

Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation
Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council
PO Box 11646
Manners Street
Wellington 6142

Attn: Environmental Policy

By email: regionalplan@gw.govt.nz

Name of submitter: Peka Peka Farm Ltd
PO Box 370
Waikanae 5250

This is a submission on **Plan Change 1 to the Natural Resources Plan**.

Peka Peka Farm Ltd (PPFL) could not gain an advantage in trade competition as a result of this submission.

The specific provisions of the proposal that the submission relates to, the submission points, reasons and decisions sought are set out in the attached table. PPFL seeks that the decisions sought in the attached table are adopted, or any other such relief and/or consequential amendments are made that achieve an equivalent or similar outcome.

PPFL wishes to be heard in support of its submission. PPFL does not wish to present a joint case.


Signed: _____
On behalf of Peka Peka Farm Limited

Date: 15 December 2023

Address for Service:

Peka Peka Farm Limited
C/- Building Block Planning Limited
8A Travancore Street
Island Bay
Wellington 6140

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Introduction - Peka Peka Farm

PPFL owns land at Peka Peka that is presently zoned for rural purposes. PPFL is considering future development options for this site, including for urban development.

PPFL recognises that Plan Change 1 does not apply to the Kāpiti Coast district. However, PPFL also anticipates that a future plan change relevant to the Kāpiti Coast district will look to adopt a fundamentally similar approach to unplanned greenfield development and financial contributions relating to stormwater, as is now being proposed.

PPFL is opposed to the proposed approach to providing for unplanned greenfield development as a prohibited activity, and considers it is contrary to the requirements of the National Policy Statement on Urban Development (NPS-UD), in particular:

- Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.
- Objective 6(c): Local authority decisions on urban development that affect urban environments are:
 - ...
 - (c) **responsive, particularly in relation to proposals that would supply significant development capacity.**
- Policy 1(d): Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:
 - ...
 - (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.
- Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:
 - (a) Unanticipated by RMA planning documents; or
 - (b) Out-of-sequence with planned land release.

Providing for unplanned greenfield development as a prohibited activity is fundamentally at odds with the requirement of the NPS-UD to be responsive to unanticipated or out of sequence development and to support the competitive operation of land and development markets. The proposed approach would add significant costs that PPFL considers have not been appropriately assessed in the Section 32 evaluation for the plan change.

PPFL considers that there has been insufficient assessment of the proposed prohibited activity status, as compared to the use of a non-complying or discretionary activity status as proposed for 'planned' greenfield development. It is the targeted approach intended to preclude 'unplanned' greenfield development that is opposed.

PPFL is also opposed to the financial contribution regime proposed by Plan Change 1. PPFL considers that such an approach will negatively impact on housing affordability, is a one-size fits all approach that does not appear to take into account site specific approaches, and ignores opportunities to comprehensively treat stormwater onsite, for example through extensive wetland areas.

PPFL notes that on the 14th December 2023, the Government announced its intention to replace the NPS-FM. This creates an uncertain situation where the higher order policy direction which Plan Change 1 is giving effect to is now subject to change. This will result in Plan Change 1, which already takes a more restrictive position than what the NPS-FM requires, being even further out of step with the higher order policy it is seeking to give effect to.

Chapter	Provision	Support/Oppose/Amend	RMA Process	Submission	Relief Sought
Definitions	Unplanned greenfield development	Oppose	Part 1 Schedule 1	<p>PPFL is opposed to the proposed approach towards unplanned greenfield development.</p> <p>PPFL requests the deletion of the definition which forms part of a package of provisions opposed by PPFL.</p>	<p>Delete the definition:</p> <p>Greenfield development within areas identified as ‘unplanned greenfield area’ on maps 86, 87, 88 and 89 which also require an underlying zone change (from rural/nonurban/ open space to urban) through a District Plan change to enable the development.</p> <p>Note: Unplanned greenfield areas are those areas that do not have an urban or future urban zone at the time of Plan Change 1 notification, 30th October 2023.</p>
Chapter 8 Whaitua Te Whanganui-a-Tara	Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives.	Amend	Part 1 Schedule 1	<p>PPFL is opposed to the proposed approach towards unplanned greenfield development.</p> <p>PPFL requests amendment of the Policy reflective of this opposition, while still providing for stormwater quality matters to be addressed appropriately.</p> <p>PPFL requests a further amendment that addresses its opposition to the proposed financial contribution regime.</p>	<p>Amend the policy as follows:</p> <p>Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives</p> <p>Target attribute states and coastal water objectives will be achieved by regulating discharges and land-use activities in the Plan, and non-regulatory methods, including Freshwater Action Plans, by:</p> <p>(a) prohibiting unplanned greenfield development and for other greenfield developments minimising the contaminants from greenfield developments and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and</p> <p>(b) encouraging redevelopment activities within existing urban areas to</p>

