

**SUBMISSION ON**  
**PROPOSED PLAN CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE**  
**WELLINGTON REGION**  
**GREATER WELLINGTON REGIONAL COUNCIL**

**To:** Greater Wellington Regional Council  
By email to: regionalplan@gw.govt.nz

**Submission on:** Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region

**Name of Submitter:** Urban Edge Planning Ltd  
on behalf of Pandion Limited

**Address for service:** Urban Edge Planning  
PO Box 39071  
Wellington Mail Centre  
Lower Hutt 5045

**Attention:** Corinna Tessendorf  
022 304 4187  
Corinna@urbanedgeplanning.co.nz

- This is a submission made on behalf of Pandion Ltd concerning Proposed Change 1 to the Natural Resources Plan as notified by Greater Wellington Regional Council on 30 October 2023.
- Pandion Ltd could not gain an advantage in trade competition through this submission.
- Pandion Ltd would like to be heard in support of this submission.
- Pandion Ltd would not consider presenting a joint case with others that make a similar submission.
- Urban Edge Planning on behalf of Pandion Ltd seeks amendments to the activity status of unplanned greenfield development.

## PLANNING CONTEXT

### Proposed Plan Change 1 to the Natural Resources Plan

On 30 October 2023 Greater Wellington Regional Council notified Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region (Plan Change 1).

The main focus of Plan Change 1 is the implementation of the National Policy Statement for Freshwater Management 2020 within the Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua. To achieve this, Plan Change 1 proposed the introduction of new objectives, policies, rules and other methods to achieve the appropriate management of freshwater and coastal water. The proposed provisions regulate earthworks, stormwater discharges, wastewater discharges and rural land use to improve water quality and ecological health.

Of particular relevance to this submission are the provisions of Chapter 8 – Whaitua Te Whanganui-a-Tara and Chapter 9 Te Awarua-o-Porirua Whaitua - both in general and where they relate to unplanned greenfield development in particular.

Maps 86 to 89 identify unplanned greenfield areas (as opposed to planned / existing urban areas) and the related policy WH.P16 and rule WH.R13 introduce a framework that requires the avoidance of all new stormwater discharges from unplanned greenfield development and classifies any use of land and associated discharge of stormwater from impervious surfaces from unplanned greenfield development as a prohibited activity. Under this framework any unplanned greenfield development proposal will require a private plan change process to change the relevant map.

The notification of Plan Change 1, including the timing and consequences of this Plan Change, came as a surprise to the submitters. Little to no pre-engagement around the intended approach to greenfield development appears to have happened with affected landowners or the development community generally.

## SUBMISSION

Urban Edge Planning on behalf of Pandion Ltd opposes the proposed provisions that require the avoidance of all new stormwater discharges from unplanned greenfield development and make any use of land and associated discharge of stormwater from impervious surfaces from unplanned greenfield development a prohibited activity.

The particular provisions that this submission relates to are:

### **Chapter 8 Whaitua Te Whanganui-a-Tara**

#### ***Policy WH.P16: Stormwater discharges from new unplanned greenfield development***

*Avoid all new stormwater discharges from unplanned greenfield development where the discharge will enter a surface water body or coastal water, including through an existing local authority stormwater network.*



## Chapter 9 Te Awarua-o-Porirua Whaitua

### ***Policy P.P15: Stormwater discharges from new unplanned greenfield development***

*Avoid all new stormwater discharges from unplanned greenfield development where the discharge will enter a surface water body or coastal water, including through an existing local authority stormwater network.*

#### *Note*

*Any unplanned greenfield development proposals will require a plan change to the regional plan alongside any required plan change to rezone land within the relevant district plan.*

