

15 December 2023

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

**KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON PLAN CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

**This is a submission by Kāinga Ora - Homes and Communities on Plan Change 1 (“PC1”) from Greater Wellington Regional Council (“the Council” or “GWRC”) on the Natural Resources Plan for the Wellington Region (“the Plan” or “NRP”):**

Kāinga Ora does not consider it can gain an advantage in trade competition through this submission. In any event, Kāinga Ora is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

**The specific provisions of the proposal that this submission relates to:**

The proposed Plan Change 1 in its entirety.

**The Kāinga Ora submission is:**

1. Kāinga Ora Homes and Communities (“Kāinga Ora”) is a Crown Entity and is required to give effect to Government policies. Kāinga Ora has a statutory objective that requires it to contribute to sustainable, inclusive, and thriving communities that:
  - a) Provide people with good quality, affordable housing choices that meet diverse needs; and
  - b) Support good access to jobs, amenities and services; and

- c) Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
2. Because of these statutory objectives, Kāinga Ora has interests beyond its role as a public housing provider. This includes a role as a landowner and developer of residential housing and as an enabler of quality urban developments through increasing the availability of build-ready land across the Wellington region.
3. Kāinga Ora therefore has an interest in Plan Change 1 to the Natural Resources Plan and how it:
  - i. Gives effect to the National Policy Statement on Urban Development (“**NPS-UD**”)
  - ii. Gives effects to the National Policy Statement for Freshwater Management (**NPS-FM**) to the extent necessary, but also allows practically for development as envisioned by the NPS-FM and NPS-UD;
  - iii. Minimises barriers that constrain the ability to deliver urban development, including housing development across public housing, affordable housing, affordable rental, and market housing; and
  - iv. Provides for the provision of services and infrastructure and how this may impact on the existing and planned communities, including Kāinga Ora housing developments.
4. Kāinga Ora is generally supportive of PC1 and especially to the extent that the Plan Change incorporates Mātauranga Māori principles. Amendments are sought on specific matters, which are summarised further below.
5. In particular, Kāinga Ora supports the development of a planning framework and objectives with mana whenua partners to enhance waterways in the region, including:
  - a) How Te Mana o Te Wai applies to freshwater in the region.
  - b) Long-term visions for the management of freshwater and coastal water bodies in the Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua.
6. However, the submission of Kāinga Ora generally seeks outcomes across Plan Change 1 to ensure the Plan Change does not extend beyond that which is necessary to implement the NPS-FM, noting the considerable additional regulatory burden such a framework

imposes upon a range of stakeholders. This is considered appropriate to ensure the requirements in PC1 do not unnecessarily fetter the ability to deliver development outcomes, noting the national significance of enabling urban development.

7. Kāinga Ora is concerned about the implications of PC 1 and its response to Policy 3 of the NPS-FM as it relates to the delivery of urban development and consider that in some instances, PC1 falls beyond a whole-of-catchment approach.
8. The Kāinga Ora submission seeks amendments to PC1 in the following topic areas:
  - i. Chapter 2 – Interpretation – Changes are sought, including a new definition for Greenfield Development and amendments to the proposed definitions of hydrological controls and unplanned greenfield development.
  - ii. Chapter 8 – Whaitua Te-Whanganui-o-Tara – the notified provisions are generally supported, with amendments sought in relation to the following:
    - a) Kāinga Ora seeks further consideration of the stated timelines to achieve the targeted attribute states as identified in the provisions, to ensure that these take into consideration the feasibility and cost of achieving the prescribed timeframes. As notified, the provisions effectively require a dramatically altered environmental state within 16 years (i.e. by 2040), which are considered overly aspirational when balancing this with the use and development of land.
    - b) Kāinga Ora opposes the proposed framework introducing a prohibited activity status for “unplanned greenfield development”. Instead, a revised activity status is sought, with the incorporation of a set of criteria for out-of-sequence development that is more in line with the direction of the NPS-UD.
    - c) Kāinga Ora seeks a change of activity status for winter works, with accompanying amendments to the earthworks rules to exclude certain activities from the stated controls (such as trenching of infrastructure).
    - d) Seeks revised thresholds within the rules relating to the management of stormwater, with reconsideration of the activity status of some of the relevant rules.

- e) Introduce an alternative framework that enables greater consideration to be given to catchment scale treatment systems associated with comprehensive and progressively staged development. This should also intersect with the proposed financial contribution requirement for greenfield development.
  - f) Introduce a pathway within the rules for the creation and implementation of catchment based Stormwater Management Plans for other entities outside of local authority and State Highway networks.
- iii. Chapter 9 – Te Awarua-o-Porirua Whaitua – as above, the notified provisions are generally supported, with amendments sought in relation to the following:
- a) Kāinga Ora seeks further consideration of the stated timelines to achieve the targeted attribute states as identified in the provisions, to ensure that these take into consideration the feasibility and cost of achieving the prescribed timeframes. As notified, the provisions effectively require a dramatically altered environmental state within 16 years (i.e. by 2040), which are considered overly aspirational when balancing this with the use and development of land.
  - b) Kāinga Ora does not support the proposed framework introducing a prohibited activity status for “Unplanned greenfield development”. Instead, a revised activity status is sought, with the incorporation of a set of criteria for out-of-sequence development that is more in line with the direction of the NPS-UD.
  - c) Change of activity status for winter works, with accompanying amendments to the earthworks rules to exclude certain activities from the stated controls (such as trenching of infrastructure).
  - d) Revised thresholds within the rules relating to the management of stormwater, with reconsideration of the activity status of some of the relevant rules.
  - e) Introduce an alternative framework that enables greater consideration to be given to catchment scale treatment systems associated with comprehensive and progressively staged development. This should also intersect with the proposed financial contribution requirement for greenfield development.

- f) Introduce a pathway within the rules for the creation and implementation of catchment based Stormwater Management Plans for other entities outside of local authority and State Highway networks.
  - iv. Chapter 12 – Schedules - The notified schedules are generally supported, with amendments sought in relation to the following:
    - a) Schedule 30 - Financial Contributions – a review of this schedule is sought to enable consideration of whether a proposal is part of a wider comprehensive development (including those that are progressively staged) that includes a catchment scale stormwater treatment system, with a corresponding adjustment to the required financial contributions.
  - v. Chapter 13 – Maps - The notified maps are generally supported, with amendments sought in relation to the following:
    - a) Maps 86-89 Unplanned Greenfield Areas – Kāinga Ora seeks the review of, and expansion to, the areas identified as planned/existing urban areas. This includes, but is not limited to, the exclusion of open space zoned land from unplanned greenfield areas, particularly where these are located in an urban environment.
    - b) Maps 90-95 High/Highest Erosion Risk Land – Kāinga Ora sees a review of the maps to ensure they reflect the requisite level of analysis to apply at a site-based level (noting this is how the rule framework works).
  - vi. Any consequential changes necessary to give effect to the changes highlighted above or in Appendix 1 attached.
- 9. The changes requested are made to:
  - i. Ensure that Kāinga Ora can carry out its statutory obligations;
  - ii. Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991;
  - iii. Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
  - iv. Provide clarity for all plan users; and

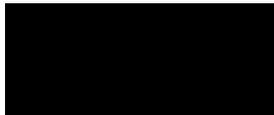
- v. Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.
10. The Kāinga Ora submission points and changes sought can be found within Table 1 of **Appendix 1** which forms the bulk of the submission.

