

<p style="text-align: center;">Wellington City District Plan – Omnibus Plan Change</p> <p style="text-align: center;">Natural and Coastal Hazards – Reference to Crown Entities</p>
<p>Scope of Proposed Change</p> <p>To update references to ‘<i>Crown Entities</i>’ in the Coastal Hazards chapter for consistency with the Natural Hazards chapter.</p>
<p>Background</p> <p>At the time of notification of the Proposed District Plan (PDP) both the Natural Hazards (NH) and Coastal Hazards policies and rules referred to ‘<i>Crown Entities</i>’.</p> <p>Natural and Coastal Hazards were addressed in Hearing Stream 5. The Natural Hazards chapter followed the Intensification Planning Instrument Process, whereas the Coastal Hazards provisions (located in the Coastal Environment chapter) followed the Part 1 Schedule 1 process.</p> <p>No submissions were received requesting that the term ‘<i>Crown Entities</i>’ be replaced in the Plan; however, the Council’s reporting officer identified inconsistencies across similar plan provisions and recommended that this terminology was too broad and should be replaced with references to the names of specific entities in relation to the Natural Hazards provisions¹. In the 2024 District Plan provisions in the Natural Hazards chapter (NH-P16, NH-P17, NH-R2 and R3) no longer refer to ‘<i>Crown Entities</i>’. Instead, the provisions list the specific entities that they relate to.</p> <p>The Coastal Hazards provisions (CE-P25 and CE-R17) regulate similar matters to the Natural Hazards provisions. The Council’s reporting officer² identified that amending the Natural Hazards chapter would lead to inconsistencies in the Plan, but as this matter was not raised in submissions relating to these provisions there was no scope to recommend these provisions be amended.</p>
<p>Issue</p> <p>That there is a lack of consistency in terminology used between the Natural Hazards and Coastal Hazards chapters, leading to uncertainty with implementation of the 2024 District Plan.</p>
<p>Assessment of Options</p> <p><i>Recommended options</i></p> <p>The options for resolving this issue are as follows:</p> <ol style="list-style-type: none"> 1. To retain the status quo. 2. To replace the term ‘crown entities’ in CE-P25 and CE-R17 with a list of the relevant specific entities. <p><i>Cost/Benefit Assessment</i></p> <p>The options are assessed below. The assessment is additional to information in the Section 32 - Part 2 - Natural and Coastal Hazards, and is limited to the effect of the changes.</p>

¹ [Section 42A Report: Natural Hazards and Coastal Hazards](#), para 73-74

² [Section 42A Report: Natural and Coastal Hazards](#), para 73-74, 901

Option 1: Retain the status quo

Operative CE-P25 and CE-R17 use the term '*Crown Entities*', enabling a variety of crown entities to operate under this permitted rule.

Costs:

- Retains a lack of clarity and inconsistency between chapters, preventing efficient Plan administration.

Benefits:

- None.

Option 2: Amend CE-P25 and CE-R17 to replace the term '*Crown entities*' with a list of the relevant specific entities

Costs:

- None.

Benefits:

- Improved clarity achieved through enabling only those entities who have a legislative remit to undertake natural hazard management for the protection of people, property and infrastructure to undertake hazard mitigation works as a permitted activity under the policy and permitted rule. This is a more effective approach to providing for flood hazard management and managing potential adverse effects associated with these works.
- Improved consistency across the Natural Hazards and Coastal Hazards provisions, resulting in improved Plan user experience.

Efficiency and effectiveness

Option 2 is considered to be the most efficient and effective option as it ensures a consistent approach to the enabling of particular entities to undertake hazard mitigation works to result in reducing hazard risk.

Risk of acting/not acting

There are no significant risks associated with either option identified above.

Overall evaluation

Option 2 is the recommended option as it achieves District Plan consistency.

Recommendation

Option 2 is recommended, being to amend CE-P25 and CE-R17 to replace the term '*Crown Entities*' with a list of the relevant specific entities.

Recommended amendments

Coastal Hazards Chapter

CE-P25: Coastal hazard mitigation works involving green infrastructure

Enable green infrastructure and encourage Mātauranga Māori approaches undertaken by a ~~Crown entity~~ the Greater Wellington Regional Council, Wellington City Council, Waka Kotahi, KiwiRail, CentrePort Limited or Wellington International Airport Limited or their nominated contractors or agents within the identified Coastal Hazard Overlay where this will reduce the risk from coastal hazards to people, property and infrastructure.

CE-R17 Green infrastructure for the purposes of coastal hazard mitigation works undertaken by ~~a Crown entity~~ the Greater Wellington Regional Council, Wellington City Council, Waka Kotahi, KiwiRail, CentrePort Limited or Wellington International Airport Limited or their nominated contractor or agent within the Coastal Hazard Overlays

Activity status: Permitted

Where:

The works must be undertaken by either the Greater Wellington Regional Council, Wellington City Council, Waka Kotahi, KiwiRail, CentrePort Limited or Wellington International Airport Limited or their nominated ~~contractors or agents~~ Crown entity, Regional or Territorial Authority or an agent on their behalf for the express purpose of coastal hazard mitigation works.

Consequential amendments

No consequential amendments are required.