p>Policy FW.5 requires water supply planning to adequately considered including the impacts of climate change and new urban development.</p>