

Moana Wyatt

From: Torrey McDonnell
Sent: Monday, 22 March 2021 12:59 pm
To: Paul Denton
Cc: Stewart McKenzie
Subject: RE: S293 application for CMA and river mouth boundaries

Good afternoon Paul

PCC is supportive of the change proposed below.

Ngā mihi,

Torrey McDonnell

Principal Policy Planner
Kaihanga Mahere Kaupapahere Matua

porirucity

Tel: 04 2371088
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From: Paul Denton <Paul.Denton@gw.govt.nz>
Sent: Friday, 19 March 2021 4:03 PM
To: Torrey McDonnell <Torrey.McDonnell@porirucity.govt.nz>
Subject: [EXTERNAL] RE: S293 application for CMA and river mouth boundaries

Thanks Torrey.

From: Torrey McDonnell <Torrey.McDonnell@porirucity.govt.nz>
Sent: Friday, 19 March 2021 4:01 PM
To: Paul Denton <Paul.Denton@gw.govt.nz>
Subject: RE: S293 application for CMA and river mouth boundaries

Thanks Paul, will get back to you Monday.

From: Paul Denton <Paul.Denton@gw.govt.nz>
Sent: Wednesday, 17 March 2021 11:58 AM
To: Torrey McDonnell <Torrey.McDonnell@porirucity.govt.nz>
Subject: [EXTERNAL] FW: S293 application for CMA and river mouth boundaries

Hi Torrey,
As discussed, a note about our proposed s293 application
Regards



Paul Denton
Kaitohutohu | Senior Policy Advisor
Greater Wellington Te Pane Matua Taiao
04 830 4037
100 Cuba St, Te Aro, Wellington 6011

From: Paul Denton

Sent: Monday, 1 March 2021 2:22 PM

To:

[joh](#)

[dav](#)

[<ka](#)

Cc:

Subject: S293 application for CMA and river mouth boundaries

Good afternoon,

As you will be aware, the appeals on the Greater Wellington Proposed Natural Resources Plan (PNRP) are being resolved, with hearings (currently limited to water quality and allocation) likely beginning mid-year.

In the meantime, we have noticed a discrepancy in the PNRP that we want to resolve now rather than later. The discrepancy concerns the extent of the Coastal Marine Area (CMA) and river mouth boundaries on Planning Maps.

As you know certain river boundaries are marked on PNRP Maps 42 to 48; the CMA is marked blue and river mouths in red. Where rivers or streams are not marked on maps, the Plan relies on wording that the river mouth is a straight line representing the continuation of Mean High Water Springs (MHWS) on each side at the river outlet. The operative Regional Coastal Plan contains the following wording in Appendix 1 (River Mouths), page 221 to this effect: *For the remaining rivers in the Wellington Region, the mouth is deemed to be a straight line representing the continuation of the line of Mean High Water Springs on each side of the river at the river outlet.* However, the Notified and Decision versions of the PNRP do **not** include this wording in the Maps Chapter, or in any other chapter of the Plan.

We propose to re-instate these words to this effect into the Maps chapter of the PNRP through insertion of the following text:

Maps 42 to 48 show where the CMA and river mouth boundaries are located. For the remaining rivers in the Wellington Region not shown on Maps 42 to 48, the mouth is deemed to be a straight line representing the continuation of the line of Mean High Water Springs on each side of the river at the river outlet.

At this stage, given there are still live appeals on the PNRP before the Environment Court and the nature of the required change, we consider the best option is to utilise section 293 of the RMA to correct this oversight through inclusion of the above paragraph.

While a section 293 application is normally made in respect of a specific appeal on a Proposed Plan/Plan Change, we intend to apply to the Court in the context of the appeals more generally. This is because there are a large number of appeals and this matter touches on a range of relevant appeal issues but none have expressly raised it.

We would like to understand your position on both the proposed change to the PNRP and the process we are proposing before proceeding. If possible can we have confirmation from your Council by the 26th March 2021.

I can call to discuss further or arrange a meeting, which ever suits best – please let me know.

Regards



Paul Denton

Kaitohutohu, Senior Policy Advisor, Environmental Policy

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