**Kāinga Ora seeks the following decision from GWRC:**

That the specific amendments, additions or retentions which are sought as specifically outlined in **Appendix 1**, are accepted and adopted into the Natural Resources Plan, including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

**Kāinga Ora wishes to be heard in support of their submission.**

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on the Plan Change to the Natural Resources Plan to address the matters raised in its submission.

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**Brendon Liggett**  
**Development Planning Manager**  
**Kāinga Ora – Homes and Communities**

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## **Appendix 1: Decisions sought Greater Wellington Regional Council – Plan Change 1 to the Natural Resources Plan**

The following table sets out the amendments sought to Plan Change 1 to the Natural Resources Plan and also identifies those provisions that Kāinga Ora supports.

**Table 1**

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
<b>CHAPTER 2 - Interpretation</b>					
1.	2.2 Definitions	Earthworks	Support in Part	Kāinga Ora generally supports the definition as proposed as it aligns with the National Planning Standards definition. Clarification is sought in the related rules of Chapters 8 and 9 that exclude thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance.	Retain notified definition, subject to rules being amended to enable works associated with infrastructure.
2.	2.2 Definitions	GREENFIELD DEVELOPMENT	NEW DEFINITION SOUGHT	The provisions and rule framework refer to “greenfield development” but there is no corresponding definition.	Introduce new definition for Greenfield Development.
3.	2.2 Definitions	Hydrological controls*	Oppose	The proposed definition is non-specific. It is not appropriate for use as a permitted standard (i.e. “be reduced as far as practicable”) – who is responsible for determining the PA status, and on what basis?	Amendment sought to provide greater clarity as to what constitutes a hydrological control.
4.	2.2 Definitions	Impervious surfaces	Support	Kāinga Ora support the wording as proposed.	<i>Retain notified definition</i>
	2.2 Definitions	Redevelopment	Oppose	Kāinga Ora oppose the inclusion of reconstruction and replacement within the definition. Areas of existing impervious surfaces on a site, that are to be reconstructed (such as removal and reconstruction of dwelling and associated hard surfaces) are sought to be removed.	<i>Amendments sought</i>  Remove “reconstruction” and “replacement” from definition. Alternatively, create an appropriate exclusion for larger areas where no treatment is provided.
5.	2.2 Definitions	Stabilisation	Support	Kāinga Ora support the wording as proposed.	<i>Retain notified definition</i>
6.	2.2 Definitions	Stormwater treatment system	Support	Kāinga Ora support the wording as proposed.	<i>Retain notified definition</i>
7.	2.2 Definitions	Unplanned greenfield development	Oppose	Kāinga Ora oppose definition based on areas identified as ‘unplanned greenfield area’ on maps 86, 87, 88, and 89. <ul style="list-style-type: none"> <li>The areas in the maps do not reflect zoning changes that</li> </ul>	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Seek full review of, and expansion to the areas identified as planned/existing urban</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>have been made by the Porirua PDP Hearing Panel and they therefore exclude changes sought through submissions, or extensions to the Northern Growth Area added through Variation 1.</p> <ul style="list-style-type: none"> <li>• The proposed ‘unplanned greenfield areas’ comprising open space zoned land in Porirua will inhibit public housing projects. This definition and associated rule has significant implications for the development programme in eastern Porirua, particularly as some existing open space zoned land is intended to be acquired and or will be the subject of land swaps to facilitate urban development. Some land parcels have already commenced the reserve revocation process. Kāinga Ora therefore seeks the removal of open space from identified ‘unplanned greenfield area’.</li> <li>• Beyond this, it is unclear what constitutes “greenfield development” in the context of “unplanned greenfield development”, for example does this also include infrastructure? If so, this definition and associated rule framework is unworkable.</li> <li>• Related to the above, the existing rule framework would appear to constrain expansion and/or construction of new infrastructure in locations that benefit from a designation for such public works.</li> </ul>	<p>areas on maps 86-89.</p> <ul style="list-style-type: none"> <li>• Seek exclusion of land zoned as open space areas from unplanned greenfield areas where these are located in an urban environment.</li> <li>• Include new definition for Greenfield Development. Within this definition, seek also an exclusion of infrastructure works (as infrastructure works often traverses non-urban zones to service the urban environment). Further infrastructure works (including network upgrades) can result in the enhancement and betterment of environmental and water quality outcomes).</li> <li>• Delete associated Prohibited Activity rule framework / or reduce activity status to align with the NPS-UD.</li> </ul>
<b>8 Whaitua Te-Whanganui-o-Tara</b>					
<b>8.1 Whaitua Te-Whanganui-o-Tara Objectives</b>					
8.	8.1 Objectives	Objective WH.01 to Objective WH.09 and associated tables	Oppose in part	Kāinga Ora is mostly supportive of the proposed objectives – which incorporate Mātauranga Māori principles and seek to give effect to Te Mana o te Wai through setting out long term visions to achieve together with tangata whenua, while also	Consequential changes sought where relevant to reconcile outcomes to changes sought in specific rules.

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>preventing further loss or degradation of wetlands and streams as required by the NPS-FM. However, Kāinga Ora observes that some objectives would be very difficult to achieve.</p> <p>Kāinga Ora therefore generally seeks outcomes across PC1 to ensure the Plan Change does not extend beyond that necessary to implement the NPS-FM, noting the considerable additional regulatory burden such a framework imposes upon a range of stakeholders. This is considered appropriate to ensure the requirements in PC1 do not unnecessarily fetter the ability to deliver development outcomes, noting the national significance of enabling urban development.</p> <p>By way of example, in terms of timelines for achievement of the Target Attribute States provided within the provisions at WH.O2, WH.O3, Table 8.1, WH.O8, Table 8.4, and WH.P4, Kāinga Ora seeks an extended timeframe from the 2040 currently prescribed to a more realistic timeframe to consider the costs and feasibility of achieving the TAS.</p>	<p>Kāinga Ora request that amendments to the Plan Change are made to align with and not go beyond what is required under the NPS-FM.</p> <p>In this regard, changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.</p>
<b>8.2 Whaitua Te-Whanganui-o-Tara Policies</b>					
9.	8.2.1 General	Policy WH.P2: Management of activities to achieve target attribute states and coastal water objectives	Oppose	Kāinga Ora generally supports the intent of this policy, but opposes reference to prohibiting unplanned greenfield development at WH.P2(a). Reasons for this are discussed against the relevant policy and rule framework specific to unplanned greenfield development. As noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	<i>Amendments sought</i> Remove reference to prohibiting unplanned greenfield development at WH.P2(a).
10.	8.2.1 General	Policy WH.P4: Achievement of the visual clarity	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		target attribute states			feasibility and cost of achieving the prescribed timeframes.
11.	8.2.1 General	Table 8.5: Sediment load reductions required to achieve the visual clarity target attribute states	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.
12.	8.2.1 General	Policy WH.P6: Cumulative adverse effects of point source discharges	Oppose	Kāinga Ora supports the general intent of this policy, but opposes the restrictive avoid policy framework.	<i>Amendments sought</i> Changes are sought to remove the avoidance framework, or alternatively, introduce an appropriate qualifier statement to the avoidance framework.
13.	8.2.1 General	Policy WH.P8: Avoiding discharges of specific products and waste	Support in part	Kāinga Ora generally supports the proposed policy, but only in relation to the untreated state of discharges.	<i>Amendments sought:</i> Alter so all points relate to untreated discharges
14.	8.2.2 Stormwater	Policy WH.P9: General stormwater policy to achieve the target attribute states and coastal water objectives	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.
15.	8.2.2 Stormwater	Policy WH.P10: Managing adverse effects of	Support	Kāinga Ora broadly supports this policy, including but not limited to the ability to consider existing or proposed communal stormwater treatment systems in the SW catchment or sub-catchment.	<i>Retain policy as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		stormwater discharges		However, the proposed rule framework that flows from this requiring the control and treatment of stormwater at site and corresponding thresholds are considered to be overly restrictive – changes have been sought in the corresponding rules.	
16.	8.2.2 Stormwater	Policy WH.P13: Managing stormwater network discharges through a Stormwater Management Strategy	Support in part	Kāinga Ora generally supports this policy framework, but also seeks recognition of, and a pathway for, the development and implementation of catchment/sub-catchment Stormwater Management Plans for other entities outside of local authority and State Highway networks.	N/A
17.	8.2.2 Stormwater	Policy WH.P14 - Stormwater discharges from new and redeveloped impervious surfaces	Oppose	<p>Kāinga Ora generally supports provisions that seek to minimise the adverse effects of stormwater discharge on the environment; however, the 85% requirement as proposed by the policy introduces a significant cost to developers of a site. Kāinga Ora is concerned that this policy (whilst reading like a rule), would be difficult to achieve through redevelopment of existing urban environments where for example, existing roads will be utilised etc. This framework, if too stringent in its application, and could discourage brownfield redevelopment.</p> <p>Further the policy is framed as if all impervious surfaces are in fact holding contaminants needing to be treated, in some form. This seems a high and unreasonable test which will be costly to implement. Not all impervious surfaces need to be assumed to be holding contaminants (i.e. roof surfaces) and</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Review policy drafting to ensure it is more “policy focused”.</li> <li>• Consequential amendments are sought to reflect changes sought in associated rules</li> </ul>

