

## **Further Submission on Proposed Plan Change 1 to the Greater Wellington Regional Council Natural Resources Plan by Kāinga Ora – Homes and Communities**

### **Clause 8 of Schedule 1 to the Resource Management Act 1991**

**To:** Greater Wellington Regional Council  
*Submission by email via: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)*

**Name of Further Submitter:** Kāinga Ora – Homes and Communities

1. **Kāinga Ora – Homes and Communities** (“**Kāinga Ora**”) makes this further submission on the **Proposed Plan Change 1** (“**PC1**”) to the Greater Wellington Regional Council Natural Resources Plan in support of/in opposition to original submissions to the **PC1**.
2. Kāinga Ora has an interest in PC1 that is greater than the interest the general public has, being an original submitter on the PC1 with respect to its interests as Crown entity responsible for the provision of public housing, and its housing portfolio in the Greater Wellington Region.
3. Kāinga Ora makes this further submission in respect of submissions by third parties to the PC1.

#### **Reasons for further submission**

4. The submissions that Kāinga Ora supports or opposes are set out in the table attached as **Appendix A** to this further submission.
5. The reasons for this further submission are:
  - (a) The reasons set out in the Kāinga Ora primary submission on the PC1.

- (b) In the case of the Primary Submissions that are opposed:
- (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 (“**RMA**”);
  - (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA;
  - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
  - (iv) The Primary Submissions are inconsistent with the policy intent of the Kāinga Ora primary submission.
- (c) In the case of Primary Submissions that are supported:
- (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
  - (ii) The reasons set out in the Primary Submissions; and
  - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
6. Without limiting the generality of the above, the specific relief in respect of each Primary Submission that is supported or opposed is set out in **Appendix A**.
7. Kāinga Ora wishes to be heard in support of its further submission.
8. If others make a similar submission, Kāinga Ora will consider presenting a joint case with them at a hearing.

**DATED 8 March 2024**

**Kāinga Ora – Homes and Communities**

  
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**Brendon Liggett**

**Manager – Development Planning**

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## 10. Appendix A – Further Submission Table

Submitter Name	Submission Point Number	Provision / Chapter Topic	Submission Position	Summary of Decision Requested (Decision Sought)	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
Ara Poutama Aotearoa the Department of Corrections	S248.022 S248.046	Policy WH.P14: Stormwater discharges from new and redeveloped impervious surfaces  AND  Policy P.P13: Stormwater discharges from new and redeveloped impervious surfaces	Amend	Notes raingardens and bioretention devices referred to in Clause (a)(ii) are not defined terms in the plan and both terms need to be added to Plan to provide certainty for users.  Amend definitions section to include a definition of "raingarden" and "bioretention device".	Support	Kāinga Ora supports the addition of these definitions to provide clarity for plan users.	Allow
Ara Poutama Aotearoa the Department of Corrections	S248.026 S248.050	Policy WH.P29: Management of earthworks.  AND  Policy P.P27: Management of earthworks sites.	Amend	Considers the word "risk" should be replaced with "adverse effects", as resource management policies should seek to manage actual or potential adverse effects of an activity, rather than risks generally. Notes the requirement to retain soil and sediment on site under clause (a) does not recognise that soil and sediment may need to be removed from site in a controlled manner (for example, to a cleanfill area) as part of the works associated with the maintenance, upgrading, or development of existing developed sites. To recognise this, submitter considers that clause (a) should be amended to seek the uncontrolled loss of soil and sediment from site is minimised, rather than requiring all soil and sediment to be retained on site. Considers clause (b) should be qualified with "where practicable" to recognise that any limits placed on land disturbance should be reasonable and proportionate, particularly in the context of the good management practices already required by clause (a).  Amend as follows: Policy WH.P29: Management of earthworks The <del>risk</del> <b>adverse effects</b> of sediment discharges from earthworks shall be managed by: (a) <del>requiring retention</del> <b>minimising the uncontrolled loss</b> of soil and sediment on the land	Support	Kāinga Ora supports the proposed changes to this policy where consistent with its primary submission. Kāinga Ora considers that the changes provide clarity in terms of movement of soil from site where required for cleanfill.	Allow

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				using good management practices for erosion and sediment control measures that are appropriate to the scale and nature of the activity, and in accordance with the GWRC Erosion and Sediment Control Guideline for the Wellington Region (2021), for the duration of the land disturbance, and (b) limiting, <b>where practicable</b> , the amount of land disturbed at any time, and (c) designing and implementing earthworks with knowledge of the existing environmental site constraints, specific engineering requirements and implementation of controls to limit the discharge of sediment to receiving environments, and (d) requiring erosion and sediment control measures to be installed prior to, and during earthworks and ensuring those controls remain in place and are maintained until the land is stabilised against erosion			
Civil Contractors New Zealand	S285.018 S85.030	Policy WH.P30: Discharge standard for earthworks.  AND Policy P.P28: Discharge standard for earthworks sites.	Oppose	Amend to either specify which sort of test is used and leave this to implementation guidance or refer to the correct onsite test method (NTU).	Support	Kāinga Ora supports testing for turbidity as a measure for earthworks consents and the allowance for on-site test method (NTU) to ensure efficient testing which does not require laboratory results that can take 1-2 weeks to receive results.	Allow
Civil Contractors New Zealand	S285.019 S285.031	Policy WH.P31: Winter shut down of earthworks.  AND Policy P.P29: Winter shut down of earthworks.	Oppose	Delete policy WH.P31  If amended, ensure sufficient and appropriate exemptions exist to provide some ability for winter earthworks in situations where potential sediment can be well managed and controlled. At a minimum, a provision should be added for 'Regionally significant infrastructure'.	Support	Kāinga Ora supports the deletion of this policy, or if amended, amendment to adequately provide for winter earthworks where potential sediment can be well managed.	Allow
Cuttriss Consultant Ltd.	S219.006	Definition – Hydrological Control	Amend	Request the following to the definition be added:  <u>Management measures may include:</u> <u>a) Rapid Infiltration devices such as soak pits;</u> <u>b) Permeable paving; or</u> <u>c) Rainwater retention tanks which:</u> <u>i) are plumbed into the toilet and/or an outdoor tap or taps; and</u> <u>ii) where connected to toilets, are capable of being topped up by potable water supply to a maximum volume of</u>	Support in part	Kāinga Ora supports more specific technical standards to clarify what hydrological controls are trying to achieve, including by achieving hydraulic neutrality from pre-development flows.	Allow in part