<b>RMA Process</b>	Part 1 Schedule 1
<b>Feedback</b>	Oppose, Seek Amendment
<b>Reason for Feedback</b>	<p>The proposed policies do not provide any pathway or guidance other than avoidance.</p> <p>While we agree that there should be high threshold for new unplanned greenfield development, we consider the complete avoidance is unjustified and in conflict with the requirements of the NPS UD</p> <p>Considering the underlying effects based approach we are unclear why new stormwater discharge from unplanned greenfield development is treated differently from stormwater discharge from planned development? We consider the effects are the same and can potentially be managed (e.g. through an effects management hierarchy).</p>
<b>Decision sought</b>	<p>Amend the proposed policies to provide a pathway where the effects from additional stormwater discharges can be managed appropriately.</p> <p>Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.</p>

## Chapter 8 Whaitua Te Whanganui-a-Tara

### ***Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity***

*The use of land and the associated discharge of stormwater from impervious surfaces from unplanned greenfield development direct into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or proposed stormwater network, is a prohibited activity.*

*Note: Any unplanned greenfield development proposals will require a plan change to the relevant map (Map 86, 87, 88 or 89) to allow consideration of the suitability of the site and receiving catchment(s) for accommodating the water quality requirements of the National Policy Statement for Freshwater Management 2020, and the relevant freshwater and coastal water quality objectives of this Plan. Any plan change process should be considered concurrent with any associated change to the relevant district plan, to support integrated planning and assessment.*



**Chapter 9 Te Awarua-o-Porirua Whaitua**

**Rule P.R12: Stormwater discharges from new unplanned greenfield development – prohibited activity**

*The use of land and the associated discharge of stormwater from impervious surfaces from unplanned greenfield development direct into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or proposed stormwater network, is a prohibited activity.*

**Note**

*Any unplanned greenfield development proposals will require a plan change to the relevant map (Map 86, 87, 88 or 89) to allow consideration of the suitability of the site and receiving catchment(s) for accommodating the water quality requirements of the National Policy Statement for Freshwater Management 2020, and the relevant freshwater and coastal water quality objectives of this Plan. Any plan change process should be considered concurrent with any associated change to the relevant district plan, to support integrated planning and assessment.*

<b>RMA Process</b>	Part 1 Schedule 1					
<b>Feedback</b>	Oppose, Seek Amendment					
<b>Reason for Feedback</b>	<p>We oppose the proposed prohibited activity status for the use of land and associated discharge of stormwater for unplanned greenfield development under rules WH.R12 and P.R12.</p> <p>GWRC provided the following response to a related question raised at a webinar on 15 November:</p> <table border="1"> <thead> <tr> <th><b>Question</b></th> <th><b>GWRC Response</b></th> </tr> </thead> <tbody> <tr> <td><i>Why a prohibited activity status for unplanned greenfield development rather than non-complying or discretionary for example?</i></td> <td><i>A prohibited activity status is proposed because stormwater discharges from urban development adversely affects water quality and ecosystem health. The objectives set in this plan change (as developed through the Whaitua processes) generally require significant improvements to water quality and ecosystem health in the urban influenced catchments. The NPS-FM also requires water quality to be maintained or improved across all catchments. Stormwater discharges from new urban areas will increase the contaminant load within the undeveloped area and influence the achievement of the target attribute state. Therefore, to give effect to the NPS-FM and achieve the target attribute state the location and extent of new urban areas must be carefully planned to manage the effects of the associated stormwater discharges.</i></td> </tr> </tbody> </table>		<b>Question</b>	<b>GWRC Response</b>	<i>Why a prohibited activity status for unplanned greenfield development rather than non-complying or discretionary for example?</i>	<i>A prohibited activity status is proposed because stormwater discharges from urban development adversely affects water quality and ecosystem health. The objectives set in this plan change (as developed through the Whaitua processes) generally require significant improvements to water quality and ecosystem health in the urban influenced catchments. The NPS-FM also requires water quality to be maintained or improved across all catchments. Stormwater discharges from new urban areas will increase the contaminant load within the undeveloped area and influence the achievement of the target attribute state. Therefore, to give effect to the NPS-FM and achieve the target attribute state the location and extent of new urban areas must be carefully planned to manage the effects of the associated stormwater discharges.</i>
<b>Question</b>	<b>GWRC Response</b>					
<i>Why a prohibited activity status for unplanned greenfield development rather than non-complying or discretionary for example?</i>	<i>A prohibited activity status is proposed because stormwater discharges from urban development adversely affects water quality and ecosystem health. The objectives set in this plan change (as developed through the Whaitua processes) generally require significant improvements to water quality and ecosystem health in the urban influenced catchments. The NPS-FM also requires water quality to be maintained or improved across all catchments. Stormwater discharges from new urban areas will increase the contaminant load within the undeveloped area and influence the achievement of the target attribute state. Therefore, to give effect to the NPS-FM and achieve the target attribute state the location and extent of new urban areas must be carefully planned to manage the effects of the associated stormwater discharges.</i>					