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				<p>the focus should be more on those areas which contaminant loading is higher (i.e. roads with high vehicle use, large carpark areas, industrial areas).</p> <p>Kāinga Ora seeks amendment to provisions to recognise a pathway for the creation and implementation of Stormwater Management Plans for other entities outside of local authority and State Highway networks.</p>	
18.	8.2.2 Stormwater	Policy WH.P15: Stormwater contaminant offsetting for new greenfield development	Oppose	<p>Kāinga Ora opposes the financial contribution framework for greenfield development. The broader provisions and regulatory framework of PC1 is considered to be significantly onerous, and the further imposition of financial contributions will further limit the supply of affordable housing.</p>	<p>1. Kāinga Ora seek deletion of policy and rules associated in regard to the requirement to pay financial contributions;</p> <p>Alternatively, if the relief in 1 is not provided:</p> <p>2. Review financial contributions to enable consideration and account for of network improvements undertaken in the relevant catchment (to which the proposal relates), where such works would enhance existing water quality outcomes.</p>
19.	8.2.2 Stormwater	Policy WH.P16: Stormwater discharges from new unplanned greenfield development	Oppose	<p>Kāinga Ora oppose this policy and the Prohibited Rule framework, including the requirement that new greenfield development requires a separate GWRC plan change process. The proposed policy is considered to be too narrow since it does not provide any pathway or guidance other than avoidance.</p> <p>While it is recognised that objectives set in this plan change generally require significant improvements to water quality and ecosystem health in the urban influenced catchments</p>	<p>Kāinga Ora seek the deletion of this policy.</p> <p>Alternatively, amend the proposed policy to provide a pathway where the effects from additional stormwater discharges can be managed appropriately. This alternative framework could also incorporate a set of criteria for out of sequence development, which is in line with the direction of the NPS-UD.</p>

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				<p>(introduced through Whaitua process) and the NPS-FM requires water quality to be maintained or improved across all catchments, the proposed prohibited activity framework is considered to be overly onerous. It is acknowledged that discharges from new urban areas generally increase the contaminant load within an undeveloped area; however, it is too far to automatically conclude that this would impede achievement of the target attribute state. The proposed activity status fails to recognise 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. Recognising the RMA is an effects-based framework, it is unclear why new stormwater discharge from unplanned greenfield development is treated remarkably differently from stormwater discharge from planned development?</p> <p>The s32 analysis for PC1 contains inadequate justification of this framework, which is overly restrictive, has significant costs, and inherent inefficiencies.</p> <p>Kāinga Ora considers that the proposed framework is currently at odds with the NPS-UD – which requires responsiveness to urban development.</p>	<p>Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.</p>
20.	8.2.3 Wastewater	Policy WH.P17: General wastewater policy to achieve target attribute states	Support in part	<p>Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.</p>	<p>Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.</p>

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		and coastal objectives			
21.	8.2.3 Wastewater	Policy WH.P18: Progressing works to meet <i>Escherichia coli</i> target attribute states	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.
22.	8.2.4 Rural Land Use & Earthworks	Policy WH.P29 - Management of earthworks	Support in part	Kāinga Ora generally support this policy as development within the Wellington region typically require earthworks to be undertaken in accordance with the erosion and sediment control guideline for the Wellington region. Kāinga Ora do query, however, whether an accompanying technical review has been undertaken of the current GWRC Erosion and Sediment Control Guideline, and whether the practices set out within the document are capable of delivering the TSS standard under PC1? Kāinga Ora seek amendment to provide particular consideration to winter works (noting submission points against WH.P31).	Amendments sought <ul style="list-style-type: none"> <li>• Integrate consideration of winter works</li> <li>• consequential changes</li> </ul>
23.	8.2.4 Rural Land Use & Earthworks	Policy WH.P30 - Discharge standard for earthworks	Oppose	Kāinga Ora queries the 100g/m3 TSS standard for earthworks and seeks to understand what has informed this standard. The supporting technical reports refer to a reduction in annual sediment load of 40% per year but do not draw a connection between this target reduction and the proposed standard in PC1.	Kāinga Ora seeks review of and explanation of the 100g/m3 TSS standard.
24.	8.2.4 Rural Land Use & Earthworks	Policy WH.P31 - Winter shut down of earthworks	Oppose	Kāinga Ora oppose this policy and the non-complying rule framework. Consideration of winter works can be adequately considered as a listed matter of discretion within a RDA rule, with conditions being placed accordingly to manage works	Kāinga Ora seeks the deletion of this policy and consequential changes to WH.P29 and the related rule framework.

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				during this period. The framework as proposed in PC1 lacks real-world practical application.	
<b>8.3 Whaitua Te-Whanganui-o-Tara Rules</b>					
25.	8.3.2 Stormwater	Rule WH.R2 - Stormwater to land – permitted activity	Oppose in part	It is unclear how discharge to soakpits is to be considered within the rule framework (or more generally across PC1). Discharge to soakpits is sought to be permitted via this rule. Amendment is therefore sought to WH.R2(b) to clarify the presumed intent of this Permitted Activity rule i.e. that is not intended to capture discharge via soakpits (noting the definition of stormwater network includes soakpits). Otherwise, it appears that these could risk elevation to NC activity under P.WH12.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Clarify that soak pits are permitted</li> </ul>
26.	8.3.2 Stormwater	Rule WH.R5 - Stormwater from new and redeveloped impervious surfaces – permitted activity	Oppose	<p>Kāinga Ora opposes the current thresholds of this rule.</p> <p>WH.R5(a) - 1,000m<sup>2</sup> of impervious area is a low baseline for development and will require resource consent for all medium-large developments – this imposes a considerable regulatory burden and cost on development, which has not been adequately assessed within the s32 analysis.</p> <p>The rule requirements read as if all impervious surfaces hold contaminants in need of treatment of some form. Not all impervious surfaces need to be assumed to be holding contaminants (i.e. roof surfaces) and the focus should be more on those areas where contaminant loading is higher (i.e roads with high vehicle use, large carpark areas, industrial areas).</p> <p>It is unclear whether the 1000m<sup>2</sup> threshold relates to only new areas of impervious surfaces, or whether the overall</p>	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Increase permitted impervious surface threshold above 1000m<sup>2</sup> to at least no less than 5000m<sup>2</sup>.</li> <li>Clarify that the threshold relates to <i>new/additional</i> areas of impervious surfaces</li> <li>Clarify that external fixings are excluded at WH.R5(b)</li> <li>Delete WH.R5(c).</li> <li>Include permitted pathway for developments where they are operating under a certified sub-catchment Stormwater Management Plan [or similar].</li> </ul>