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				<p>100L.</p> <p>Where these measures provide a minimum retention volume of 5mm runoff depth over the impervious area which hydrology controls are required; and</p> <p>Provide detention (temporary storage) for the difference between the predevelopment and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5 mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required (unless further detention or infiltration measures are utilised downstream).</p> <p>Note:</p> <p>Compliance with the definition can be demonstrated by installing a rainwater tank in accordance with Approved Solution #1 of Wellington Water's Managing Stormwater Runoff Version 4 June 2023</p>			
Cuttriss Consultant Ltd.	S219.013, S219.014, S219.026, and S219.027	<p>Rule WH.R2/P.R2: Stormwater to land - permitted activity</p> <p>AND</p> <p>Rule WH.R3/P.R3: Stormwater from an existing individual property to surface water or coastal water - permitted activity.</p>	Amend	<p>Amend Rule WH.R2 to better reflect the requirements for individual properties.</p> <p>Rule WH.R2: Stormwater to land - permitted activity The discharge of stormwater onto or into land, including where contaminants may enter groundwater:</p> <p>(a) that is not from a high risk industrial or trade premise, or</p> <p>(b) that <del>does not connect to</del> <del>does not discharge from, or to,</del> a local authority stormwater network, is a permitted activity provided the following conditions are met.</p> <p>Rule WH.R3: Stormwater from an existing individual property to surface water or coastal water - permitted activity</p> <p>The discharge of stormwater from an existing individual property into water, or onto or into land where it may enter a surface water body or coastal water,</p> <p>(a) that is not from a high risk industrial or trade premise, or</p> <p>(b) that is not from a port, airport or state highway, or</p> <p>(c) that <del>does not connect to</del> <del>does not discharge from, or to,</del> a local authority stormwater network, is a permitted activity, provided the following conditions are met:</p>	Support	Kāinga Ora supports the relief sought to the extent that it is consistent with its submission. Kāinga Ora supports the relief sought that seeks to clarify that individual properties should be permitted under this rule to discharge to ground where it does not connect to the local authority stormwater network.	Allow

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Cuttriss Consultant Ltd.	S219.033	Schedule 30: A-Context	Not Stated	Amend the Part D calculation of level of contribution of Schedule 30 to:  Financial contributions shall be imposed as a condition of consent and will be collected by the local authority at the same time as payment of any other financial or development contributions are paid prior to the consent being given effect to.	Support	Kāinga Ora supports the relief sought to the extent that it is consistent with its primary submission. If a financial contribution policy was to remain, Kāinga Ora supports the relief sought by the submitter that payment would not be required at the beginning of construction, which could impact the financial viability to deliver larger scale projects.	Allow
Cuttriss Consultant Ltd.	S219.034	Schedule 30: D – Calculation of level of contribution	Amend	Amend the Part D financial contribution as follows:  Whaitua Te Whanganui-a-Tara <del>\$4,240 2,827</del> Te Awarua-o-Porirua Whaitua <del>\$4,599 3,066</del> (Noting the submission point above, whereby we seek to remove charges based on EHU and therefore this table should be deleted in entirety) Whaitua Te Whanganui-a-Tara <del>\$858 572 \$360 240</del> Te Awarua-o-Porirua Whaitua <del>\$858 572 \$360 240</del>  Furthermore, these numbers should be assessed following a peer reviewed Economic Impact Assessment.	Support	Kāinga Ora supports the relief sought to the extent that it is consistent with its primary submission. If financial contributions are to remain, Kāinga Ora supports the review and justification of the financial contributions notified in PC 1.	Allow
Enviro NZ Services Ltd.	S209.006 and S209.035	Policy WH.P6/P.P8: Cumulative adverse effects of point source discharges.	Amend	(b) (i) at a minimum, an application for a resource consent includes a defined programme of work for upgrading the discharge (if target attribute state is not already met), in accordance....	Support	Kāinga Ora supports the relief sought by the submitter to recognise where suitable treatment is already in place and the target is met.	Allow
Enviro NZ Services Ltd.	S209.010 and S209.037	Policy WH.P10/P.P10: Managing adverse effects of stormwater discharges.	Amend	(b) generally using hydrological control and water sensitive urban design measures...	Support	Kāinga Ora supports the relief sought to the extent that it should be recognised that hydrological control or water sensitive urban design measures are not always required.	Allow
Enviro NZ Services Ltd.	S209.058	Schedule 28: Stormwater Contaminant Treatment.	Amend	Amend schedule to better reflect using industry best practice.	Support	Kāinga Ora supports the relief sought to allow for more approaches to treatment and prevention methods.	Allow
Environmental Defence Society	S222.028	Table 8.2 Target attribute states for lakes.	Amend	Include the attributes from Table 3.5 which previously applied but have not been carried over - including sediment, mahinga kai, fish, and macroalgae.  Amend the timeframe for achievement of states to 2030	Oppose in part	Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission.	Disallow in part