*The prohibited status also allows, if development is proposed in these areas, for a thorough assessment of all effects of a proposal/plan change, including effects on water quality and ecosystem health and implications on the achievement of the objectives of PC1, through a combined district and regional plan change process.*

Our main reasons for opposing the proposed rules are:

- The prohibited activity status does not allow for an effects assessment since no application can be made under this rule. It essentially means that the associated effects are too significant and therefore cannot be managed – we are unsure how these effects can then be managed through a plan change process.
- A prohibited activity status fails to recognize that greenfield development can provide a range of opportunities to more effectively undertake catchment based stormwater management and enhance the environment, particularly those that are already in a degraded state.
- The rule does not differentiate between the use of land and the associated stormwater discharge.
- The approach of only providing for future development within already identified and zoned urban areas is particularly restricting and problematic for industrial zones since there is little to no opportunity for intensification within identified areas and very little planned greenfield growth opportunities for new industrial areas.
- It is our understanding that the prohibited activity status is intended to prevent increased contaminant load from new development – we consider this can be appropriately addressed through RC process and does not require a plan change process.
- A full plan change process to change the status from unplanned greenfield development to planned greenfield development allows for the consideration of much wider effects, which could be interpreted as an attempt to widen the scope and result in duplication with the related District Plan change.
- A discretionary or non-complying activity status would provide applicants with two options – either apply for a resource consent for an unplanned greenfield development in the knowledge that future additions or amendments may require further consents or apply for a plan change to

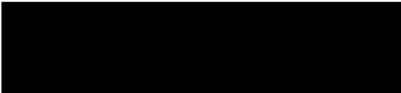


	<p>achieve the long term change to the NRP that would provide a (potentially) easier pathway for future development.</p> <ul style="list-style-type: none"> <li>▪ Any plan change that is required to rezone a non-urban site to (for example) an industrial zone, needs to address and manage any potential environmental effects. Therefore a rezoning plan change in combination with the consideration of any stormwater effects by GW under a discretionary or non-complying resource consent application is considered appropriate and sufficient.</li> <li>▪ The main differences between a resource consent process and a plan change process seem to be longer time frames, wider scope and the additional further submission phase for a plan change. The general requirement for a plan change is therefore not an efficient or effective response.</li> <li>▪ We are unsure how a combined district and regional plan change process as indicated in the advice note would work.</li> <li>▪ A prohibited activity status is not adequately reconciled in the context of other national direction, including the NPS-UD.</li> </ul>
<b>Decision sought</b>	<p>Replace the prohibited activity status with a discretionary or non-complying activity status to allow for an assessment of the actual effects of the activity and their management.</p> <p>Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.</p>

### Conclusion - Decision Sought

Urban Edge planning on behalf of Pandion Ltd seeks the following decision from Greater Wellington Regional Council:

- Amend Policies WH.P16 and P.P15 and Rules WH.R13 and P.R12 to provide for unplanned greenfield development as a discretionary or non-complying activity.
- Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.

  
 Corinna Tebsendorf  
 Urban Edge Planning Ltd

On behalf of:  
 Pandion Limited

14 December 2023