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				<p>total of impervious surfaces of a redeveloped site is limited to 1000m<sup>2</sup> (regardless of existing state). If the latter, Kāinga Ora seeks amendment so the 1000m<sup>2</sup> threshold relates only to new surfaces totalling more than 1000m<sup>2</sup>.</p> <p>WH.R5(b) – Kāinga Ora seek an exclusion statement that clarifies that external fittings such as nails, screws, brackets, clips are excluded.</p> <p>WH.R5(c) – current standard requiring hydrological control where new impervious surface exceeds 30m<sup>2</sup> is both overly restrictive and unclear as to how to determine compliance. Having reviewed the s32 analysis, it is unclear how the very low threshold of 30m<sup>2</sup> has been determined, and the definition of “hydrological control” is also unclear. Further, the understood method of compliance appears to conflict with other water standards managing this issue. For example, in meeting Wellington Water requirements for stormwater neutrality, an attenuation tank is often provided. These are sized in accordance with Wellington Water’s acceptable solutions. The sizing factors in both roof runoff and uncaptured run off from the paving and landscaping areas. This makes the site ‘stormwater neutral’ when assessing the flow rate leaving the site. However, it is understood that Wellington Water’s acceptable solutions do not align with the requirement for hydrological control as required under PC1. Kāinga Ora therefore seeks removal of this standard, noting the conflict with WWL standards, and duplication with emerging District Plan requirements.</p>	