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Environmental Defence Society	S222.035	Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives.	Amend	Amend (f) to require avoidance of significant adverse effects from earthworks, forestry and vegetation clearance activities. Support removal of stock from waterbodies and the coastal environment.	Oppose	Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission.	Disallow
Environmental Defence Society	S222.063	Rule WH.R23: Earthworks - permitted activity.	Amend	Considers greater setback from waterbodies and coastal marine area is required. Also need to clarify interaction of rule with NES-PF/CF.	Oppose	Kāinga Ora opposes the relief sought in relation to greater setbacks.	Disallow
Environmental Defence Society	S222.064	Rule WH.R24: Earthworks - restricted discretionary activity.	Amend	Make a discretionary activity. Also need to clarify interaction of rule with NES-PF/CF.	Oppose	Kāinga Ora opposes the relief sought to make the rule a Discretionary activity.	Disallow
Environmental Defence Society	S222.082	Table 9.3: Harbour arm catchment contaminant load reductions.	Amend	Amend 2040 to 2030 to reflect the urgency of addressing freshwater issues and the biodiversity crisis	Oppose	In line with the Kāinga Ora primary submission, Kāinga Ora opposes any shortened timeframes.	Disallow
Forest and Bird	S261.008	General comments - overall	Not Stated	Notes the current provision for a "recognised nitrogen risk assessment tool" allows a tool to be used to fulfil the policies in the plan by a process outside Schedule 1, enabling council to approve any tool provided it is "quantitative" and assesses risk of nitrogen discharge. Questions the lawfulness of delegation, as no other criteria or processes are provided for approval. Considers it critical that tools account for biophysical factors and relate to the actual discharge or environmental effects of the discharge. Considers any "recognised nitrogen risk assessment tool" must be subject to wider public scrutiny before being included in the plan.  Consult on any recognised nitrogen risk assessment tool before including in the plan.	Oppose in part	Whilst Kāinga Ora agree that any changes to critical documents should be consulted on, Kāinga Ora opposes any such documents that require changes to be made at a regular/short term interval to be included within the Regional Plan. Any changes would then require a Schedule 1 plan process.	Disallow in part
Forest and Bird	S261.075 S261.155	Policy WH.P14: Stormwater discharges from new and redeveloped impervious surfaces.  AND Policy P.P13:	Amend	Considers reducing adverse effects to "the extent practicable" enables cost considerations to be factored into decision-makers, which often avoid more environmentally responsible approaches. Considers reference to "where possible" is required.  Amend as follows: The adverse effects of stormwater discharges from new greenfield development shall be minimised, and adverse effects of stormwater discharges from existing urban areas reduced to the extent <b>possible practicable</b> .	Oppose	Subject to the Kāinga Ora primary submission, Kāinga Ora opposes the proposed wording change.	Disallow



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		Stormwater Discharges from new and redeveloped impervious surfaces.		Insert direction requiring water sensitive design for new and redeveloped areas. Any further consequential or alternative relief as may be necessary and appropriate to address concerns.			
Forest and Bird	S261.090 S261.169	Policy WH.P29: Management of Earthworks  AND Policy P.P27: Management of earthwork s sites.	Amend	Considers setback distances from waterways (of 10m or more) are an effective method of ensuring fine sediment particles from earthworks are removed.  Add new clause:(x) <b>requiring setback distances, of no less than 10 metres, from surface water bodies, ephemeral watercourses, and the coastal marine area.</b> Any further consequential or alternative relief as may be necessary and appropriate to address concerns	Oppose	Kāinga Ora considers that this clause reads as a rule and not a policy. In addition, setbacks to water bodies etc should be nuanced in regard to the type of water body and the manner in which sediment controls are provided. A blanket policy arm is not considered appropriate.	Disallow
Forest and Bird	S261.091 S261.170	Policy WH.P30: Discharge standard for Earthworks  AND Policy P.P28	Amend	Considers controls on deposited sediment are also required.  Amend to include new clause: (e) the discharge shall not, after the zone of <b>reasonable mixing, result in:</b> <b>(i) a change in deposited sediment cover of more than 20%, or</b> <b>(ii) an increase in deposited sediment to be more than 20% of the bed</b> Any further consequential or alternative relief as may be necessary and appropriate to address concerns.	Oppose in part	Kāinga Ora considers that this clause reads as a rule and not a policy.	Disallow in part
Forest and Bird	S261.099 S261.176	Rule WH.R5: Stormwater from new and redeveloped impervious surfaces - permitted activity  AND Rule P.R5	Oppose	Considers greater Council oversight is required for elements of the rule, noting clause (h) is not sufficiently certain and enforceable for a permitted activity. Considers higher activity status and adding clearer and enforceable standards are required to ensure compliance with RMA s70, and that cumulative significant adverse effects do not arise. Considers WSUD should be required at minimum.  Reclassify as a controlled activity. Include enforceable alternative standards. Distinguish between discharges that would not have significant adverse effects on aquatic life and those having such effects that then require consent under a higher activity classification. Require "water sensitive urban design" as a condition of consent, including rainwater storage tanks at a property level (which are accessible to provide water for gardening and emergency water supply) and stormwater treatment via wetlands, swales, and rainwater gardens. Any further	Oppose	Kāinga Ora oppose the elevation of this rule to a controlled activity from permitted. Kāinga Ora also oppose the requirement to include rainwater storage tanks at a property level. WSUD measures should also be considered at a development scale basis to suit the needs of the overall site.	Disallow