					<p>reduce the existing urban contaminant load, and</p> <p>(c) imposing hydrological controls on urban development and stormwater discharges to rivers, and</p> <p>(d) requiring a reduction in contaminant loads from urban wastewater and stormwater networks, and</p> <p>(e) stabilising stream banks by excluding livestock from waterbodies and planting riparian margins with indigenous vegetation, and</p> <p>(f) requiring the active management of earthworks, forestry, cultivation, and vegetation clearance activities, and</p> <p>(g) soil conservation treatment, including revegetation with woody vegetation, of land with high erosion risk, and</p> <p>(h) requiring farm environment plans (including Freshwater Farm Plans) to improve farm practices that impact on freshwater.</p>
Chapter 8 Whaitua Te Whanganui-a-Tara	Policy WH.P15 Stormwater contaminant offsetting for new greenfield development	Oppose	Part 1 Schedule 1	PPFL opposes the proposed financial contribution approach as set out in proposed Schedule 30 and all associated provisions.	<p>Delete the policy.</p> <p>Policy WH.P15: Stormwater contaminant offsetting for new greenfield development</p> <p>The adverse effects of residual (post-treatment) stormwater contaminants from new greenfield development, roads (not already captured as part of a greenfield development) and state highways where the discharge will</p>

					enter a surface water body or coastal water, including via an existing or new stormwater network, are to be offset by way of a financial contribution in accordance with Schedule 30 (financial contribution).
Chapter 8 Whaitua Te Whanganui-a-Tara	Policy WH.P16: Stormwater discharges from new unplanned greenfield development.	Oppose	Part 1 Schedule 1	<p>PPFL is opposed to the proposed approach towards unplanned greenfield development.</p> <p>PPFL considers that the proposed approach is inconsistent with the anticipated outcomes and requirements of the NPS-UD, and in particular Objectives 2 and 6(c), and Policies 1(d) and 8.</p> <p>PPFL considers that the proposed prohibited activity status has been inadequately assessed in the section 32 evaluation.</p> <p>Requiring a plan change to both a district and regional plan will impose significant costs and is inconsistent with the requirement to be responsive to proposals that would provide for significant development capacity, as well as the requirement to support the competitive operation of land and development markets.</p>	<p>Delete the policy:</p> <p>Policy WH.P16: Stormwater discharges from new unplanned greenfield development</p> <p>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.</p>
Chapter 8 Whaitua Te Whanganui-a-Tara	Rule WH.R11 Stormwater from new and redeveloped impervious surfaces – discretionary activity	Amend	Part 1 Schedule 1	<p>PPFL is opposed to the proposed approach to financial contributions set out in proposed Schedule 30 and all associated provisions.</p>	<p>Delete matter (b) of the Rule and make any other necessary consequential amendments in respect of the proposed financial contribution regime:</p> <p>Rule WH.R11: Stormwater from new and redeveloped impervious surfaces – discretionary activity</p> <p>The use of land for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and</p>

					<p>redevelopment of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or Rule WH.R7, or prohibited under WH.R13 is a discretionary activity provided the following conditions are met:</p> <p>(a) the resource consent application includes a Stormwater Impact Assessment prepared in accordance with Schedule 29 (impact assessment), and</p> <p>(b) if the proposal is for greenfield development a financial contribution is paid for the purpose of offsetting the adverse effects of residual stormwater contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions).</p>
Chapter 8 Whaitua Te Whanganui-a-Tara	Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity.	Oppose	Part 1 Schedule 1	<p>PPFL is opposed to the proposed approach towards unplanned greenfield development.</p> <p>PPFL is opposed to Rule WH.R13 as a means to give effect to Policy WH.P16 and seeks its deletion.</p>	<p>Delete the rule:</p> <p>Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity</p> <p>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</p>

					water, including through an existing or proposed stormwater network, is a prohibited activity.
Chapter 9 Te Awarua- o-Porirua Whaitua	Policy P.P2: Management of activities to achieve target attribute states and coastal water objectives.	Amend	Part 1 Schedule 1	<p>PPFL is opposed to the proposed approach towards unplanned greenfield development.</p> <p>PPFL seeks an amendment to the Policy reflective of this opposition, that still provides for stormwater quality matters to be addressed appropriately.</p> <p>PPFL also requests an amendment that addresses its opposition to the proposed financial contribution regime.</p>	<p>Amend the policy as follows:</p> <p>Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives</p> <p>Target attribute states and coastal water objectives will be achieved by regulating discharges and land-use activities in the Plan, and non-regulatory methods, including Freshwater Action Plans, by:</p> <p>(a) prohibiting unplanned greenfield development and for other greenfield developments minimising the contaminants from greenfield developments and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and</p> <p>(b) encouraging redevelopment activities within existing urban areas to reduce the existing urban contaminant load, and</p> <p>(c) imposing hydrological controls on urban development and stormwater discharges to rivers, and</p> <p>(d) requiring a reduction in contaminant loads from urban wastewater and stormwater networks, and</p> <p>(e) stabilising stream banks by excluding livestock from waterbodies</p>