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				Amendments are also sought to account for off-site controls that have been designed to manage catchment run-off from large-scale development works (despite these offsite works being undertaken separately from the “proposal”).	
27.	8.3.2 Stormwater	Rule WH.R6 - Stormwater from new greenfield impervious surfaces – controlled activity	Oppose	<p>Kāinga Ora opposes the 1,000m<sup>2</sup> threshold of impervious area (reasons outlined in WH.R5 are also applicable to WH.R6). An amendment is sought to increase this threshold.</p> <p>Kāinga Ora also seeks an additional measure by which a large-scale proposal can be considered as a Controlled Activity – regardless of compliance with WH.R6 (a) – where the stormwater is to be managed in accordance with a certified catchment/sub-catchment Stormwater Management Plan (or similar).</p> <p>Oppose WH.R6/P.R6(c) - financial contribution condition as it does not provide alternative framework applicable to catchment based solutions for attenuation, control and treatment associated with “greenfield development”, and does not provide for reductions where treatment exceeds 85%.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Increase the 1000m<sup>2</sup>-3000m<sup>2</sup> threshold to align with the at least minimum of 5000m<sup>2</sup> as a permitted activity in WH.R5.</li> <li>• Failing implementation of changes sought under WH.R5 above, provide for proposal to be Controlled activity where it fails to meet WH.R6(a), but is being undertaken in accordance with a certified sub-catchment Stormwater Management Plan [or similar].</li> <li>• Include an exclusion to WH.R6(c) where a proposal is being undertaken as part of a wider comprehensive development that includes a catchment scale stormwater treatment system.</li> </ul>
28.	8.3.2 Stormwater	Rule WH.R7 - Stormwater from new and redeveloped impervious surfaces of existing urbanised areas – controlled activity	Oppose	<p>Kāinga Ora oppose the starting point of a 1,000m<sup>2</sup> threshold of impervious area (see reasons outlined in WH.R5). Beyond this, the range (1000m<sup>2</sup>-3000m<sup>2</sup>) provided for in this rule is too restrictive and should be increased. An upper limit of at least 5000m<sup>2</sup> is suggested as a permitted activity. Also consider that this rule duplicates emerging regulation and rules introduced in District Plans in the region.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Increase the 1000m<sup>2</sup>-3000m<sup>2</sup> threshold commensurate with the minimum 5000m<sup>2</sup> threshold for permitted activities.</li> <li>• Failing implementation of changes sought under P.R5 above, provide for proposal to be Controlled activity where it fails to meet WH.R7(a), but is being undertaken in accordance with a certified sub-catchment Stormwater Management Plan [or similar].</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
29.	8.3.2 Stormwater	Rule WH.R11 - Stormwater from new and redeveloped impervious surfaces – discretionary activity	Oppose	<p>Kāinga Ora oppose threshold at which point this rule applies and seek that this is amended commensurate with the relief sought for permitted activities.</p> <p>Kāinga Ora also oppose the Discretionary activity status, and instead seek a RDA rule in its place along with relevant matters of discretion (which could include):</p> <ul style="list-style-type: none"> <li>• [matters outlined under WH.R7]</li> <li>• The contents and implementation of a Stormwater Impact Assessment prepared in accordance with schedule 29 (impact assessment),</li> <li>• Implementation of identified measures in a relevant stormwater management plan [or similar] for a catchment</li> </ul> <p>Oppose WH.R11(b) - financial contribution condition as it does not provide alternative framework applicable to catchment based solutions for attenuation, control and treatment associated with “greenfield development”. It also doesn’t allow for a corresponding reduction in cases where treatment exceeds the 85% requirement.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Reframe as a RDIS activity status</li> <li>• Increase the 3000m<sup>2</sup> threshold commensurate with the relief sought in WH.R5.</li> <li>• Include an exclusion to WH.R11(b) where a proposal is being undertaken as part of a wider comprehensive development that includes a catchment scale stormwater treatment system.</li> </ul>
30.	8.3.2 Stormwater	Rule WH.R12 - All other stormwater discharges – non-complying activity	Oppose in part	<p>Kāinga Ora oppose in part WH.R12(d) – and the link to non-compliance with conditions of WH.R11 insofar as it relates to financial contributions and similarly the reference to WH.R13 as a prohibited activity.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Remove reference to compliance with financial contributions as cross referenced in WH.R11.</li> <li>• Delete reference to WH.R13</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
31.	8.3.2 Stormwater	Rule WH.R13 - Stormwater from new unplanned greenfield development – prohibited activity	Oppose	<p>Kāinga Ora opposes the Prohibited Activity status.</p> <p>While it is recognised that objectives set in this plan change generally require significant improvements to water quality and ecosystem health in the urban influenced catchments (introduced through Whaitua process) and the NPS-FM requires water quality to be maintained or improved across all catchments, the proposed prohibited activity framework is considered to be overly onerous. It is acknowledged that discharges from new urban areas generally increase the contaminant load within an undeveloped area; however, it is too far to automatically conclude that this would impede achievement of the target attribute state. The proposed 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.</p> <p>The s32 analysis for PC1 contains inadequate justification of this framework, which is overly restrictive, has significant costs, and inherent inefficiencies.</p> <p>Kāinga Ora consider this framework is somewhat at odds with the NPS-UD – which requires responsiveness to urban development. Rather than the requirement of a plan change, Kāinga Ora suggest that a set of criteria for out of sequence development is provided in line with the NPS-UD.</p> <p>Concerns are also had around the lack of clarity in relation to how this framework is intended to apply. E.g. the term</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Delete rule.</li> <li>• Alternatively, amend activity status and remove consequential requirement for separate Plan Change process, instead incorporating a set of criteria for out of sequence development that is in line with the NPS-UD.</li> <li>• Seek full review of, and expansion to the areas identified as planned/existing urban areas on maps 86-89.</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>'greenfield development' is undefined. It is unclear what the full extent of activities are to be included within the scope of 'greenfield development' (and therefore prohibited)? If this were to include infrastructure, that would further extend Kāinga Ora concerns.</p> <p>Beyond this, the identified "Unplanned Greenfield Development" areas are disputed.</p>	
32.	8.3.4 Land Uses	Rule WH.R17 - Vegetation clearance on highest erosion risk land – permitted activity	Support in part	Kāinga Ora generally supports the intent of this rule but seeks a clear threshold for vegetation clearance that can occur as a permitted activity. The rule is currently silent on this.	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Introduce a permitted threshold of vegetation clearance.</li> </ul>
33.	8.3.4 Land Uses	Rule WH.R18 - Vegetation clearance on highest erosion risk land – controlled activity	Oppose	Kāinga Ora generally supports the intent of this rule, and recognises the need to manage sediment run-off from land use activities. However, the 200m <sup>2</sup> threshold is considered to be too onerous. Having reviewed the s32 analysis, it is unclear how 200m <sup>2</sup> for the clearance of woody vegetation has been arrived at, noting the operative NRP provides for such clearance up to 2ha.	<p><i>Amendments sought</i></p> <p>Increase the threshold of vegetation clearance before consent is required as a controlled activity.</p>
34.	8.3.5 Earthworks	Rule WH.R23 – Earthworks – Permitted Activity	Oppose	<p>Kāinga Ora broadly supports the intent of this rule (as amended by Clause 16), but oppose WH.R23(c)(iv) as it is not practical or achievable to avoid <i>all</i> discharge from the site.</p> <p>In addition, in recognition that PC1 proposes amendments to the <i>earthworks</i> definition, Kāinga Ora also seeks a statement that exempt activities associated with the trenching of services.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Delete WH.R23(c)(iv)</li> <li>• Include an exclusion within the rule that exempts activities associated with the trenching of services – i.e. thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance.</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
35.	8.3.5 Earthworks	Rule WH.R24 - Earthworks – restricted discretionary activity	Oppose	<p>Kāinga Ora query the 100g/m<sup>3</sup> TSS standard for earthworks and seek clarification as to what has informed this standard. The supporting technical reports refer to a reduction in annual sediment load of 40% per year but do not draw a connection between this target reduction and the proposed standard in PC1.</p> <p>Kāinga Ora opposes the condition in the rule at WH.R24(b) as it places a restriction on earthworks between 1st of June and 30th September and the resulting escalation to a non-complying activity. Instead, Kāinga Ora seeks that winter works are a listed matter of discretion.</p> <p>In addition, in recognition that PC1 proposes amendments to the <i>earthworks</i> definition to achieve alignment with the National Planning Standards definition, Kāinga Ora also seeks a statement that exempts activities associated with the trenching of services.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>Delete the condition in the rule at WH.R24(b) where it places a restriction on earthworks between 1st of June and 30th September and the resulting escalation to a non-complying activity. Instead, include winter works as a matter of discretion within the relevant RDA rule.</li> <li>Include an exclusion within the rule that exempts activities associated with the trenching of services – i.e. thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance.</li> </ul>
36.	8.3.5 Earthworks	Rule WH.R25 - Earthworks – non-complying activity	Oppose	<p>Kāinga Ora opposes the non-complying rule insofar as it relates to winter works. Instead, Kāinga Ora seeks that winter works are a listed matter of discretion under WH.R24.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>Delete WH.R25 with consideration of winter works being a listed matter of discretion under WH.R24.</li> </ul>
<b>9 Te Awarua-o-Porirua Whaitua</b>					
<b>9.1 Te Awarua-o-Porirua Whaitua Objectives</b>					