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				consequential or alternative relief as may be necessary and appropriate to address concerns.			
Forest and Bird	S261.100 S261.177	Rule WH.R6: Stormwater from new greenfield impervious surfaces – controlled activity  AND Rule P.R6	Oppose	Considers controlled activity status inappropriate, particularly as the rule has effect in the coastal environment where the NZCPS applies. Considers inability to refuse consent may not give effect to NZCPS directions and RMA s107(1) and considers higher activity status is required. Seeks deletion of clause (c) as it is inconsistent with the effects management hierarchy.  Reclassify as a discretionary activity. Delete clause (c). Any further consequential or alternative relief as may be necessary and appropriate to address concerns.	Oppose in part	Kāinga Ora oppose the elevation of this rule from controlled to discretionary activity status.	Disallow in part
Forest and Bird	S261.116	Rule WH.R23: Earthworks - permitted activity.	Oppose	Considers a 5m setback is insufficient to protect ecosystems and maintain water quality. Considers ephemeral watercourses should be referred to as they have ecological value and can reduce contaminant loads when protected.  Amend as follows: (d) the earthworks shall not occur within, <del>or within a 5m</del> <b>within a 10 m</b> setback from, <del>of a</del> surface water body, <b>ephemeral watercourse</b> , or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and (e ) soil or debris from earthworks is not placed where it can enter a surface water body, <b>ephemeral watercourse</b> , or the coastal marine area, including via a stormwater network, and (f) the area of earthworks must be stabilised within six months after completion of the earthworks, and (g) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, ephemeral watercourse, the coastal marine area, or onto land that may enter a surface water body, <b>ephemeral watercourse</b> or the coastal marine area, including via a stormwater network, and (h) erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body, <b>ephemeral watercourse</b> , or the coastal marine area, including via a stormwater network. Any further consequential or alternative relief as may be necessary and appropriate to address concerns.	Oppose	Kāinga Ora consider that a 10m setback is onerous and does not differentiate between watercourse type or quality in this instance, (especially in regard to ephemeral streams). Effects can be appropriately mitigated through robust erosion and sediment controls.	Disallow
Forest and Bird	S261.117 S261.194	Rule WH.R24: Earthworks - restricted discretionary activity.	Oppose	Considers the matters of discretion are not wide enough to ensure all adverse effects on all important ecological values are addressed.	Oppose	Subject to the Kāinga Ora primary submission, Kāinga Ora oppose the elevation of this rule from RDA to discretionary and do not consider that additional matters of discretion are required as this is overly onerous.	Disallow

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		AND Rule P.R23		Reclassify as a discretionary activity rule. Any further consequential or alternative relief as may be necessary and appropriate to address concerns.			
Greater Wellington Regional Council	S238.002	General comments - definitions	Amend	<p>Suggest a new definition of "urban zone" to support the definition of unplanned greenfield development.</p> <p>Include new definition as follows:  <b>Urban zones are the following zones as set out in the National Planning standards:</b></p> <ul style="list-style-type: none"> <li>• Residential zones (large lot residential, low density residential, general residential, medium density residential, high density residential)</li> <li>• Commercial and mixed-use zones (neighbourhood centre, local centre, commercial, large format retail, mixed use, town centre, metropolitan centre, city centre)</li> <li>• Industrial zones (light industrial, general industrial, heavy industrial)</li> <li>• Special purpose zones unless it can be demonstrated that the special purpose zone is a rural zone</li> </ul>	Support	Kāinga Ora support the definition as it is in line with the National Planning Standards.	Allow
Greater Wellington Regional Council	S238.004	Hydrological control	Amend	<p>Considers there's a lack of clarity around what is required to be achieved through hydrological control, how this is done and there are different requirements needed for different scenarios.</p> <p>Provide greater specificity in the definition, policies and/or rules relating to hydrological control to make it clear what is required to be achieved and how and in what circumstances (i.e. are different requirements needed in different scenarios). The inclusion of a metric should be considered.</p>	Support in part	Kāinga Ora supports this proposed amendment, however, consider any rules that are supported by WSUD guidance should be non-statutory and sit outside of the plan.	Allow in part
Porirua City Council	S240.011	Impervious surfaces	Amend	<p>Notes there is no rule requiring rainwater reuse in PC1 or the NRP. Supports 'roof areas with rainwater collection' being excluded, as this is regulated through the Three Waters Chapter of the Proposed Porirua District Plan subject to Wellington Water specifications that provide for some limited reuse for gardening but do not require tanks to be plumbed back into the house. Concerns that this is a significant cost that not been assessed in the s32 Evaluation.</p> <p>Amend definition as follows: Surfaces that prevent or significantly impede the infiltration of stormwater into soil or the ground, includes: -roofs -paved areas (including sealed/compacted metal) such as roads, driveways, parking areas, sidewalks/foot paths or patios, and</p>	Support in part	Whilst Kāinga Ora support PCC in the intent of their submission point, Kāinga Ora do not consider the deletion of "a rain tank utilised for grey water reuse (permanently plumbed)" is a solution. Kāinga Ora consider that this, and the addition of rain tanks for attenuation should be included within the definition so as to allow for both options.	Allow in part

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				excludes: -grassed areas, gardens and other vegetated areas -porous or permeable paving -slatted decks which allow water to drain through to a permeable surface - porous or permeable paving and living roofs -roof areas with rainwater collection and reuse -any impervious surfaces directed to a rain tank utilised for grey water reuse (permanently plumbed)			
Hutt City Council	S211.013	Policy WH.P10: Managing adverse effects of stormwater discharges	Amend	<p>Supports in principle the regulation of stormwater contaminants through hydrological control and WSUD to improve freshwater outcomes. Notes there is overlap with Hutt City District Plan rules which also manage hydrology of stormwater to manage the demand on the three waters network from urban development, which is not addressed in the s32 report. Considers PC1 provisions are light on detail on how hydrological controls and WSUD will be implemented, in comparison with the THW-Three Waters chapter of the Draft Hutt City District Plan which requires hydraulic neutrality measures to assist with managing peak stormwater runoff from development sites so the risk of downstream flooding is not increased, and assist with prolonging the life of existing stormwater management systems. Considers the inclusion of technical specifications in the NRP can assist smaller developments as they could rely on the technical specifications without having to develop bespoke solutions for their site and undertaking expensive hydrological and/or engineering calculations to demonstrate compliance. Supports the recognition of catchment-scale communal schemes.</p> <p>Develop a more comprehensive policy and implementation framework with regard to hydrological control and water sensitive urban design measures, including acceptable solutions and amend policy accordingly.</p>	Support in part	Kāinga Ora supports the need for more detail in regard to WSUD but considers any guidance document should be non-statutory to allow for changes as process/design improvements are made.	Allow in part
Upper Hutt City Council	S225.073	Policy WH.P8: Avoiding discharges of specific products and waste.	Oppose	<p>Concerned high level policy relating to storm water network where consents already exist. Questions whether responsibility of consent holder to manage and monitor?</p> <p>Notes no specific thresholds so questions if washing cars and houses, animals confined in a paddocks, or driveways require a consent. Notes no consideration for environmentally friendly cleaning products. Considers scale for wet cement unclear, and questions if it relates to larger scale developments or small scale activities where cement pads are constructed for heat pump fans or sheds etc. Latter would be unworkable and unenforceable.</p>	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora agrees that the way in which this policy and subsequent rules are written, that small domestic tasks such as washing a car at home would be subject to this policy and subsequent rule framework, which is considered too onerous and not the intention of GWRC.	Allow in part