					<p>and planting riparian margins with indigenous vegetation, and</p> <p>(f) requiring the active management of earthworks, forestry, cultivation, and vegetation clearance activities, and</p> <p>(g) soil conservation treatment, including revegetation with woody vegetation, of land with high erosion risk, and</p> <p>(h) requiring farm environment plans (including Freshwater Farm Plans) to improve farm practices that impact on freshwater.</p>
Chapter 9 Te Awarua- o-Porirua Whaitua	Policy P.P14 Stormwater contaminant offsetting for new greenfield development	Oppose	Part 1 Schedule 1	PPFL is opposed to the proposed approach to financial contributions set out in proposed Schedule 30 and all associated provisions.	<p>Delete the policy.</p> <p>The adverse effects of residual (post-treatment) stormwater contaminants from new greenfield development, roads (not already captured as part of a greenfield development) and state highways where the discharge will enter a surface water body or coastal water, including via an existing or new stormwater network, are to be offset by way of a financial contribution in accordance with Schedule 30 (financial contribution).</p>
Chapter 9 Te Awarua- o-Porirua Whaitua	Policy P.P15: Stormwater discharges from new unplanned greenfield development.	Oppose	Part 1 Schedule 1	<p>PPFL is opposed to the proposed approach towards unplanned greenfield development.</p> <p>The proposed approach is inconsistent with the requirements of the NPS-UD, in particular Objectives 2 and 6(c), and Policies 1(d) and 8.</p> <p>The proposed prohibited activity status has been inadequately assessed in the section 32 evaluation.</p>	<p>Delete the policy:</p> <p>Policy P.P15: Stormwater discharges from new unplanned greenfield development</p> <p>Avoid all new stormwater discharges from unplanned greenfield development where the discharge will</p>

				<p>Requiring a plan change to both a district and regional plan will impose significant costs and is inconsistent with the requirement to be responsive to proposals that would provide for significant development capacity, as well the requirement to support the competitive operation of land and development markets.</p>	<p>enter a surface water body or coastal water, including through an existing local authority stormwater network.</p> <p>Note</p> <p>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.</p>
Chapter 9 Te Awarua- o-Porirua Whaitua	Rule P.R10: Stormwater from new and redeveloped impervious surfaces	Amend	Part 1 Schedule 1	<p>PPFL is opposed to the proposed financial contribution approach as set out in proposed Schedule 30 and all associated provisions.</p>	<p>Delete matter (b) of the Rule and make any other necessary consequential amendments in respect of the proposed financial contribution regime:</p> <p>Rule P.R10: Stormwater from new and redeveloped impervious surfaces – discretionary activity</p> <p>The use of land for the creation of new or redevelopment of existing impervious surfaces (including greenfield development and redevelopment of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including via an existing local authority stormwater network, that is not permitted by Rule P.R5, or a controlled activity under Rule P.R6 or Rule P.R7, or prohibited under P.R12 is a discretionary activity provided the following conditions are met:</p> <p>(a) the resource consent application includes a Stormwater Impact Assessment prepared in accordance</p>

					with Schedule 29 (impact assessment), and (b) if the proposal is for greenfield development, a financial contribution is paid for the purpose of offsetting the adverse effects of residual stormwater contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions);
Chapter 9 Te Awarua- o-Porirua Whaitua	Rule P.R12 – Stormwater discharges from new unplanned greenfield development – prohibited activity.	Oppose	Part 1 Schedule 1	PPFL is opposed to the proposed approach towards unplanned greenfield development. PPFL is opposed to Rule P.R12 as a means to give effect to Policy P.P15 and seeks its deletion.	Delete the rule: Rule P.R12: 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.
Chapter 12 - Schedules	Schedule 30: Financial Contributions	Oppose	Part 1 Schedule 1	PRL is opposed to the proposed financial contribution approach. PRL opposes the proposed approach as set out in proposed Schedule 30 and all associated provisions.	Delete Schedule 30
Chapter 13 – Maps	Map 86: Unplanned greenfield areas – Porirua City Council.	Oppose	Part 1 Schedule 1	PPFL is opposed to the proposed approach towards unplanned greenfield development. PPFL seeks the deletion of the map which forms part of a package of provisions opposed by PPFL.	Delete the map.

Chapter 13 – Maps	Map 87: Unplanned greenfield areas – Wellington City Council.	Oppose	Part 1 Schedule 1	PPFL is opposed to the proposed approach towards unplanned greenfield development. PPFL seeks the deletion of the map which forms part of a package of provisions opposed by PPFL.	Delete the map.
Chapter 13 – Maps	Map 88: Unplanned greenfield areas – Upper Hutt City Council.	Oppose	Part 1 Schedule 1	PPFL is opposed to the proposed approach towards unplanned greenfield development. PPFL seeks the deletion of the map which forms part of a package of provisions opposed by PPFL.	Delete the map.
Chapter 13 – Maps	Map 89: Unplanned greenfield areas – Hutt City Council.	Oppose	Part 1 Schedule 1	PPFL is opposed to the proposed approach towards unplanned greenfield development. PPFL seeks the deletion of the map which forms part of a package of provisions opposed by PPFL.	Delete the map.