37.	9.1 Objectives	Objective P.01 to Objective P.06 and associated tables	Oppose in part	<p>Kāinga Ora is mostly supportive of the proposed objectives – which incorporate Mātauranga Māori principles and seek to give effect to Te Mana o te Wai through setting out long term visions to achieve together with tangata whenua, while also preventing further loss or degradation of wetlands and streams as required by the NPS-FM. However, Kāinga Ora</p>	<p>Consequential changes sought where relevant to reconcile outcomes to changes sought in specific rules.</p> <p>Kāinga Ora request that amendments to the Plan Change are made to align with and not go</p>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>observes that some objectives would be very difficult to achieve.</p> <p>Kāinga Ora therefore generally seeks outcomes across PC1 to ensure the Plan Change does not extend beyond that necessary to implement the NPS-FM, noting the considerable additional regulatory burden such a framework imposes upon a range of stakeholders. This is considered appropriate to ensure the requirements in PC1 do not unnecessarily fetter the ability to deliver development outcomes, noting the national significance of enabling urban development. Kāinga Ora is concerned of the implications of PC1 and its response to Policy 3 of the NPS-FM as it relates to the delivery of urban development.</p> <p>By way of example, in terms of timelines for achievement of the Target Attribute States provided within the provisions at P.O2, P.O3, Table 9.1 , P.O6, Table 9.2, and P.P4, Kāinga Ora seeks an extended timeframe from the 2040 currently prescribed to a more realistic timeframe to consider the costs and feasibility of achieving the TAS.</p>	<p>beyond what is required under the NPS-FM.</p> <p>In this regard, changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of successfully meeting these requirements in the stated timeframes.</p>
<b>9.2 Te Awarua-o-Porirua Whaitua Policies</b>					
38.	9.2.1 General	Policy P.P1 - Improvement of aquatic ecosystem health	Support	Kāinga Ora generally support this policy as it focuses on the improvement of ecosystem health, which is consistent with the NPS-FM.	<i>Retain as notified</i>
39.	9.2.1 General	Policy P.P2 - Management of activities to achieve target attribute states	Oppose in part	Kāinga Ora generally support this policy as it focuses on the new attributes aimed specifically at providing for ecosystem health, which is consistent with the NPS-FM; although the related timeline for achievement of the corresponding TAS is sought to be extended, as noted elsewhere.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Remove reference to prohibiting unplanned greenfield development at P.P2(a).</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		and coastal water objectives		Kāinga Ora does, however, oppose reference to prohibiting unplanned greenfield development at P.P2(a). Reasons for this are discussed against the relevant policy and rule framework specific to unplanned greenfield development.	
40.	9.2.1 General	Policy P.P4 - Contaminant load reductions	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.
41.	9.2.1 General	Table 9.3: Harbour arm catchment contaminant load reductions	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.
42.	9.2.1 General	Policy P.P8 - Avoiding discharges of specific products and waste	Support in part	Kāinga Ora generally supports the proposed policy, but seeks amended so it relates to the untreated state of discharges.	<i>Amendments sought:</i> <ul style="list-style-type: none"> <li>Alter so all points relate to untreated discharges</li> </ul>
43.	9.2.2 Stormwater	Policy P.P9 - General stormwater policy to achieve the target attribute states and coastal water objectives	Support	Kāinga Ora supports this general policy which outlines requirement to manage SW discharge in order to achieve the stated TAS in the identified timeframes	N/A
44.	9.2.2 Stormwater	Policy P.P10 - Managing adverse effects of	Support in part	Kāinga Ora broadly supports this policy, including but not limited to the ability to consider existing or proposed communal stormwater treatment systems in the SW catchment or sub-catchment.	<i>Retain as notified</i>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		stormwater discharges		However, the proposed rule framework that flows from this requiring the control and treatment of stormwater at site and corresponding thresholds are considered to be overly restrictive – changes have been sought in the corresponding rules.	
45.	9.2.2 Stormwater	Policy P.P13 - Stormwater discharges from new and redeveloped impervious surfaces	Oppose in part	<p>Kāinga Ora generally supports provisions that seeks to minimise the adverse effects of stormwater discharge on the environment; however, the 85% requirement as proposed by the policy introduces a significant cost to developers of a site. Kāinga Ora is concerned that this policy (whilst reading like a rule), would be difficult to achieve through redevelopment of existing urban environments where for example, existing roads will be utilised etc. This framework, if too stringent in its application, could discourage brownfield redevelopment.</p> <p>Kāinga Ora seeks amendment to provisions to recognize a pathway for the creation and implementation of Stormwater Management Plans for other entities outside of local authority and State Highway networks.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>Consequential amendments are sought to reflect changes sought in associated rules</li> </ul>
46.	9.2.2 Stormwater	Policy P.P14 - Stormwater contaminant offsetting for new greenfield development	Oppose	<p>Kāinga Ora opposes the financial contribution framework for greenfield development. The broader provisions and regulatory framework of PC1 is considered to be significantly onerous, and the further imposition of financial contributions will further limit the supply of affordable housing. Further, the Plan Change does not include a definition of greenfield development, which creates unhelpful ambiguity within the proposed framework.</p>	<ol style="list-style-type: none"> <li>Kāinga Ora seek deletion of policy and rules associated in regard to the requirement to pay financial contributions;</li> </ol> <p>Alternatively, if the relief in 1 is not provided:</p> <ol style="list-style-type: none"> <li>Review financial contributions to enable consideration and account for network improvements undertaken in the relevant catchment (to which the proposal relates),</li> </ol>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
					where such works would enhance existing water quality outcomes.
47.	9.2.2 Stormwater	Policy P.P15 - Stormwater discharges from new unplanned greenfield development	Oppose	<p>Kāinga Ora oppose this policy and the Prohibited Rule framework, including the requirement that new greenfield development requires a separate GWRC plan change process. The proposed policy is considered to be too narrow since it does not provide any pathway or guidance other than avoidance.</p> <p>While it is recognized that objectives set in this plan change generally require significant improvements to water quality and ecosystem health in the urban influenced catchments (introduced through Whaitua process) and the NPS-FM requires water quality to be maintained or improved across all catchments, the proposed prohibited activity framework is considered to be overly onerous. It is acknowledged that discharges from new urban areas generally increase the contaminant load within an undeveloped area; however, it is too far to automatically conclude that this would impede achievement of the target attribute state. The proposed 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. Recognising the RMA is an effects-based framework, it is unclear why new stormwater discharge from unplanned greenfield development is treated remarkably differently from stormwater discharge from planned development?</p>	<p>Kāinga Ora seek the deletion of this policy.</p> <p>Alternatively, amend the proposed policy 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>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>The s32 analysis for PC1 contains inadequate justification of this framework, which is overly restrictive, has significant costs, and inherent inefficiencies.</p> <p>Kāinga Ora considers that the proposed framework is currently at odds with the NPS-UD – which requires responsiveness to urban development.</p>	
48.	9.2.3 Wastewater	Policy P.P16 - General wastewater policy to achieve target attribute states and coastal water objectives	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.
49.	9.2.3 Wastewater	Policy P.P17 - Progressing works to meet <i>Escherichia coli</i> target attribute states	Support in part	Kāinga Ora generally supports this, but as noted elsewhere, Kāinga Ora would support an extended timeline for the achievement of meeting the TAS.	Changes are sought that would reflect an extended timeline for the achievement of TAS which takes into greater consideration the feasibility and cost of achieving the prescribed timeframes.
50.	9.2.4 Rural Land Use & Earthworks	Policy P.P27 - Management of earthworks sites	Support in part	Kāinga Ora generally support this policy as development within the Wellington region typically require earthworks to be undertaken in accordance with the erosion and sediment control guideline for the Wellington region. Kāinga Ora do query, however, whether accompanying technical review been undertaken of the current GWRC Erosion and Sediment Control Guideline, and whether the practices set out within the document are capable of delivering the TSS standard under PC1? Kāinga Ora seek amendment to provide particular consideration to winter works (noting submission points against P.P29).	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>Integrate consideration of winter works</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
51.	9.2.4 Rural Land Use & Earthworks	Policy P.P28 - Discharge standard for earthworks sites	Support in part	Kāinga Ora generally support this provision, but query the 100g/m <sup>3</sup> total suspended soils standard for earthworks – what has informed this standard? The supporting technical reports refer to a reduction in annual sediment load of 40% per year but do not draw a connection between this target reduction and the proposed standard in PC1.	N/A
52.	9.2.4 Rural Land Use & Earthworks	Policy P.P29 - Winter shut down of earthworks	Oppose	Kāinga Ora oppose this policy and the non-complying rule framework. Consideration of winter works can be adequately considered as a listed matter of discretion within a RDA rule, with conditions being placed accordingly to manage works during this period. The framework as proposed in PC1 lacks real-world practical application.	Kāinga Ora seek the deletion of this policy and consequential changes to P.P27 and the related rule framework.
<b>9.3 Te Awarua-o-Porirua Whaitua Rules</b>					
53.	9.3.2 Stormwater	Rule P.R2 - Stormwater to land – permitted activity	Oppose in part	It is unclear how discharge to soakpits is to be considered within the rule framework (or more generally across PC1). Discharge to soakpits is sought to be permitted via this rule. Amendment is therefore sought to P.R2(b) to clarify the presumed intent of this Permitted Activity rule i.e. that is not intended to capture discharge via soakpits (noting the definition of stormwater network includes soakpits). Otherwise, it appears that these could risk elevation to NC activity under P.R11.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Clarify rule such that soak pits are permitted</li> </ul>