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				<p>Appears policy has not been well considered and is unclear what it is trying to achieve.</p> <p>Seek clarity on what animal effluent and what chemical cleaner as it is impossible to manage back yard cats and dogs for example, and not all chemical cleaners are the same. Identify scale for wet cement provision. Amend to clarify which discharges this policy relates.</p>			
Upper Hutt City Council	S225.075	Policy WH.P10: Managing adverse effects of stormwater	Amend	<p>Concerned chapeau of policy is too broad and questions whether, in relation to (c)(ii), is it also appropriate to include attenuation?</p> <p>Unclear what is meant by "load reduction factor" and concerned this might not be practical at an individual scale where discharge from site is into a stormwater network such as an individual house.</p> <p>Notes may be inappropriate for rural properties where a small discharge to land after rainwater collection, for example. Maintenance required for these types of stormwater treatment systems to be effective is inappropriate for individual properties and likely to result in failure.</p> <p>The scope of this policy should be narrowed to apply only to stormwater networks not individual developments within a network, except for point source discharges to surface water. This should not apply to one house or rural scenarios which discharge directly to land via soak pits or other similar systems.</p>	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora considers that attenuation should be considered at smaller scales.	Allow in part
Upper Hutt City Council	S225.094	Rule WH.R1: Point source discharges of specific contaminants - prohibited activity.	Oppose	<p>Concerned with: - lack of thresholds or scope of rule application - lack of specificity - some vehicle cleaning products are biodegradable and less harmful to the environment than others - fundamental inability to monitor against this rule - some of these in small quantities may be suitable for discharging to land, e.g. biodegradable cleaning products, cooking oil. As written, means that washing any car or washing house windows or walls would be a prohibited activity. Should a car fail, such as a boiled radiator or oil leak, this would also be a prohibited activity. Considers prohibited activities need to be clear and measurable without any need for interpretations and appears this rule has not been fully considered - particularly as to its purpose, applicability and practical (and reasonable) implementation.</p> <p>Delete or significantly rewrite to a more specific and reasonable approach. If a rule like this is retained, seek a more permissive activity status such as restricted</p>	Support	Kāinga Ora agree that small scale domestic activities would be caught within this rule.	Allow



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				discretionary. However, we note that it is impractical to require consent for these small scale activities, such as washing windows. If retained, this rule needs further consideration.			
Wellington City Council	S33.042 S33.092	Policy WH.P9: General stormwater policy to achieve the target attribute states and Coastal water objectives.  AND  Policy P.P9: General stormwater policy to Achieve the target attribute states and coastal water objectives	Amend	Supports in part the management of copper and zinc contamination however notes this is currently managed by District Plans.  Amend policy to clarify GWRC role is managing copper and zinc contamination.	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora agrees that this is appropriately dealt with at a district scale.	Allow in part
Wellington City Council	S33.043 S33.093	Policy WH.P10: Managing adverse effects of stormwater discharges  AND  Policy P.P10: Managing adverse effects of stormwater discharges	Amend	Considers proposed framework does not promote integrated management and will result in consenting overlap without evidence of improved resource management outcomes. Identifies that development discharges are already managed via a global stormwater discharge consent, and that the WCC PDP proposes to manage on-site stormwater for s9 land uses which includes both water quality and water quantity management. Considers that the regional plan rule framework duplicates consenting requirements and recommends the NRP stays silent on this and GWRC focus on higher-level management of discharge consents, including stormwater not connected to a local authority stormwater network.  Amend as follows: Policy WH.P10: Managing adverse effects of stormwater discharges All stormwater discharges and associated land use activities that is not managed by a stormwater management strategy shall be managed by..	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora agrees that this is appropriately dealt with at a district scale.	Allow in part
Wellington City Council	S33.046 S33.096	Policy WH.P14: Stormwater Discharges	Oppose	Considers proposed framework does not promote integrated management and will result in consenting overlap without evidence of improved resource management outcomes. Identifies that development	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora agrees that this is appropriately dealt with at a district scale.	Allow in part

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		from new and redeveloped impervious surfaces.  AND Policy P.P13:		discharges are already managed via a global stormwater discharge consent, and that the WCC PDP proposes to manage on-site stormwater for s9 land uses which includes both water quality and water quantity management. Considers that the regional plan rule framework duplicates consenting requirements and recommends the NRP stays silent on this and GWRC focus on higher-level management of discharge consents, including stormwater not connected to a local authority stormwater network			
Wellington City Council	S33.057 S33.058 S33.060 S33.061 S33.062 S33.064 S33.065 S33.107 S33.108 S33.110 S33.111 S33.112 S33.113 S33.115	Rule WH.R2: Rule WH.R3: Rule WH.R5: Rule WH.R6: Rule WH.R7: Rule WH.R10: Rule WH.R11: Rule P.R2: Rule P.R3: Rule P.R5: Rule P.R6: Rule P.R7: Rule P.R8: Rule P.R10:	Amend	Support in part. For the same reasons as set out in WH.R5 and to support integrated management and to remove the proposed overlapping consenting requirements from territorial authorities this rule should apply to stormwater that is discharged to local authority stormwater network.  Rule WH.R2: Stormwater to land - permitted activity The discharge of stormwater onto or into land, including where contaminants may enter groundwater: (a) that is not from a high risk industrial or trade premise, or (b) <del>that does not discharge from, or to, a local authority stormwater network</del> that written permission has been obtained from the owner of the local authority stormwater network, is a permitted activity provided the following conditions are met...	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora agrees that this is appropriately dealt with at a district scale.	Allow in part
Wellington City Council	S33.148 - 151	Maps 86 - 89	Oppose	Concerns regarding the provision framework associated with the mapping of unplanned greenfields and whether it is the most appropriate way to achieve the objectives and policies of the NPS-FM 2020. Encourages GWRC to reconsider the appropriateness and legality of the proposed prohibited provisions.  Amend boundaries to include all open space zones within the urban boundary.	Support	Kāinga Ora support the exclusion of open space zones from the 'unplanned greenfield areas' and assume this is the intent of WCC's submission points.	Allow
Wellington Fish and Game Regional Council	S188.003	General comments - water bodies	Amend	Considers all waterbodies should have Target Attribute States including estuaries, wetlands and groundwater. Considers wetlands have been excluded in the NRP PC1 from having Target Attribute States set.  Seeks all waterbodies (including wetlands) have Target Attribute States.	Oppose	Kāinga Ora considers that this proposed amendment is too onerous and would require an unattainable level of recording and consenting.	Disallow



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Wellington Fish and Game Regional Council	S188.064 S188.065	Policy WH.P29: Management of earthworks.  Policy WH.P30: Discharge standard for earthwork s.	Not Stated	Considers if Erosion and Sediment Control Guideline (2021) was sufficient, there would be no sediment in waterways from earthworks. Notes earthworks still currently noted to cause sediment inputs into waterways around region, so increased measures to control inputs are required.	Oppose	Kāinga Ora consider the Erosion and Sediment Control Guideline (2021) sufficient in managing sediment and erosion control. Any changes to this need to be adequately consulted on.	Disallow
Wellington Water Ltd.	S151.003	General Comments – target attributes table	Oppose	The plan change include guidance or provisions that outline how proportional contribution to meeting the TAS can be demonstrated, and more realistic timeframes in the relevant TAS tables.  Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.	Support in part	Kāinga Ora supports the need for guidance or provisions that outline how proportional contribution to meeting the TAS can be demonstrated.	Allow
Wellington Water Ltd.	S151.008	General Comments – Stormwater Management	Amend	PC1 be amended to remove unnecessary modelling requirements which are currently to be undertaken by the consent holder;  Greater Wellington be responsible for all state of the environment modelling; and Reference to modelling 'concentrations' are removed.  Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.	Support in part	Kāinga Ora supports the relief sought by the submitter that PC1 is amend to remove unnecessary modelling for SMS which will place an unreasonably high burden on consent holders.	Allow in part
Wellington Water Ltd.	S151.015	General Comments – current legislation	Not Stated	Seeks all changes to PC1 that are necessary to give effect to changes to the NPS-FM or its application, should such changes be progressed while PC1 is being considered.	Support	Kāinga Ora supports the submission that PC1 should align provisions that are necessary to give effect to any changes to the NPS-FM.	Allow
Wellington Water Ltd.	S151.021	Interpretation – Hydrological Control	Oppose	Amend definition to ensure it is consistent with (or at least not inconsistent with) the RPS definition and preserves flexibility for managing flows from small to large. Supports standards based on a specified depth of rainfall retention (e.g. retention of the first 5mm of rainfall depth).  Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.	Support in part	Kāinga Ora supports the submission that specific standards should be provided based on specified depth of rainfall retention.	Allow in part
Wellington Water Ltd.	S151.025	Interpretation – Stormwater Catchment or sub-catchment	Amend	Revise the definition for clarity. Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.	Support	Kāinga Ora supports that the definition should be reviewed and revised for clarity and intended outcome.	Allow

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Wellington Water Ltd.	S151.055	Objective WH.O2: The health and wellbeing of Te Whanganu i-a-Tara's groundwater, rivers and natural wetlands and their margins are on a trajectory of measurable improvement towards wai ora.	Amend	Alter timeframe to 2060. Retain clause (a)  Amend clause (b): the hydrology of rivers and erosion processes, including bank stability, are <u>maintained and improved where degraded</u> and sources of sediment are reduced to a more natural level, and Combine or better distinguish clauses (f) and (g). Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.	Support in part	Kāinga Ora supports the relief sought to the extent that it is consistent with its submission, and further supports amendments to Clause B.	Allow in part
Wellington Water Ltd.	S151.055 S151.103	Objective WH.O3/P.P3: The health and wellbeing of coastal water quality, ecosystem s and habitats in Te Whanganu i-a-Tara is maintained or improved to achieve the coastal water objectives set out in Table 8.1.	Oppose	Provide further detail in relation to the baseline states and required timeframes in both this objective and Table 8.1.  Provide maps showing locations of high contaminant concentrations.  Amend objective to provide this further detail. In addition to the above, amend as follows:  The health and wellbeing of coastal water quality, ecosystems and habitats in Te Whanganui-a-Tara is <u>maintained, or improved or meaningful progress has been made towards improvement</u> to achieve the coastal water objectives set out in Table 8.1, and by 2040 2060. Define 'high contaminant concentrations' in clause (b) Combine or better distinguish clauses (g) and (h) Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.	Support in part	Kāinga Ora supports the relief sought to the extent that it is consistent with its primary submission. Kāinga Ora supports amendments to the objective that provide maps/detail regarding high contaminant concentrations and provide for meaningful progress in order to achieve the objectives.	Allow in part
Wellington Water Ltd.	S151.059 S151.106	Objective WH.O9/PO6: Water quality, habitats, water quantity and ecological processes of rivers are maintained or improved.	Amend	Revise clause (a) as follows:  'where a target attribute state in Table 8.4 is not met, the state of that attribute is improved in all rivers and river reaches in the part Freshwater Management Unit so that the target attribute state is met within the timeframe indicated within Table 8.4, or meaningful progress has been made and'  Link huanga with Schedule B and improve wording. Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.	Support in part	Kāinga Ora supports in part the relief sought to the extent that it is consistent with its primary submission, primarily the amendments to provide for meaningful progress in order to achieve the objectives.	Allow in part