54.	9.3.2 Stormwater	Rule P.R5 - Stormwater from new and redeveloped impervious surfaces – permitted activity	Oppose	Kāinga Ora opposes the current thresholds within this rule.  P.R5(a) - 1,000m <sup>2</sup> of impervious area is a low baseline for development and will require resource consent for all medium-large developments – this imposes a considerable regulatory burden and cost on development, which has not been adequately assessed within the s32 analysis.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Increase permitted impervious surface threshold above 1000m<sup>2</sup> to at least 5000m<sup>2</sup>.</li> <li>Clarify that the threshold relates to <i>new/additional</i> areas of impervious surfaces</li> <li>Clarify that external fixings are excluded at P.R5(b).</li> <li>Delete P.R5(c).</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>The rule requirements read as if all impervious surfaces hold contaminants in need of treatment of some form. Not all impervious surfaces need to be assumed to be holding contaminants (i.e. roof surfaces) and the focus should be more on those areas where contaminant loading is higher (i.e roads with high vehicle use, large carpark areas, industrial areas).</p> <p>It is unclear whether the 1000m<sup>2</sup> threshold relates to only new areas of impervious surfaces, or whether the overall total of impervious surfaces of a redeveloped site is limited to 1000m<sup>2</sup> (regardless of existing state). If the latter, Kāinga Ora seeks amendment so the 1000m<sup>2</sup> threshold relates only to new surfaces totalling more than 1000m<sup>2</sup>.</p> <p>P.R5(b) – Kāinga Ora seek an exclusion statement that clarifies that external fittings such as nails, screws, brackets, clips are excluded.</p> <p>P.R5(c) – current standard requiring hydrological control where new impervious surface exceeds 30m<sup>2</sup> is both overly restrictive and unclear as to how to determine compliance. Having reviewed the s32 analysis, it is unclear how the very low threshold of 30m<sup>2</sup> has been determined, and the definition of “hydrological control” is also unclear. Further, the understood method of compliance appears to conflict with other water standards managing this issue. For example, in meeting Wellington Water requirements for stormwater neutrality, an attenuation tank is often provided. These are sized in accordance with Wellington Water’s acceptable solutions. The sizing factors in both roof runoff and</p>	<ul style="list-style-type: none"> <li>• Include permitted pathway for developments where they are operating under a certified sub-catchment Stormwater Management Plan [or similar].</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>uncaptured run off from the paving and landscaping areas. This makes the site ‘stormwater neutral’ when assessing the flow rate leaving the site. However, it is understood that Wellington Water’s acceptable solutions do not align with the requirement for hydrological control as required under PC1. Kāinga Ora therefore seeks removal of this standard, noting the conflict with WWL standards, and duplication with emerging District Plan requirements.</p> <p>Amendments are also sought to account for off-site controls that have been designed to manage catchment run-off from large-scale development works (despite these offsite works being undertaken separately from the “proposal”).</p>	
55.	9.3.2 Stormwater	Rule P.R6 - Stormwater from new greenfield impervious surfaces – controlled activity	Oppose	<p>Kāinga Ora opposes the 1,000m<sup>2</sup> threshold of impervious area (reasons outlined in P.R5 are also applicable to P.R6). An amendment is sought to increase this threshold in line with the relief sought in P.R5 above.</p> <p>Kāinga Ora also seeks an additional measure by which a large-scale proposal can be considered as a Controlled Activity – regardless of compliance with P.R6 (a) – where the stormwater is to be managed in accordance with a certified catchment/sub-catchment Stormwater Management Plan (or similar).</p> <p>Oppose P.R6(c) - financial contribution condition as it does not provide alternative framework applicable to catchment based solutions for attenuation, control and treatment associated with “greenfield development”, and does not provide for reductions where treatment exceeds 85%.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Increase the 1000m<sup>2</sup>-3000m<sup>2</sup> threshold commensurate with the relief sought in P.R5 above seeking a permitted threshold of at least 5000m<sup>2</sup>.</li> <li>• Failing implementation of changes sought under P.R5 above, provide for proposal to be Controlled activity where it fails to meet P.R6(a), but is being undertaken in accordance with a certified sub-catchment Stormwater Management Plan [or similar].</li> <li>• Include an exclusion to P.R6(c) where a proposal is being undertaken as part of a wider comprehensive development that includes a catchment scale stormwater treatment system.</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
56.	9.3.2 Stormwater	Rule P.R7 - Stormwater from new and redeveloped impervious surfaces of existing urbanised areas – controlled activity	Oppose	<p>Kāinga Ora oppose the starting point of a 1,000m<sup>2</sup> threshold of impervious area (see reasons outlined in P.R5).</p> <p>Beyond this, the range (1000m<sup>2</sup>-3000m<sup>2</sup>) provided for in this rule is too restrictive and should be increased. An upper limit of 5000m<sup>2</sup> is suggested.</p> <p>Also consider that this rule duplicates emerging regulation and rules introduced in District Plans in the region.</p>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Increase the 1000m<sup>2</sup>-3000m<sup>2</sup> threshold commensurate to the relief sought in P.R5 seeking a permitted threshold of at least 5000m<sup>2</sup>.</li> <li>• Failing implementation of changes sought under P.R5 above, provide for proposal to be Con activity where it fails to meet P.R6(a), but is being undertaken in accordance with a certified sub-catchment Stormwater Management Plan [or similar].</li> </ul>
57.	9.3.2 Stormwater	Rule P.R10 - Stormwater from new and redeveloped impervious surfaces – discretionary activity	Oppose	<p>Kāinga Ora opposes the threshold at which point this rule applies (having been elevated from the Controlled Activity at Rule P.R7) and seek that this is increased (commensurate with the relief sought in P.R5).</p> <p>Kāinga Ora also oppose the Dis activity status, and instead seek a RDA rule in its place along with relevant matters of discretion (which could include):</p> <ul style="list-style-type: none"> <li>• [matters outlined under P.R7]</li> <li>• The contents and implementation of a Stormwater Impact Assessment prepared in accordance with schedule 29 (impact assessment),</li> <li>• Implementation of identified measures in a relevant stormwater management plan [or similar] for a catchment</li> </ul>	<p><i>Amendments sought</i></p> <ul style="list-style-type: none"> <li>• Reframe as a RDIS activity status</li> <li>• Increase the 3000m<sup>2</sup> threshold commensurate with the baseline of at least 5000m<sup>2</sup> for a permitted activity.</li> <li>• Include an exclusion to P.R10(b) where a proposal is being undertaken as part of a wider comprehensive development that includes a catchment scale stormwater treatment system.</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				Oppose P.R10(b) - financial contribution condition as it does not provide alternative framework applicable to catchment based solutions for attenuation, control and treatment associated with “greenfield development”. It also doesn’t allow for a corresponding reduction in cases where treatment exceeds the 85% requirement.	
58.	9.3.2 Stormwater	Rule P.R11 - All other stormwater discharges – non-complying activity	Oppose	Kāinga Ora oppose in part P.R11(d) – and the link to non-compliance with conditions of P.R10 insofar as it relates to financial contributions and similarly the reference to P.R12 as a prohibited activity.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Remove reference to compliance with financial contributions as cross referenced in P.R10.</li> <li>Delete reference to P.R12</li> </ul>
59.	9.3.2 Stormwater	Rule P.R12: Stormwater discharges from new unplanned greenfield development – prohibited activity	Oppose	<p>Kāinga Ora opposes the Prohibited Activity status.</p> <p>While it is recognised that objectives set in this plan change generally require significant improvements to water quality and ecosystem health in the urban influenced catchments (introduced through Whaitua process) and the NPS-FM requires water quality to be maintained or improved across all catchments, the proposed prohibited activity framework is considered to be overly onerous. It is acknowledged that discharges from new urban areas generally increase the contaminant load within an undeveloped area; however, it is too far to automatically conclude that this would impede achievement of the target attribute state. The proposed activity status fails to recognise 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.</p>	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Delete rule.</li> <li>Alternatively, amend activity status and remove consequential requirement for separate Plan Change process, instead incorporating a set of criteria for out of sequence development that is in line with the NPS-UD.</li> <li>Seek review of and corresponding expansion to identified “Unplanned Greenfield Development” areas.</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>Kāinga Ora consider this framework is somewhat at odds with the NPS-UD – which requires responsiveness to urban development. Rather than the requirement of a plan change, Kāinga Ora suggest that a set of criteria for out of sequence development is provided in line with the NPS-UD.</p> <p>The s32 analysis for PC1 contains inadequate justification of this framework, which is overly restrictive, has significant costs, and inherent inefficiencies. There is an inadequate assessment of alternatives to the proposed approach.</p> <p>Concern is also had around the lack of clarity in relation to how this framework is intended to apply. E.g. the term 'greenfield development' is undefined. What activities are included within the scope of 'greenfield development' (and therefore prohibited)? If this were to include infrastructure, that would further extend Kāinga Ora concerns.</p> <p>Beyond this, the identified “Unplanned Greenfield Development” areas are disputed. It is noted that the proposed ‘unplanned greenfield areas’ comprise of open space in eastern Porirua inhibit public housing projects. This rule has significant implications for development programme in eastern Porirua, as some existing open space zoned land has been, and is further intended to be, acquired and/or will be the subject of land swaps to facilitate urban development.</p> <p>Also note impact that this has upon land that has been the subject of future growth planning in the Northern Growth Area of Porirua.</p>	