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Wellington Water Ltd.	S151.073 S151.109	Policy WH.P2/P.P2 Management of activities to achieve target attribute states and coastal water objectives.	Amend	<p>Clarify how the FAP provisions will work alongside existing TAS provisions, network discharge consent provisions, and in particular Schedules 31 and 32.</p> <p>Provide clarity over relationship between 'non-regulatory methods' and 'work programmes'.</p> <p>Amend policy to the extent necessary to appropriately reflect these interrelationships. Amend provision as follows: <del>(b) encouraging and where appropriate, requiring that</del> redevelopment activities within existing urban areas <del>to shall</del> reduce the existing urban contaminant load, and <del>(c)</del> imposing hydrological controls on:</p> <p>(i) urban development and</p> <p>(ii) <del>where appropriate and practicable, stormwater discharges to rivers in relation to streambank erosion</del></p> <p>Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.</p>	Oppose in part	Kāinga Ora supports relief sought to the extent that it is consistent with its primary submission. Kāinga Ora opposes the requirement for redevelopment activities to reduce the existing urban contaminant load, but generally supports only requiring hydrological controls where appropriate and practicable in relation to SW discharges to rivers.	Allow in part
Wellington Water Ltd.	S151.083 S151.117	Policy WH.P14/P.P13: Stormwater discharges from new and redevelop ed impervious surfaces.	Amend	<p>Review policy, in particular the reference to mean annual runoff, to ensure that the policy imposes targets that are readily measurable, able to be easily implemented, and clearly relate to the effects of runoff on the environment.</p> <p>Other relief as may be required to address the issues identified, including relief that is alternative, additional or consequential.</p>	Support	Kāinga Ora supports the review of the policy including the reference to mean annual runoff, and ensuring the policy clearly relates to the effects of runoff on the environment.	Allow
Wellington Water LTD	S151.093 S151.125	Rule WH.R5/P.R5: Stormwater from new and redeveloped impervious surfaces - permitted activity.	Amend	<p>Concerned that (f) and (g) should not be occurring even if they are via the stormwater network and that it is the landowner's responsibility to resolve.</p> <p>Delete the following clause: <del>and where the discharge is not via an existing local authority stormwater network the discharge shall also not:</del></p>	Oppose	Removal of this part of the rule does not make sense given that this part of the rule captures effects from the unpip ed network.	Disallow
Winstone Aggregates	S206.047	Policy WH.P30: Discharge standard for earthworks.	Oppose	<p>Notes the policy refers to "an existing or new stormwater network" and "artificial watercourse" as a receiving environment. Considers the policy can only regulate discharges where they enter "water", in accordance with RMA s15, and that water within a stormwater network is not subject to Regional Council jurisdiction. Further notes artificial watercourses are often piped or within tanks and therefore not subject to RMA s15. Seeks changes to only refer to discharges to natural receiving waterbodies. Considers the requirement in clause (c) for a "suitably</p>	Support in part	<p>Subject to the Kāinga Ora primary submission, Kāinga Ora agrees that the policy can only regulate discharges where they enter "water", as defined by s2 and in accordance with s15 of the RMA.</p> <p>Kāinga Ora support changes to the earthworks definition in line with the Kāinga Ora primary submission.</p>	Allow in part

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				<p>qualified person" to monitor the discharge is not always practicable and will be unreasonably costly. Seeks amendment to provide discretion and to provide for a "suitably trained person". Considers the policy particularly prescriptive, reflecting conditions of a rule or consent rather than a policy directive.</p> <p>Submitter refers to their relief sought for the definition of "earthworks", to recognise current exceptions in the Operative NRP. Considers the policy will apply to earthworks of all kinds and scales. Considers the proposed policy and rule framework results in impracticalities due to the broad definition of earthworks, which is often not proportionate to the effects being managed.</p>			
Winstone Aggregates	S206.049 S206.052 S206.077 S206.079	<p>Rule WH.R1: Point source discharges of specific contaminants - prohibited activity.</p> <p>Rule WH.R6: Stormwater from new greenfield impervious surfaces - controlled activity</p> <p>Rule P.R1: Point source discharges of specific contaminants - prohibited activity.</p> <p>Rule P.R5: Stormwater from new and redeveloped impervious surfaces - permitted activity</p>	Amend	<p>Seeks amendment to reference to "stormwater network", noting that they are piped and therefore not considered "water" or subject to Regional Council jurisdiction. Considers the rule may apply to stormwater discharges to a surface waterbody from a stormwater network, but cannot manage effects before that point.</p>	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora agrees that the policy can only regulate discharges where they enter "water", as defined by s2 and in accordance with s15 of the RMA.	Allow in part

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Woodridge Holdings Ltd	S255.007	General comments - urban development	Oppose	Notes that PC1 does not include a Water Sensitive Urban Design Guide and so Council is asking developers via PC1 to implement measures into developments which it has not considered and provided guidance on. Considers this document should be prepared at the same time or before PC1 as typical water sensitive urban design measures are not going to work in large parts of the region due to the topography and the nature of the underlying material. Considers the approach makes it difficult for applicants to know what is likely to be acceptable under the rules and will result in a huge waste of time and resources for all parties involved.	Support in part	Kāinga Ora agree that PC1 does not provide certainty in terms of sufficient treatment measures and agrees that guidance will provide clarity to plan users. Kāinga Ora considers that this document should however sit outside of the plan as a guidance document in order for it to be updated when required without the need for a Schedule 1 process.	Allow in part
Woodridge Holdings Ltd	S255.010	Erosion and sediment management plan	Amend	Notes there are definitions for plantation forestry and vegetation clearance on highest erosion risk land, but no definition associated with earthworks generally. Add a definition for an erosion and sediment control plan for general earthworks.	Support	Kāinga Ora supports this submission as it provides clarity for plan users.	Allow
Woodridge Holdings Ltd	S255.012	Impervious surfaces	Amend	Notes inconsistencies including porous or permeable paving which is permeable and is specifically excluded from the definition of impervious surfaces, when compacted metal is excluded. However, porous, or permeable paving, has to sit on top of a subgrade of compacted metal/gravel so that it does not settle over time. Questions if roof areas with rainwater collection and reuse, and any impervious surfaces directed to a rain tank utilised for grey water reuse (permanently plumbed), are the same thing Notes that the 10,000 Ltr stormwater reuse tanks required by the KCDC District Plan are not designed to attenuate stormwater flows but to alleviate water supply issues and would have little impact upon stormwater flows. Considers a dedicated stormwater attenuation tank will empty over time and a level of attenuation for all rainfall events.  Remove, "roof areas with rainwater collection and reuse" and "any impervious surfaces directed to a rain tank utilised for grey water reuse (permanently plumbed)" from the exclusions and add "roof areas with rainwater attenuation" and "any impervious surfaces directed to a rainwater detention device" to the exclusion.	Support in part	Kāinga Ora supports this amendment to allow for clarity. This change also alleviates any issues for development in Kāpiti whereby additional measures may be required under PC1 where attenuation tanks are already required.  Kāinga Ora does however consider that instead of replacing "roof areas with rainwater collection and reuse" and "any impervious surfaces directed to a rain tank utilised for grey water reuse (permanently plumbed)", "roof areas with rainwater attenuation" and "any impervious surfaces directed to a rainwater detention device" <b>should be added to the exclusion.</b>	Allow in part
Woodridge Holdings Ltd	S255.014	Redevelopment	Amend	Considers the definition of redevelopment should not include the word redevelopment as that is what is being defined. Notes the definition uses the words "existing urbanized property" and "brownfield development" but does not define what these are. Suggests it will be hard to know what is an "upgrade" and what is minor maintenance.	Support in part	Kāinga Ora supports this submission insofar as it aligns with the Kāinga Ora primary submission. Kāinga Ora agrees that replacement of existing surfaces should not be subject to resource consent.	Allow in part



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				Suggests existing developments have consent or existing use rights and should have the right to replace existing hard surfaces without the need for resource consent and replacing an existing drive, where no household unit's or EHU'S are proposed is not a redevelopment but maintenance and the same applies to Councils' roads and other hard surfaces and infrastructure. It they are not being widened or lengthened and the surface area is the same or very similar then this is not redevelopment.			
Woodridge Holdings Ltd	S255.015	Stabilisation	Amend	<p>Considers applying a definition to part of the region and nothing to the rest is inequitable and confusing. The definition should acknowledge that some areas inherently stable without the need to measures to be undertaken, eg.: exposed rock surfaces.</p> <p>Provide one definition for the entire region. Amend to acknowledge that some areas are inherently stable and as such do not require stabilisation.</p>	Support	Kāinga Ora agree that definitions relating to parts of the region that aren't specific to the outcomes for that catchment should be applied across the whole region to provide plan clarity.	Allow
Woodridge Holdings Ltd	S255.029	Policy WH.P15: Stormwater contaminant offsetting for new greenfield development.	Oppose	<p>WH.P14(a)(i) requires 85% of the mean annual runoff volume of stormwater to be treated. No allowance is provided for treating to a higher level, where that is possible. Considers this encourages people to do the minimum but incentivising through rates relief or reduced financial contribution payments could result in a higher level of treatment.</p> <p>Provide incentives for treating more than 85% of the mean annual runoff volume of stormwater.</p>	Support in part	Subject to the Kāinga Ora primary submission, Kāinga Ora supports the intension of this submission point insofar that requiring financial contributions on top of 85% compliance does not incentivise development to achieve better outcomes.	Allow in part
Woodridge Holdings Ltd	S255.037 and S255.083	Rule WH.R23: Earthworks - permitted activity.	Oppose	<p>Considers it will not be possible to comply with these rules as their conditions specify that there should be no discharge of sediment and suggests the majority small scale earthworks which are currently permitted would need a consent to ensure compliance is not an issue. Concern about GW resourcing to accommodate the costs generated by PC1.</p> <p>Considers WRC's own ESCP Guidelines don't consider or provide solutions for the level of treatment required, which is greater than that of a permitted stormwater discharge. Notes that as a result of these rules, the pre-earthworks development is allowed to discharge a prescribed level of SS and the post-development site is allowed to discharge a prescribed level of SS but the development phase is not allowed any, and topography and permeability in Wellington and Porirua makes treatment difficult.</p> <p>Withdraw and redraft PC1 or amend Rules WH.R23 and P.P22 so that they allow an appropriate level of SS in any stormwater discharge. 50g/m3 to Schedule A sites and</p>	Support in part	Subject to the Kāinga Ora primary submission, as notified ,the rule requires EW consent for ALL EW (no matter scale) unless all discharge can be prevented, which essentially means water has to be contained on site until EW stabilisation. This is not practical and has resulted in most urban development, even small scale EW requiring a regional discharge consent.	Allow in part

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				100g/m <sup>3</sup> to any other water body are noted in WH.R3 (notes these levels may need to be amended following submission by experts in this field).			