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
60.	9.3.4 Land Uses	Rule P.R16 - Vegetation clearance on highest erosion risk land – permitted activity	Support in part	Kāinga Ora generally supports the intent of this rule but seeks a clear threshold for vegetation clearance that can occur as a permitted activity. The rule is currently silent on this.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Introduce a permitted threshold of vegetation clearance.</li> </ul>
61.	9.3.4 Land Uses	Rule P.R17 - Vegetation clearance on highest erosion risk land – controlled activity	Oppose	Kāinga Ora generally supports the intent of this rule, and recognises the need to manage sediment run-off from land use activities. However, the 200m <sup>2</sup> threshold is considered to be too onerous. Having reviewed the s32 analysis, it is unclear how 200m <sup>2</sup> for the clearance of woody vegetation has been arrived at, noting the operative NRP provides for such clearance up to 2ha.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Increase the threshold of vegetation clearance before consent is required as a controlled activity.</li> </ul>
62.	9.3.5 Earthworks	Rule P.R22	Oppose	Kāinga Ora broadly support the intent of this rule (as amended by Clause 16), but oppose P.R22(c)(iv) as it is not practical or achievable to avoid <i>all</i> discharge from the site.  In addition, in recognition that PC1 proposes amendments to the <i>earthworks</i> definition, Kāinga Ora also seeks a statement that exempts activities associated with the trenching of services.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Delete P.R22(c)(iv)</li> <li>Include an exclusion within the rule that exempts activities associated with the trenching of services – i.e. thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance.</li> </ul>
63.	9.3.5 Earthworks	Rule P.R23	Oppose	Kāinga Ora query the 100g/m <sup>3</sup> TSS standard for earthworks and seek clarification as to what has informed this standard? The supporting technical reports refer to a reduction in annual sediment load of 40% per year but do not draw a connection between this target reduction and the proposed standard in PC1.  Kāinga Ora opposes the condition in the rule at P.R23(b) as it places a restriction on earthworks between 1st of June and 30th September and the resulting escalation to a non-	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Delete the condition in the rule at P.R23(b) where it places a restriction on earthworks between 1st of June and 30th September and the resulting escalation to a non-complying activity. Instead, include winter works as a matter of discretion within the relevant RDA rule.</li> <li>Include an exclusion within the rule that exempts activities associated with the</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>complying activity. Instead, Kāinga Ora seeks that winter works are a listed matter of discretion.</p> <p>In addition, in recognition that PC1 proposes amendments to the <i>earthworks</i> definition, Kāinga Ora also seeks a statement that exempt activities associated with the trenching of services.</p>	trenching of services – i.e. thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance.
64.	9.3.5 Earthworks	Rule P.R24	Oppose	Kāinga Ora opposes the non-complying rule insofar as it relates to winter works. Instead, Kāinga Ora seeks that winter works are a listed matter of discretion under P.R23.	<i>Amendments sought</i> <ul style="list-style-type: none"> <li>Delete P.R24 with consideration of winter works being a listed matter of discretion under P.R23.</li> </ul>
<b>12 - SCHEDULES</b>					
65.	12 - Schedules	Schedule 30 - Financial Contributions	Oppose	Kāinga Ora opposes the current Financial Contribution policy and rule framework and seeks a consequential review of Schedule 30. Changes are sought to enable consideration of whether a proposal is part of a wider comprehensive development (including those that are progressively staged) that includes a catchment scale stormwater treatment system.	<i>Amendments sought</i> <ol style="list-style-type: none"> <li>Kāinga Ora seek deletion of policy and rules associated in regard to the requirement to pay financial contributions;</li> </ol> <p>Alternatively, if the relief in 1 is not provided:</p> <ol style="list-style-type: none"> <li>Review financial contributions to enable consideration and account for network improvements undertaken in the relevant catchment (to which the proposal relates), where such works would enhance existing water quality outcomes.</li> </ol>
<b>13 - MAPS</b>					
66.	13 - Maps	Maps 86-89 Unplanned Greenfield Areas	Oppose	<p>Kāinga Ora oppose definition based on areas identified as ‘unplanned greenfield area’ on maps 86, 87, 88, and 89.</p> <ul style="list-style-type: none"> <li>The areas in the maps do not reflect zoning changes that</li> </ul>	<ul style="list-style-type: none"> <li>Undertake a review of, and expansion to the areas identified as planned/existing urban areas on maps 86-89.</li> </ul>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				<p>have been made by the Porirua PDP Hearing Panel and they therefore exclude changes sought through submissions, or extensions to the Northern Growth Area added through Variation 1.</p> <ul style="list-style-type: none"> <li>• The areas on the maps do not include some land that is intended to be developed for urban purposes in the Hutt City jurisdiction, noting this Council is yet to notify its Proposed District Plan.</li> <li>• The proposed ‘unplanned greenfield areas’ comprising open space zoned land in Porirua will inhibit public housing projects. This definition and associated rule has significant implications for the development programme in eastern Porirua, particularly as some existing open space zoned land is intended to be acquired and or will be the subject of land swaps to facilitate urban development. Some land parcels have already commenced the reserve revocation process. Kāinga Ora therefore seeks the removal of open space from identified ‘unplanned greenfield area’.</li> <li>• Beyond this, it is unclear what constitutes “greenfield development” in the context of “unplanned greenfield development”, for example does this also include infrastructure? If so, this definition and associated rule framework is unworkable.</li> <li>• Related to the above, the existing rule framework would appear to constrain expansion and/or construction of new infrastructure in locations that benefit from a designation for such public works.</li> </ul>	<ul style="list-style-type: none"> <li>• Seek exclusion of land zoned as open space areas from unplanned greenfield areas, particularly where these are located in an urban environment.</li> </ul>
67.	13 - Maps	Maps 90-95 High/Highest Erosion Risk Land	Neutral	Kāinga Ora generally supports the identification of land where it is subject to a proposed planning framework that seeks to manage land-uses upon identified High and Highest	Kāinga Ora seeks that the maps are deleted and a definition for ‘High and Highest Erosion Risk Land’ is provided to more accurately capture

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				<p>Erosion Risk Land. However, the maps currently available are not readily understood at the site-based level.</p> <p>Kāinga Ora consider that a definition for 'High and Highest Erosion Risk Land' is more appropriate to capture those areas of land subject to the corresponding rules rather than high level maps which could capture (or fail to capture) sites that would/would be subject to such rules.</p>	<p>such sites which are then subject to the associated rules.</p>

